



Compliance and New Initiatives

Data Bank Agent & Composite Board Education Forum

October 20, 2011

St. Louis, MO

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U.S. Department of Health and Human Services

Health Resources and Services Administration

Bureau of Health Professions

Division of Practitioner Data Banks



Presentation Outline



- **Compliance Overview**
- **Recent Compliance Activities**
- **Compliance Activities Results**
- **Ongoing Learning**
- **Future Compliance Activities**
- **New DPDB Initiatives**
- **Resources**



Compliance Overview



Compliance Focus:

- To educate reporting and querying entities
- To ensure that the reporting and querying requirements are met by all entities, thereby improving the completeness and accuracy of information in the Data Bank



Recent Compliance Activities



Establishment of Compliance Efforts:

- Reached out to Governors requesting support and providing information regarding HRSA's goals to improve the completeness and accuracy of the Data Bank
- A follow up letter was sent prior to the first publication of the Compliance Status of Government Agencies



Recent Compliance Activities



Compliance Activities to Date:

- Never Reported Profession Compliance Project
- Adverse Licensure Action Comparison Project



Never Reported Profession Compliance Project:

- Developed a list of State agencies responsible for licensing or certifying health care professionals
- List was compared to data in the HIPDB
- States received letters for professions for which no data were found in the HIPDB



Adverse Licensure Action Comparison Project:

- 13 Nursing Boards
- Six frequently queried professions
 - Nurses, Pharmacists, Physician Assistants, Podiatrists, Psychologists, and Social Workers
- Physicians and Dentists
- Three additional professions
 - Chiropractors, Optometrists, Physical Therapists



Adverse Licensure Action Comparison

Project:

- Compared publicly available disciplinary data with HIPDB data
- In some cases, requested data from State Boards and Agencies if we could not find data
- Requested reconciliation of data that were not matched to reports in the Data Bank



Recent Compliance Activities



Education for State Licensing Boards and Agencies:

- Throughout the Compliance Monitoring initiatives, technical assistance sessions were provided to State Boards and Agencies with limited Data Bank experience
- Over 400 people from all 50 states attended seven sessions between February and May 2010
- The Data Bank is committed to providing continuous technical assistance for other initiatives on a one-on-one basis



Recent Compliance Activities



Reporting Compliance Status of State Licensing Boards and Agencies:

- **Publication Dates:**
 - July 1, 2010
 - October 1, 2010
 - April 1, 2011
 - July 1, 2011
 - October 1, 2011
- **Available on the Data Bank website:**
<http://www.npdb-hipdb.hrsa.gov/news/reportingCompliance.jsp>



Recent Compliance Activities



Reporting Compliance Status of State Licensing Board and Agencies:

- Each State and the professions reviewed within that State are listed
- A written response was required for HRSA to make a determination
- Results were initially published on one table prior to April 1, 2011
- Revised posting more accurately differentiates Compliance Monitoring initiatives

Compliance Status Reporting



The Data Bank - Reporting Compliance - Mozilla Firefox
http://www.npdb-hipdb.hrsa.gov/news/reportingCompliance.jsp

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Health Care Organizations Reporting


Reporting Compliance Status of Government Agencies

U.S. Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA) has undertaken efforts to improve the completeness and accuracy of data reported to the Healthcare Integrity and Protection Data Bank (HIPDB) and the National Practitioner Data Bank (NPDB). The Secretary of HHS is exercising legal authority as defined under Section 1128E(b)(6)(B) of the Social Security Act to publish a report listing Government agencies that have failed to meet their HIPDB reporting requirements.

For more information about the reporting compliance process and definitions of terms, see [About Reporting Compliance](#).

The following tables include the compliance status as of April 1, 2011 for Government Agencies contacted for the Adverse Action Comparison Project and Never Reported Professions Compliance Effort. The tables include only those States and professions that HRSA has reviewed or is currently reviewing. The compliance status listed in the tables are one of five possible determinations: [Compliant](#), [Non-Compliant](#), [Working Toward Compliance](#), [Under Review](#), or [Not Reviewed](#).

More Information

 **Customer Service Center**
1.800.767.6732
help@npdb-hipdb.hrsa.gov

Open: Mon. - Thurs.
8:30 a.m. - 6:00 p.m.,
Fri. 8:30 a.m. - 5:30 p.m. ET
Closed: Federal holidays

Done

Compliance Status Reporting

The Data Bank - Reporting Compliance - Mozilla Firefox

http://www.npdb-hipdb.hrsa.gov/news/reportingCompliance.jsp

The Data Bank - Reporting Compliance

Never Reported Professions Compliance Effort

For this compliance effort a list of current State Agencies and Licensing Boards responsible for licensing or certifying health care professionals was compared to data reported to the HIPDB and NPDB and Government agencies (i.e., State Licensing Boards) that may not have reported any adverse actions on specific professions were identified. HRSA contacted these agencies and determined the professions subject to the reporting requirements and worked with agencies to ensure appropriate reporting.

View Status of Compliance Effort

[AL](#) | [AK](#) | [AZ](#) | [AR](#) | [CA](#) | [CO](#) | [CT](#) | [DE](#) | [DC](#) | [FL](#) | [GA](#) | [GU](#) | [HI](#) | [ID](#) | [IL](#) | [IN](#) | [IA](#) | [KS](#) | [KY](#)
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[OK](#) | [OR](#) | [PA](#) | [PR](#) | [RI](#) | [SC](#) | [SD](#) | [TN](#) | [TX](#) | [UT](#) | [VT](#) | [VI](#) | [VA](#) | [WA](#) | [WV](#) | [WI](#) | [WY](#)

State/Agency Professions	Status as of 7/1/2010	Status as of 10/1/2010	Status as of 4/1/2011
Alabama			
Accountant	Under Review	Non-Compliant	Compliant
Ambulance Driver	Working Toward Compliance	Working Toward Compliance	Compliant
Associate Licensed Counselor	Compliant	Compliant	Compliant
Athletic Trainer	Compliant	Compliant	Compliant
Certified Nurse Aide	Compliant	Compliant	Compliant
Certified Respiratory Therapist	Working Toward Compliance	Non-Compliant	Working Toward Compliance

Compliance Status Reporting

The Data Bank - Reporting Compliance - Mozilla Firefox

http://www.npdb-hipdb.hrsa.gov/news/reportingCompliance.jsp

The Data Bank - Reporting Compliar

Adverse Licensure Action Comparison Project

For this compliance effort HRSA compared publicly available disciplinary licensure actions published on State web sites for certain years with data currently stored in the HIPDB. HRSA contacted Government agencies with the results of the comparison and sent letters indicating which actions were not found in the Data Banks and requested agencies review these and report as appropriate.

■ View Status of Comparison Project

[AL](#) | [AK](#) | [AZ](#) | [AR](#) | [CA](#) | [CO](#) | [CT](#) | [DE](#) | [DC](#) | [FL](#) | [GA](#) | [HI](#) | [ID](#) | [IL](#) | [IN](#) | [IA](#) | [KS](#) | [KY](#)
[LA](#) | [ME](#) | [MD](#) | [MA](#) | [MI](#) | [MN](#) | [MS](#) | [MO](#) | [MT](#) | [NE](#) | [NV](#) | [NH](#) | [NJ](#) | [NM](#) | [NY](#) | [NC](#) | [ND](#) | [OH](#)
[OK](#) | [OR](#) | [PA](#) | [RI](#) | [SC](#) | [SD](#) | [TN](#) | [TX](#) | [VT](#) | [VA](#) | [WA](#) | [WV](#) | [WI](#) | [WY](#)

State/Agency Professions	Status as of 7/1/2010	Status as of 10/1/2010	Status as of 4/1/2011
Alabama			
Dentist	Not Reviewed	Not Reviewed	Working Toward Compliance
Nursing Related Professions (Other Than Certified Nurse Aide)	Not Reviewed	Working Toward Compliance	Compliant
Physician - Allopathic	Not Reviewed	Not Reviewed	Compliant
Physician - Osteopathic	Not Reviewed	Not Reviewed	Compliant
Physician Assistant	Not Reviewed	Compliant	Compliant
Podiatrist	Under Review	Non-Compliant	Non-Compliant
Psychologist	Under Review	Compliant	Compliant
Social Worker	Not Reviewed	Compliant	Compliant
Back to Top			
Alaska			
	Status as of 7/1/2010	Status as of 10/1/2010	Status as of 04/1/2010
Dentist	Not Reviewed	Not Reviewed	Compliant
Nursing Related Professions	Not Reviewed	Working Toward Compliance	Compliant
Pharmacist	Under Review	Under Review	Compliant

Done



Reporting Compliance Status of State Licensing Boards and Agencies:

- Four categories were created:
 - Compliant
 - Working Toward Compliance
 - Under Review
 - Non-compliant
- Business rules outlined criteria for each status and initiative



Recent Compliance Activities



Increase in Registered Users:

- 1,953 entities have registered to become Data Bank users since February 2010



Recent Compliance Activities



Results for Never Reported Professions Compliance Project:

- 21,546 licensure reports on fields of licensure not reported on as of February 2010 have been submitted to the Data Bank



Recent Compliance Activities

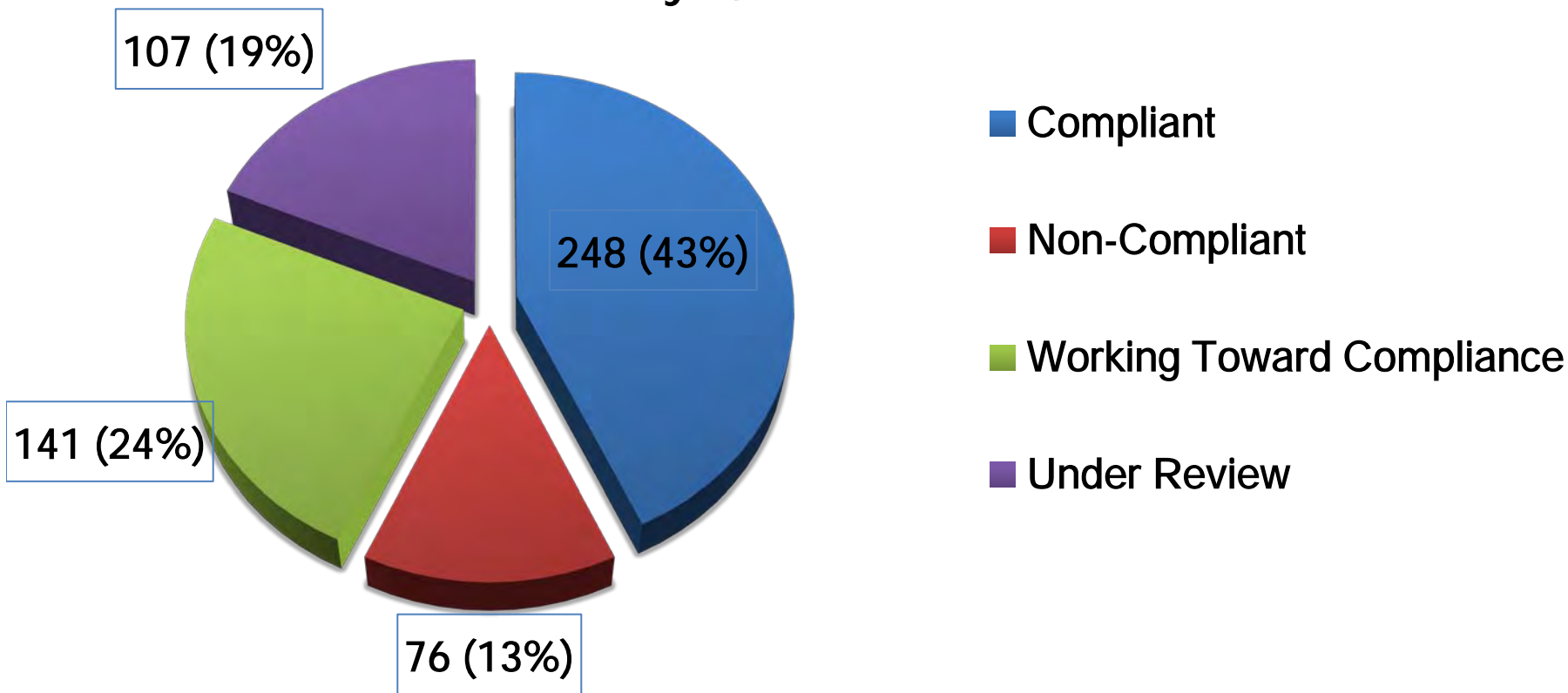


Results for Adverse Licensure Action Comparison Project:

- 7,367 licensure reports on Nurses, Pharmacists, Physician Assistants, Podiatrists, Psychologists, and Social Workers with action dates from 2006-2009 have been submitted to the Data Bank
 - 741 of these reports have been disclosed in one-time queries
- 1,251 licensure reports on Physicians and Dentists with action dates from 2006-2009 have been submitted to the Data Bank
 - 874 of these reports have been disclosed in one-time queries
- 436 licensure reports on Chiropractors, Optometrists and Physical Therapists with action dates from 2006-2009 have been submitted to the Data Bank
 - 18 of these reports have been disclosed in one-time queries

Results for Never Reported Professions by Status

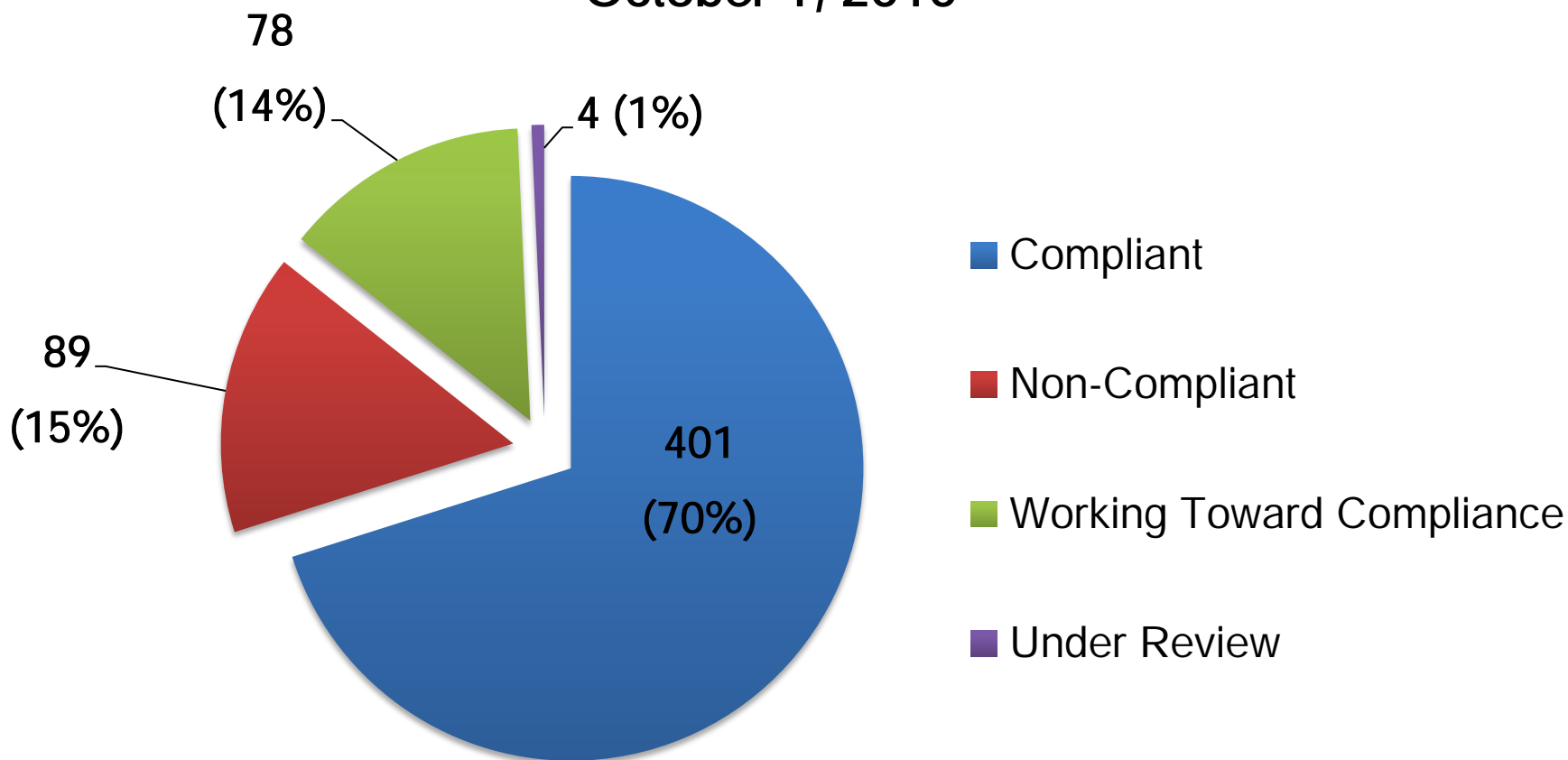
July 1, 2010



*Pie chart displays rounded percentage values

Results for Never Reported Professions by Status

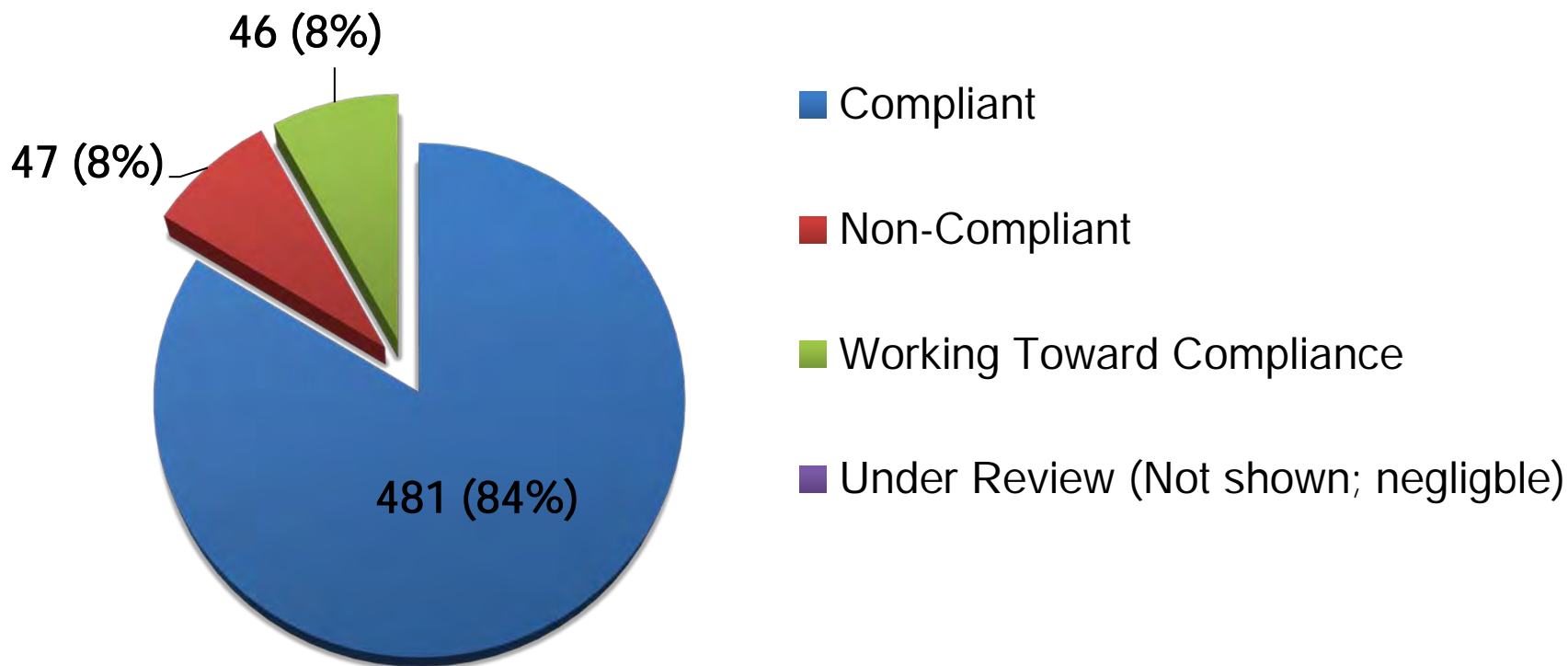
October 1, 2010



*Pie chart displays rounded percentage values

Results for Never Reported Professions by Status

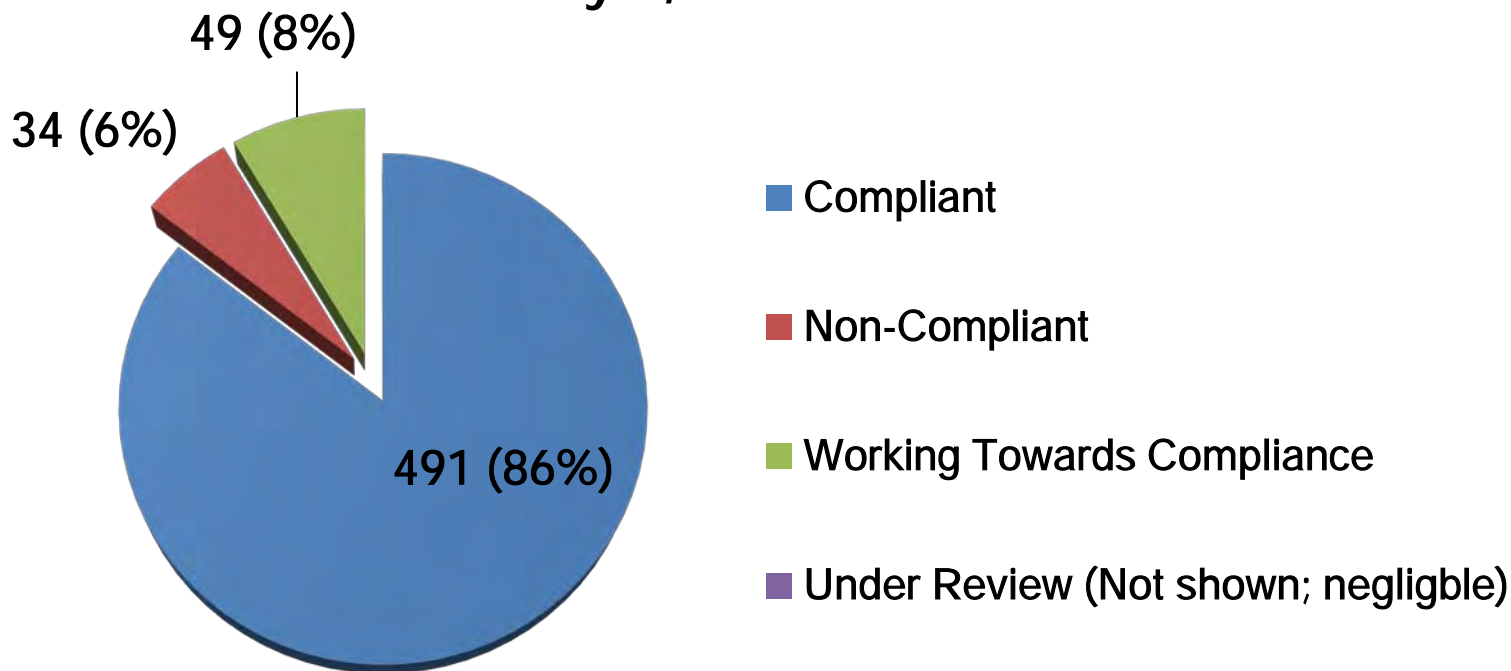
April 1, 2011



*Pie chart displays rounded percentage values

Results for Never Reported Professions by Status

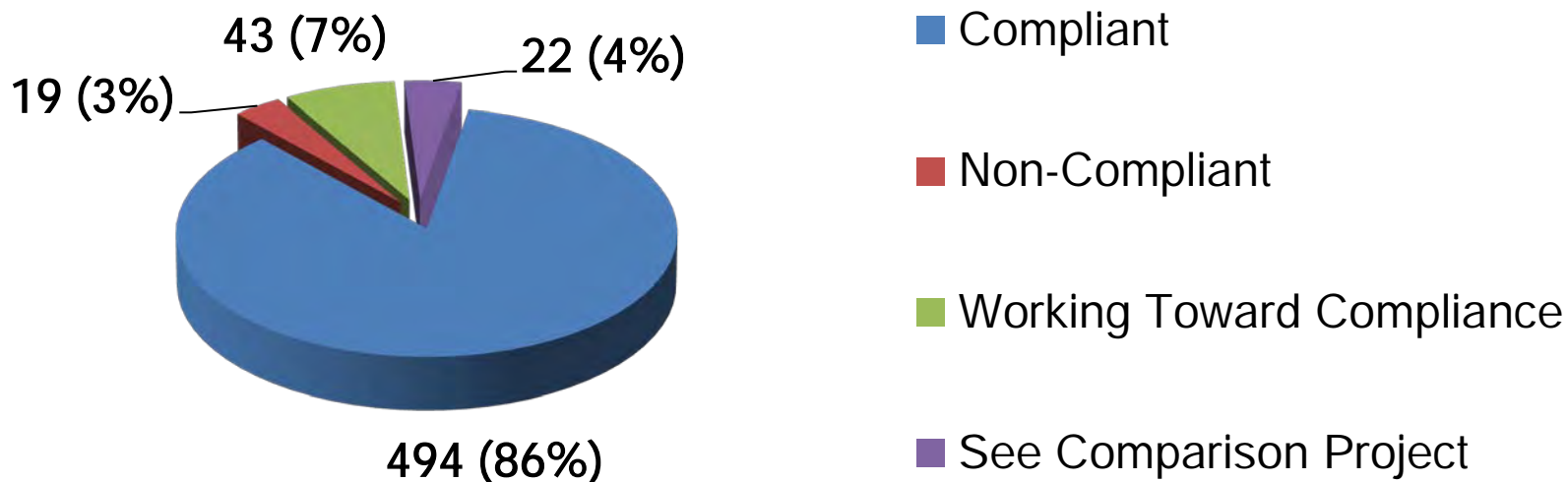
July 1, 2011



*Pie chart displays rounded percentage values

Results for Never Reported Professions by Status

October 1, 2011





Compliance Activities Results



Results for Never Reported Professions by Status

	Compliant	Non-Compliant	Working Toward Compliance	Under Review	See Comparison Project
July 2010	263 (40%)	80 (12%)	154 (23%)	160 (24%)	-
October 2010	416 (68%)	96 (16%)	83 (13%)	16 (3%)	-
April 2011	496 (83%)	48 (8%)	52 (9%)	0 (0%)	-
July 2011	493 (85%)	34 (6%)	52 (9%)	0 (0%)	-
October 2011	494 (86%)	19 (3%)	43 (7%)	-	22 (4%)

*Table displays rounded percentage values



Compliance Activities Results

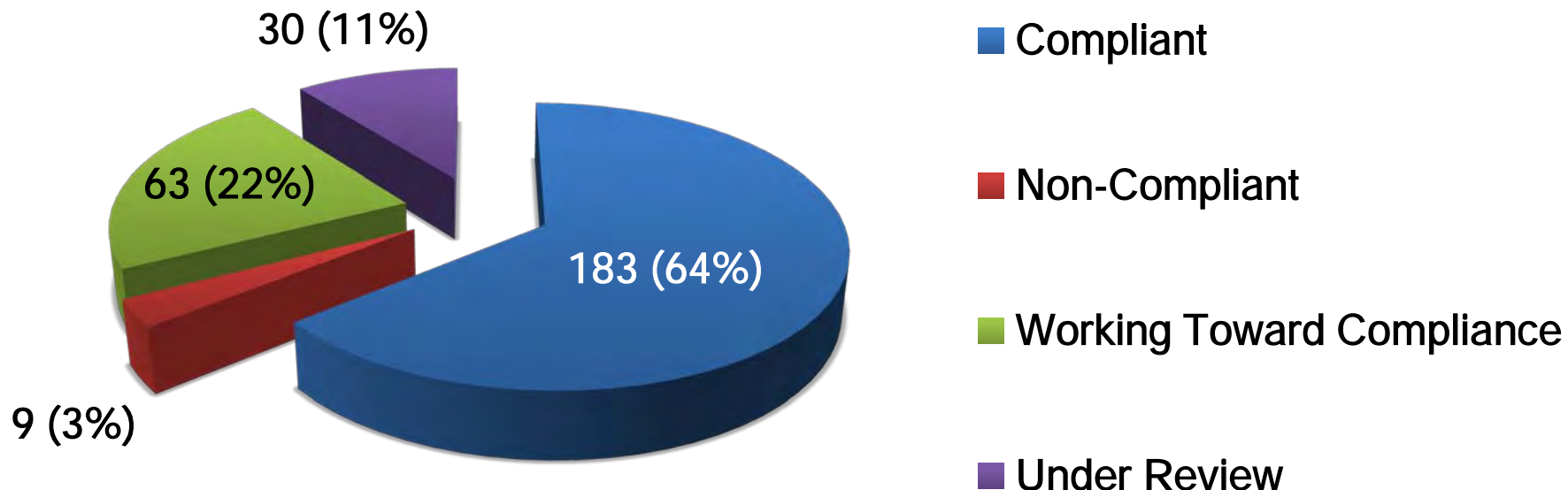


Results for Never Reported Professions by Status

Review Period	Non-Compliant to Compliant	Working Toward Compliance to Compliant
July 1, 2010 – October 1, 2010	23	76
October 1, 2010 – April 1, 2011	36	42
April 1, 2011 – July 1, 2011	4	20
July 1, 2011 – October 1, 2011	14	11

Results for Adverse Licensure Action Comparison Project: Six Frequently Queried Professions

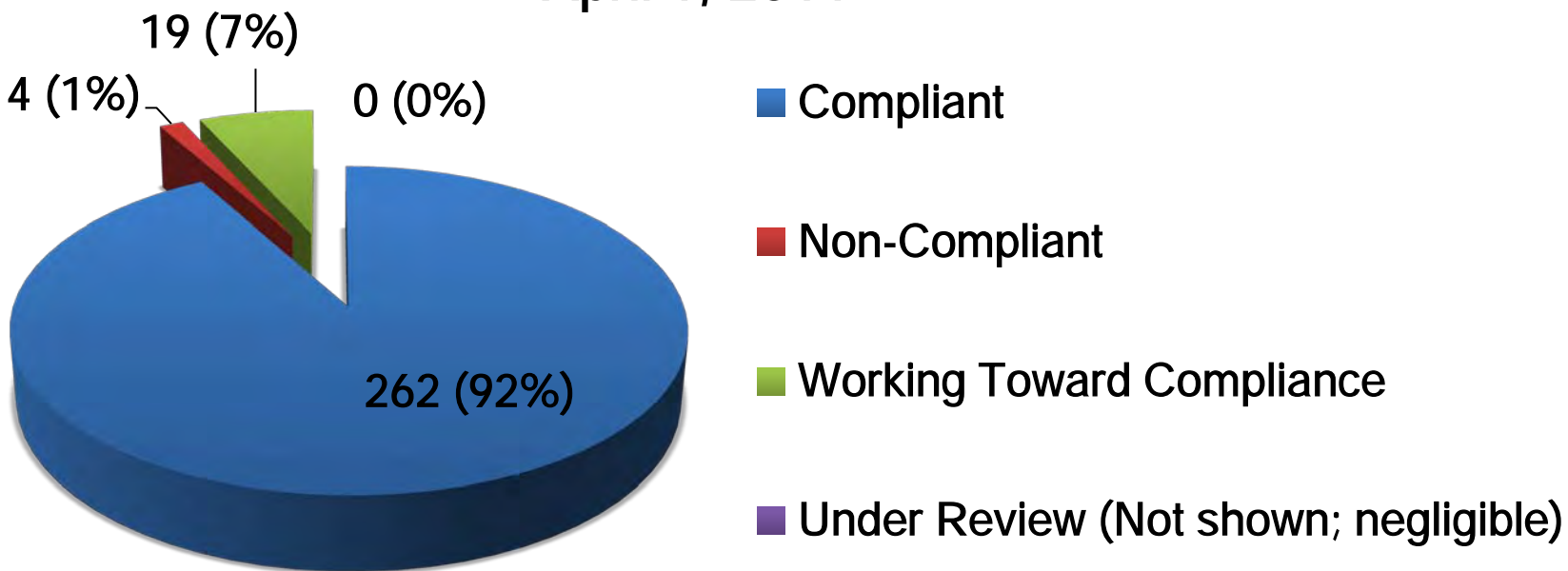
October 1, 2010



*Pie chart displays rounded percentage values

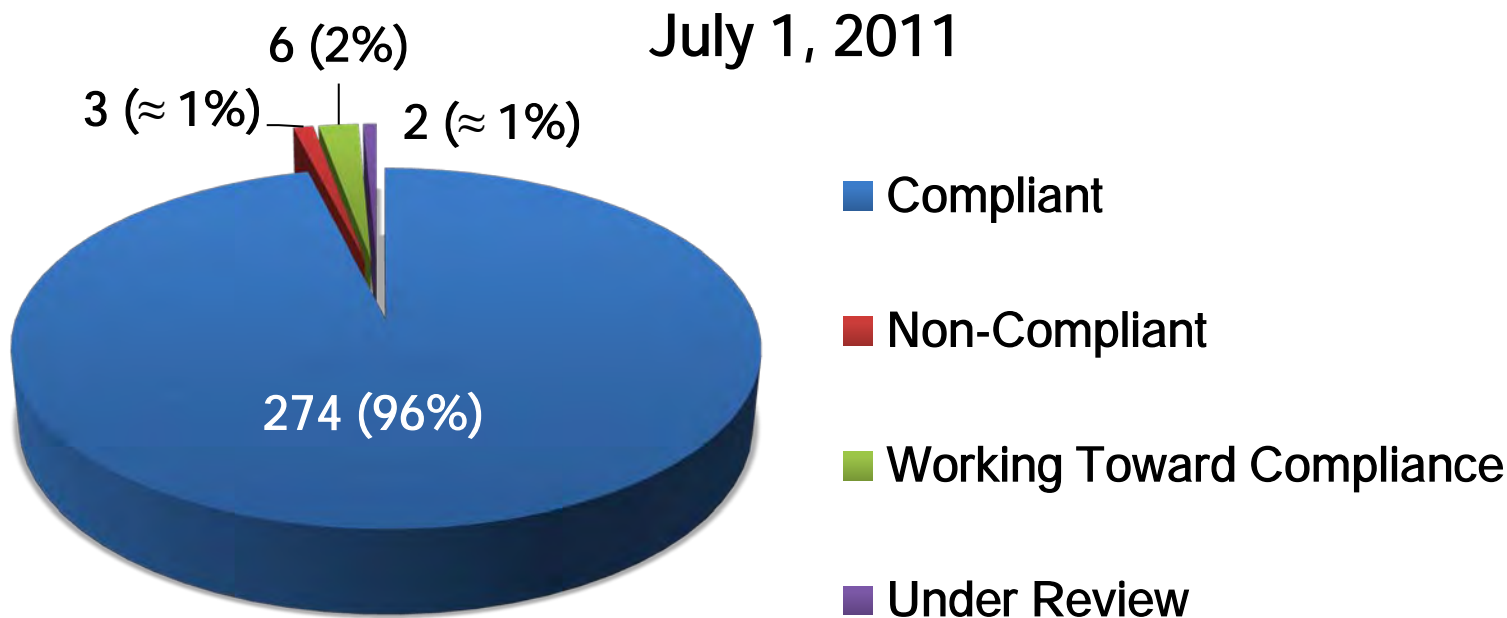
Results for Adverse Licensure Action Comparison Project: Six Frequently Queried Professions

April 1, 2011



*Pie chart displays rounded percentage values

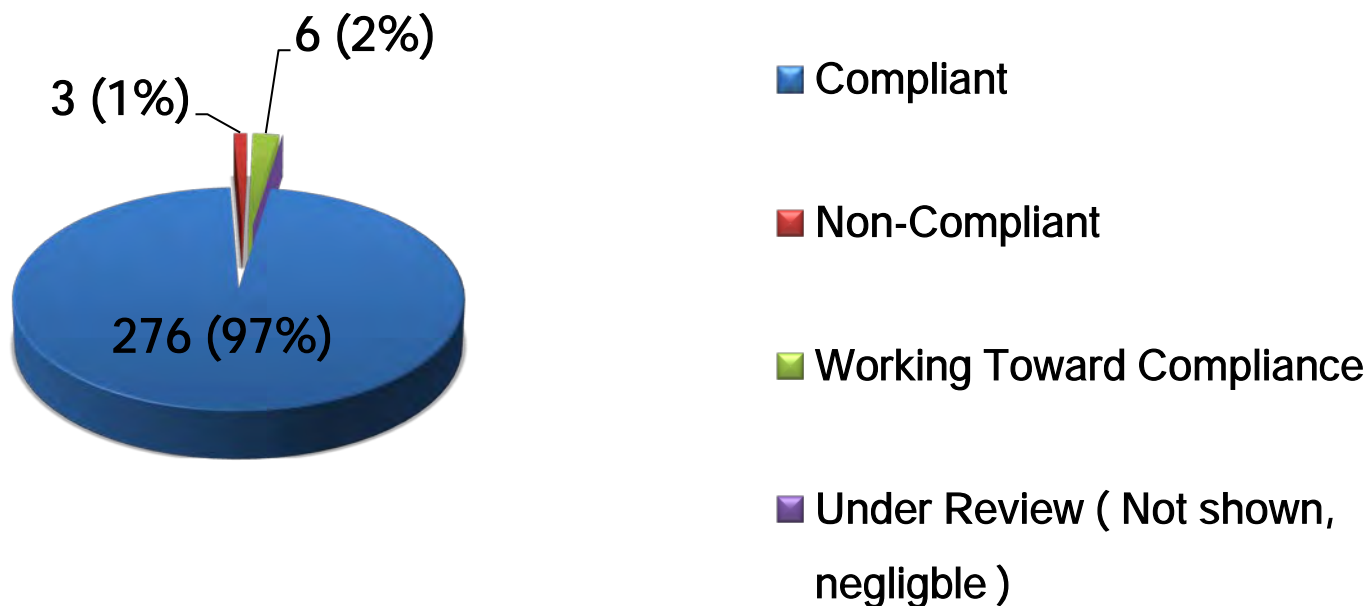
Results for Adverse Licensure Action Comparison Project: Six Frequently Queried Professions



*Pie chart displays rounded percentage values

Results for Adverse Licensure Action Comparison Project: Six Frequently Queried Professions

October 1, 2011





Compliance Activities Results



Results for Adverse Licensure Action Comparison Project: Six Frequently Queried Professions

	Compliant	Non-Compliant	Working Toward Compliance	Under Review
October 2010	183 (64%)	9 (3%)	63 (22%)	30 (11%)
April 2011	262 (92%)	4 (1%)	19 (7%)	0 (0%)
July 2011	274 (96%)	3 (\approx 1%)	6 (2%)	2 (\approx 1%)
October 2011	276 (97%)	3 (1%)	6 (2%)	0

*Table displays rounded percentage values



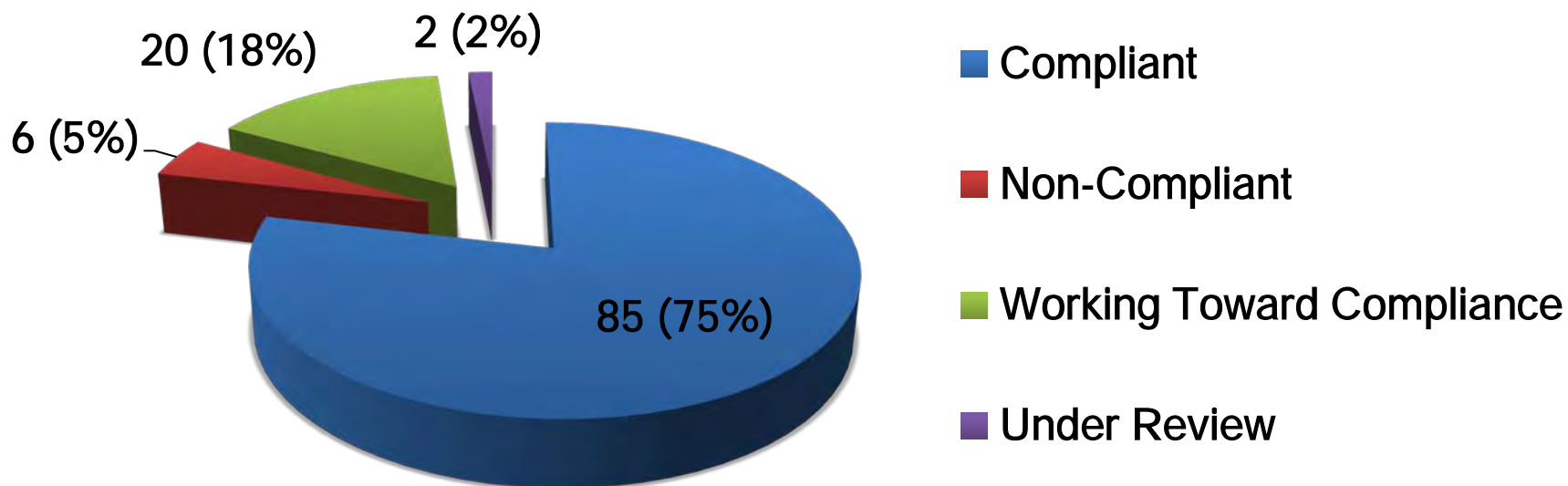
Results for Adverse Licensure Action Comparison Project: Six Frequently Queried Professions

- Changes in Compliance Status from October 1, 2010 to April 1, 2011:
 - Non-compliant to Compliant → 5 Professions
 - Working Toward Compliance to Compliant → 53 Professions
- Changes in Compliance Status from April 1, 2011 to July 1, 2011:
 - Non-compliant to Compliant → 0 Professions
 - Working Toward Compliance to Compliant → 12 Professions
- Changes in Compliance Status from July 1, 2011 to October 1, 2011:
 - Non-compliant to Compliant → 1 Profession
 - Working Toward Compliance to Compliant → 1 Profession

Results for Adverse Licensure Action Comparison Project: Physicians and Dentists

April 1, 2011

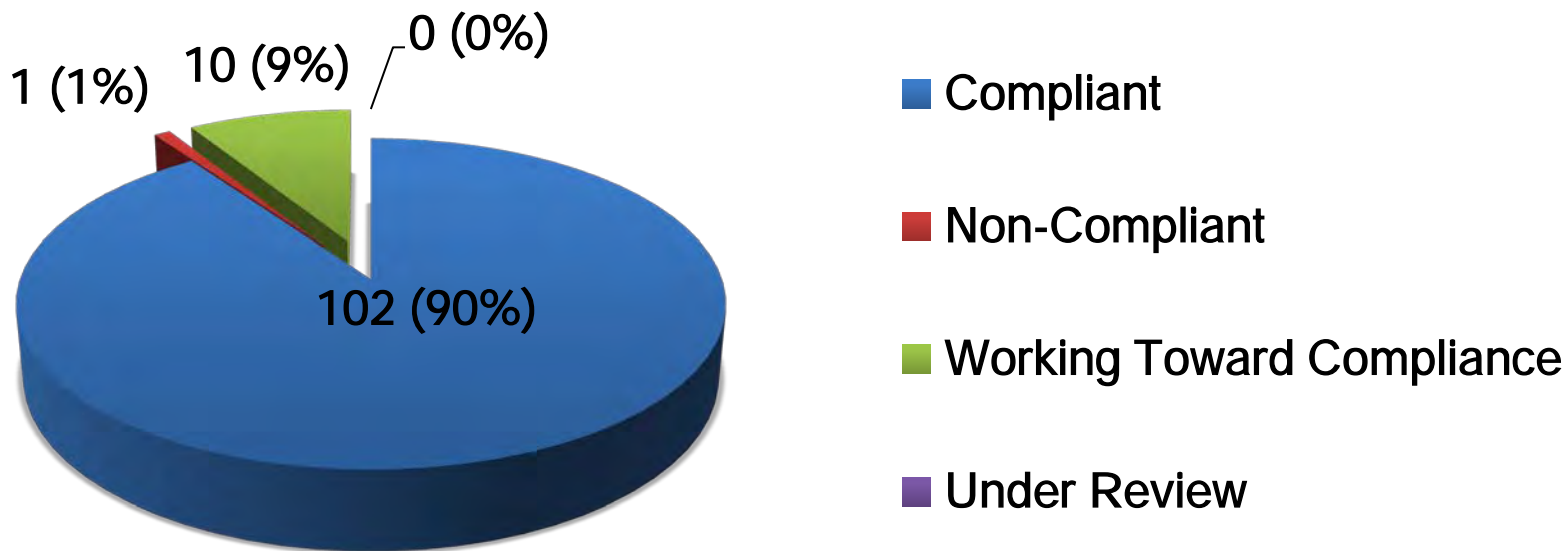
(Not Reviewed in October 2010)



Total Number of Actions Reviewed: 2,725

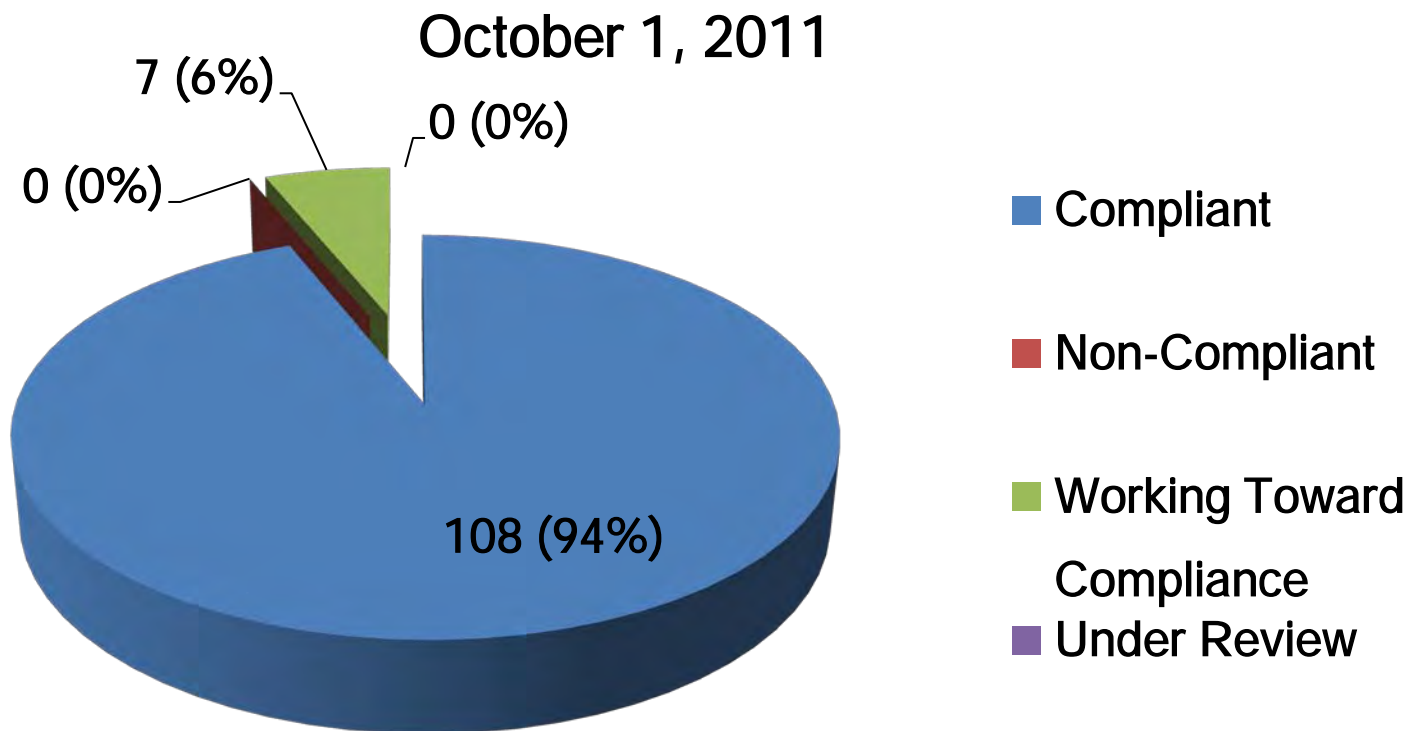
Results for Adverse Licensure Action Comparison Project: Physicians and Dentists

July 1, 2011



Total Number of Actions Reviewed: 2,725

Results for Adverse Licensure Action Comparison Project: Physicians and Dentists





Compliance Activities Results



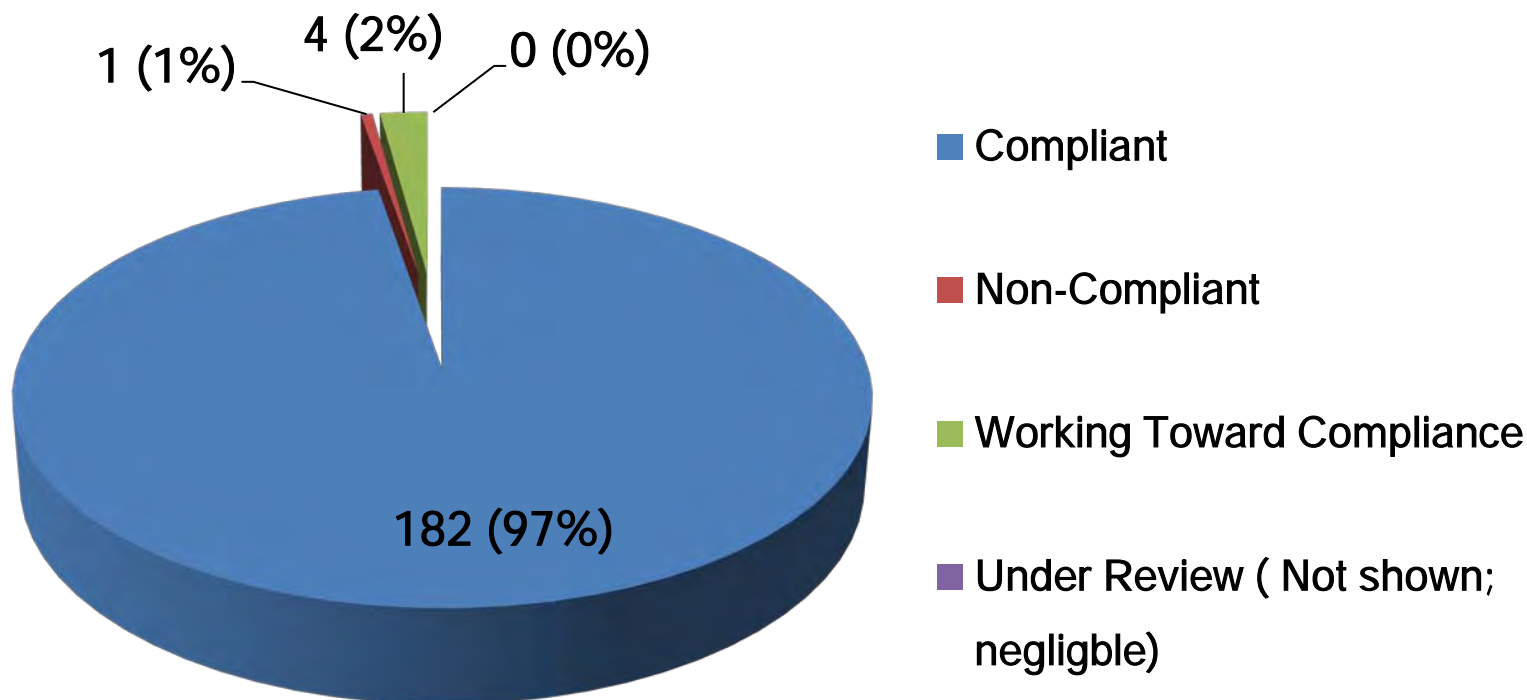
Results for Adverse Licensure Action Comparison Project: Physicians and Dentists

	Compliant	Non-Compliant	Working Toward Compliance	Under Review
April 2011	85 (75%)	6 (5%)	20 (18%)	2 (2%)
July 2011	102 (90%)	1 (1%)	10 (9%)	0 (0%)
October 2011	108 (94%)	0	7 (6%)	0

*Table displays rounded percentage values

Results for Adverse Licensure Action Comparison Project: Chiropractors, Optometrists and Physical Therapists

October 1, 2011





Compliance Activities Results



Results for Adverse Licensure Action Comparison Project: Chiropractors, Optometrists and Physical Therapists

	Compliant	Non-Compliant	Working Toward Compliance	Under Review
October 2011	182 (97%)	1 (1%)	4 (2%)	0 (0%)



Compliance Activities Results



Adverse Licensure Action Comparison Project: Fully Compliant Boards, No Missing Data, No Intervention Needed

Profession	States
Nurse	Hawaii
Pharmacist	Delaware, District of Columbia, Hawaii
Physician Assistant	Alabama, Arkansas, Delaware, Hawaii, Iowa, Louisiana, Massachusetts, Montana, Nevada, New Hampshire, New York, Oregon, Rhode Island, Vermont, West Virginia
Podiatrist	California, Colorado, District of Columbia, Hawaii, Idaho, Iowa, Louisiana, Maine, Mississippi, Virginia, New Jersey, West Virginia, Wisconsin
Psychologist	Arizona, Hawaii, Louisiana, Montana, Nevada, South Dakota, Washington, Wyoming
Social Worker	Hawaii, Iowa, Montana, Oregon, Vermont, Virginia, West Virginia
Physician Allopathic	North Dakota
Physician Osteopathic	Alabama, Delaware, Montana, New Hampshire, North Dakota, Rhode Island, Vermont, Washington
Dentist	Arkansas, Delaware, District of Columbia, Idaho, Montana, North Carolina, South Dakota
Chiropractor	Alabama, Alaska, Arkansas, Delaware, District of Columbia, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, South Dakota, Vermont, West Virginia, Wyoming
Optometrist	Alabama, Alaska, Arizona, Arkansas, Delaware, District of Columbia, Florida, Hawaii, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Texas, Vermont, Virginia, Washington, Wisconsin, Wyoming
Physical Therapist	Alabama, Alaska, Arkansas, Connecticut, Delaware, District of Columbia, Hawaii, Maine, Michigan, Mississippi, Montana, Nebraska, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, Wyoming



Ongoing Learning



- **Examples of Reportable Actions that Boards and Agencies have not been consistently reporting:**
 - Civil Money Penalties
 - Actions Taken Against Deceased Practitioners
 - Unlicensed Practice
- **Other Common Issues or Themes**
 - Boards and Agencies that do not participate in Data Bank Reporting
- **Webinars for Stakeholders**
 - Reporting and Data Element Issues



Future Compliance Activities



- **Hospitals, Other Health Care Entities, and Health Plans**
 - Clinical privilege reporting
- **Medical Malpractice Payment Reporting**



New Initiatives at the Division of Practitioner Data Banks

The Guidebook

- The current Data Bank Guidebook is being updated:
 - Will incorporate Section 1921 statutory reporting and querying requirements effective March 1, 2010
 - A major draft was completed in April 2011 and is currently being reviewed by Data Bank leadership

The Guidebook

- New information added includes:
 - Continuous Query: How to enroll, receive report notifications, what the fees are, and how it meets Federal querying requirements and accreditation standards
 - QRXS: What it is and how it is used
 - The Practitioner's Guide to the NPDB: Provides instructions on how to perform a self-query, dispute a report, and request Secretarial Reviews
 - Visual Charts: Makes policies throughout the Guidebook easier to understand



New DPDB Initiatives



HIPDB Merger with NPDB

- Section 6403 of the Patient Protection and Affordable Care Act, signed into law on March 23, 2010, requires the elimination of duplication between the HIPDB and the NPDB
- The Act requires the implementation of a transition period to cease operating the HIPDB and to transfer HIPDB data to the NPDB
- During the transition, reporting and querying will be maintained
- The merge of the HIPDB into the NPDB is targeted for 2012; currently in the process of developing Proposed Rules



Secretarial Review Process

- 96 Secretarial Review cases currently under review (as of August 2011)
- 46 cases closed by HHS between January and August, 2011
- Exploring short, medium, and long-term operational enhancements to improve the efficiency of the process for practitioners and providers
 - Reorganization: Office of Dispute Resolution
 - Operational enhancements
 - Internal tracker system
 - Electronic file storage and retrieval



Resources



- **Web Site:** <http://www.npdb-hipdb.hrsa.gov>
 - › NPDB and HIPDB Guidebooks
 - › Interactive Training
 - › FAQs, Brochures, and Fact Sheets
 - › Statistics
 - › Annual Reports
 - › Instructions for Reporting and Querying

- **Customer Service Center:**
1-800-767-6732 or 1-800-SOS-NPDB



Contact Information



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