

Policy Name	Reporting Disciplinary Actions to the National Practitioner Data Bank			Policy Number	76-10.05
Section Title	Case Decision and Discipline	Section Number	76-10	Former Policy No.	76-3.5
Approval Authority	Agency Director			Effective Date	3/5/2020
Responsible Executive	Chief Deputy Director			Revised Date	12/12/2022
Responsible Office	Administrative Proceedings			Last Reviewed	12/12/2022
Responsible Reviewer	Barrett, Erin				

Purpose:

The purpose of this policy is to comply with federal law regarding transmittal of adverse action reports to the National Practitioner Data Bank ("NPDB"). Title IV of Public Law 99-660, the Health Care Quality Improvement Act of 1986 ("Title IV"), Section 1921 of the Social Security Act, Section 1128E of the Social Security Act, and their implementing regulations found at 45 CFR Part 60 require state agencies that license health care practitioners to report disciplinary actions and adverse actions against all health care practitioners within thirty (30) days.

Background:

1. Title IV requires state boards of medicine and dentistry to report to the NPDB all adverse licensure actions on physicians and dentists, and professional competence or conduct, within 30 days. Actions to be reported include suspension, revocation, censure, reprimand, probation and surrender.

2. Section 1921 of the Social Security Act expanded information to be reported to the NPDB, and who must report it. Under Section 1921, state agencies that license health care practitioners must report adverse state licensure actions taken against all health care practitioners, not just physicians and dentists, as well as negative actions or findings by state licensing authorities. State licensure action taken as a result of informal and formal administrative proceedings are reportable to NPDB. Reportable actions include:

- Any adverse action, including revocation or suspension of a license, reprimand, censure or probation;
- Any dismissal or closure of the proceedings by reason of the practitioner surrendering the license or leaving the state of jurisdiction;
- Any other loss of the license, whether by operation of law, voluntary surrender (excluding those due to non-payment of licensure renewal fees, retirement or change to inactive status); or
- Any negative action or finding that is publicly available information.

3. Section 1128E of the Social Security Act requires state licensing agencies to report any health care related criminal convictions and state licensure and certification actions.

4. Additional information available at: www.npdb.hrsa.gov

Policy:

All publicly available disciplinary actions taken by the health regulatory boards within the Department will be transmitted to NPDB within thirty (30) days of the entry of the final action.

Authority:

- Title IV of Public Law 99-660, the Health Care Quality Improvement Act of 1986
 - Section 1921 of the Social Security Act, Section 1128E of the Social Security Act
 - Implementing regulations for both federal laws, found at 45 CFR Part 60
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Procedures:

Responsibilities of Health Regulatory Boards:

1. Ensure that all final disciplinary actions are promptly closed in the Department's case management database-My License Office ("MLO").
2. Provide the Director of the Administrative Proceedings Division with a copy of all correspondence received from any NPDB entity.
3. Follow all appropriate tasks indicated in the attached Standard Operating Procedures.

Responsibilities of Administrative Proceedings Division:

1. Ensure the prompt and accurate reporting of all required information for closed cases to NPDB.
2. Follow all appropriate tasks indicated in the attached Standard Operating Procedures.

Responsibilities of Director, Administrative Proceedings Division.

1. Serve as agency proponent for NPDB, providing executive oversight of the program.
2. Serve as or oversee administrator/authorized submitter/certifying official for purposes of reporting to NPDB.
3. Ensure NPDB Identification Number and password is maintained in current status to enable DHP access to NPDB.
4. Update Agency Director (or designee) within one (1) week of any new NPDB reporting requirements.
5. Provide a monthly copy to the Agency Director of the board's compliance rates on reporting publicly available disciplinary actions to NPDB.
6. Provide a yearly written summary to the Agency Director by June 1st on major NPDB activities.
7. Perform tasks in accordance with procedures as outlined above.