

Physician Remediation and Enhancement Pilot Program PREP

PURPOSE

To enhance health care quality by improving information sharing and other forms of cooperation between health care providers and the Oregon Board of Medical Examiners.

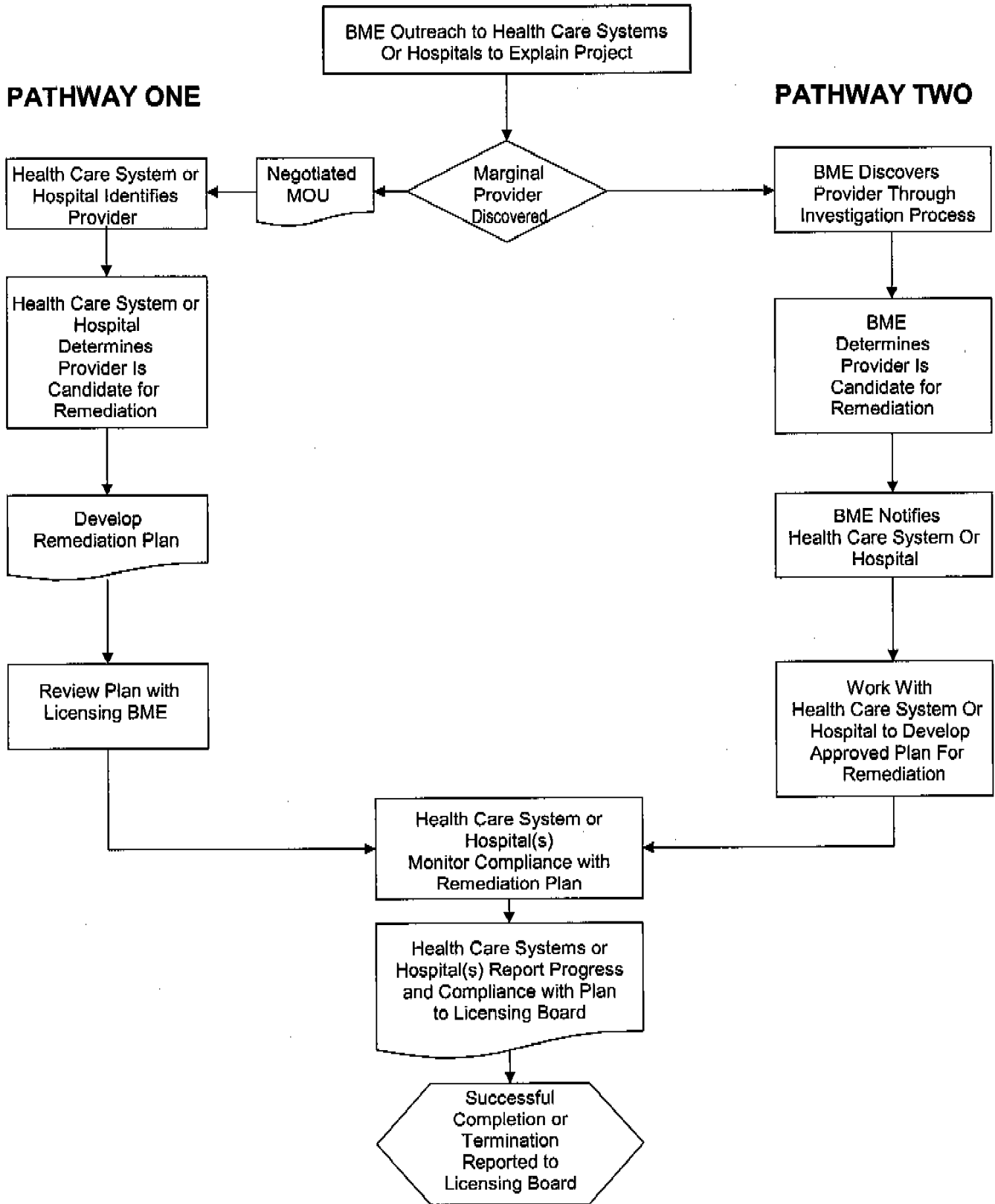
OBJECTIVES

1. To foster mutual trust and positive working relationships between health care organizations and the Board of Medical Examiners.
2. To enhance confidential data reporting from hospitals to licensing boards.
3. To encourage a more positive approach by health care organizations toward reporting adverse actions to state professional licensing authorities, so that reporting is embraced as ethical, socially responsible conduct.
4. To provide a means whereby physicians and physician assistants who are not candidates for serious Board action (i.e. suspension or revocation by boards, termination of employment or privileges by hospitals) can improve their practice, and care to patients can be improved.
5. To assist the Board of Medical Examiners in establishing mechanisms and procedures for processing, assessing and prioritizing mandatory reports so as to maximize its utility as a public protection tool without unnecessarily burdening the Board or inflicting regulatory overkill on health care institutions or practitioners.
6. To improve health care quality by establishing constructive linkages between total quality improvement initiatives at health care institutions and the regulatory programs of the Board.
7. To evaluate remedial interventions to determine which are most effective in particular circumstances.
8. To identify best practices for the benefit of hospitals, health care organizations and the Board.

Physician Remediation and Enhancement Program PREP

- ❖ **PREP** is a pilot program implemented by the Oregon Board of Medical Examiners and promoted by the Citizen Advocacy Center. When there is evidence of suboptimal performance, this program offers the opportunity to correct problems and improve practice, rather than instituting for the practitioner a frightening, stressful and expensive investigation. PREP proposes that early intervention can forestall errors before patient harm occurs.
- ❖ **PREP** anonymously identifies physicians and physician assistants who are prone to errors, have demonstrated questionable competency or exhibited specific practice deficits. These concerns may be identified when mistakes or minor violations of the Medical Practice Act occur, or whenever clinical performance fails to meet expected standards.
- ❖ **PREP** is designed so that the Oregon Board of Medical Examiners can effectively partner with four (4) hospitals or health care systems having geographic diversity and the size, interest and capacity to operate meaningful pilot programs. The pilot phase of PREP is estimated to begin January 1, 2002, and continue through January 1, 2003.
- ❖ **Physicians and physician assistants may be eligible for participation in PREP if:**
 - they are identified as having a deficit in knowledge, skills, abilities or judgment that would be expected to improve from remediation or monitoring;
 - they are eligible for continued employment or medical staff privileges at the participating pilot hospital or health care system;
 - their continued practice does not jeopardize patient safety;
 - the related circumstances DO NOT involve drug diversion, deceitful behavior or personal misconduct;
 - they voluntarily agree to a competency assessment, to individualized remediation/monitoring and enter into a formal agreement for participation.
- ❖ **PREP offers incentives for:**
 - **Licensee** (non-disciplinary intervention with opportunity for enhanced clinical competency)
 - **Hospital or Health Care System** (retention of clinical staff, risk reduction)
 - **Board of Medical Examiners** (proactive, non-punitive regulatory approach)
 - **Public** (improved patient safety)

PHYSICIAN REMEDIATION AND EDUCATION PROGRAM (PREP) – PATHWAYS FLOWCHART



**Physician Remediation and Enhancement Program
PREP**

**MEMORANDUM
OF
UNDERSTANDING**

Between the
Oregon Board of Medical Examiners
and
Northwest Permanente

December 20, 2001

Purpose

The purpose of this Memorandum of Understanding (MOU) is to clarify the roles and responsibilities of Northwest Permanente and the Oregon Board of Medical Examiners ("Board") in implementation of the Physician Remediation and Enhancement Partnership (PREP) Pilot Program.

The PREP program is designed to protect the public by early identification, assessment, intervention and monitoring of licensed health care providers who may have demonstrated clinical skill or knowledge problems or may have committed errors that do not rise to a level which might warrant serious disciplinary action by the Board or termination by the participating health care system.

The PREP Pilot Project is supported by the Citizen Advocacy Center (CAC) as a result of a grant from the U.S. Health Resources and Services Administration (HRSA). No funding will be provided for the Oregon PREP Pilot Program by the CAC. The Board and Northwest Permanente will cover their respective costs of participating in this program. All other costs related to program participation will be borne by the individual licensee.

Goals

The Oregon Board of Medical Examiners ("Board") and Northwest Permanente enter this Memorandum of Understanding with the following goals:

1. To foster mutual trust and positive working relationships between Northwest Permanente and the Board.
2. To provide a means whereby physicians who are not candidates for Board action or employer action (i.e. termination of employment or privileges by Northwest Permanente) can improve their practice and care for patients.
3. To improve health care quality by establishing constructive linkages between quality improvement initiatives at Northwest Permanente and the Board.
4. To evaluate interventions for remediation to determine which are most effective in particular circumstances.
5. To identify best practices in the early identification and remediation of knowledge or skill deficits in physicians for the benefit of patients, Northwest Permanente, and the Board.

Implementation by the Oregon Board of Medical Examiners

In implementing the PREP Pilot Program with Northwest Permanente, the Oregon Board of Medical Examiners ("Board") agrees to perform the following functions and duties:

1. Collaborate with Northwest Permanente in the identification and development of individualized remedial intervention programs.
2. Identify any physician who is an employee of Northwest Permanente and for whom a complaint has been received, and
 - If the complaint involving the licensee is below the level at which discipline would be instituted but may be appropriate for PREP, submit the necessary documentation to Northwest Permanente for review.
3. Collaborate with Northwest Permanente as necessary to facilitate the review and remediation of the physician.
4. Develop a means for the collection, tracking and evaluation of the program. Information to be collected shall include number of all potential participants, number of individuals invited to participate, types of issues, types of remediation activities recommended, number of

programs completed, number of failures, and other data elements identified by Northwest Permanente and the Board as important.

5. Develop and distribute to the Board, Northwest Permanente and the CAC, reports on a quarterly basis that reflect program activity in the aggregate, preserving confidentiality for individual physicians and institutions.

Implementation by Northwest Permanente

In implementing the PREP Pilot Program with the Board, Northwest Permanente agrees to perform the following functions and duties:

1. Identify licensees whose competence or clinical skills are in question by the medical staff, peer review or quality assurance process, but which do not rise to the level of a potential violation of the Medical Practice Act (MPA) as determined by consultation with the Board's Executive Director, Medical Director or Chief Investigator. The referral will be made by alphanumerical designation rather than individual name.
2. Provide competent written assessment of the deficits identified in the licensee's practice.
3. Develop, in consultation with the Board and licensee, an intervention/remediation plan which may include additional assessment, participation in formal or informal education programs, and/or mentoring.
4. Monitor compliance with the plan and report ongoing compliance, successful completion of remediation, problems or termination to the Board.
5. If licensee identified as a candidate for PREP fails to cooperate, does not complete the plan, or otherwise engages in behavior that would possibly violate the MPA, Northwest Permanente shall report the licensee by name.

Agreement

The provisions of this agreement cancel and supersede all previous MOUs, if any, between these parties. This MOU becomes effective on the date of signature below. The provisions may be reviewed, and jointly modified, in writing, if it is determined by either party that such review and modification is in the interest of effectively and efficiently participating in the PREP Program or enforcing or complying with the Medical Practice Act.

The preceding constitutes the full Memorandum of Understanding on this subject between the Oregon Board of Medical Examiners and Northwest Permanente.

SIGNED:

(name)

For the **OREGON BOARD
OF MEDICAL EXAMINERS**

(name)

For **NORTHWEST PERMANENTE**

(date)

(date)