

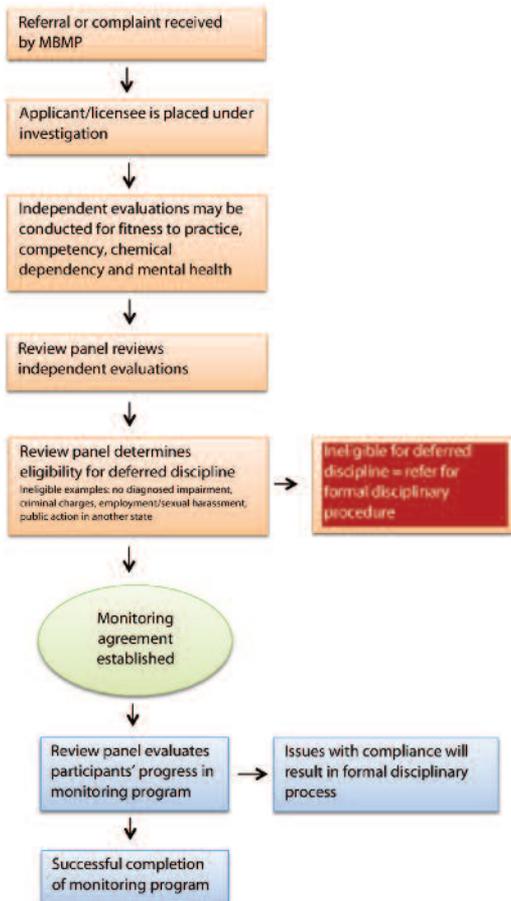


The South Dakota Board of Medical and Osteopathic Examiners (BMOE) staff submits a column to *South Dakota Medicine* to inform South Dakota licensed physicians and other licensees about various topics of interest that come to the BMOE. Recently there has been a change in vendors for the health professionals' assistance program. As a result, those individuals who were being monitored by the previous vendor have been transferred to the BMOE staff administered Medical Board Monitoring Program (MBMP). This month's column will point out resources available to individuals who wish to participate in a confidential monitoring program as well as answer some of the frequently asked questions (FAQ) regarding the functioning of a confidential monitoring program. There will be no diminution or changes in services with the MBMP.

What is a confidential monitoring program?

When an applicant or a licensee has been determined by an evaluation to be impaired in a manner where the individual demonstrates the inability to practice in their health-related profession with reasonable skill and safety due to mental health issues, physical issues, or substance use related disorders (alcohol or drug abuse, dependency, or addiction), the applicant or licensee is enrolled in a confidential monitoring program. The confidential monitoring program is an agreement between the participant (applicant or licensee) and the BMOE staff review panel to defer any recommendation for discipline on a license as long as the participant can be monitored to ensure their ability to safely practice. See the flowchart graphic for the process.

Medical Board Monitoring Program (MBMP)



What is the purpose of the BMOE staff review panel?

The review panel administers the program for the individual. The participant's case stays at the staff level and does not go to the full BMOE unless the participant is unable to comply with the MBMP. The review panel consists of the BMOE executive director and one BMOE board member who will, in effect, "be considered one of the staff" in order to make the recommendation as to whether the individual is eligible for the MBMP.

What are the eligibility requirements for the MBMP?

The MBMP monitors impaired healthcare providers. The potential participant will have undergone an evaluation that demonstrates their inability to practice in one's health-related profession with reasonable skill and safety due to mental health issues, physical issues, or substance use related disorders (alcohol or drug abuse, dependency, or addiction).

Do I need to enroll in the MBMP if I already participate in a monitoring program administered by my employment or other entity?

You can continue in your current monitoring program without enrolling in the MBMP. However, you must report your participation in any and all monitoring/wellness programs, other than the MBMP, on or before you submit your annual license renewal application. You also need to be aware that the MBMP is the only state BMOE approved confidentially protected program for South Dakota licensees.

I am licensed in another state and am enrolled in that state's monitoring program. Now I am also licensed in South Dakota where I currently practice. Do I have to enroll in the MBMP, and how do I keep my previous monitoring program informed that I am in compliance?

Yes, you do need enroll in the MBMP as it is the only state BMOE approved monitoring program. The MBMP will then contact your previous monitoring program and send reports regarding your compliance.

Do the BMOE members know who is in the MBMP?

The MBMP participation list is only known to designated BMOE staff and the BMOE investigative review panel. The BMOE members do not know who is in the MBMP except for the one board member who is assigned to the BMOE



investigative review panel. All monitoring will remain confidential to the BMOE board members as long as the participant is compliant and doing well in the monitoring program.

Does the public know who is in the MBMP?

An individual's participation in the MBMP is confidential to the public as long as the participant is in compliance with program requirements. The public does not have access to information that would identify participants in the program, except in rare cases where the BMOE staff files formal disciplinary charges against a participant which may include noncompliance with an MBMP contract.

Who administers the MBMP?

The MBMP is administered by BMOE staff and the established review panel pursuant to authority granted by administrative rules promulgated by the BMOE.

What happens when a licensee or applicant self-reports?

The MBMP monitors participants struggling with impairment issues related to substance abuse, mental health issues, or physical disability, and is not a disciplinary program. The MBMP considers a licensee's or applicant's self-report to be a positive first step toward bringing a potentially harmful situation under control before their professional reputation is damaged.

The MBMP will gather information and make referrals for evaluation as needed. The MBMP then works with the licensee or applicant to put the required supports in place to ensure the participant is able to continue to practice safely. The majority of individuals participating in the program are actively practicing.

Who evaluates the potential participants?

Potential participants are evaluated depending upon the case history of each individual. Some individuals may self-report or apply to the MBMP after having been involved in the judicial system; for example, a DUI or other incident where evaluations are already available. In other cases, there may be questions as to whether a diagnosis indicative of impairment exists. That individual would be referred to the appropriate evaluator or evaluation team prior to entering the confidential MBMP.

Who treats the participants?

Once a determination of impairment is made and the participant enters the MBMP, the participant chooses a

medical and support team. The MBMP participant is an active participant with their medical and support team. As determined by the previously mentioned evaluation recommendations, this team is comprised of a monitoring physician or other healthcare provider; a monitoring therapist, psychologist, or counselor; a work-site monitor, and an aftercare monitor. The medical and support team will be approved by the MBMP.

Is it a good idea to have the licensing board administer the program?

The BMOE has a legal obligation and mission to ensure safe medical practice for the protection of the public who seek professional medical services within the State. The BMOE has promulgated administrative rules that provide a transparent process for the investigation and regulation of medical practice while providing due process rights to applicants and licensees. While the process is transparent, participation remains confidential. Healthcare facilities have immunity when reporting employees to the BMOE staff.

Who is the contact person?

For the convenience of the licensee or applicant, one person on the BMOE staff is designated for contact purposes. Separate and dedicated phones, both mobile and land-line with a toll-free phone number option, are available. A separate and dedicated email is also accessible. A separate and dedicated website is being developed. Please contact:

Randi Sterling
Medical Board Monitoring Program (MBMP)
Phone: 605-367-7700 | Toll free: 888-340-4371
Cell: 605-400-4542
Email: mbmp@state.sd.us

Who answers general questions?

Any general questions should be directed to the BMOE executive director, Margaret Hansen.

Summary

The BMOE has a long history of monitoring its licensees. The BMOE has agreements in place with the monitoring companies, Affinity eHealth and Soberlink to serve the MBMP. The BMOE is continuing to research other regional and national monitoring programs including protocols, processes, budgets, and program services, to identify best practices.