



National Practitioner Data Bank: Partnering to Protect Patients

Clinical Privileges Reporting

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Clinical Privileges Reporting

Overview

- ▶ Review the Law and Regulations
- ▶ Clinical Privileges Reporting Topics
 - Surrendering While Under Investigation
 - Professional Review Actions Lasting >30 days
- ▶ Resources



Clinical Privileges Reporting

The Law

“Each entity which...

(A) takes a professional review action that adversely affects the clinical privileges of a physician for a period longer than 30 days:

(B) accepts the surrender of clinical privileges of a physician...while the physician is under investigation by the entity relating to possible incompetence or improper professional conduct, or...in return for not conducting such an investigation or proceeding...”

-- Title IV of Public Law 99-660



Clinical Privileges Reporting

The Law

The term “professional review action” means an action or recommendation of a professional review body which is taken or made in the conduct of professional review activity, which is based on the competence or professional conduct of an individual physician (which conduct affects or could affect adversely the health or welfare of a patient or patients), and which affects (or may affect) adversely the clinical privileges, or membership in a professional society, of the physician.

-- Title IV of Public Law 99-660



Clinical Privileges Reporting

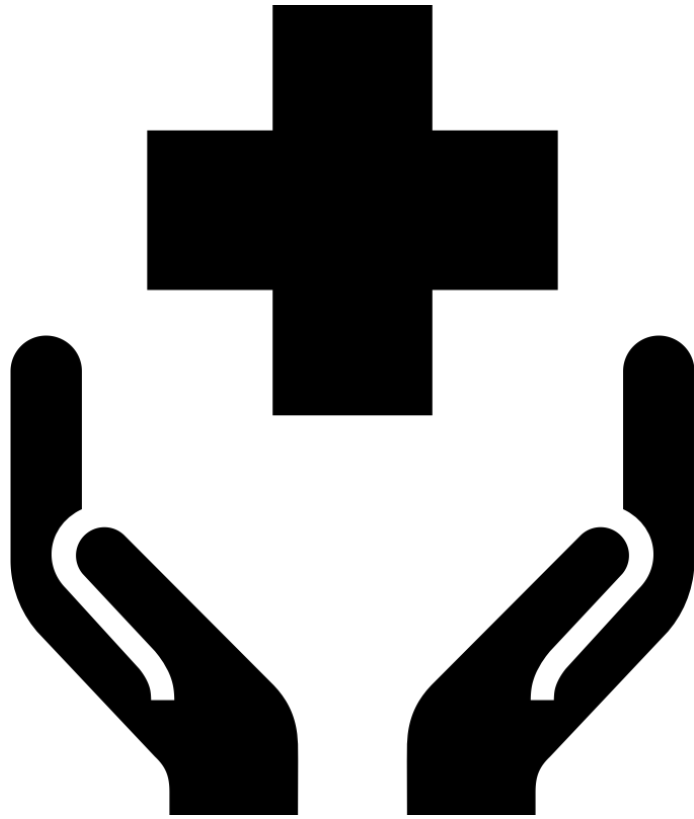
The Law

The term “adversely affecting” includes reducing, restricting, suspending, revoking, denying, or failing to renew clinical privileges or membership in a health care entity.

-- Title IV of Public Law 99-660



Clinical Privileges Reporting



To Be Specific, Reportable Actions Include:

- Adverse clinical privileges actions >30 days related to professional competence or conduct
- Surrendering privileges while under investigation.

Must report on: Physicians and dentists

May report on: Other practitioners

Surrendering While Under Investigation



Clinical Privileges Reporting

► Investigations

1. Definition of term is not controlled by entity's bylaws
2. Routine review of a practitioner is *not* an investigation
3. Focus must be on a particular practitioner
4. Precursor to professional review action
5. Ongoing until decision-making authority takes final action

Clinical Privileges Reporting

Nonrenewals

- ▶ Ongoing investigation for possible professional incompetence or conduct
- ▶ Failure to renew privileges while under investigation
- ▶ Practitioner does not need to be aware of ongoing investigation

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Withdrawal of Applications

- ▶ Ongoing investigation for possible professional incompetence or conduct
- ▶ Practitioner applies for renewal of privileges and later voluntarily withdraws application
- ▶ Reportable regardless whether practitioner knew of ongoing investigation at time of withdrawal



Adverse Actions Lasting Longer Than 30 Days



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Summary Suspensions

- ▶ In effect or imposed for more than 30 days
- ▶ Based on professional competence or conduct that adversely affects or could adversely affect health or welfare of patient
- ▶ Result of professional review action



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Denials and Restrictions

- ▶ Reportable if greater than 30 days and result of professional review action relating to professional competence or conduct
- ▶ Denials of initial applications for privileges reportable
- ▶ Restrictions that prevent practitioners from exercising independent judgment reportable



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Proctoring

- ▶ Proctor required in order to freely exercise privileges
- ▶ Imposed for more than 30 days
- ▶ Based on professional competence or conduct that adversely affects or could adversely affect health or welfare of patient
- ▶ Result of professional review action

Resources



Clinical Privileges Reporting

NPDB GUIDE TO REPORTING CLINICAL PRIVILEGES ACTIONS

BEFORE SUBMITTING:

Are you a hospital or health care entity that took a professional review action against a physician or dentist? *
Report the professional review action if both **A** and **B** are met:

A Adversely affects clinical privileges (including privileges, medical staff or panel membership, network participation, affiliation, and other circumstances) for a period of more than 30 days, including:

- Reduction, restriction, suspension or revocation of privileges
- Denial of privileges based on professional review (excluding denials based on failure to meet specific threshold criteria or an initial application withdrawal before a final professional review decision)
- A practitioner's surrender of, or failure to renew, privileges while under or to avoid investigation
- Summary suspensions that are the result of a professional review (in effect for more than 30 days), regardless of whether the action is final

AND

B Is based on the practitioner's professional competence or professional conduct that adversely affects, or could adversely affect, the health or welfare of a patient.



Initial


Submit within 30 days of when the action was taken

You must forward a copy of the report to your state licensing board in the NPDB system (or by mail)

SUBMIT AN INITIAL ADVERSE ACTION REPORT


REPORT MODIFICATIONS (when needed):

The NPDB notifies the subject of the report when the report is submitted, and when any of these modifications are made.

 Did your organization take an action that modifies or relates to a previously reported action (including reinstatements)?


SUBMIT A REVISION-TO-ACTION REPORT



 Did your organization determine there is an error or omission in a previously submitted report?

SUBMIT A CORRECTION REPORT



 Did your organization determine that an action should not have been reported because:

- 1 The report was erroneously submitted?
- 2 The action is not reportable?
- 3 The action was reversed or overturned?

These are the only reasons for which a report may be voided.

VOID THE REPORT



*Reporting of physicians and dentists is mandatory. Other health care practitioners may be reported.

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