



# Orientation For Reviews of Initial Credentialing Proposals

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# What is Credentialing Review?

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- Credentialing Review is a program located in the executive branch of government that was created to help lawmakers deal with the complexities of health care credentialing issues
- Credentialing Review advises lawmakers regarding proposals from health professionals for either new credentialing or change in scope of practice utilizing legislatively mandated statutory criteria
- The protection of, and/or advancement of, public welfare is its principal objective



# What is the Purpose of Credentialing Review?

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- To provide lawmakers with information on credentialing issues that is independent of interest groups and lobbying groups
- To focus policy discussions about credentialing on health issues or health-related issues
- To formulate recommendations on the policy direction that is best for the public regarding the issues under review



# The Philosophy of the Program

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- Regulate only when necessary to protect the public or advance the public interest via improved access to care,
- Increase regulation only when it is necessary to protect the public, and,
- Proposals must be both necessary and sufficient to address credentialing or credentialing-related issues or problems



# How Many Types of Reviews are There?

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- There are two types of reviews:
  - Reviews of proposals for new credentialing
  - Reviews of proposals for change in scope of practice

# How Many Review Bodies Are There?

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- There are three review bodies per review issue: 12 months total to complete each review, using the following sequential order of review bodies:
  - Technical Review Committee,
  - The Nebraska State Board of Health,
  - The Director of the Division of Public Health, Department of Health and Human Services
  - Each review is independent but is based upon the same application and criteria



# What are the Meeting Formats?

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- Meeting formats used for each Technical Committee review
  - Orientation and initial discussion on issues (one meeting)
  - Discussion on the proposal (one or more meetings)
  - Public hearing on the proposal and preliminary recommendations (one meeting)
  - Formulation of final recommendations on the proposal (one or more meetings)



# What are the Meeting Formats? (Cont'd)

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- Format for the review of the Board of Health (a minimum of two meetings)
  - The review of the Board's Credentialing Review Committee
  - The review of the full Board of Health
- Reviews of the Division Director do not utilize public meetings



# Charge to Technical Committees

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- Composition: 7 members; Chair is BOH member
- Attend all meetings, read all materials
- Critical review of a proposal using criteria, exploring all sides of an issue
  - 1) Be objective; Set aside all preconceptions on the issues
- Prepare a report of recommendations
  - 1) Using data from reputable sources
- The role of public members
  - 1) Represent the public, consumers
- The role of professional members
  - 1) Provide expertise, professional judgment



# The Four Statutory Criteria

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- There are two sets of criteria for new credentialing reviews
  - 1) for professions prohibited from full practice
  - 2) for professions allowed full practice
- Criteria are guides to research, analysis, policy direction, and priority definition
- Final committee recommendations are made via a single 'up or down' vote on each proposal, but action is also required on each statutory criterion



# The Four Initial Credentialing Criteria

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- Unregulated practice can clearly harm or endanger the health, safety, or welfare of the public; (Or, Absence of a separate regulated profession creates a situation of harm or danger to the health, safety, or welfare of the public)
- Regulation of the profession does not impose significant new economic hardship on the public, significantly diminish the supply of qualified practitioners, or otherwise create barriers to service that are not consistent with the public welfare and interest; (Or, Creation of a separate regulated profession would not create a significant new danger to the health, safety, or welfare of the public)



## The Four Initial Credentialing Criteria (Continued)

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- The public needs assurance from the State of initial and continuing professional ability; (Or, Creation of a separate regulated profession would benefit the health, safety, or welfare of the public)
- The public cannot be protected by a more effective alternative



# Application / Proposal / Amendment / Information(data)

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- Proposals are the ideas for making changes in credentialing health professions
- Applications are the documents that contain these ideas for change
- Applicant groups may amend their proposal only with the committee's approval
- Committees may propose amendments to proposals subject to an applicant group's acceptance
- Amendments to proposals should be made prior to the date of the public hearing
- Amendments do not necessarily require an applicant group to rewrite or edit their original application
- Any information (or data) provided by an applicant group is considered supporting documentation



# Levels of Credentialing

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- Licensure
  - Certification
  - Registration
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- Review bodies are charged with identifying the least restrictive level of credentialing consistent with sufficient public protection



# The Open Meetings Act

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- All discussion of issues and conduct of committee business is required to occur at formally noticed meetings
- There are no closed sessions in this program
- Any gathering of a quorum of a technical review committee that discusses committee business and which has not been duly “noticed” in public media is in violation of the Open Meetings Act
- The public must be allowed to speak during at least one meeting of a series of meetings in this program



# Ground rules for Internal Versus External Interaction (Lobbying)

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- Lobbying of committee members is not appropriate in Credentialing Review
- Information about the issues needs to be shared among all members of each review body (Committee, Board Committee, full Board of Health)
- Liaison between committee members' professions and the rest of the committee is encouraged
- It is not appropriate for committee members to attempt to manipulate or exert undue influence on fellow committee members or on members of the public



# Ground rules for Committee-Public Interaction (receiving information)

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- \* Information needs to be submitted to staff no less than one working day prior to the scheduled date of a TRC meeting to ensure timely posting on the web link
- \* Members of the public may participate in discussions and/or present testimony on issues with the permission of the committee chairperson during most CR meetings
- \* During some meetings (public hearings, e.g.) committees may define time limits for public commentary, and such rules must be respected by all who choose to present comments during such meetings
- \* The chairperson has the authority to curtail or end public commentary as he/she deems necessary



# The Role of Staff

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- Provides guidance on procedures
- Schedules and organizes all meetings
- Maintains all documents and public records
- Disburses, distributes, or otherwise disseminates all documents and public records
- Drafts all minutes and reports and submits them to the committee for approval
- Maintains neutrality on all issues under review



# Program Rules of Evidence

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- All data or assertions of fact presented during the course of a credentialing review must be supported by appropriate documentation prior to the creation of any reports that emerge from the review process
- Documentation means the identification of a credible source for the data or information presented

# Program Rules of Evidence, Cont'd

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- Documentation also means that the source of the data or information is provided to the review panel members
- Any data or assertions of fact that are not supported by appropriate documentation will not be included in any of the reports that emerge from the review process and may not be considered in formulating recommendations

# Documents

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- Staff 'logs' all documents received in special program folders
- Staff places all documents on the program website at <http://dhhs.ne.gov/Licensure/Pages/Credentialing-Review.aspx>
- Documents are posted on-line prior to the date of a given meeting, if possible
- Committee members and interested parties are encouraged to share documents e-mailed to them with program staff persons



# Operational Guidelines

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- Travel and lodging reimbursement
- Parking reimbursement
- Use worksheets provided by staff
- Submit reimbursement documents after each meeting

# Contact Information

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- Agency website: <http://dhhs.ne.gov/licensure/Pages/credentialing-review.aspx> or <http://dhhs.ne.gov/licensure/Pages/licensing-home-page.aspx>
- Contact information for program staff:

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