Orientation For Scope of Practice Reviews

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What is Credentialing Review?

- 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?

- To provide policymakers with information on credentialing issues that is independent of interest groups and lobbying groups

- To focus discussion about health credentialing issues on their implications for safe and effective health care services, and away from turf and politics

- To formulate recommendations on the policy direction that is best for the public regarding the issues under review

The Philosophy of the Program

- Regulate or make changes in the regulation of health professions only when necessary to protect the public or otherwise advance the public interest.

- The least amount of regulation is the best – regulate or increase regulation only when it is clearly necessary to protect the public.

- Proposals must be both necessary and sufficient to address a credentialing-related issue or problem.

How Many Types of Reviews are There?

- There are two types of reviews:

  - Reviews on professions not currently regulated

  - Reviews on proposed changes in scope of practice

How Many Review Bodies Are There?

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

What are the Meeting Formats?

- Meeting formats used for each Technical Committee review(Six or seven months for this review element)
    - Orientation and initial discussion on issues (one meeting)
    - Discussion on the proposal (one or more meetings)
    - Formulation of preliminary recommendations 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)
    - Approval of the report of recommendations (one meeting – usually a teleconference)
    - Typically, there's about a month between these meetings

Meeting Formats (Continued)

- Format for the review of the Board of Health(a minimum of two meetings) including:
  - The review by the Board's Credentialing Review Committee
  - The review by the full Board of Health

- Reviews of the Division Director do not utilize public meetings

Charge to Technical Committees

- Committee composition: 7 members; Chair is BOH member; all are disinterested parties
- Attend all meetings, read all materials
- Critically review a proposal using criteria, exploring all sides of an issues:
  - Be objective; set aside all preconceptions on the issues
- Prepare a report of recommendations using data from reputable sources, as available
- The role of public members is to represent the consuming public
- The role of professional members is to provide expertise and professional judgment

The Six Statutory Criteria

- There are six statutory criteria for all scope of practice reviews.
- Criteria are guides to research, analysis, policy direction, and priority definition.
- Final recommendations on proposals are made via a single 'up or down' vote on the proposal under review. However, action must also be taken on each criterion, as well, in order to clearly communicate committee thoughts and concerns on the details that comprised the entire review on the issues.

The Six Scope of Practice Criteria

- The health, safety, and welfare of the public are inadequately addressed by the present scope of practice or limitations on the scope of practice.

- Enactment of the proposed change in scope of practice would benefit the health, safety, or welfare of the public.

- The proposed change in scope of practice does not create a significant new danger to the health, safety or welfare of the public.

- The current education and training for the health profession adequately prepares practitioners to perform the new skill or service.

The Six Criteria (Continued)

- There are appropriate post-professional programs and competency assessment measures available to assure that the practitioner is competent to perform the new skill or service in a safe manner.

- There are adequate measures to assess whether practitioners are competently performing the new skill or service and to take appropriate action if they are not performing competently.

Application / Proposal / Amendment / Information(data)

- Proposals are the ideas for making changes in credentialing of health professions.
- Applications are the documents that contain these ideas for change.
- Applicant groups may only amend the proposal with the committee's approval.
- Committees may make amendments to proposals subject only to applicant group 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.

The Open Meetings Act

- All discussion on issues and conduct of committee business must be done at formally noticed meetings.

- There are no closed sessions in this program.

- Any gathering of a quorum of a technical review committee in which committee business is discussed and which has not been duly 'noticed' in public media constitutes a violation of the Open Meetings Act.

- The public must be allowed to speak during at least one meeting of the series of meetings that comprise the review of each technical committee, as well as the meetings of the Board of Health.

Ground rules for Internal Versus External Interaction (Lobbying)

- Lobbying of committee members is not appropriate in Credentialing Review.

- All information about the issues of a review needs to be shared among all members of each review body(TRC, 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)

*	Information needs to be submitted to staff no less than one working day prior to the scheduled date of a meeting

*	Members of the public may participate in discussions and/or present testimony on issues with the permission of the committee chair

*	During some meetings (public hearings, e.g) committees may define time limits for public commentary

*	The chairperson has the authority to curtail any comments by anyone as he/she deems necessary

The Role of Staff

- Provide guidance on procedures,
- Schedule and organize all meetings,
- File all documents and records,
- Disburse, distribute, or otherwise disseminate all documents and/or public records to review bodies,
- Draft all minutes and reports subject to committee approval or Board of Health approval, and,
- Maintain neutrality on all issues under review

Program Rules of Evidence

- 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

- 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

- 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

- Travel and lodging reimbursement

- Parking reimbursement

- Use worksheets provided by staff

- Submit reimbursement documents after each meeting

Contact information

○ Website information: 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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