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Federation of
STATE
MEDICAL
BOARDS

www.fsmb.org

License Renewal 2006

All physician and osteopathic physician licenses will expire October 1, 2006. Renewal notices will be mailed the end of August to all active licensees. It is recommended that you submit your application for license renewal as early as possible to facilitate the processing of your renewal. Please be aware that submission of the renewal does not mean the license has been renewed. It is recommended that licensees confirm the renewal of their license prior to practicing after the expiration date. Receipt of a renewed license card will confirm your renewal, or you may check the License Information System (LIS) on the Credentialing Division Website at:

<http://www.hhss.ne.gov/reg/regindex.htm>
to verify that the new expiration date is October 1, 2008.

If your address has changed since the last license renewal, make sure that you have notified the Credentialing Division. You may check the LIS on the Credentialing Division Website listed above to verify the address on record for your license. If your address is not correct, please notify the Credentialing Division by e-mail at

meegan.dyrland@hhss.ne.gov

or by telephone at **402/471-2118**.

Online renewal will be available this year for physician licenses only. Osteopathic physician licenses must be renewed through the regular mail. Physicians are encouraged to use online renewal to expedite the renewal process. The online renewal system requires payment of a \$77 renewal fee by credit card or debit card that has either a Master Card or Visa logo. Physicians who choose not to renew online can download and print a paper renewal form at

<http://www.hhss.ne.gov/crl/medical/medsur/physur/apps.htm>

and renew their license through the regular mail.

Fees for licenses renewed through the regular mail may be paid by personal check, cashier's check or money order payable to the Credentialing Division. Licensees employed by State agencies are discouraged from using the Intrastate Billing Transaction (IBT) document for payment of the renewal fee. Unfortunately, the IBT process is rather extensive, and completion of the renewal process cannot be guaranteed within the 30-day renewal period. It is preferred that the licensee pay the renewal fee and request reimbursement through their employer.

Renewals submitted online or postmarked on or before October 1, 2006, will not require a late fee. Licenses that have not been renewed on or before October 1, 2006, will be expired. A second renewal notice will be sent to all licensees who have not renewed on or before the expiration date. The law provides an additional 30-day period in which you may still renew your license upon payment of a \$25 late fee; however, you are not authorized to practice after your license has expired. If a license has not been renewed and the licensee continues to practice after the expiration date, an administrative penalty of \$10 per day, up to a maximum of \$1,000, will be assessed, and the licensee

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LICENSE RENEWAL TIMELINE

SEPTEMBER 1, 2006

- Renewal Notices Mailed
- \$77 Renewal Fee
- Credit or Debit Card Accepted Online

OCTOBER 1, 2006

- License Expiration
- Second Notices Mailed
- \$25 Late Fee
- Cannot Practice on an Expired License

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EDITORIAL STAFF

Kathryn (Kay) L. Kahla
Joseph C. Scott, Jr., M.D.
J. L. Scott, Layout

FOR MORE INFORMATION

Nebraska Department of
Health & Human Services
Regulation and Licensure
301 Centennial Mall South
P. O. Box 94986
Lincoln, NE 68509-4986
Phone: 402-471-2118
Website: www.hhss.ne.gov



Sitorius

Chair's Comments

This is the inaugural issue of the *NBMS Connection*, the first newsletter from the Board of Medicine and Surgery, which will appear on a regular basis. As you will see from the contents, we are hoping to cover pertinent issues to both the licensees and the public pertaining to responsibilities of the Board of Medicine and Surgery in the State of Nebraska. We are excited about this opportunity for communication and hope that you will provide us your feedback and suggestions for future topics.

The two major functions performed by the Board of Medicine and Surgery in the State of Nebraska are 1) licensing, to protect the public from unprofessional or improper and incompetent practices of medicine, and 2) regulation, to outline the practice of medicine and the responsibilities of the Board to regulate medical doctors and physician assistants.

I hope you enjoy this edition and will find future topics to be relevant to your understanding of the Board and your responsibilities as licensees in the State of Nebraska.

Michael A. Sitorius, M.D.

Editorial Comment

The State of Nebraska statutes relating to professional and occupational licenses, (uniform licensing) are found in 71-101 through 71-1343 of these statutes. This newsletter highlights new and long-standing aspects of these laws and will continue to do so in future editions.

Each issue of the *NBMS Connection* will feature at least two major topics that relate directly to your practice. This edition is focused on relicensure and the Licensee Assistance Program. Each edition lists websites and important resource phone numbers. We trust you will find the material helpful in keeping current with licensure issues.

Kathryn (Kay) L. Kahla
Joseph C. Scott, Jr., M.D.

Did You Know?

Under the Uniform Licensing Law, 71-104.01

“An applicant for an initial license to practice a profession which is authorized to prescribe controlled substances shall be subject to a criminal background check. The applicant shall submit with the application a full set of fingerprints which shall be forwarded to the Nebraska State Patrol to be submitted to the Federal Bureau of Investigation for a national criminal history record information check. The applicant shall authorize release of the results of the national criminal history record information check to the department. The applicant shall pay the actual cost of the fingerprinting and criminal background check. This section shall not apply to dentists who are applicants for temporary practice rights under subdivision (5) of section 71-183.01 or to physicians and surgeons who are applicants for temporary practice rights under subdivision (17) of section 71-1,103.”

Licensee Assistance Program

The State of Nebraska has a licensee assistance program (LAP) that is stipulated in detail in Health and Human Services regulations 172 NAC 5. Following are excerpts from the statute that authorizes the Nebraska LAP.

71-172.01. Licensee Assistance Program; authorized; participation; immunity from liability; referral; limitation.

The Department of Health and Human Services Regulation and Licensure may contract with the Department of Health and Human Services to provide a Licensee Assistance Program to credential holders regulated by the Department of Health and Human Services Regulation and Licensure. The program shall be limited to providing education, referral assistance and monitoring of compliance with treatment of habitual intoxication or dependence and shall be limited to voluntary participation by credential holders.

Participation in the program shall be confidential.

Participation in the program shall not preclude the investigation of alleged statutory violations which could result in disciplinary action against the person's credential or criminal action against the person.

NEBRASKA LAP PROGRAMS

Programs designed to help health care professionals with health or substance abuse issues are available through the Licensee Assistance Program or Employee Assistance Programs of major employers. Human Resource departments may guide those in need to the proper group.

The NE LAP provides professional alcohol/drug assessments, treatment recommendations and referrals, education and case management or monitoring services. These services are designed to help health service professionals identify and obtain appropriate treatment for alcohol/drug abuse or addiction.

The NE LAP offers health service professionals an opportunity to discuss alcohol/drug abuse issues openly and confidentially with the professionally trained NE LAP Coordinator. The NE LAP Coordinator is fully qualified to provide alcohol/drug assessments and counseling, and guides the professional toward a helpful understanding of the alcohol/ drug abuse issues. Alcohol/drug abuse or addiction can be successfully resolved and ensure the professional maintains or returns to a healthy personal, practice and community life.

HOW TO ACCESS SERVICES

For more information or to arrange a convenient appointment, call the NE LAP Coordinator at (402) 354-8055 or (800) 851-2336, Monday through Friday, 8 a.m. to 4:30 p.m. Crisis and emergency services are available twenty-four hours a day, seven days a week. You may also want to visit the Website at www.lapne.org.

It's The Law - Rules & Regs

Question: Can I moonlight with a Temporary Education Permit (TEP)?

Answer: Questions relating to "moonlighting" practices are detailed in the Nebraska statutes on medical licensure.

Professionals with a TEP should NOT practice outside their assigned training program. A TEP authorizes the practice of medicine and surgery only while serving in a supervised education program or in an approved graduate medical education program conducted by an accredited hospital in Nebraska or by an accredited Nebraska school or college of medicine. Full licensure is granted only after a detailed credential review, and the completion of one year of post-doctoral training. These rules apply to both allopathic and osteopathic physicians. The practice of medicine and surgery without a proper license may lead to heavy penalties that could have serious effects for the practitioner.

What Is the Federation of State Medical Boards?

The Federation of State Medical Boards (FSMB) is a national not-for-profit organization representing the 70 medical boards of the United States and its territories, including 14 state boards of osteopathic medicine. The mission is to continuously improve the quality, safety and integrity of health care by developing and promoting high standards for physician licensure and practice.

The FSMB helps the member boards serve the public by continually updating and developing guidelines for regulation that reflect new medical knowledge, technological advances, and even changing cultural attitudes toward medical practice. Examples include guidelines for pain management, standards for physician competence and the practice of medicine via the Internet. FSMB conducts research on these and other issues; analyzes and develops policy; and serves as a resource for the community, consumers and many others.

The Nebraska Board of Medicine and Surgery is a participating member of FSMB. The Federation Website is: www.fsmb.org

License Renewal 2006 continues

may be subject to disciplinary action for practicing on an expired license.

In addition to the mandatory reporting requirements that are already in place, licensees are asked at the time of license renewal about any disciplinary action taken against their licenses in any state and about misdemeanor or felony convictions that may have occurred since the last renewal. If any discipline or convictions have occurred, the licensee is required to submit documentation before the renewal can be processed.

It is best for the licensee to personally complete the renewal process so that these questions can be answered truthfully. The Credentialing Division has found that when licensees have delegated the completion of their renewal to their staff, the staff may be unaware of the licensee's convictions or disciplinary actions. The result is a fraudulent application for renewal that could cause problems for the licensee because submitting a fraudulent application is considered as grounds to discipline the licensee.

Licensees will again be allowed to attest that they have met the continuing competency requirement. A percentage of active licensees will be selected randomly for audit of the continuing competency requirement. Licensees selected for audit will be notified in writing and will be

required to provide documentation of attendance for at least 50 hours of Category 1 continuing medical educa-

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tion or documentation of earning the AMA Physician's Recognition Award or the AOA CME Certification within the previous two years. Hours are to be earned within the 24 months immediately preceding the date of expiration, except that a licensee who has earned more than the 50 hours required for license renewal for one 24-month renewal period is allowed to carry over up to 25 hours to the next 24-month renewal period. The Credentialing Division relies on the AMA Physician's Recognition Award Booklet revision 2006 to determine the types of continuing education offerings that are considered to be Category 1 continuing medical education. More information on Category 1 continuing medical education can be found on the AMA Website at:

www.ama-assn.org/ama/pub/category/2922.html.

It is recommended that licensees

retain documentation of their attendance at continuing education programs for at least six months following the expiration date.

Licensees who carry over any hours from the previous renewal period should retain the documentation for six months after the following renewal period.

The Credentialing Division has been notified by other state medical boards that companies are soliciting physicians to renew their licenses online. One such company offers to complete all licensure forms for renewal in all 50 states.

Unsuspecting physicians are paying fees to these companies, only to find that their licenses have not been renewed properly with the state regulatory authority. The Federation of State Medical Boards (FSMB) is not connected with any of these online companies and does not endorse any of their services. The FSMB urges state boards to alert their licensees about these companies and remind licensees that they are ultimately responsible for the renewal of their professional license.

Questions regarding license renewal can be e-mailed to:

meegan.dyrland@hhss.ne.gov

or you may call the Credentialing Division at 402/471-2118.

NEBRASKA HEALTH AND HUMAN SERVICES SYSTEM



NBMS Connection
Nebraska Department of Health & Human Services
Regulation and Licensure
P. O. Box 94986
Lincoln, NE 68509-4986
Phone: 402-471-2118
www.hhss.ne.gov

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