The Exam, Licensure & Disciplinary Database: Realizing its potential

This article was based on a presentation by Seif Mahmoud, FSBPT Managing Director of Information Systems at the 2013 FSBPT Annual Meeting.

*The FSBPT Exam, Licensure and Disciplinary Database can protect the public, but it’s only as good as the number of jurisdictions that participate*

What are the best- and worst-case scenarios for the Exam, Licensure and Disciplinary Database (ELDD)?
The objective of the ELDD is to support the shared mission of public protection by compiling and maintaining a comprehensive, accurate and complete physical therapy database of examination scores for each graduate, licenses issued by each jurisdiction and disciplinary actions.

Most jurisdictions interact with the database through score reports and notifications of disciplinary actions.

- Exams identify the people entering the profession
- Licensure identifies which jurisdictions have oversight over which person
- Disciplinary actions identify the people (so each jurisdiction with oversight can be notified), the causes and the disciplinary actions taken.

This protects the public because jurisdictions are AUTOMATICALLY notified when their licensees are disciplined in another state and can evaluate each situation for potential action.

Disciplinary actions are also reported when someone is applying for licensure endorsement.

So licensees are less likely to be able to outrun their offenses.

Real-world examples

*When it didn’t work*
A physical therapist appeared on the local news after being arrested for a sexual boundary
violation with a patient (State A).

Background:
After the news report, a search of the surrounding states’ websites revealed that he was licensed conditionally and was on probation in a neighboring state (State B) because “while employed as a trainee” he touched a patient in an inappropriate sexual manner.

A disciplinary action had been taken against the therapist before the license was issued in State B. However, neither the action nor the probationary license were reported into the ELDD by State B.

A few months after the probationary license was issued in State B (before the probation period had expired), State A issued an unencumbered license to the therapist. News reports indicated that the therapist had “engaged in inappropriate physical contact with the victim that was not consistent with accepted treatment” in State A.

Consider the harm that could have been prevented if the disciplinary information had been recorded in the ELDD by State B and so that it could be provided to State A when deciding whether to license the physical therapist.

...and when it did
These examples showed how the ELDD worked well.

• A patient complained of adverse effects during a treatment. The therapist performed the same treatment a second time and issued the patient a home treatment kit. When the patient eventually was referred to an urgent care clinic, the licensing board got wind of it. The jurisdiction took a disciplinary action, questioning the therapist’s competence to practice. As the therapist held licenses in a neighboring state, the neighboring state was notified and took a similar disciplinary action.

• A jurisdiction took a disciplinary action against a therapist for allowing a PTA to treat a patient for 22 consecutive times without the required re-evaluations. The therapist held active licenses in two neighboring states and lapsed licenses in other states. All were notified and a neighboring state took a similar disciplinary action.

• A graduate from a PT school applied for a license by exam indicating no prior licenses or discipline. The graduate was granted access to the exam and tested. When the score was reported, multiple expired licenses and a handful of disciplinary actions were reported along with the score. (The graduate had exited the profession many years earlier.)

Disciplinary actions are not deleted over time
There is no sunsetting on disciplinary actions, even minor items such as not filling out a form correctly. FSBPT holds information as long as it can; jurisdictions can make decisions from that
information based on what they think is right.

**Ascertaining an individual’s identity**
During two exercises, the group discovered how difficult it is to ascertain the identity of a person. For instance, “Amy” and “Davis” are common names. Determining a particular “Amy Davis” can be difficult without multiple identifiers such as birthdates, social security numbers, the license issue date, the test date and the graduating school.

The sophisticated ELDD system works best when all jurisdictions participate in real time with a lot of information. The system is not as useful without the proper input.

**Which jurisdictions participate?**
The answer is not black and white; there are grades of participation. There is a pilot program that measures participation levels considering more than 30 data-points and built on weighted averages among the three major components. Jurisdictions are rated on a five-star system. The rating program is a way for the jurisdictions to evaluate their own participation and communicate with each other. Currently half of the states are three stars or above.