



Exam, Licensure and Disciplinary Database Protects the Public

This article is based on a presentation by Seif A. Mahmoud, FSBPT Managing Director of Information Systems, at the 2015 FSBPT Annual Meeting.

Protecting the public is the primary goal of the FSBPT Exam, Licensure and Disciplinary Database (ELDD). However, the database of physical therapists' licenses and disciplinary actions is only as useful as jurisdictions make it. For that reason, FSBPT has been tracking how state boards submit information for inclusion in ELDD. Jurisdictions that keep it updated completely and consistently are 5-Star state boards. The FSBPT is on a quest to bring every board to the 5-Star level. Not only will it make the database more useful, but it will allow the FSBPT to merge other databases to the system.

ELDD has been a major part of the FSBPT mission since 1985 when the Federation was founded. Its objective is to support the shared mission of public protection by compiling and maintaining a physical therapy database containing licensing, disciplinary, and test score information.

State boards provide the data to be crunched for ELDD. With a quarter of a million people in the database, the Federation is able to figure out who's who, figure out where particular people are licensed, where they're being disciplined, and where they tested. The FSBPT can then funnel that information back to the state boards in a way that is consumable.

With so many people in the system, the name is not always the best identifier, so the Federation goes beyond that to make sure the person in the database is identified correctly. Test score information is critical to that effort.

State board members who participate in the ELDD noted they receive notice of discipline right away. Knowing when someone licensed in your jurisdiction is disciplined outside of your state is a very good reason to use the database, they acknowledged.

State boards should participate in ELDD to be aware of what licensees are doing outside their state, to let other states know when disciplinary action is taken against one of their licensees, and to increase the quality of data by reducing typographical errors. The database and its benefits are available for free.

Once a disciplinary action is finalized, it becomes public information and can be posted on a jurisdiction's website. But without ELDD, the other 52 jurisdictions would have to go to that website to collect the information. If it's reported to a single database, then that database

distributes the information to those it applies to. Without the ELDD, if someone gets disciplined mid-cycle, jurisdictions may not find out about it again until the next renewal cycle.

It has happened. For example, a licensee was suspended in one state in January 2014 but was able to practice unencumbered in a neighboring state for more than a year before notification was sent to that state. If the action had been entered into the database, jurisdictions would have received notification within 24 hours of the Federation receiving the information.

It's human nature to move on and try to reestablish yourself. It's not FSBPT policy to recommend that someone with a disciplinary action never practice again, but at the very least the issue that led to disciplinary action needs to be addressed. ELDD gives jurisdictions that information so decisions can be made in an informed manner: This person has a disciplinary action. Is it someone I want working in my jurisdiction? It allows jurisdictions to take a closer look.

Jurisdictions also can contract with the FSBPT to act as the jurisdiction's reporting agency to the National Practitioner Databank. That saves jurisdictions a bit of work as they are required to report disciplinary actions to federal government within 30 days.

An audience member raised a point about a physical therapist who was disciplined by Medicare and the jurisdiction found out when it was printed in the newspaper. Currently, the ELDD only contains disciplinary actions taken by the jurisdictions and the Federation. However, the FSBPT is considering adding actions taken by the Office of Inspector General, among other areas that are not state licensure types of disciplinary actions, to the database and the notification stream.

Barriers to participate in the database include jurisdictions being prohibited from sharing Social Security numbers and a small staff with a heavy workload. However, with a bit of work, that can be overcome by matching the license to the licensee's original exam score. A lot of demographic information, including Social Security numbers, was provided to the Federation and its predecessor when licensees applied for the exam. Therefore, the Social Security numbers already are built into the system behind the scenes and not providing Social Security numbers does not bar jurisdictions from becoming a 5-Star state. The FSBPT will collaborate with jurisdictions to make it work.

The FSBPT will also work with jurisdictions to overcome workload barriers, as well as technical barriers.

Another concern centers on the security of the system itself.

The Federation is doing everything possible to keep itself as small as possible so it's not a big target for some massive hacking organization. There are things the FSBPT does and does not do to further secure the database. First, this database is not in the cloud. That's what it does not do.

What it does do is maintain four levels of defense: physical, network, server, and application levels.

The physical security includes having the server stored in a building within a building that is

resistant to natural and manmade disasters. The building is located outside the Washington, D.C., Beltway, a highway in the DC suburbs that circles the city. The database is also physically separated from all other FSBPT assets. There is limited access to the server and those who can access it must pass through a two-factor authentication. You can't just walk in, take a disk, and walk out the door.

Firewalls protect the system at the network level, along with intrusion detection systems and traffic analysis and correlation. You can't just plug into Wi-Fi and listen in and take any of the data you want, as has happened to some companies.

Server level security is maintained through access control and "hardened" operating systems.

Security also is built in from the beginning of the applications. There are defenses against cross-site scripting, SQL injections, and URL manipulation attacks.

Finally, the systems undergo an ongoing automated scanning, a biannual external security audit, and an ongoing review of new software for potential security issues.

FSBPT brings in an actual hacking company every two years and says, "Here's our infrastructure. Go to town. What can you get?" Information system staffers watch and learn, see what they're able to get, and say OK this is what we need to do to fix this. The information system team has been able to keep the hired hackers from getting farther into the database each year.

So, the system is safe for jurisdictions and licensees to access and use. While every state board has sent information from time to time, sometimes the flow of information stops, possibly because of a new administrator who doesn't know about sending the data. The administrators are following the law and doing everything legally required of them, but sending information to the Federation just is not on that legal mandate list.

That's why measuring who is actually participating on an ongoing basis is so important.

Participation is measured on three characteristics:

- Discipline: 40%
- Licensure: 40%
- Exam score: 20%

Discipline is very important. Jurisdictions need to know right away when someone has been disciplined. But licensure is just as important. Licensure information allows the FSBPT to target who needs to be notified. Otherwise, every disciplinary action would be broadcast to all, which would overload and desensitize jurisdictions. Five hundred disciplinary actions occur every year, with 600 to 700 notifications of those actions. By having the licensure information, the FSBPT is able to drill down and send jurisdictions only the disciplinary action notifications that apply to them. Exam score history also is important so states that are unable to provide Social Security numbers can still tie licensees to their exam score.

With discipline and licensure, the FSBPT looks at freshness and completeness of the data — how quickly are jurisdictions providing the information so the FSBPT can notify all the states involved. The FSBPT also considers whether or not all disciplinary actions have been reported. There have

been instances where disciplinary actions have been posted on a state website but not reported to the Federation, and that will factor into the star rating.

The good news is jurisdictions are making progress in making the database strong, current, and useful. In the first quarter of 2014, eight boards were 5-Star, 13 were 4-Star, 10 obtained 3-Star status, seven were 2-Stars, and 15 were 1-Stars. By the third quarter, that had jumped to 11 5-Stars, 13 4-Stars, 10 each in the 3- and 2-Star categories, and nine 1-Stars.

By the first quarter of 2015, more than half the boards were 5- or 4-Stars: 12 in the top category followed by 15 in the 4-Star category. That fell somewhat in the third quarter as the number of 4-Stars fell, but the good news is the Federation now has a record number of 5-Star state boards with 15. What's more, two-thirds of the jurisdictions are at 3 Stars or higher.

The Federation now will work with the 3-Star and 4-Star states to move them to the 5-Star level, then will come back and work with the 1-Star and 2-Star states to move them up.

Moving ahead, the FSBPT is considering combining databases currently online to make it much simpler for the licensees. Today they log into one system to get their scores and then a separate system for continued competence, and there could be a separate system for each of the other things. If those databases can be tied together and built on top of the ELDD, then that makes life easier for licensees and jurisdictions. Before that can occur, however, the FSBPT needs a level of confidence that's growing but not there yet. To get there, jurisdictions need to achieve 5-Star status. Looking at 15 5-Star states and a lot of 1- or 2-Star states is not a foundation on which to build an integrated system.



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