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president's perspective

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## **Exam, Licensure and Disciplinary Database (ELDD): Public Protection thru Mutual Collaboration**

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Do you recall as a child having a recurring nightmare? Sometimes we continue to have them as an adult and one of mine is seeing a headline that says something like this... "Physical therapist known to have multiple complaints continues to harm people as he/she practices in different states that are unaware of previous complaints."

Our mission is public protection and this type of headline focuses on our failure to do just that!

Historically you may recall serial murderers who hid behind the patient-therapist trust relationship to carry out egregious acts against unsuspecting patients: Doctors Swango and Harvey; and, nurses Cullen and Hazzard.

The public has the right to expect that as simple as it is for a health care provider to practice in another jurisdiction it has to be just as simple for us to share critical information between jurisdictions. The good news is "we have a database for that"; the best news would be that every jurisdiction contributed to the ELDD database.

The effectiveness of the database is completely up to the member boards that comprise FSBPT. We owe it to the public we serve to contribute data to the ELDD to maximize its efficacy in our role to protect the public.

### **The basics**

Many boards of physical therapy have mechanisms in place to share pertinent data with other entities in their own state. This allows each board to become aware when another entity in the state takes disciplinary action against a Physical Therapist (PT) or Physical Therapist Assistant (PTA). This works well when licensees do not leave the state, but the data currently show that more than a third of PTs and PTAs are licensed in more than one jurisdiction during their career.

This number continues to grow as more data become available and as it becomes easier to move across state lines.

The Federation of State Boards of Physical Therapy (FSBPT) invests in staff and an Exam, Licensure and Disciplinary Database (ELDD) system to facilitate data sharing among the member jurisdictions. The efforts **protect the public** by distributing information about **disciplinary actions** to jurisdictions where the individual applies for, holds or has held PT or PTA **licenses** and archives that information along with the individual's **exam scores** so that as they move from jurisdiction to jurisdiction they are not able to outrun the discipline. This alerting system enables a jurisdiction to have the information about disciplinary history at the time it is evaluating the application for licensure or within 24 hours of the disciplinary action being finalized against one of its licensees in another jurisdiction.

### **The ideal approach for collaboration**

This sophisticated system needs data from each jurisdiction to be useful to everyone. Licenses from each jurisdiction need to be added to the ELDD and tied back to the individual's exam score so that when the ELDD receives a disciplinary action, the system triggers notifications to the appropriate jurisdictions and updates the appropriate score reports.

FSBPT needs partners in each jurisdiction to add and maintain (current and historical) licenses in the ELDD and match them to the individual's exam score. A partner in a jurisdiction can accomplish these objectives in a number of ways....

For Historic Scores:

1. Work with FSBPT to identify the identity of the test taker for each of the "unmatched" historic scores in the ELDD for its jurisdiction.

Or:

2. Provide FSBPT with copies of any old historic score records the jurisdiction retained. FSBPT staff will process the data and update the ELDD.

For Licenses:

1. Provide a Licensure Data Extract on a frequent basis that includes enough Personally Identifiable Information for each licensee to enable a match to the correct exam score and other licenses for the same individual.

Or:

2. Enter new licenses as it issues them and manually maintain licenses in the ELDD as they expire and people move or change names.

In most cases, setting up a weekly licensure extract is less ongoing work than manually maintaining information in the ELDD.

For Disciplinary Actions:

1. Enter any disciplinary actions online thru the FSBPT's Online Processing System's Jurisdiction Interface.

Or:

2. Send disciplinary action information via email to [ELDD@fsbpt.org](mailto:ELDD@fsbpt.org) and FSBPT staff will enter the information into the ELDD on the jurisdiction's behalf.

### **Data in the age of the Physical Therapy Licensure Compact**

As we approach the launch of the Physical Therapy Licensure Compact and the issuance of the first Compact Privileges, data sharing plays an even more important role in public protection. The Compact Language requires the denial of compact privileges to anyone who has been disciplined by any Physical Therapy Board within the last two years. The only way for the Compact Commission to know about disciplinary actions is if jurisdictions report them to the ELDD.

Compact-member states have a legal obligation to report disciplinary actions quickly to the ELDD. We all benefit from that legal obligation because ELDD will proactively notify all pertinent member jurisdictions about each action. We are looking for each of the non-Compact jurisdictions to report disciplinary actions as quickly as possible once finalized.

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**President Nancy R. Kirsch, PT, DPT, PhD, FAPTA** received her PT degree from Temple University, her Masters in Health Education from Montclair University, Certificate in Health Administration from Seton Hall University, her PhD concentration in ethics from Rutgers University (formerly UMDNJ), and a Doctor of Physical Therapy from MGH Institute of Health Professions. She practiced in a variety of settings including in-patient rehabilitation, acute care, long term care and home care. She owned a private practice for twenty years and currently practices in a school based setting. In addition, she is the Director of the Doctor of Physical Therapy Program at Rutgers, The State University of New Jersey. Nancy has been a member of the New Jersey Board of Physical Therapy Examiners since 1990 and was chairperson of the board for 12 years. She served as an evaluator for FCCPT. Nancy has been involved with the Federation of State Boards of Physical Therapy in the following capacities: she served two terms on the Finance committee and also served on several task forces, in addition to the Board of Directors. Nancy has been active in the American Physical Therapy Association since she was a student. She served the New Jersey Chapter as Secretary and President, and as a delegate and chief delegate to the House of Delegates. She served the national association as a member of the ethics document revision task force. She also served a five year term on the APTA Ethics and Judicial Committee and the APTA Reference Committee. She received the Lucy Blair Service Award and was elected a Catherine Worthingham Fellow from National APTA and received an Outstanding Service Award and the President's Award from the FSBPT.