

**REVENUE: No revenue impact**

**FISCAL: Fiscal statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	6 - 0 - 2
<b>Yeas:</b>	Berger, Edwards C., Garrard, Gelser, Read, Roblan
<b>Nays:</b>	0
<b>Exc.:</b>	Jenson, Nolan
<b>Prepared By:</b>	Jerry Watson, Administrator
<b>Meeting Dates:</b>	5/11, 5/13, 5/15

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**WHAT THE MEASURE DOES:** Requires that health professional licensing boards develop process to deal with impaired professionals. Establishes uniform standards for monitoring impaired professionals. Requires licensee to report any arrest or conviction of misdemeanor or felony crime to the program within one business day after licensee is arrested or convicted. Directs health professional licensing boards to impose sanctions on impaired professionals. Deletes existing impaired professional programs of specific boards. Applies to licensees identified by health profession licensing boards, and disciplinary proceedings commenced on or after January 1, 2010. Declares an emergency; effective on passage.

**ISSUES DISCUSSED:**

- Proposed amendments
- Concerns about privacy issues and maintenance of personal information in Law Enforcement Data System

**EFFECT OF COMMITTEE AMENDMENT:** Deletes proposed requirement for licensees to consent to entry of name and fingerprints in Law Enforcement Data System. Substitutes requirement for licensee to self-report arrests or conviction of misdemeanor or felony crime to the program within one business day after licensee is arrested or convicted.

**BACKGROUND:** Impairing conditions can affect anyone in the general population, including healthcare professionals. Some reports have sited approximately 15 percent of practicing physicians have had or currently have a substance related impairment. If psychological and physical impairments are added, the percentage of practitioners with impairment increases. Chemical dependency is recognized as a disease based upon the medical disease paradigm, being chronic, progressive, and relapsing. There is no cure but there is effective treatment and the condition can be kept in remission through a process of recovery; not unlike that for diabetes, hypertension, or heart disease. Since 1972, in various policy statements, the American Medical Association has defined the impaired physician as: "one who is unable to practice medicine with reasonable skill and safety to patients because of physical or mental illness, including deterioration through the aging process or loss of motor skill, or excessive use or abuse of drugs, including alcohol." Impairment generally leads to decreased or altered clinical judgment, or diminished technical skills; therefore it has a deleterious or even dangerous impact on patient safety. A practitioner's impairment can also lead to significant problems with others in the hospital, community, family, and friends.

5/18/2009 4:41:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*