

Date:

DEC 21 2017

From: Deputy Under Secretary for Health for Operations and Management (10N)

Subj: Required Review of Licensure Actions for Title 38 and Hybrid Title 38

To: VISN Directors

1. All healthcare providers (e.g., physicians, dentists, nurses, social workers, dieticians) who are required to maintain licensure, certification, or registration as a qualification for appointment for their occupation must meet the qualification requirements of Title 38 United States Code (U.S.C. 7402(f)). In summary, this regulation states:

- The applicant must have at least one full, active, current and unrestricted license; and
- The applicant has not had a license revoked by any state "for cause" (i.e., substandard care, professional misconduct, professional incompetence), and if so, that license has been reinstated to a full, active, current, and unrestricted status; and
- The applicant has not made an agreement with a state licensing board (SLB) to voluntarily relinquish their license in lieu of the SLB revoking their license, and if so, that license has been reinstated to a full, active, current, and unrestricted status.

2. This law applies to any healthcare provider that has been appointed since November 30, 1999, the date that the law was enacted. Recently it was identified that a facility hired a provider who was not eligible for employment because he had a revoked license that was not reinstated to a full and active status. The agency must ensure that we do not have any other Title 38 or Hybrid 38 employees who are currently employed or appointed as contractors, volunteers, or intermittent that do not meet the licensure qualifications as stated in Title 38 U.S.C. 7402(f). This must be confirmed through an extensive agency-wide review.

3. To facilitate completion of this extensive agency-wide review a SharePoint site has been established with a folder for each Veterans Integrated Service Network (VISN). Each VISN folder contains an Excel spreadsheet file with two worksheets. The first worksheet in the file contains a listing of actively credentialed and appointed providers by facility for your VISN who have an indication of a licensure action of some nature (see Attachment A for explanatory guidance regarding data fields). The second Excel worksheet serves as the response template to submit review results (see Attachment A for instructions for the review process and information to be provided for submission utilizing the response template). I am asking for a review of the licensure history and status of each of these providers to ensure they meet the qualifications as listed above. Additionally, facilities are asked to note if the provider has had a suspended license or license placed on probation. Note: A provider being listed on this report does not necessarily indicate that there is an issue or error in hiring/ appointment. Only a thorough review will reveal if there is an issue to be addressed, if there was an action that did not impact the provider's eligibility for employment/ appointment and no action further is required, or if there is an inaccurate entry or primary source verification on the licensure screen that requires correction.

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4. This review is of utmost importance. The review must be completed with respective documentation returned to your VISN Director no later than January 17, 2018. VISN Directors must forward reports for their facilities to Marianne Chick, Director, Medical Staff Affairs, no later than January 19, 2018.

5. If you have questions related to this review, please contact Marianne Chick, Director of Medical Staff Affairs, at (Marianne.Chick@va.gov). For technical questions related to the Sharepoint site, please contact Debbie Heim, Staff Assistant, Workforce Management and Consulting at (Debbie.Heim@va.gov).


Steve Young, FACHE

Attachment

Attachment A

Provider List - Providers with indication of a licensure issue in their electronic credentialing file (VetPro)

Providers Listed:

The spreadsheet lists providers at your facility that: (1) have an active credentialing file and appointment at your facility; and (2) who have one (or more) of the following recorded in their credentialing file for a license currently or previously held:

- A. Licensure Screen - verification of a state license is answered in one or more of the following ways:

Was this license full and unrestricted?	Credentialer selected "No"
Was there a pending adverse action?	Credentialer selected "Yes"
Was there a past adverse action?	Credentialer selected "Yes"
Did this license expire in good standing?	Credentialer selected "No"

- B. Supplemental/ Attestation Screen - response of "yes" by the provider to the following question:

Question 6: Medical License in Any State: Have any of the following ever been, or are they in the process of being--either on a voluntary or involuntary basis--denied, revoked, suspended, reduced, limited, placed on probation, not renewed, withdrawn, or relinquished while under investigation or for disciplinary reasons? Provider selected "Yes"

How to Review:

- A. Access the provider's credentialing file in VetPro
- B. Go to the Appointment Screen and note whether or not the provider has had unbroken service at your facility since November 30, 1999
- C. Review the entries for each licensure verification:
- 1) Have any of the licenses been revoked? If yes, was the license restored to a full and active status (prior to hire/ appointment)?
 - 2) Has the provider voluntarily relinquished a state license in lieu of the state licensing board revoking their license? If yes, was the license restored to a full and active status (prior to hire/ appointment)?
 - 3) Was the verification completed accurately by the credentialer? If no, a new primary source verification must be completed for that licensure entry.
- D. Review reports from the National Practitioner Data Bank (NPDB) (located under NPDB - Response/ Disclosure link) –
- 1) Are there any licensure reports from a state licensing board?
 - 2) If yes, is there evidence of:
 - i. Licensure revocation? If yes, was the license restored to a full and active status (prior to hire/ appointment)?
 - ii. Voluntary Relinquishment of a License in lieu of the state licensing board revoking their license? If yes, was the license restored to a full and active status?
 - iii. Primary Source Verification with the state licensing board of the action they reported? (on the license screen)?