

**SB 1441 - Uniform Standards Implementation**

DCA #	Requirement	MBC Disciplinary Term/Condition
1	If license on probation due to substance abuse problem, licensee must undergo a clinical diagnosis evaluation. The report should contain recommendations for treatment, practice restrictions, etc.	The existing guidelines recommend that a medical and psychiatric evaluation be obtained and allow the Board to designate the evaluator and provide all relevant information. The guidelines also allow the board to require the clinical evaluation for substance abuse issues and also require that the licensee comply with any treatment recommendations made.
2	Requires Board to order cease practice pending results of clinical diagnostic evaluation and review by Board staff. Licensee must be drug tested at least two times per week during evaluation period and must have 30 days of negative tests before resuming practice	The existing guidelines include the optional condition of requiring that the licensee not practice medicine until the evaluation has been completed and the licensee is deemed safe to practice.
3	Requires probationer who has an employer to provide the board with names, addresses, phone numbers of all employers/supervisors and sign a consent authorizing the board to communicate with the employer regarding work status, performance and monitoring.	Board policy is to collect information from licensee on current practice location information(s) and staff at the intake interview and to update the practice location(s) information and contact information on Medical Director/Chief of Staff each quarter. Board Policy will be updated to add release for employer
4	Contains drug testing standards which includes frequency (recommends 104 for the first year), random scheduling, lab standards, observed collections, etc.	The existing guidelines are consistent with standards with the exception of the testing frequency specified in DCA's standards. Given the continued discussion/debate regarding the minimum Biological Fuel Testings (BFT) required, MBC's guidelines moved number of tests identified so the testing frequency can be adjusted depending on circumstances to be consistent with the uniform standard. MBC incorporated DCA's testing frequency schedule into the procedure for setting BFT schedules.
5	Provides guidelines for group support meetings	Not Applicable
6	Provides guidelines for treatment programs (inpatient, outpatient, etc.)	Not applicable
7	Provides guidelines for qualifications, methods of monitoring and reporting for worksite monitors	Not applicable

8	Requires that licensee be ordered to cease practice immediately when a test for a banned substance is positive. Requires board to notify licensee and employer	2011 Disciplinary Guidelines authorize the board to issue an immediate cease practice order.
9	Identifies that when a licensee tests positive for a prohibited substance, he/she has committed a major violation and subject to penalties from #10	2011 Disciplinary Guidelines authorize the board to issue an immediate cease practice order.
10	Identifies consequences for a major violation to be 1) licensee must cease practice and obtain another clinical evaluation and test negative for at least one month before returning to work; 2) referral for disciplinary action	2011 Disciplinary Guidelines authorize the board to issue an immediate cease practice order. MBC's current policy is to refer any "major" violations to the AG for disciplinary action vs. requiring another evaluation and extended time with no positive BFT.
11	Identifies criteria licensee must meet in order to return to practice full-time	N/A - Appears to relate to licensees in a diversion program
12	Identifies criteria licensee must meet in order to reinstate to a full/unrestricted license	N/A - Appears to relate to licensees in a diversion program
13	Identifies standards for vendors providing diversion services	Not applicable
14	Identifies public information to be provided when licensees are in a diversion program	Not applicable
15	Identifies an audit schedule for diversion programs	Not applicable
16	Identifies reporting information that must be provided to DCA regarding physicians on probation for substance abuse issues	No impact on Disciplinary Guidelines