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SENATE JOINT RESOLUTION NO. 128
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Rules
on February 1, 2008)

(Patron Prior to Substitute—Senator Houck)

Directing the Joint Commission on Health Care to study the feasibility, advisability, and necessity of considering the competence of licensed health care professionals who are not granted deemed status as a condition of license renewal. Report.

WHEREAS, the Board of Health Professions and its 13 health regulatory boards currently rely primarily on the completion of some specified hours of continuing education as evidence of continued competency; and

WHEREAS, numerous studies have determined that continuing education may not be the best way to measure continued competency; and

WHEREAS, the Attorney General's Regulatory Reform Commission is conducting a study to determine the costs of continuing education, and it appears that the costs may well be over a million dollars a year for physicians alone; and

WHEREAS, rapid advances in technology and medical science are revolutionizing health care, warranting review of whether health care providers meet ongoing competency standards consistent with advances in technology and medical science; and

WHEREAS, the public is demanding greater accountability for quality outcomes and believes that as a condition of licensure or certification, health care practitioners should be required to demonstrate the up-to-date knowledge and skills necessary to provide quality care; and

WHEREAS, physicians have developed strong competency requirements through board certification and re-certification processes; and

WHEREAS, in an effort to advance quality of care, all 24 medical specialties represented by the American Board of Medical Specialties now require their board-certified physicians to demonstrate ongoing competence in medical knowledge, patient care, practice-based learning and improvement, interpersonal and communication skills, professionalism, and systems-based practice; and

WHEREAS, other health professions are looking at ways to determine continued competence, including several nursing organizations; and

WHEREAS, health care providers who (i) participate in competency requirements for specialty board certification or re-certification, or (ii) participate in competency requirements as a condition of being on a participating provider panel of a health or dental insurance provider who is MCHIP certified should be granted deemed status for purposes of competency; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Commission on Health Care be directed to study the feasibility, advisability, and necessity of considering the competence of licensed health care professionals who are not granted deemed status as a condition of license renewal.

In conducting its study, the Joint Commission on Health Care shall (i) identify all competency programs which should qualify for deemed status; (ii) gather input on defining and ensuring continued competence from representatives of the various health care professions; and (iii) calculate the fiscal impact of competency evaluations by health regulatory boards.

Technical assistance shall be provided to the Joint Commission on Health Care by the Department of Health Professions and its regulatory boards. All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request.

The Joint Commission on Health Care shall complete its meetings for the first year by November 30, 2008, and for the second year by November 30, 2009, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.