

PROBATION MONITORING

Probation Monitoring Caseload

Total Number of Physicians on Probation	561
• Number of Active Physicians in Practice	444
• Number issued a probationary license	87
• Number in-state but not practicing (pending)	28
• Number out-of-state (tolled)	89

Administrative cases which resulted in probation*

Gross Negligence/Incompetence includes inappropriate prescribing issues	145
Sexual Misconduct	10
Mental/Physical Illness	9
Substance Abuse	44
Fraud	13
Miscellaneous Violations (e.g., general unprofessional conduct, aiding and abetting, conviction of a crime, etc.)	90
Total	311

*Data from FY 2011/12 and 2012/13

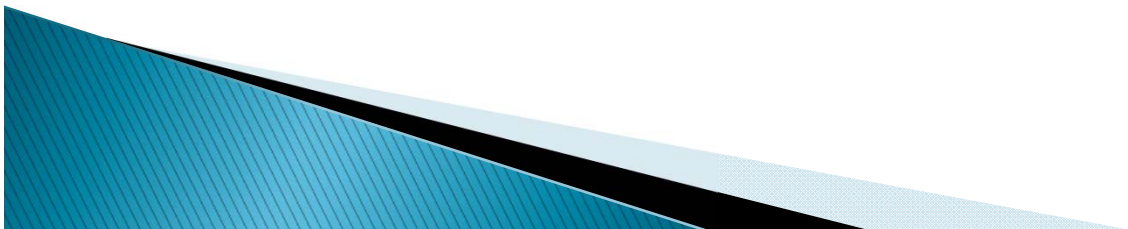
Conditions Ordered for Gross Negligence/Incompetence

Minimum penalty: Stayed revocation, 5 years probation

NOTE: In cases charging repeated negligent acts with one patient, a public reprimand may, in appropriate circumstances, be ordered.

Maximum penalty: Revocation

1. Education course
2. Prescribing Practices Course
3. Medical Record Keeping Course
4. Professionalism Program (Ethics Course)
5. Clinical Training Program
6. Monitoring–Practice/Billing
7. Solo Practice Prohibition
8. Prohibited Practice



Physicians Required to attend PACE

Fiscal Years	08/09	09/10	10/11	11/12	12/13
PACE required	41	40	31	58	56
Suspended Until PACE is completed	7	11	14	8	10
PACE completed <i>with</i> recommendation(s)	2	4	18	24	21
PACE completed with <i>no</i> recommendation(s)	39	47	40	35	35
PACE failures	5	3	4	4	3
Total number of petitions to revoke probation filed for non-compliance with order for PACE*					17

*Data from FY 2011/12 and 2012/13

CONDITIONS ORDERED FOR EXCESSIVE USE OF ALCOHOL (B&P 2239) or EXCESSIVE USE OF NARCOTICS

Minimum penalty: Stayed revocation, 5 years probation

Maximum penalty: Revocation

1. Suspension of 60 days or more
2. Controlled Substances–Abstain From Use
3. Alcohol–Abstain from Use
4. Biological Fluid Testing
5. Professionalism Program (Ethics Course)
6. Psychiatric Evaluation
7. Psychotherapy
8. Medical Evaluation and Treatment
9. Monitoring–Practice/Billing
10. Controlled Substances – Total DEA restriction
Surrender DEA permit or Partial DEA restriction
11. Maintain Drug Records; Access to Records & Inventories

Total No. of Physicians with BFT Requirement		120
Total No. of Physicians Being Tested*		93
	07/2010-06/2011	07/2011-06/2012
No. of Positive Tests	160	264
No. of Positive Tests excluded because physician had a valid prescription for the medication	81	209
Total No. of Actionable Positives**	79	55
Total No. of Petitions to Revoke Probation Filed for non-compliance from FY 2011/12 and 2012/13		23

* Excludes pended/tolled probationers

**The same physician may have multiple positive tests, however, only one investigation would be opened.

Probation Completion/Outcomes *

Probation Successfully Completed	99
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Petition for Early Termination Granted	61
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Total number of “successful” completions – 160 or 58%

Subsequent discipline taken or License Surrendered while on probation	77
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License Automatically Cancelled for non-practice	40
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Total number of “unsuccessful” completions: 117 or 42%

*Data from FY 2011/12 and 2012/13