

## Agenda Item 2A

### Proposed Draft Language for Guidelines for Determining When to Order a Clinical Competency Examination

- (a) Prior to recommending that the program manager order any clinical competency examination under subsection (b), the Diversion Evaluation Committee or committee case consultant shall rule out a physical or psychiatric cause for the physician's perceived inability to practice medicine safely and may conduct a re-evaluation interview of the physician.
  
- (b) Upon completion of the above review, the program manager may order a physician to undergo a clinical competency examination if:
  - (1) The physician has not practiced medicine for at least one year; or
  - (2) There is reasonable cause to believe that the physician is unable to practice medicine with reasonable skill and safety to patients. Reasonable cause must be demonstrated by written documentation containing a specific factual description of objective observations and/or clinical evaluations, describing repeated incidents raising concerns about the physician's ability to practice medicine safely. The objective observations shall be those of the physician's committee case consultant, program case manager, group facilitator, worksite and hospital monitor(s), or well-being committee(s).