STATE OF NEW MEXICO

MEDICAL BOARD

STRATEGIC PLAN

FY2023 TO FY2027

August 2022

EXECUTIVE SUMMARY

The Board consists of eleven (11) governor-appointed members, eight (8) physicians, two (2) public members and one (1) physician assistant. In addition, the Polysomnography Practice Advisory Committee consists of five (5) board-appointed members, and the Naturopathic Doctor Advisory Council consists of three (3) board-appointed members.

The Board is responsible for making policy decisions about licensing, discipline, and practice-related issues. The New Mexico Medical Board was established by the State Legislature "in the interest of the public health, safety and welfare and to protect the public from the improper, unprofessional, incompetent and unlawful practice of medicine."

The Board holds four (4) regular meetings per year. The Board also holds interim and special meetings during the year as determined by the board, in addition to dedicating many hours reviewing licensing issues and complaints, participating as hearing officers in administrative hearings, and developing rules and policies.

The Medical Board is a relatively small agency, with an authorized staff of nineteen (19.0) in FY22.

AGENCY PURPOSE STATEMENT, USERS, AUTHORITY

The NMMB is the state agency responsible for the regulation and licensing of physicians (MD's), physician assistants, anesthesiologist assistants, genetic counselors, polysomnographic technologists, naprapaths and naturopathic doctors. It is an executive agency supported solely by self-generated fees. It is one of five (5) independent licensing agencies that exist outside the Regulation and Licensing Department (RLD).

The main services provided by the agency include:

- the licensing of qualified applicants;
- enforcement of the Medical Practice Act through the investigation of complaints against license holders, with the subsequent discipline of those found to be in violation of the Medical Practice Act or rules;
- promoting the rehabilitation of impaired health care providers regulated by the Board;
- providing information to interested consumers.

These services are delivered most frequently in writing, but also by telephone, in person, and through electronic means, including the agency website.

The Board holds quarterly meetings in February, May, August, and November, with interim and special meetings held during the year as determined by the board. The Board is responsible for making policy decisions about licensing, discipline, and practice related issues. Staff members use established statutes, regulations, policies, guidelines, and guidance from the Board to perform required tasks.

The Medical Practice Act (Section 61-6-1 NMSA 1978) specifically defines the purpose of the Board:

B. In the interest of the public health, safety and welfare and to protect the public from the improper, unprofessional, incompetent and unlawful practice of medicine, it is necessary to provide laws and rules controlling the granting and use of the privilege to practice medicine and to establish a Medical Board to implement and enforce those laws and rules.

C. The primary duties and obligations of the Medical Board are to issue licenses to qualified health care practitioners, including physicians, physician assistants and anesthesiologist assistants, to discipline incompetent or unprofessional physicians, physician assistants or anesthesiologist assistants and to aid in the rehabilitation of impaired physicians, physician assistants and anesthesiologist assistants for the purpose of protecting the public.

Our key stakeholders are applicants for licensure, current license holders, individuals requesting license reinstatement, patients, insurance companies, hospitals, clinics, attorneys, and other boards and agencies.

AGENCY VISION/MISSION/GOALS

The "mission" of the Board is to promote excellence in the practice of medicine through licensing, discipline, and rehabilitation.

The "vision" of the Board is:

- to improve information portability;
- to achieve efficient licensing, investigation, and discipline;
- to provide helpful, knowledgeable, and responsive staff;
- to maintain an agency that is accessible and visible; and
- to promote increased public awareness of services provided by the Board.

ACTIVITY: *Licensing/re-licensing of qualified applicants/licensees*

Goal: The New Mexico Medical Board strives to continually make improvements to the licensing processes to assure applicants for licensure/re-licensure are qualified and that licenses are issued in a timely manner.

Objectives:

- Maximize the use of new licensing software.
    - Allow the applicant online access to check the status of the application. Applicants, and their agents, call routinely (often several times a week) to check on the status of various documents. If this information could be viewed online, we estimate it would significantly reduce the number of calls, allowing staff to spend more time reviewing the supplementary information and processing the application.
- Partnering with other credentialing verification organizations (CVOs) to provide primary source verification services for MD and PA applicants.
- Continue developing strategies for improving the processing time for initial licensure and re-licensure through increased accessibility or sharing of source documents.

- Working with the Federation of State Medical Boards (FSMB) on compact legislation for medical doctors.

*Performance Measures: (** indicates DFA Performance Based Budget Measure)*

- Number of tri-annual physician licenses and renewals.**
- Number of physicians who requested Inactive, Retired or Voluntarily Lapsed status.
- Number of days to issue a physician license,** from the receipt of a complete application (form and fee only, not required documentation) until a license is issued.
- Number of days from complete application, including documentation, until a license is issued.
- Number of biennial anesthesiologist assistant licenses issued and renewals.
- Number of biennial physician assistant licenses and renewals.**
- Number of applications received, by type.
- Customer satisfaction survey of licensing process.
- Number of first permanent physician licenses issued in New Mexico.
- Number of biennial genetic counselor, polysomnographic, and naprapathic licenses and renewals.

Achievements:

- The New Mexico Medical Board has taken steps toward expediting the licensing process by eliminating redundancy and passing rule changes to reduce the amount of years of work experience verifications required from five years to two years. These efforts were implemented at the end of FY13. The average number of application processing days for physicians has gone down approximately 31 days since implementation of the new process. For applicants applying directly to the New Mexico Medical Board the average application processing time is 60 days, down 2 days from last FY.
- Beginning with 2014 Online MD Renewal, the New Mexico Medical Board began utilizing a new dynamic online survey tool to accommodate the Health Care Work Force Data Collection Survey. This is a much more user friendly and efficient survey for New Mexico Medical Board licensees.
- Since November of 2012, the New Mexico Medical Board has offered the Federation of State Medical Board's Uniform Application as an option to applicants. This is an online application that allows for a physician applicant to apply to many different states using one application. This option is in addition to our original online application hosted by Hospital Services Corporation and the paper application.
- In FY22, 3,706 physician licenses were renewed, and 1,563 new physician licenses were issued. The number of new physician licenses issued in FY22 reflects an increase when compared to FY18-1,018, FY19-1,015, FY20-1,166, FY21-1,232. The increase in FY18 – FY21 may be due in part to the Board's expedited licensing process implemented at the end of FY13.
- In FY22, 481 physician assistant licenses were renewed, and 140 new physician assistant licenses were issued.
- In FY22, 1 anesthesiologist assistant licenses were renewed (renewed every odd # year) and 5 new anesthesiologist assistant licenses were issued.

- In FY22, 49 polysomnographic technologist licenses were renewed, and 3 new polysomnographic licenses were issued.
- In FY22, 88 genetic counselor licenses were renewed, and 54 new genetic counselor licenses were issued.
- In FY22, 27 doctor of naprapathy licenses were renewed and 3 new doctor of naprapathy licenses were issued.
- In FY22, 8 naturopathic doctor licenses were issued. The Board began licensing this profession as of April 2020.
- In FY22, the average number of days from Board receipt of a physician application to licensure was 61 days.
    - An important aspect of the licensing process that often effects the time of licensure is the amount of time it takes to gather all the necessary documentation. For example, during FY22 the average time from application to licensure was, as noted, 61 days, however, the average time from receipt of all necessary documentation to issuance of the license was 10 days.
- Responses to the Board's customer satisfaction survey continue to be very high with 95% rating their experience as either "good" or "excellent."
- In FY22, 2,736 criminal background checks were successfully processed.

ACTIVITY: ***Performance of timely and thorough investigations of complaints against applicants/licensees***

Goal: Continue to improve the complaint processes to identify practitioners who are found to be incompetent, unprofessional, unethical, and/or are in violation of statutory or regulatory requirements.

Objectives:

- Set case load measures for investigators of the Medical Board to ensure that cases are processed and submitted to Board for timely decision making.
- Prioritize complaints received by identifying allegations that may result in immediate harm to the public and thoroughly investigate in a timely manner in order to submit to the Board for timely resolution.
- Continue to work collaboratively with other state and federal agencies, healthcare entities, and other licensing boards, etc., in identifying licensees who may be in violation of the Medical Practice Act and ensure open flow of information in order to ensure public safety.
- Continue to improve communication with the public in order to increase awareness regarding the Board's jurisdiction over complaints against licensees and the process for same.
- Continue to work collaboratively with Department of Health, Board of Pharmacy, law enforcement and other licensing boards and healthcare entities in identifying and investigating licensees who may be inappropriately prescribing controlled substances, placing patients at risk for harm, and monitor compliance with PMP use.
- Utilize staff to assist in clerical tasks in order to free up more time for Investigators to use for actual investigation tasks.

Measures and Achievement: Refer to next activity "Discipline incompetent or unprofessional licensees, and to aid in the rehabilitation of impaired licensees for the purpose of protecting the public"

ACTIVITY: ***Discipline incompetent or unprofessional licensees/rehabilitate impaired licensees***

Goal: Ensure that the disciplinary process that sanctions a licensee is fair, consistent and addresses the specific violation(s) committed by that licensee. For licensees who are impaired by substance abuse, physical disability, or mental health disability, refer those practitioners to the appropriate entities for care and rehabilitation. Both processes are prioritized to ensure protection of the public.

Objectives:

- Ensure that complaints that have been prioritized and categorized as "immediate harm to the public" are thoroughly investigated in a timely manner and submitted to the Board for timely resolution.
- Ensure complaint committees are making fair and consistent recommendations on investigation cases they are reviewing.
- Refer any licensee for the appropriate evaluation for any physical, mental or substance abuse impairment and make appropriate recommendations from the results of same to ensure safety to the public and rehabilitation of licensee.
- Refer licensees who have substance abuse/dependency issues to NMHPWP for an evaluation, the Board's experts in this specialty field. NMHPWP determines necessity of treatment monitoring for these individuals.
- Refer licensees who have been diagnosed or are suspected as being "impaired" by substance use, physical or mental health impairment, to an Impaired Physician Committee for an evaluation and determination on safety to practice.
- Track all complaint committee decisions on sanctions against licensees in order to maintain consistent decision-making among all committees.
- Continue to develop processes to assure fair and consistent actions that protect the public while not unduly restricting licensee practices.
- Timely report licensure actions to the national databanks to ensure public safety and open communication with other healthcare entities and other state boards.

*Measures: (** indicates DFA Performance Based Budget Measure)*

- Average length of time for complaint resolution, from date of receipt to date of closure or formal action.
- Percent of complaints received within 12 months.
- Percent of board complaints resulting from alcohol/substance-related allegations.
- Percent of formal actions taken within 12 months.
- Percent of complaints closed within the fiscal year.**

Achievements:

- In FY22, the Board resolved 222 complaint cases within the fiscal year (which includes carryovers from the previous fiscal year).
- In FY22, the Board received 305 complaints for investigation.
- In FY22, 24% of complaints were resolved in less than six (6) months.
- In FY22, 58 investigations of complaints led to the Board initiating licensure actions against licensees who were found to have violated the Medical Practice Act.
- In FY22, investigations of complaints led to the Board immediately or summarily suspending the licenses of 2 licensees based on them being an imminent danger to the public or violating a Board Order.
- In FY22, the investigations into licensees who had substance abuse issues led to 12 stipulations of licensure requiring mandatory participation in the state's physician health program.

ACTIVITY: ***Aid in the rehabilitation of impaired practitioners***

Goal: Continuously improve the process for identification and monitoring of licensees who may be impaired by reason of mental illness, physical illness, or habitual or excessive use or abuse of drugs or alcohol.

Objectives:
- Work with the New Mexico Health Professionals and Wellness Program ("NMHPWP") to provide additional outreach to physicians through hospitals and other organizations located through-out the state.
- Continue to improve communication between NMHPWP and the Board's compliance manager regarding compliance status of all mandated participants.
- Continue to develop strategies to improve the process of identifying practitioners who have been diagnosed with an impairment making them unfit for practice.
- Develop strategies to identify and treat disruptive practitioners or those exhibiting behaviors that may impact the health care provider's effectiveness as part of a health care team.
- Continue to develop ways the Board can assist and support the recovery of impaired practitioners.

*Measures: (** indicates DFA Performance Based Budget Measure)*
- Number of participants in Monitored Treatment Program.** (note, agency has no control over this measure)
- Percent of participants who relapse.

Achievements:
- In FY22, 37 physicians, physician assistants, genetic counselors and polysomnographic technologists participated in the Health Professional Wellness Program. Twenty-six (26) were mandated by the Board (18 physician's, 6 PA's, 1 genetic counselor and 1 polysomnographic technologist); eleven (11) were voluntary (9 physician's, 0 PA's and 2 medical student). This was an increase from FY21 (34 in FY21); twenty-five (25) were mandatory participants and nine (9) were voluntary participants.
- In FY22, there was one (1) participant that relapsed.

- The contract with HPWP requires statewide outreach. HPWP has also worked cooperatively with other state monitoring programs to monitor practitioners licensed by the NM Medical Board but residing in other states, whom the Board requires to be monitored. HPWP networks throughout the state via newsletters, onsite visits, telephone consultations, and presentations when requested.

ACTIVITY: ***Public information and education***

Goal: Fulfill the Board's primary purpose to protect the public by continuing to improve the quality, quantity, and appropriate distribution of available information to the public, including the NM legislature.

Objectives:

- Continue to have the Public Information Officer communicate effectively with consumers, licensees and the media.
- Provide accurate and timely information on the Internet.
- Continue to update the agency website to be more "user friendly," including ease of access to recent Board actions.
- Provide the most frequently requested information in Spanish as well as English.
- Promptly respond to requests for information, including verbal and electronic license verification.
- Use paperless technology more efficiently to provide requested information.
- Assure all actions are promptly and appropriately reported to the American Medical Association (AMA), National Practitioner Data Bank (NPDB), Healthcare Integrity & Protection Data Bank (HIPDB), and Federation of State Medical Boards (FSMB).
- Develop an electronic Newsletter to notify licensees of statutory requirements, regulation changes, and other noteworthy issues.

*Measures: (** indicates DFA Performance Based Budget Measure)*

- Number of entities provided with information through written license verification and website access.**
- Number of licensees contacted regarding high risk prescribing and PMP compliance, based on the board of pharmacy prescription monitoring program reports. **
  Note: This is a new "Explanatory" measure that will be reported on the FY21 Appropriation Request with data obtained in FY19.

Achievements:

- The Board's website continues to be a valuable resource for consumers and others who need to check on board-related information and physicians. In FY22 there were 1,942,814 visits to the DocBoard website. In FY22 there were 67,463 visits to the Board's website.
- License verifications continued to be provided in written format as well. In FY22, 3,228 written verifications (from the Board and from VeriDoc) were provided to consumers and others.
- In FY22 the agency sent 432 letters to licensees regarding education and compliance issues.

- The Board's Public Information Officer continued to work with the media and consumers, primarily regarding requests for information about Board actions and public licensing information.
- Information concerning complaints against physicians, including the complaint form, is now available in Spanish, as well as English.
- Statewide newspapers and television news programs routinely cover actions taken by the Board.
- The Board's website continues to provide quick and easy access to information for consumers about license status and any formal actions taken against licensees.
- The website also allows consumers to download complaint forms and instructions to facilitate the initial filing of complaints.
- Quarterly Board Actions, containing information on all board actions, are now published exclusively on the Board website (www.nmmb.state.nm.us/).
- All formal actions against licensees continue to be available on the website linked directly to the individual practitioner's name.
- All formal Board actions are reported to the National Practitioner Data Bank (NPDB), Federation of State Medical Boards (FSMB), and American Medical Association (AMA) as appropriate. Procedures are in place to assure that reporting is consistent within the official guidelines.
- All [in-state] hospitals on our distribution list receive notification quarterly when the Board takes formal, reportable action against a licensee.

ACTIVITY: ***Licensing Software Modernization***

Goal: Replace the current Licensing Software named "My License Office" (MLO) with new Software named "Salesforce".

Objectives:

- Improve information portability and data accessibility.
- Achieve efficient licensing, investigation, and discipline information transference.
- Maximize the use of new licensing software in order to allow applicant online access to check the status of the application, significantly reducing the NMMB staff's time in responding to inquiries, and the time it takes for the applicant who has to wait for staff to provide a status, by obtaining real-time application status.
- Reduce and/or eliminate paper documentation submittal by applicants and maintenance by the NMMB.
- Meet Payment Card Industry (PCI) requirements.
- Ability to add new license categories without substantial cost to the agency.
- Improve response times, system reliability and functionality.
- Ability to modify code in-house to meet legislative requirements.
- Have a licensing platform that extends to other State Agencies.
- Have analytics that can be accessed through any device.

Measures: (NMMB does not expect this project to require a phased approach, however the measures below are the State's suggested project management phases of IT project development.)

- Initiate planning (including identifying requirements) in FY21-FY23.
- System development and testing to be completed in FY23.
- Implementation and Closeout to be completed in FY23.

Achievements:

- In FY22, Board staff continued discussions with the Regulation and Licensing Department (RLD) to plan their transition to a new licensing platform. NMMB's goal is to have independence and manage their database apart from RLD.
- In FY22, Board staff met with MTX Group, Inc. and KYRA Solutions to discuss NMMB's licensing platform business requirements and implementation process.
- In FY22, Board continued planning the design, development/configuration, user acceptance testing, deployment, and go-live support of the Salesforce platform.
- In FY22, Board staff continued working with Carahsoft (Salesforce) for end-user Cloud-based licenses for all NMMB staff (19 staff).
- In FY22, Board staff submitted the Fiscal Year 2023 C2 Business Case for the Software Modernization Project to the Department of Finance & Administration (DFA), Legislative Finance Committee (LFC), and the Department of Information Technology (DoIT) as required, for hearing presentations. The Board received $500.0 for use in FY22 to proceed with the Licensing Software Modernization project and $1,311.2 in FY23 to continue with the project.