

Health Professionals' Services Program Program Guidelines

Title: Completion of the Health Professionals' Services Program

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Guideline:

1 In order for a licensee to successfully complete Health Professionals' Services Program (HPSP), the licensee
2 must comply continuously with his or her monitoring agreement and monitoring agreement addendum for at
3 least two years.

4 "Comply continuously" means to have been:

5 (a) Enrolled in the program for at least two uninterrupted years without any reports of substantial
6 noncompliance involving significant violations of the monitoring agreement and

7 (b) Deemed by the licensee's board to have otherwise successfully complied with all terms of the monitoring
8 agreement.

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10 **Substantial non-compliance** means the following **as defined in rules governing the Health Professionals'**
11 **Services Program**

12 Substantial non-compliance includes but is not limited to information that a licensee:

- 13 • Engaged in criminal behavior
- 14 • Engaged in conduct that caused injury, death or harm to the public, including engaging in sexual
15 impropriety
- 16 • Was impaired in a health care setting in the course of the licensee's employment
- 17 • Received a positive toxicology test result as determined by federal regulations pertaining to drug testing
- 18 • Violated a restriction on the licensee's practice imposed by the program or the licensee's board
- 19 • Was admitted to the hospital for mental illness, as that is defined in OAR 415-065-0010, or adjudged to
20 be mentally incompetent (Admission for evaluation or diagnosis does not constitute being formally
21 admitted to the hospital for treatment of mental illness.)
- 22 • Entered into a diversion agreement but failed to participate in the program or
- 23 • Was referred to the program but failed to enroll in the program.

24 The HPSP program must report substantial non-compliance to the monitoring entity within one business day
25 after the HPSP program learns of the substantial non-compliance event.

26 HPSP will report all incidences of substantial non-compliance to the appropriate licensing board.

27 At the time of a completion request, for a board referred licensee, the licensing board will determine if the 2
28 year minimum continuous compliance requirement has been met, including a review of any and all reports of
29 substantial non-compliance to determine if the reports involve significant violations of the monitoring

30 agreement. If the board determines that the licensee has not met the 2 year minimum continuous
31 compliance requirement required for graduation, the licensee will need to continue in HPSP until the 2 year
32 minimum continuous compliance requirement is met as determined by the licensee's licensing board.

33 **Substantial non-compliance reports for self-referrals**

34 If a licensee has self-referred and is found substantially non-compliant with the monitoring agreement, HPSP
35 will report the event of substantial non-compliance to the appropriate board. At this point a licensee will no
36 longer be considered to be self-referred and the licensing board will determine whether the licensee may
37 continue in the HPSP program as a board referred licensee. A completion request for a licensee that was self-
38 referred but becomes board referred will be handled in the manner explained above.