



Before the Senate Health, Human Services and Medicaid Committee -
Senator Dave Burke, Chair

Testimony of Dr. David D. Goldberg, Medical Director, Ohio Physicians Health Program

House Bill 145 - December 05, 2017

Chairman Burke, Vice-Chair Beagle, Ranking Member Tavares, and members of the Senate Health, Human Services and Medicaid Committee, thank you for the opportunity to testify today on House Bill 145 pertaining to the development of a confidential program for treating impaired healthcare professionals in Ohio. My name is Dr. David Goldberg and I am providing this testimony on behalf of the Ohio Physicians Health Program to express our support of House Bill 145.

Ohio Physicians Health Program

The Ohio Physicians Health Program (OhioPHP) is a nonprofit organization that offers confidential assistance to Ohio's physicians and other healthcare professionals who may be affected by mental illness, substance use disorders, or other issues impacting their health and well-being. OhioPHP provides assistance to healthcare professionals through the coordination of evaluation and treatment, interventions, and providing comprehensive monitoring and support services. We provide a compassionate, supportive, and safe environment for healthcare professionals to receive confidential services to improve their health and well-being.

OhioPHP was created by state medical associations in response to the American Medical Association and the Federation of State Medical Board's national initiative to develop therapeutic alternatives to discipline for physicians with substance use disorders. OhioPHP was established as a volunteer committee in 1975 and became an independent nonprofit organization in 1995. Since our inception, OhioPHP has been able to support the successful treatment and rehabilitation of hundreds of healthcare professionals.

National Standards

Almost every state across the nation has established a confidential program which provides a non-disciplinary alternative to healthcare professionals seeking treatment for alcohol, drugs, or other substances. Ohio's One-Bite allows physicians and other healthcare professionals to seek out treatment for the first time without State Medical Board of Ohio involvement. This confidential treatment is allowed so long as the healthcare professional enters treatment at a Board approved facility, follows the recommended treatment program, and they do not suffer a relapse. A confidential program such as One-Bite promotes early intervention and treatment for healthcare professionals with potentially impairing illnesses. Through early intervention and treatment healthcare professionals are able to get the help they need before they are impaired, thereby enhancing patient safety. Confidential programs are most often done through effective interface between regulatory Boards and monitoring organizations such as Physicians Health Programs. House Bill 145 will make changes to the existing One-Bite that will further align Ohio's practices with national standards through the establishment of a confidential program.

Collaboration

In 2014, OhioPHP, the State Medical Board of Ohio, and members of the Medical Association Coalition began discussions to identify necessary improvements to the existing One-Bite program. The Medical Association Coalition is comprised of associations and professionals in related fields which operates under the guidance of retired Justice Evelyn Lundberg Stratton based on her work with the Ohio Lawyers Assistance Program. In 2016, under the leadership of Representative Huffman and Representative Sprague we began working to develop the framework for the establishment of a new and improved confidential program. The improvements that were made include:

1. Requiring cases of suspected impairment to be reported to the monitoring organization, rather than the State Medical Board of Ohio. This change will create a safe and supportive environment for healthcare professionals to seek out treatment and will reduce fears and barriers that currently prevent this from happening.
2. Clearly defining eligibility requirements to participate in the confidential program. This will allow for consistent application of the program and alleviate concerns of disciplinary action for healthcare professionals seeking out treatment.

3. Requiring the State Medical Board of Ohio to contract with an organization to conduct the One-Bite program and monitor practitioner compliance with treatment. This change will streamline the process of where to report suspected impairment. The monitoring organization will provide clinical oversight to ensure the completion of treatment plans and will ensure high standards of long-term monitoring to support continued recovery. Through the use of one monitoring organization, this will allow for the collection of more comprehensive data on healthcare professionals with substance use disorders and the success of the program.
4. Allowing for individualized treatment programs to be established. Under House Bill 145, healthcare professionals will be able to complete an individualized treatment plan and allow for best practices of treatment to be utilized. Practitioners in the confidential program will be eligible to return to work not less than thirty (30) days once they begin their treatment program.
5. Expanding the confidential program to be utilized by all licensees under the jurisdiction of the State Medical Board of Ohio.

To ensure patient safety, healthcare professionals utilizing the new confidential program will be required to adhere to strict monitoring and oversight criteria established jointly by the State Medical Board of Ohio and the monitoring organization for a period of five (5) years. This includes the completion of a prescribed treatment plan, participation in a drug testing program, and other recovery related activities. Any healthcare professional participating in the program who fails to follow the recommendations of the treatment provider or monitoring organization, fails to complete treatment, or relapses will be reported to the State Medical Board of Ohio.

Conclusion

Overall, we believe that House Bill 145 which establishes a new confidential program will promote early intervention and treatment for healthcare professionals seeking out help for issues impacting their health and will thereby enhance patient safety. I would like to express my gratitude to Representative Huffman and Representative Sprague for their leadership and dedication to this issue. It has been a privilege to work alongside the State Medical Board of Ohio to collaboratively identify the key components of the proposed confidential program.

OhioPHP strongly supports the passage of House Bill 145 and we are pleased to have the support of the members of the Medical Association Coalition who worked tirelessly on this issue. A member listing of the Medical Association Coalition is appended to my testimony.

MEDICAL ASSOCIATION COALITION

Ohio State Medical Association

Ohio Osteopathic Association

The Academy of Medicine of Cleveland & Northern Ohio

Ohio Psychiatric Physicians Association

Ohio Academy of Family Physicians

Ohio Foot and Ankle Medical Association

Ohio Chapter, American College Emergency Physicians

Columbus Medical Association

American College of Surgeons

American Academy of Pediatrics, Ohio Chapter

Ohio Society of Addiction Medicine

Ohio Hospital Association

James McGovern, J.D., Graff & McGovern, LPA

Dan Zinsmaster, Dismore & Shohl LLP

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Richard Whitney, M.D., Shepherd Hill Treatment Center

Ohio Physicians Health Program