NEW YORK STATE
OFFICE OF ALCOHOLISM
AND SUBSTANCE ABUSE SERVICES
1450 Western Avenue
Albany, New York 12203-3526

March 19, 2008

Bernard J. McHugh
Director of State Expenditures
State of New York
Office of the State Comptroller
110 State Street
Albany, NY 12236

RE: 2006-BSE-5-001

Dear Mr. McHugh:

In response to your letter of 02/21/08, apprising OASAS of the findings concerning your examination of Hurtig Evans, Inc. (HEI), I am writing responding to your recommendations for action.

Attached are policies that have been developed by OASAS to verify that nurses are properly licensed prior to performing services. I believe these policies address the concerns of your examination and will ensure compliance in the future with NYS Education Law Article 139, Section 6903 requiring only licensed persons practice nursing in OASAS licensed facilities.

Thank you for the opportunity to comment on your findings/recommendations. If you have any further questions, please contact my office.

Sincerely,

Karen M. Carpenter-Palumbo
Commissioner

Attachments

ATC
NYS Addiction Treatment Centers
Office of Alcoholism & Substance Abuse Services

NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

BUREAU OF ADDICTION TREATMENT CENTERS POLICY MANUAL

Item # 37

VERIFICATION OF VALID LICENSES AND/OR CREDENTIALS For MEDICAL or RELATED SERVICES PROFESSIONALS PROVIDING CONTRACT SERVICES

I. PURPOSE

This item provides the policy and procedures for the verification and validation of licenses credentials for medical and/or related professionals hired to provide contract medical or related services to patients in the addiction treatment centers (ATC's). These professionals are those other than the medical or related services staff hired by the ATC's who are full or part-time employees that provide medical or related services to ATC patients.

II. AUTHORIZATION

This policy is based on New York State Education Law Part 64, Article 139, Sections 6903, 6905, 6906, and 6910 governing the licensure of Registered Nurses, (RN) Practical Nurses (LPN) and certificates for Nurse Practitioners; (NP) Part 60, Article 131, Sections 6522, 6524, 6528, governing the licensure of Physicians (MD) and Article 131-B, Sections 6540 and 6541, governing the registrations of Physicians Assistants (PA), and the New York State Department of Health's Office of Professional Medical Conduct.

III. POLICY

In the event that an ATC requires the services of a contract services or related professional, the ATC Director , Nurse Administrator, and/or or their designee, will check the appropriate NYS State Education Department's Office of the Professions website database (http://www.op.nysed.gov/opsearches.htm) to ensure that the Registered Nurse, Licensed Practical Nurse, Nurse Practitioner, Medical Doctor, and/or Physicians Assistant candidate has a current and valid NYS license/credential. This same website can be used to check for any professional discipline actions that might involve the potential candidate by typing the name of the candidate in the section entitled "professional discipline actions". (**Note:** The NYS State Education Department's Office of the Professions does not discipline *physicians (medicine), physician assistants,* or *specialist assistants.* The status of individuals in these professions may be impacted by information provided by the NYS Department of Health. To

search for the latest discipline actions against individuals in these professions, check the New York State Department of Health's Office of Professional Medical Conduct homepage.)

It is the ATC Director's responsibility to ensure that medical or related services candidates being hired for contract services have the required license/credential. If they do not, the candidate may not do the shift for which they have reported to work. The contract agency will be notified in writing, as well as, the OASAS Business Office.

If a candidate is determined to have a valid license or credential and is hired for contract services, the ATC will complete an *"OASAS ATC Verification of Valid License and/or Credentials For Medical or Related Professionals Providing Contract Services" form* (Attached) attesting that, as the authorizing agent for the Addiction Treatment Center, the license, registration or credentials of the medical or related professional being considered to provide contract services at the ATC was checked and it was determined that the prospective applicant currently holds a valid license, registration and/or certification to provide those services. The ATC will also include on the ATC verification form, a copy of the verification page from the NYS State Education Department's Office of the Professions website database on the prospective candidate and will be kept on file at the ATC. When the candidate appears for work at the ATC, they must produce a valid driver's license or picture ID to verify that they are the person for whom the license validation was completed.

The Nurse Administrators at the ATC's keep track of the licenses for staff nurses and will include the contract services employees on their list. When a contract services employee gets close to the expiration date of their license, (et.al.), the ATC Director, Nurse Administrator or their designee will review the SED website to determine if the license has been renewed. If the license, registration and/or certification has been renewed, then the employee may be hired, the ATC authority will complete a new *"OASAS ATC Verification of Valid License and/or Credentials For Medical or Related Professionals Providing Contract Services" form*, will print a new copy of the verification page from the NYS State Education Department's Office of the Professions website database on the candidate will add them to the file at the ATC.
If it has not been renewed, then the person may not work the shift for which they appeared or are being considered and will be informed that it is due to not having a valid license, registration and/or certification. The contract agency and the OASAS Business Office will then be notified in writing of the person's expired license (et. al.).

Approved by: _____
Director, Bureau of Addiction Treatment Centers

Date: 3/17/08

Approved by: _____
Associate Commissioner, Division of Treatment and Practice Innovation
Date: 3/17/08
(Release Date March 31, 2008)

Attachment A

VERIFICATION OF VALID LICENSE AND/OR CREDENTIALS For MEDICAL or RELATED PROFESSIONALS PROVIDING CONTRACT SERVICES

I attest that, as the authorizing agent for the Addiction Treatment Center, I have checked the license or credentials of the medical or related services professional being considered to provide contract services at this ATC and have determined that (he / she); (does /does not); currently hold a valid license and/or credential to provide those services.

(Attached is a copy of the NYS Education Department Office of Professions License On-Line Verification Searches Information from website **http://www.op.nysed.gov/opsearches.htm**).

(SAMPLE OF NYS EDUCATION WEB PAGE BELOW:

Name :

Address :

Profession : REGISTERED PROFESSIONAL NURSING

License No:

Date of Licensure :

Additional Qualification :

Status: REGISTERED

Registered through last day of :

Signature of ATC Authorizing Agent:_____ **Date**_____