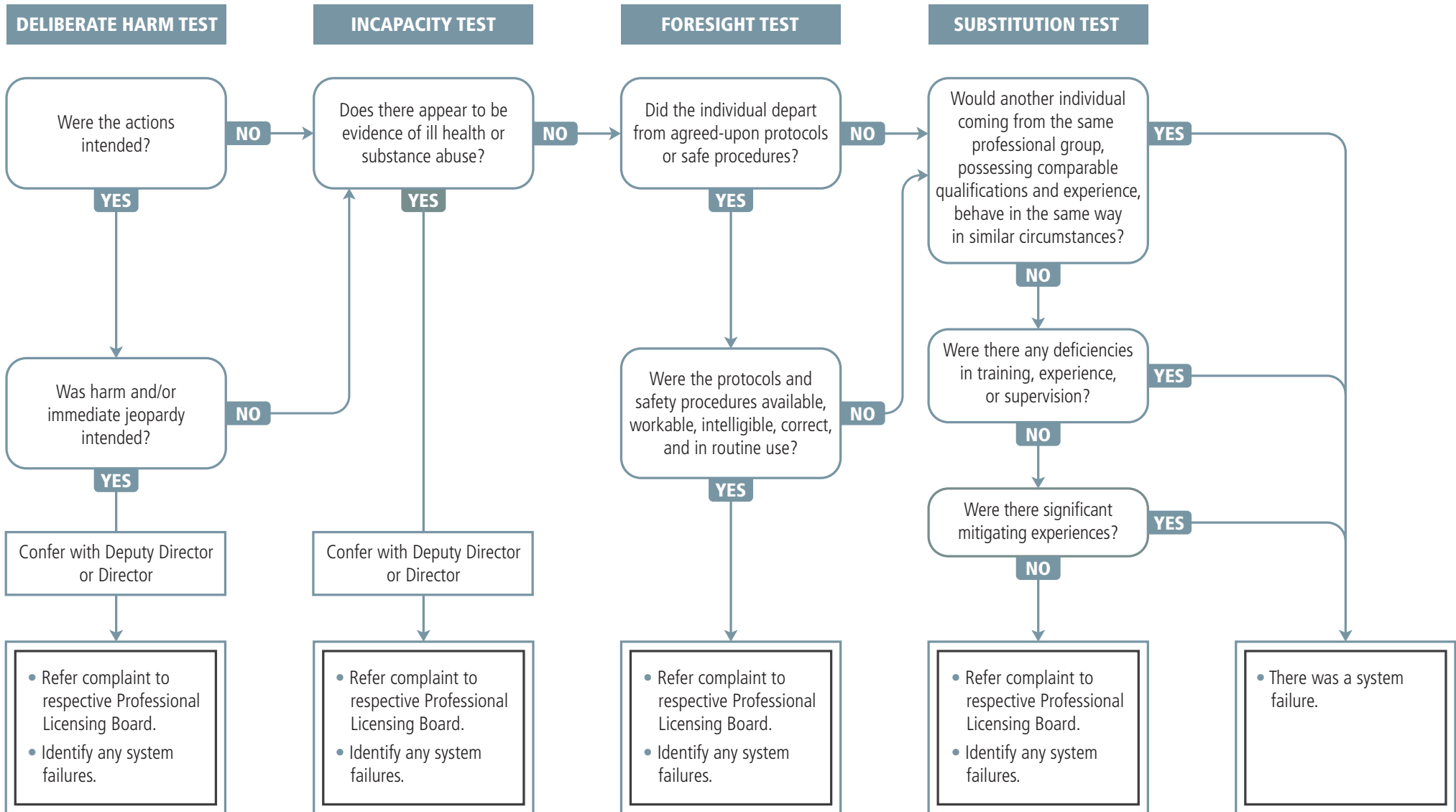


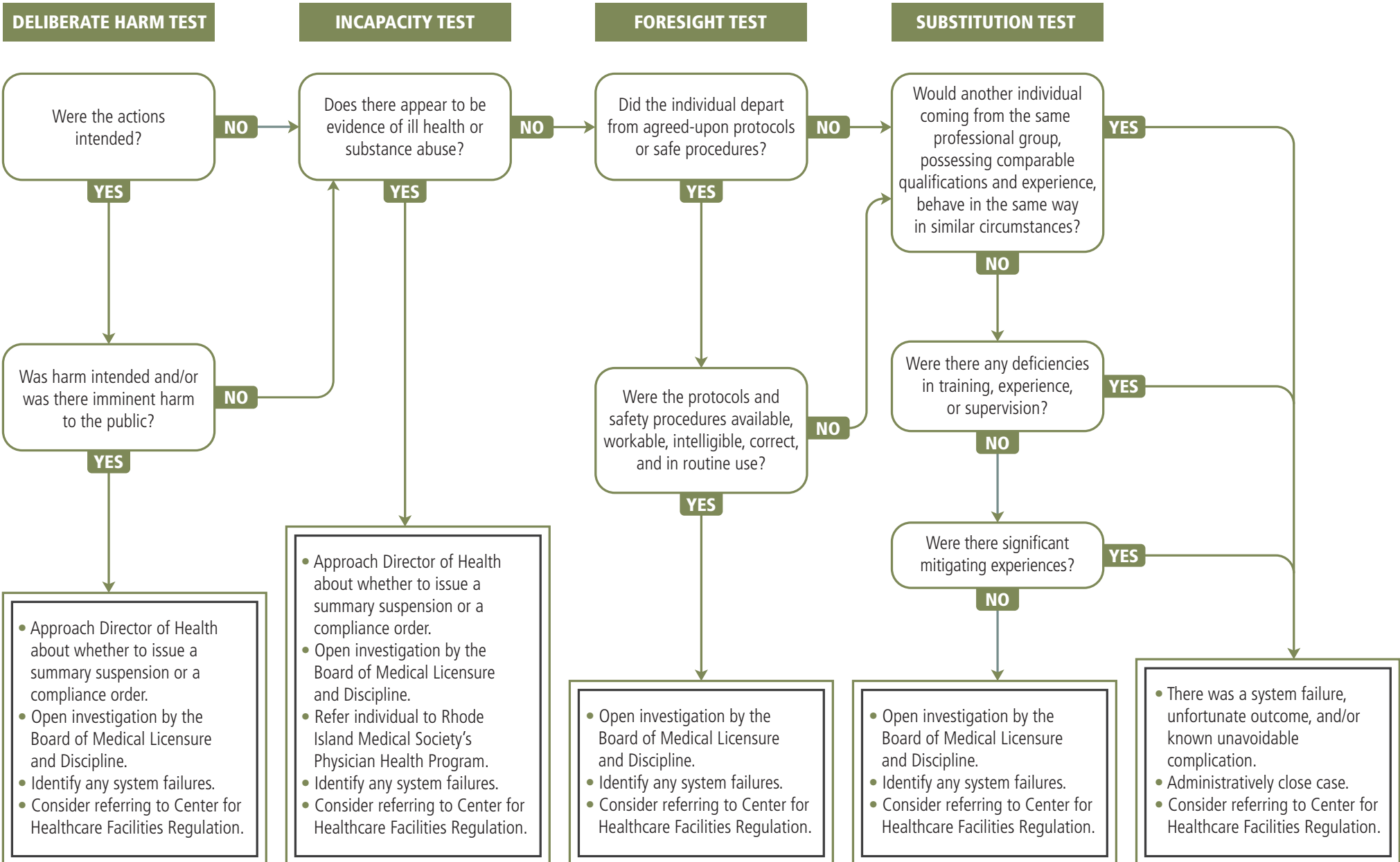


# Center for Healthcare Facilities Regulation: Determining If Complaint Is Referred to Professional Licensing Board





# Board of Medical Licensure and Discipline (BMLD) Team Review: Determining if BMLD Initiates an Investigation





# Determining an Outcome of an Investigation of the Board of Medical Licensure and Discipline

## DELIBERATE HARM TEST

Were the actions intended?

**YES**

Was harm intended and/or was there imminent harm to the public?

**YES**

- Make a finding of Unprofessional Conduct.
- Approach Director of Health about whether to issue a summary suspension or a compliance order.
- Determine sanction(s).
- Identify any system failures.
- Consider referring to Center for Healthcare Facilities Regulation.

## INCAPACITY TEST

Does there appear to be evidence of ill health or substance abuse?

**YES**

- Approach Director of Health about whether to issue a summary suspension or a compliance order.
- Refer individual to Rhode Island Medical Society's Physician Health Program.
- Make a finding of Unprofessional Conduct.
- Determine sanction(s).
- Identify any system failures.
- Consider referring to Center for Healthcare Facilities Regulation.

## FORESIGHT TEST

Did the individual depart from agreed-upon protocols or safety procedures? Is there a violation of a rule, regulation, or law?

**YES**

Were the protocols and safety procedures available, workable, intelligible, correct, and in routine use?

**YES**

- Make a finding of Unprofessional Conduct.
- Determine sanction(s).
- Identify any system failures.
- Consider referring to Center for Healthcare Facilities Regulation.

## SUBSTITUTION TEST

Would another individual coming from the same professional group, possessing comparable qualifications and experience, behave in the same way in similar circumstances?

**NO**

Were there any deficiencies in training, experience, or supervision?

**NO**

Were there significant mitigating experiences?

**NO**

- Make a finding of Unprofessional Conduct.
- Determine sanction(s).
- Identify any system failures.
- Consider referring to Center for Healthcare Facilities Regulation.

**YES**

**YES**

**YES**

- There was a system failure, unfortunate outcome, and/or known unavoidable complication.
- Make final non-adverse referral to full Board of Medical Licensure and Discipline.
- Consider referring to Center for Healthcare Facilities Regulation.