When Practice Scopes Expand – Challenges & Opportunities for Regulators

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Outline

• Tell our story
• Scope expansion?
• A regulator’s “True North”
• Evolution
changing practice landscape
- new jobs
- new roles
- new titles

“new environment normal”

legislative model
- scope of practice not protected
- controlled or reserved acts
- delegation (a legal process)
clear 2010 annual conference

nashville, tennessee

clash of realities

| practice and the system vs. legislation and standards |

further .......
no cohesive dialogue occurring
- however legislation would be the underpinning for progress

as a regulator we couldn't lead the initiative
Many ways to provide leadership so we created a forum for dialogue

Resulted in task force (Association led)

White paper

Nashville, Tennessee
Political landscape also relevant
• doctor shortage
• patient inconvenience
• increasing emphasis on interprofessional collaboration

Tripartite initiative within profession re: government (academia; association; regulator)

Request for referral for scope review
Almost but not quite……

Minister’s advisory group initiated the review

Sprint to the finish line
• short time frame
• focussed on pubic interest objective
• use of experts
Success!!

How??

Accomplish by staying laser focused on key elements or what is a regulator’s “True North”
Are proposed changes needed already embedded in practice?

expansion or adoption?

Are proposed changes evidence informed?
Are proposed changes being taught?

Wish lists are not acceptable
  • need all 3
  • need a broad competency focus

Are the changes within full scope also considered at level of the individual?
Does the regulator demonstrate rigor?

Rigor including
• standards
• transparency on the register
• quality assurance measures
• sufficient boundaries within professional misconduct rules

Has the regulator’s role been clear (not blurred by advocacy)?
Has it been about competence & public risk?

In an interprofessional world of practice – what else?

- liability insurance expectations
- communication
- education on roles of others
Stick with the high road

Focus on
• competence
• evidence
• public interest

continually evaluate the leadership strategy

Evolution….. Forever thus!
Speaker Contact Information

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Effective Governance

- Definition of practice
- Definition of CPD
Key Roles of Health Regulators

- Improve performance and quality
- Provide assurance that standards are achieved
- Provide accountability both for levels of performance and value for money


Key Activities of Regulators

- Direction
  - Set out expectations and requirements
- Surveillance
  - Performance and compliance with rules
- Enforcement and Change
  - Legal and other powers including Investigation


Principles of Effective Regulation

- Necessity/Risk Assessment
- Effectiveness/Targeted
- Proportionate
- Transparency and Accountability
- Consistency/Continuous Improvement

Not Light-Touch But Right-Touch Regulation

(CHRE June 2010 and Department of the Taoiseach (Prime Minister) Regulating Better 2004)
Standards

- Best practice/Best models/Protocol based
- Minimum output consistent with maintenance of expertise, quality and best outcome
- Performance measurement
  - Pre-defined standards
  - Review of organisational structures and processes
- Adoption of new systems and technologies
- Building a culture of patient safety

The Challenges to Regulators

Reports on Adverse Events in the EU

- The Kennedy Report from the Bristol Royal Infirmary Inquiry (UK)
- Dame Janet Smith’s Reports on Dr. Harold Shipman (UK)
- Judge Maureen Harding Clark’s Report on Our Lady of Lourdes Hospital Drogheda (Ireland)
- Report from HIQA on the provision of care to Ms. Rebecca O’Malley in relation to her treatment for symptomatic breast cancer (Ireland)
Policy Response at EU, Federal, State and Global Level

- Patient safety and quality authorities and institutes with involvement of professional bodies
- Prioritising clinical excellence and clinical risk management
- Public reporting on sentinel events and incident reporting systems
- Engaging with employers, service providers, patients, their carers and advocates

Practise Scope Expansion

- Mandatory licensing systems for all service providers
  - Hospitals/Hospital facilities
  - All other health care facilities
  - Service specific licences
    - Intensive care
    - Cancer care
    - Pharmacy care and treatment
- Review every 3-5 years

Practise Scope Expansion contd.

- Intervention by Regulators
  - To improve quality of care
  - To set standards of clinical competence for practice
  - Fostering CPD and practice excellence
  - Assuring the competence of the individual practitioner and the clinical team or network
  - Political/Public and patient reassurance

Meeting the challenges

• Registration and Licensure
• Certification and Re-Certification
• Credentialing
• Privileging


The approach in Ireland and the EU

Registration and Credentialing

• EU based Directives on qualification recognition
• EU Commission and Parliament focussing on patient safety
• Systematic collection and verification of qualifications
• Use of patient and clinical data
• Practitioners of assessed quality

Privileging and Extended Practice

- Allows certain high risk procedures
- Compliance with standards is essential
- Expert review of experience
- Specific categories of care and treatment
- Outcomes of care and treatment
- Conclusions from quality assurance activities


Regulators Sharing and Working Together for Patients

All Regulators

- Patient and public interest first
- Promoting safety, quality and wellbeing
- Working together with employers, patient advocates, professional bodies and patient safety agencies
- Supporting high quality IT solutions
- Patient held E-records
Effective Risk Management

• Credentialing
• Review track record
• Registration and specialisation
• Liability and disciplinary record
• EU and international collaboration

(Calabrese et al 1997)

Irish Policy Responses

• New robust regulatory regimes for pharmacists, doctors, nurses and health and social care professionals
• Health Information, Quality and Standards Authority
• New regulatory forum to facilitate and support health regulators working together
• PSI delivers Interim Report on the expansion on the scope of pharmacy practice in Ireland
• Patient consultation areas in all pharmacies

Opportunities

• Supporting and expanding homecare and self-care
• Improving accessibility and high quality interventions
• Pharmacist led services
  • Chronic Disease Management
  • Mental Health Interventions
  • Paediatric Care interventions
  • Immunisation and vaccination programmes
  • Medication reviews
Scenario 1 Safe supply of Codeine (Non Rx)  
PSI Guidance for Pharmacists

Scenario 2 Methadone and Needle Exchange Programmes

Scenario 3 Minor Ailments Scheme
Effective Regulation = Public Safety + Public Protection

Safe Pilot   Safe Crew   Safe Aircraft
Safe Air Space   Safe Cargo   Safe Ground Space

Pictures sourced from Tourism Ireland

Thank You for Your Attention!
Questions?

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