

Florida Department of Health

QUARTERLY

PERFORMANCE REPORT

A Medical Quality Assurance Publication
JULY - SEPTEMBER 2022

QPR • ONE



Ron DeSantis

Governor

Joseph A. Ladapo, MD, PhD

State Surgeon General



Vision

To be the healthiest state in the nation.

Mission

To protect, promote, and improve the health of all people in Florida through integrated state, county, and community efforts.

Values

INNOVATION

We search for creative solutions and manage resources wisely.

COLLABORATION

We use teamwork to achieve common goals and solve problems.

ACCOUNTABILITY

We perform with integrity and respect.

RESPONSIVENESS

We achieve our mission by serving our customers.

EXCELLENCE

We promote quality outcomes through learning and continuous performance improvement.

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EXECUTIVE SUMMARY

As required by section 456.005, Florida Statutes, the QPR details the latest performance statistics of MQA's key functions and responsibilities as related to the goals of the Department of Health (Department). This report serves as an assessment of MQA's operational health and performance during the first quarter of FY 2022-23. Per section 456.065(3), Florida Statutes, all financial data resulting from the enforcement of unlicensed activity is included, as well as the latest summary of MQA's financial status.

The information captured within this report represents MQA's commitments to timely licensing qualified health care practitioners, enforcing a regulatory standard of care, and promoting meaningful information to practitioners, applicants, and consumers. MQA utilizes quarterly performance measures to assess the health of key business processes through specific, quantifiable goals. Meeting target goals indicate success toward achieving strategic measures.

How We Work



MQA regulates health care practitioners and facilities through professional licensure, facility permitting, and administrative enforcement in order to preserve the health, safety, and welfare of the public.

PERFORMANCE STATISTICS

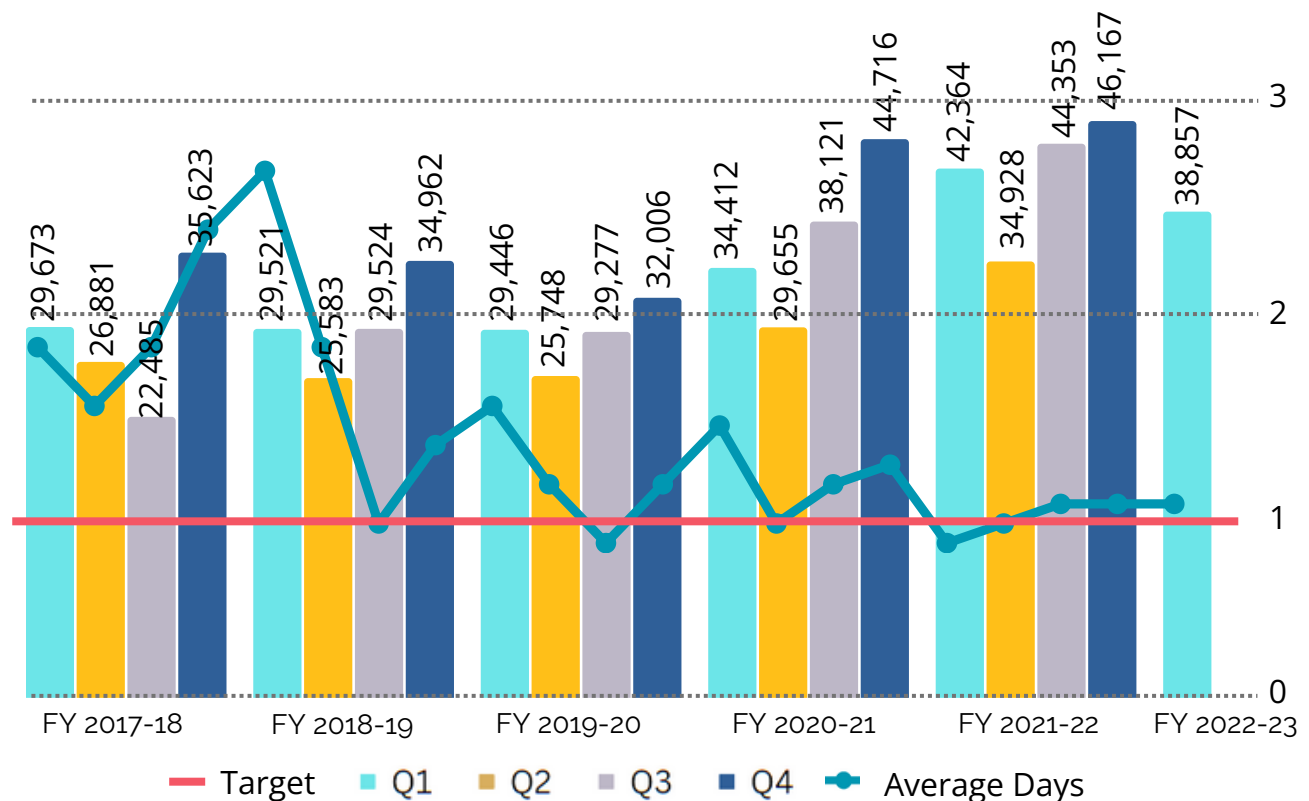
Initial Applications

One of MQA's primary responsibilities is to provide licensure services to 346 license types and 40 health care professions. MQA supports applicants applying for initial licensure by processing initial applications in a timely and effective manner. To ensure successful long-term efficiency of this key licensure process, MQA tracks the average number of days to issue a license to a qualified applicant, where the target goal to process is one day or less.

In the first quarter, MQA received 38,857 initial applications for licensure and issued 34,810 initial licensed to new practitioners in an average of 1.1 days.



Figure 1: Initial Applications Received v. Average Days to Process



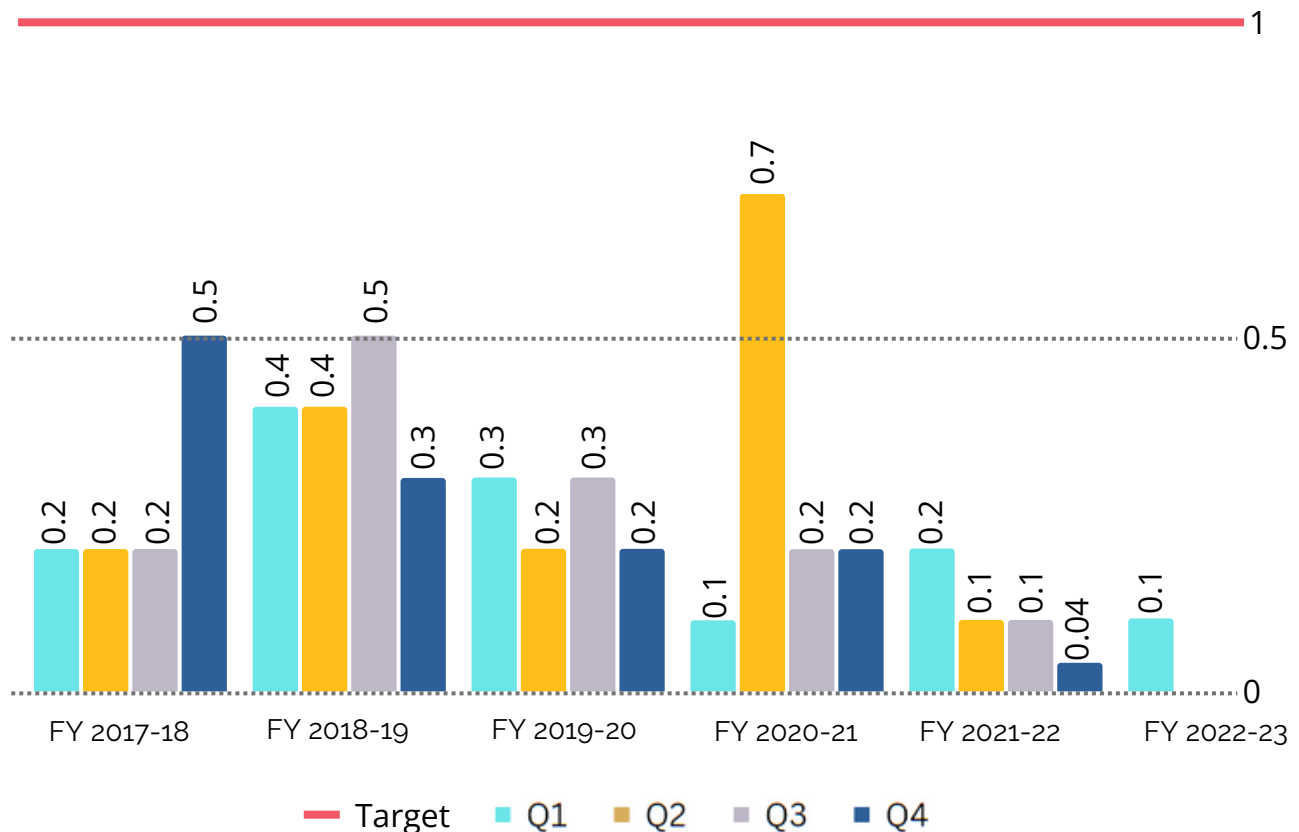
License Renewals

Individual practitioners are responsible for meeting ongoing license requirements and seeking renewal as appropriate. Each regulated profession has its own set of renewal requirements, such as the length of time between renewals, as well as continuing education credit requirements to update and reinforce knowledge of the profession(s).

As shown by Figure 2, MQA processes renewal applications from qualified applicants within an average of one day or less, and has consistently met this goal for the past five fiscal years.



Figure 2: Average Days to Process a Renewal Application



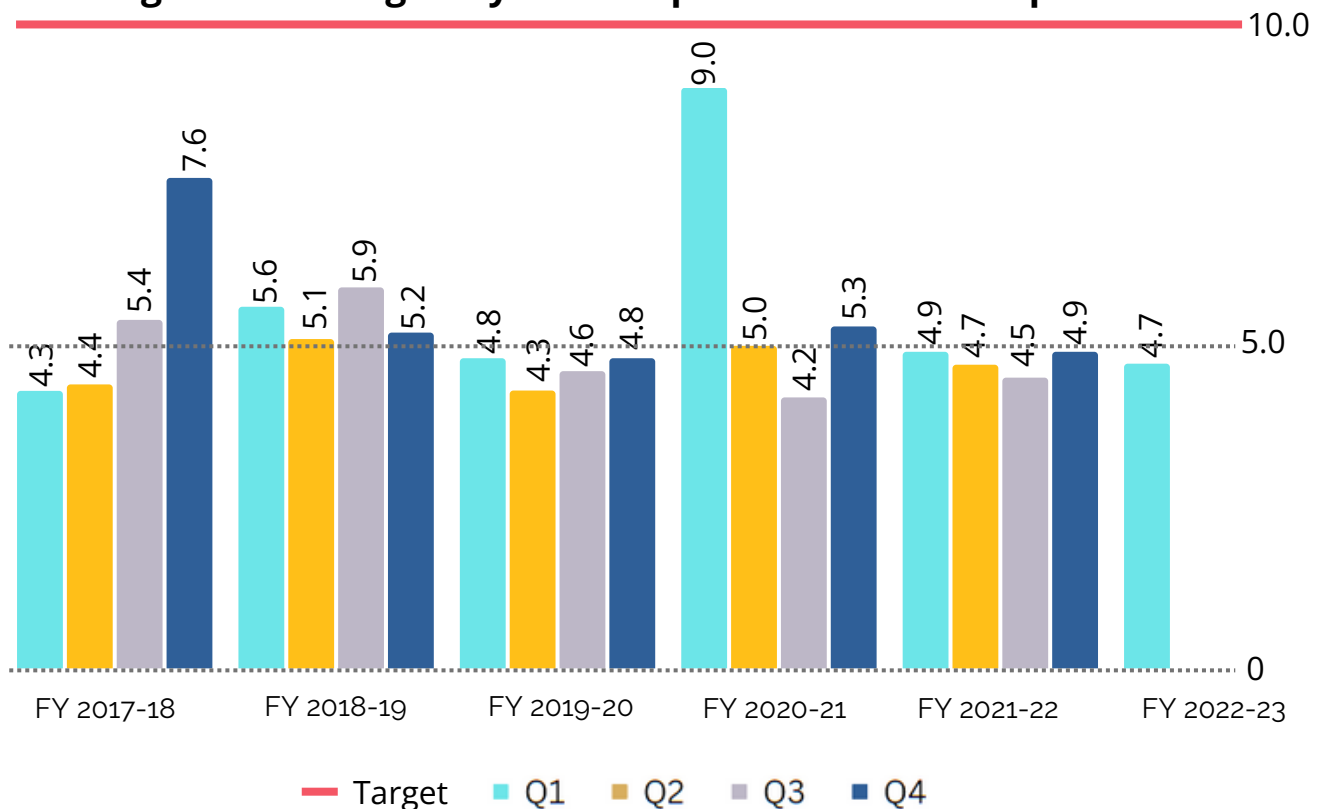
Massage, Optical, Dental Lab, and Electrolysis Establishment Inspections

Inspection teams across the state routinely examine health care practitioners and facilities to ensure compliance with applicable Florida Statutes, administrative code rules, and applicable federal regulations in a manner that protects the health and safety of the public. Inspections for massage, optical, dental lab, and electrolysis establishments, also referred to as M.O.D.E. inspections, are prioritized to ensure the health and safety of the public.

MQA consistently performs below the 10-day target goal to complete a M.O.D.E. inspection, including all initial inspections where the applicant did not formally request a delay (Figure 3).



Figure 3: Average Days to Complete a M.O.D.E. Inspection



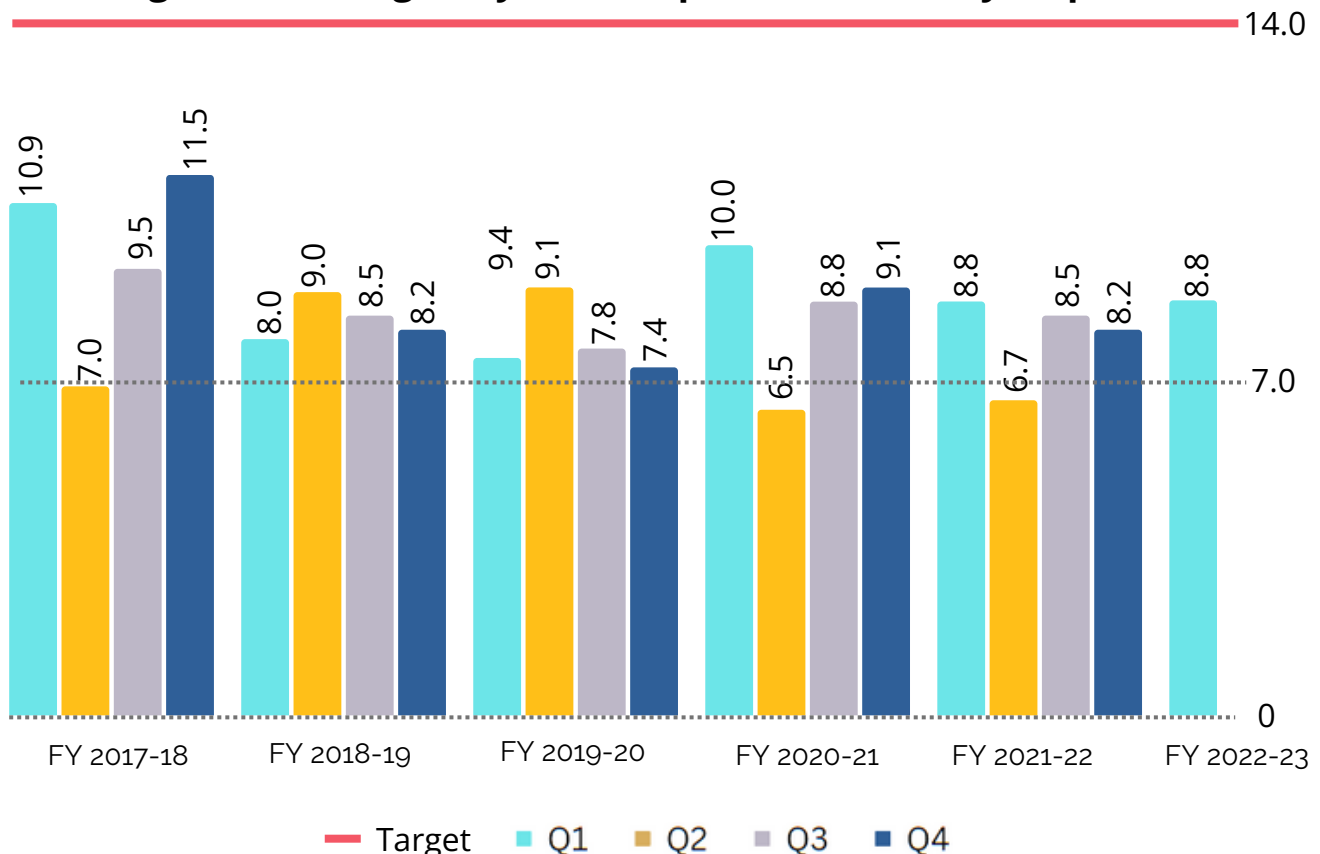
Pharmacy Inspections

Sections 456.069 and 465.017, Florida Statutes, grant MQA the authority to inspect the procedures and conditions of pharmacies such as proper signage, staffing, policies and procedures, and dispensing practices to ensure facilities meet the standard of practice prior to opening or continuing operating. MQA conducts pharmacy inspections following certain qualifying events such as the application for a new facility, a change in location or ownership, routine regulatory compliance, and when investigating complaints. New pharmacies are required to undergo an inspection prior to the issuance of a facility license.

The average time to complete a pharmacy inspection has remained under 10 days for over five fiscal years, which is a result consistently better than the target goal (Figure 4).



Figure 4: Average Days to Complete a Pharmacy Inspection



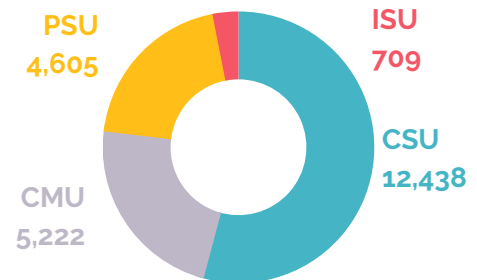
ENFORCEMENT

The Bureau of Enforcement (BOE) comprises three units: the Consumer Services Unit (CSU), Investigative Services Unit (ISU), and Compliance Management Unit (CMU). In conjunction with the Prosecution Services Unit (PSU), BOE is tasked with enforcing the regulatory standards for health care practice as established by Florida Statutes, rules, and laws.

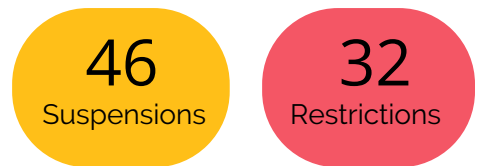
For suspected violations that pose an immediate and severe threat to the public, PSU may issue Emergency Orders, per section 456.074, Florida Statutes, which are signed by the State Surgeon General and provide immediate action. Emergency Restrictions Orders limit the professional activities of a suspect practitioner, whereas Emergency Suspensions Orders suspend a license for the duration of the order.

During the first quarter, MQA received 13,586 complaints against health care practitioners (Figure 5). Of the 78 emergency orders issued this quarter, more than half (60.5%) were to suspend the practice of health care practitioners.

Number of Active Cases



Emergency Orders Issued



Fines and Cost Licensee Data

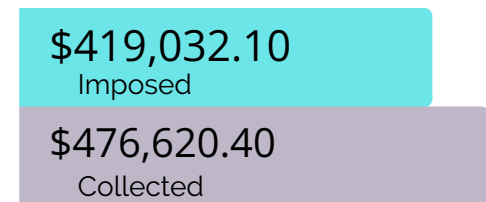
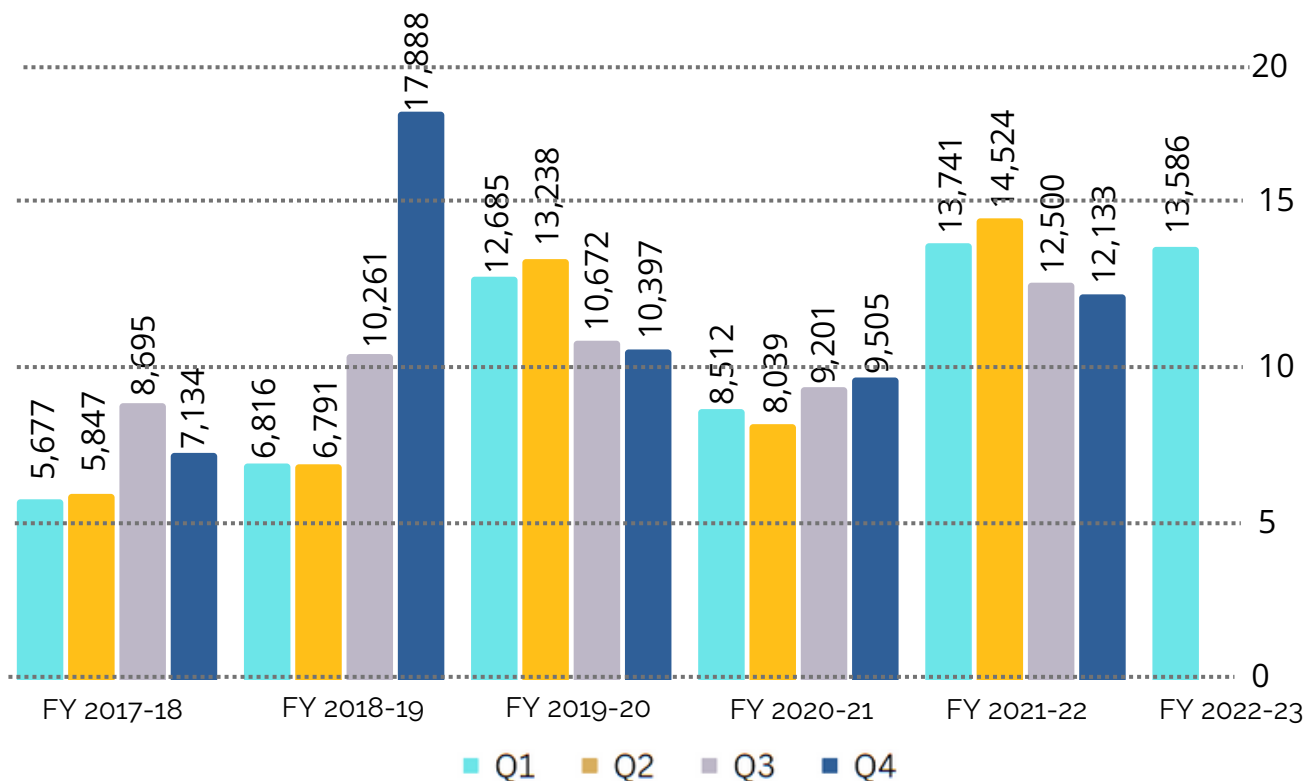


Figure 5: Complaints Received Over Time



Unlicensed Activity

Unlicensed activity is the practice or delivery of health care services without possessing the required valid and active license to practice that profession. Housed within ISU, the Unlicensed Activity (ULA) Program is charged with the discovery, investigation, and disruption of unlicensed health care activity in Florida in partnership with local law enforcement agencies, state's attorney offices, and local community entities.

ULA staff monitor for unlicensed activity throughout the state's 11 investigative services regions and conduct comprehensive investigations into suspected unlicensed activity. If an investigation concludes that unlicensed activity has occurred, the individual(s) may be issued a fine or cease and desist order and may be subject to arrest by law enforcement.

MQA continually tracks the number of cease and desist orders issued against unlicensed persons to better assess the impact of ULA's enforcement processes. ULA investigators issued 160 cease and desist orders in the first quarter against individuals and businesses that posed an immediate threat to the health of all people in Florida.

Also this quarter, MQA received 221 complaints of suspected unlicensed activity and 252 cases were referred for investigation. ULA completed 255 investigations in the first quarter while referring 163 cases to law enforcement for potential criminal investigations.



221
ULA
Complaints
Received



252
Complaints
Referred for
Investigation



160
Cease and
Desist Orders
Issued

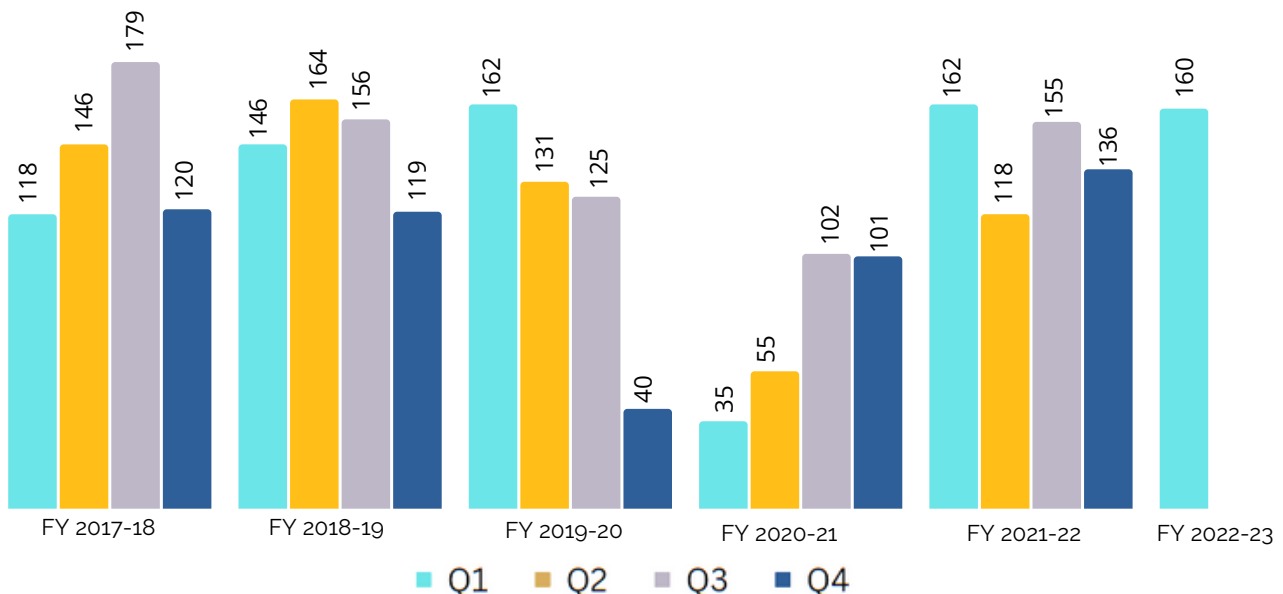


255
Investigations
Completed



163
Complaints
Referred to
Law
Enforcement

Figure 6: Cease and Desist Orders Issued



FINANCIAL SUMMARY

This report provides the most current financial data available to illustrate MQA's fiscal status. As required by section 456.025(9), Florida Statutes, the quarterly report includes revenues and expenditures, in addition to fees collected and expenses paid by the trust fund. MQA is funded through the MQA Trust Fund which comprises fines and fees that are collected throughout the fiscal year including application fees, unlicensed activity fees, and disciplinary fines. These funds are distributed among MQA and between the 22 regulatory boards and councils to support the administrative functions of health care practitioner licensing and regulation. The costs to regulate each profession are reassessed annually to determine if the associated fees provide adequate revenue to maintain support and regulatory services.

The following data include cumulative totals for revenues and expenditures at the close of the first quarter, as well as MQA's cash balance. The financial data are segmented between funds associated with licensed health care practice, and funds relating to the prevention and investigation of ULA, to monitor funding adequacy for the latter.

	Licensed	Unlicensed	Total
Beginning Cash Balance 07/01/2022	\$38,088,177	\$4,133,050	\$42,221,227
Revenues 09/30/2022	15,036,676	642,379	\$15,679,055
Expenditures 09/30/2022	\$19,678,722	\$574,664	\$20,253,386
Ending Cash Balance 09/30/2022	\$33,446,131	\$4,200,764	\$37,646,894

GLOSSARY

EMERGENCY ACTION

An action taken by the State Surgeon General to suspend or restrict the ability to practice when a licensed health care practitioner poses an immediate and serious threat to the health, safety, and welfare of the public.

EMERGENCY SUSPENSION ORDER (ESO)

An order issued by the Florida Department of Health suspending the license of a practitioner. A practitioner may not practice in the state of Florida while under an emergency suspension order.

EMERGENCY RESTRICTION ORDER (ERO)

An order issued by the Florida Department of Health restricting the practice of a practitioner in the state of Florida under conditions specified by the Department of Health.

FINAL ORDER

An order of a regulatory board or the Florida Department of Health outlining the finding of facts, and penalties in a disciplinary case against a licensee. The administrative complaint outlining the charges against the licensee is attached and becomes part of the final order when filed with the agency clerk.

INVESTIGATIONS COMPLETED

Investigations are initiated when a complaint is considered legally sufficient. All completed investigations are presented to the Prosecution Services Unit with an Investigative Report and all documents related to the complaint.

LEGALLY SUFFICIENT

Complaints that, if found to be true, show a potential violation of Florida Statutes or Florida Administrative Code.

MQA TRUST FUND UNLICENSED ACTIVITY FEE

A \$5 fee collected at initial and renewal licensing that funds the investigation and enforcement of unlicensed activities, according to Florida law.

PROBABLE CAUSE

A determination that there is a reasonable basis to suspect that a person has violated or is violating the law.

QUALIFIED APPLICANT

A qualified applicant has met all requirements to become licensed and may be licensed on the day an application has concluded processing. This is different from an approved applicant who may still have to pass an examination or meet an additional requirement outside of having an application approved.

UNLICENSED ACTIVITY (ULA)

Unauthorized practice of a health care profession or delivery of health care or medical services by an individual not in possession of a valid or active license to practice that could cause injury, disease, or death.

CONTACT US

For more information or to contact us, please visit MQA's Virtual Agent, ELI, on the board and council websites. ELI uses artificial intelligence to improve the experience for health care applicants and practitioners by providing immediate information and suggestions and fielding inquiries outside of normal business through voice and online chat options.



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