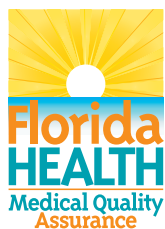


Florida Department of Health Quarterly Performance Report

A Medical Quality Assurance Publication

Q1



Ron DeSantis
GOVERNOR

Joseph A. Ladapo, MD, PhD
STATE SURGEON GENERAL

July 1 - September 30, **2023**

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.

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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.

How We Work



LICENSE



ENFORCE



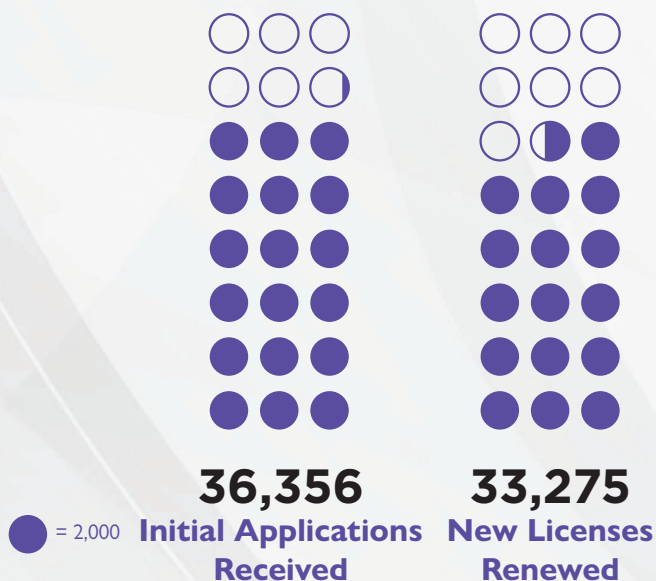
INFORM



EXECUTIVE SUMMARY

Section 456.025(9), Florida Statutes, requires that the performance and financial health of the Division of Medical Quality Assurance (MQA) are reported quarterly for the evaluation of its efficiency in regulating health care professions and practitioners. MQA is dedicated to efficiently licensing the state's health care practitioners, with enforcement that is aimed at safeguarding health care consumers and providing accurate information to the public in its mission to protect, promote, and improve the health of all people in Florida.

LICENSING



110,687
Renewed Licenses

LETTER FROM THE DIRECTOR

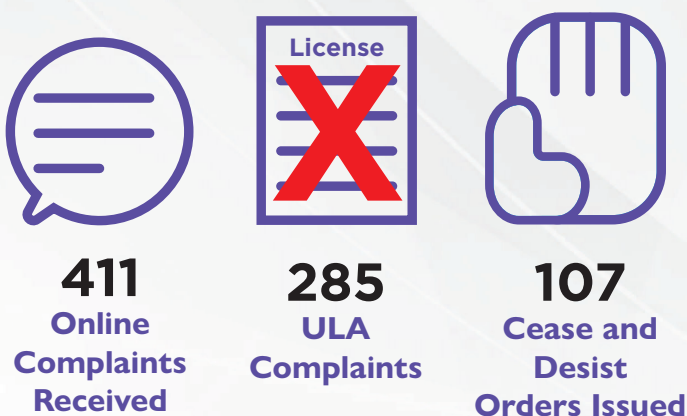


I am excited to present to you the MQA Quarterly Performance Report (QPR) for the first quarter of FY 2023-24. This report explains how MQA leverages state-of-the-art technologies, embraces innovation in problem-solving, and implements best practices in customer service to ensure fairness in enforcement, efficiency in licensing, and high-quality information. Also included in this report is important data and performance updates, which sets forth a record of MQA's accomplishments.

This quarter, MQA streamlined the renewal process for allopathic and osteopathic medical doctors, updated the Florida Health Care Complaint Portal, and launched a new marketing campaign to warn the public about the dangers of unlicensed activity. Join me in reflecting on our recent accomplishments in managing health care licensure activities, investigating complaints, and distributing information to the public to uphold the safe delivery of health care in Florida.

Jennifer L. Wenhold, MSW, CPM

ENFORCEMENT



FINANCES

\$40
MILLION

Cash Balance at the End of Quarter One



AROUND MQA

PROMETRIC TESTING

In July and August, MQA's certified nursing assistant (CNA) testing vendor, Prometric, secured new regional test sites in Panama City and Lake City to accommodate the testing needs of CNAs in the Panhandle. These locations are along the rural I-10 corridor, which travels through some of the least populated areas in the state. By securing testing sites in rural locations, CNAs can experience greater access to facilities where they can complete the testing requirement of their licensure application and get to work just that much faster.

WHAT'S NEW WITH ELI?

Licensure applicants can now use the web version of MQA's Virtual Agent, ELI, to record address changes for their licensure applications. This innovation allows MQA to quickly access and update licensure records. For licensure applicants and practitioners, this means that records are updated faster, speeding up the time it takes to get to work. In Quarter One, ELI fielded 165,720 voice calls and 55,178 web chats.

To learn more or access ELI, visit FLHealthSource.gov/eli or find ELI at the bottom of any respective board website.

In Quarter One,
ELI fielded
165,720 voice
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web chats.



AN INSIDE LOOK AT DENTAL SEDATION

In August, the Board of Dentistry partnered with the Bureau of Enforcement to host a dental sedation workshop in Ft. Lauderdale. Dental sedation inspectors demonstrated the general sedation inspection and fielded questions from attendees. This workshop provided attendees with the opportunity to engage with MQA and learn first-hand about the guidelines of the general sedation inspection process. Demonstrations like this grant practitioners a view of the inspection process from outside of the clinical setting where they can better prepare to pass inspections, leading to safer delivery of quality health care services from within their facilities.

FLORIDA HEALTH CARE COMPLAINT PORTAL IMPROVEMENTS

The Florida Health Care Complaint Portal was launched in FY 2015-16 to assist health care consumers in identifying the appropriate state agency to address complaints through a series of questions. MQA improved the portal in Quarter One by enabling consumers to submit complaints digitally. Since establishing this new capability on September 5, more than 400 consumers have submitted complaints digitally, streamlining the complaint intake process and increasing consumers' access to file a complaint.

To learn more about the complaint process, visit floridahealth.gov/licensing-and-regulation/enforcement/index.html.

PERFORMANCE STATISTICS

MQA reports on four selected performance measures to track its progress in fulfilling its mission to protect, promote, and improve the health of all people in Florida: the time to approve initial applications for a qualified applicant, the time to renew a license for a qualified health care practitioner, the time to conduct a pharmacy inspection, and the time to inspect massage therapy, optical, dental lab, and electrolysis (M.O.D.E.) establishments.

INITIAL APPLICATIONS

One of the ways MQA promotes quality health care services and protects the public is to verify the credentials of practitioners and issue licenses accordingly. In Quarter One, MQA received 36,356 initial applications and issued 33,275 initial licenses. MQA ensures that qualified applicants can get to work quickly through the timely processing of initial applications.



Measure: The average number of days to issue an initial license for qualified applicants.



Definition: The average number of days an applicant is deemed qualified through the date that the license is issued.



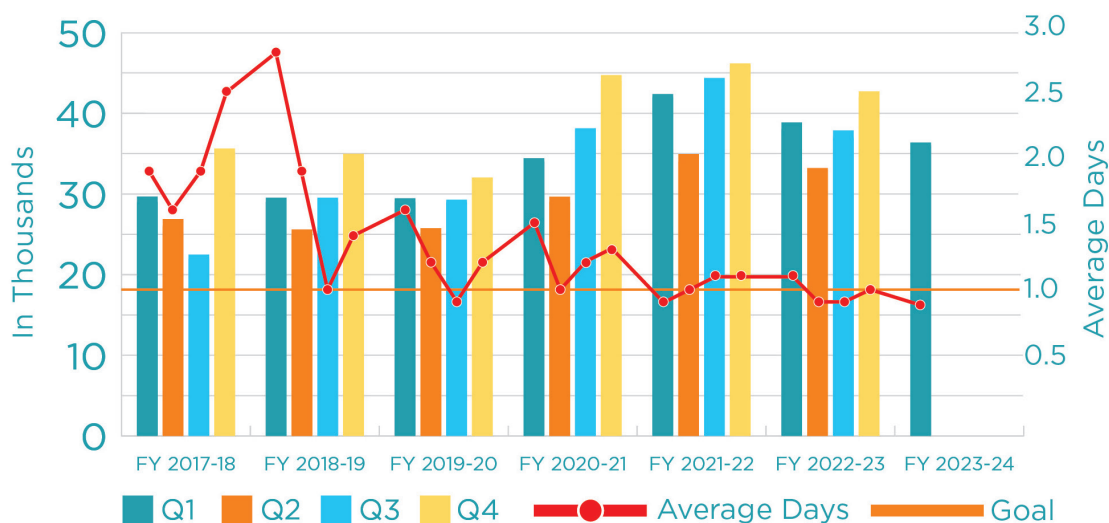
Goal: One day.



DID YOU KNOW?

This quarter, MQA began improving processes that will expedite the licensure of nurses and CNAs. As these professions account for the highest number of health care practitioners in the state, MQA prioritized the update of the Nursing Program Portal. When the update goes live in 2024, nursing schools will be able to register with MQA to enter graduation information directly into the Licensing and Enforcement Information Database System through the Board of Nursing website. This innovation will save time when providing information for nursing and CNA licensure applicants, decreasing the time it takes to complete applications and allowing nursing and CNA practitioners to get to work that much faster.

Figure 1: Initial Applications Received



LICENSE RENEWALS

In Quarter One, MQA processed 110,687 renewal applications, 98.6% of which were processed online. On average, the processing time for renewal applications was less than half a day. Timely and efficient licensure renewals are a key measurement of MQA's success in ensuring that qualified applicants can continue working in their profession.



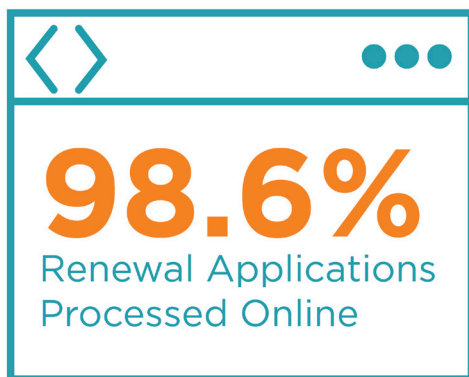
Measure: The average number of days to process a renewal application for a qualified applicant.



Definition: The average number of days to renew a license for health care practitioners and facilities from receipt of the completed application through approval.



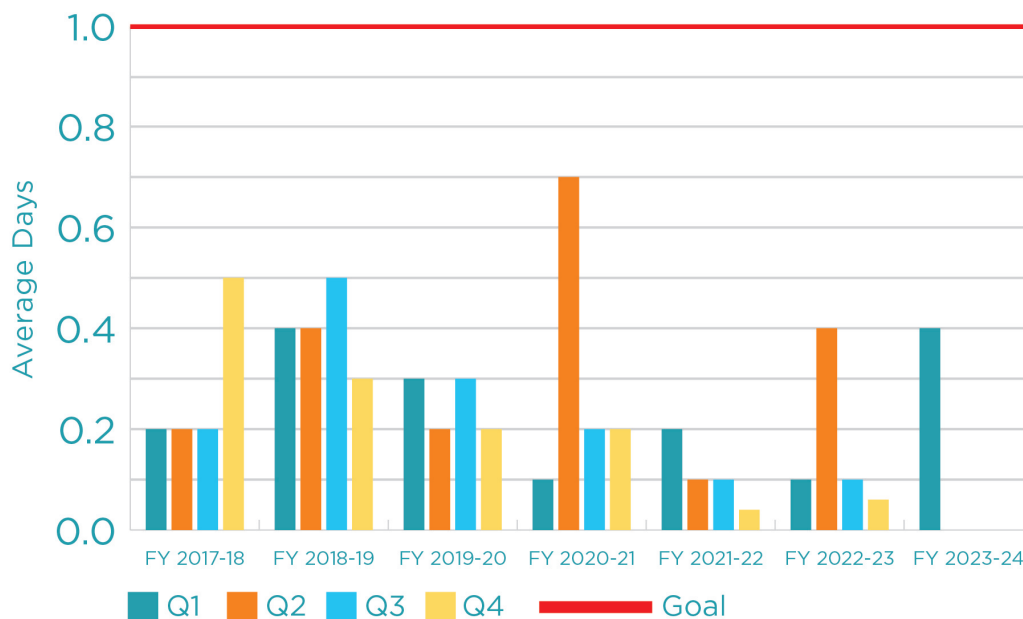
Goal: One day.



DID YOU KNOW?

The Bureau of Operations, in partnership with the Boards of Medicine and Osteopathic Medicine, streamlined the verification process for payment of the fees to the Florida Birth-Related Neurological Injury Compensation Association (NICA). Now, allopathic and osteopathic practitioners will receive notification of their NICA payment status at the time of licensure renewal. This communication provides timely information that is needed to complete renewal applications. For more information about renewal requirements and renewal dates by profession, visit FLHealthSource.gov/requirements.

Figure 2: Average Time to Process a Renewal Application for a Qualified Applicant



M.O.D.E. INSPECTIONS

The inspection of M.O.D.E. establishments ensures that practitioners in massage therapy, optometry, dental labs, and electrolysis administer care in safe, sterile environments that adhere to the standards of their respective professions. These inspections may be conducted throughout the lifecycle of a facility and upon receipt of a request for inspection. During Quarter One, M.O.D.E. inspections were completed within an average of 4.9 days, which is a decrease from the average of 5.2 days over the past six fiscal years.



Measure: Average number of days to complete a M.O.D.E. inspection.



Definition: The average number of days from the date an applicant is ready to open a new M.O.D.E. establishment or change the establishment location, to the date the inspection is completed. This measure includes all initial inspections where the applicant did not formally request a delay in the completion of the opening inspection.



Goal: 10 days.

Inspection Average



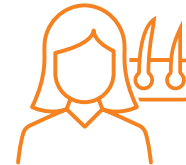
MASSAGE THERAPY



OPTOMETRY

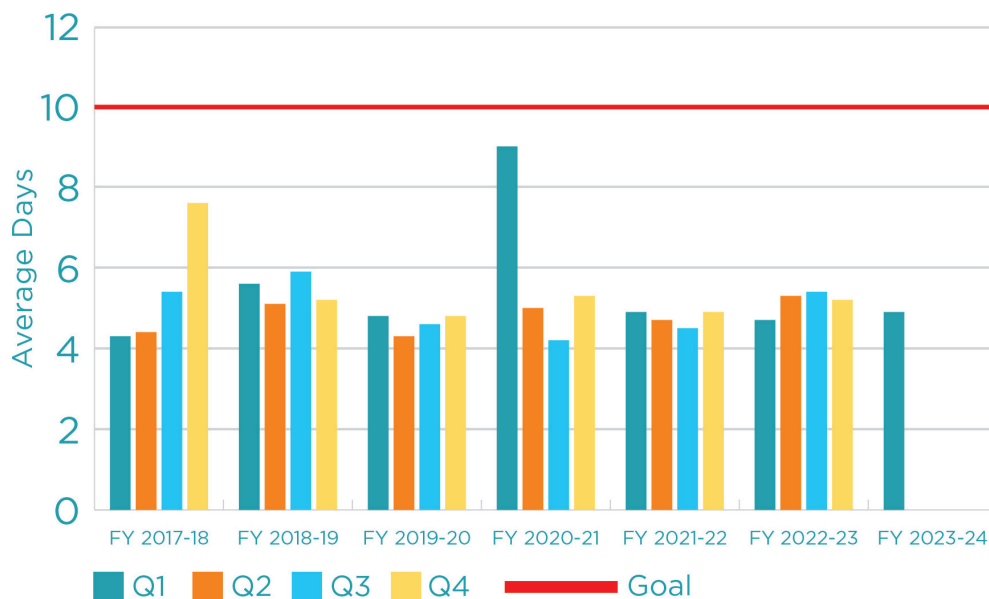


DENTAL LABS



ELECTROLYSIS

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



PHARMACY INSPECTIONS

The average number of days from the date an applicant is ready to open a new pharmacy or change the pharmacy location, to the date the inspection is completed. This measure includes all initial inspections where the applicant did not formally request a delay in the completion of the opening inspection.



Measure: Average days to complete a pharmacy inspection.



Definition: The average number of days from the date an applicant is ready to open a new pharmacy or change the pharmacy location, to the date the inspection is completed. This measure includes all initial inspections where the applicant did not formally request a delay in the completion of the opening inspection.



Goal: 14 days.

Inspection Average

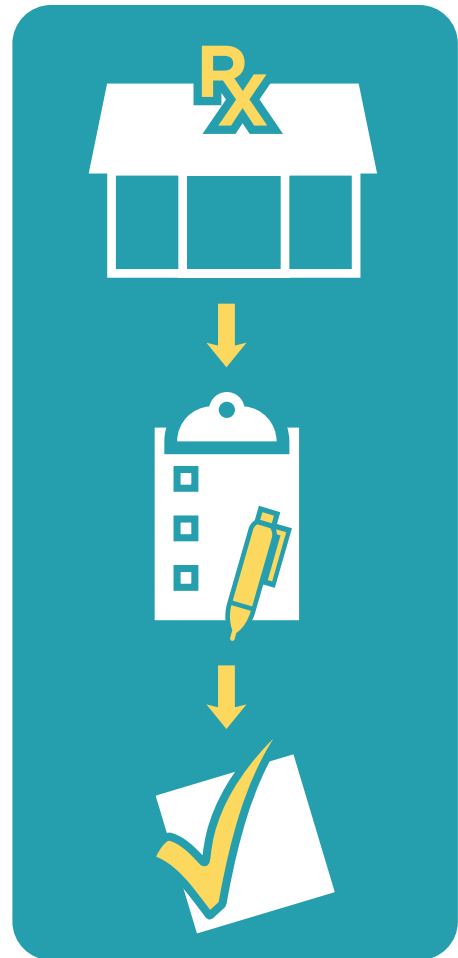
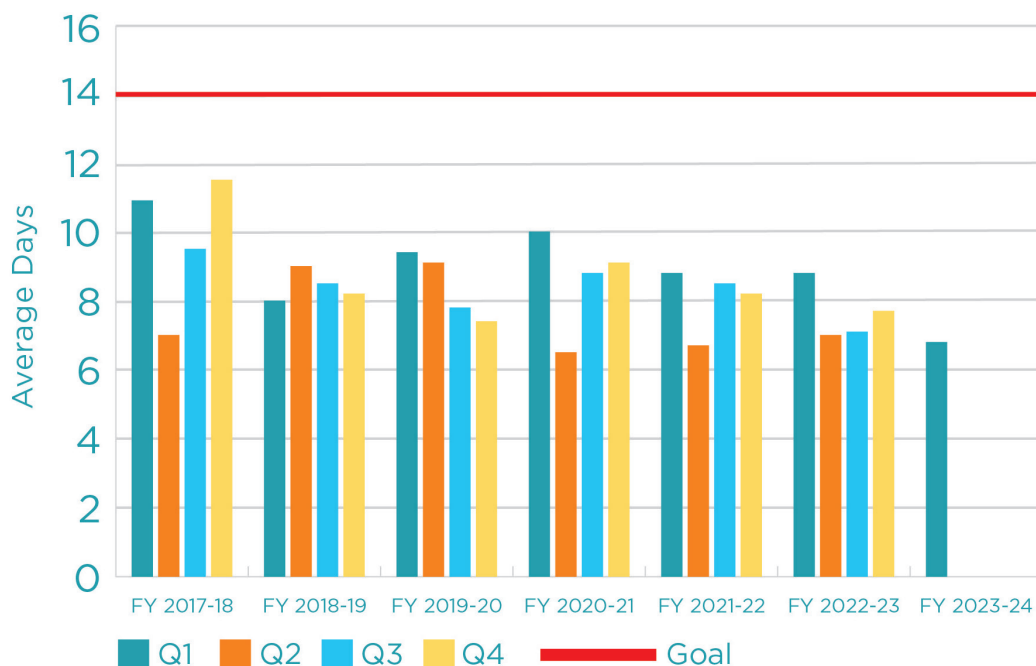


Figure 4: Average Days to Complete a Pharmacy Inspection

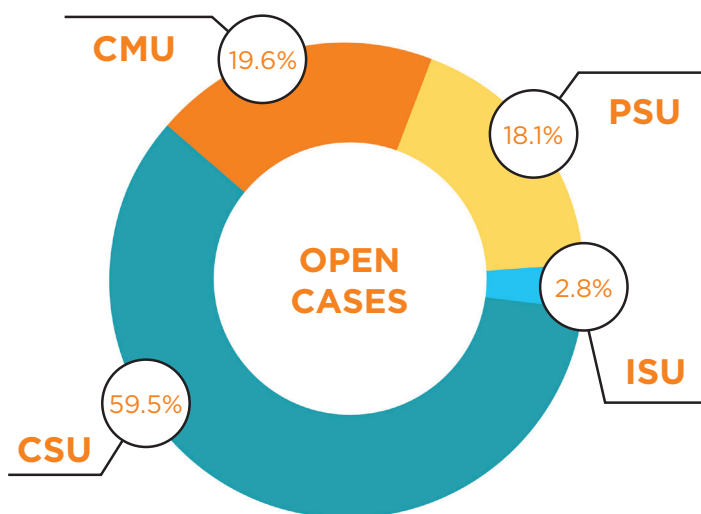


ENFORCEMENT AT A GLANCE

Per Chapters 20 and 456, Florida Statutes, MQA is tasked with enforcing all applicable statutes, laws, and rules for the professions that are regulated by the Department for the preservation of the health, safety, and welfare of the public. To carry out this duty, MQA established the Bureau of Enforcement, which comprises the Consumer Services Unit (CSU), Investigative Services Unit (ISU), and Compliance Management Unit (CMU). These units work collaboratively to receive, investigate, and adjudicate complaints against health care practitioners.

In Quarter One, PSU issued 63 Emergency Orders, an increase of 25% from the fourth quarter of FY 2022-23. Of these, 71.4% were Emergency Suspension Orders (45) and 28.6% were Emergency Restriction Orders (18).

The number of open enforcement cases decreased by 1.1% since FY 2022-23 Quarter Four, from 27,140 to 26,830 cases. CSU had the largest number of open cases compared to the other units with 15,975 (or 59.5%) of total open cases. CMU accounted for 5,246 active cases (or 19.6%), PSU had 4,849 (or 18.1%), and ISU had 760 (or 2.8%).



Section 456.074, Florida Statutes, grants PSU authority to demand the immediate cessation of any activities that are suspected to pose an imminent threat to the public. These demands are called Emergency Orders and they are signed by the State Surgeon General. Emergency Restriction Orders establish limitations on the professional activities of a suspect practitioner and Emergency Suspension Orders deactivate the practitioner's license for a time specified in the order.

THE PATH OF A COMPLAINT



In Quarter One, PSU issued 63 Emergency Orders, an increase of 25% from the fourth quarter of FY 2022-23. Of these, 71.4% were Emergency Suspension Orders (45) and 28.6% were Emergency Restriction Orders (18).

The investigative apparatus for MQA is the Investigative Services Unit (ISU). This unit conducts statutorily required facility inspections and investigates legally sufficient complaints against health care practitioners and facilities. The investigators are each assigned to one of 11 investigative services areas

and work with local law enforcement whenever necessary (Figure 5). MQA's Unlicensed Activity (ULA) Program is housed within ISU and educates Floridians and visitors about the dangers of receiving health care services from unlicensed persons. MQA investigates and refers for prosecution all unlicensed health care activity complaints and allegations. In many instances, unlicensed activity is a felony-level criminal offense. More importantly, receiving health care from unlicensed people is dangerous and could result in further injury, disease, or even death.

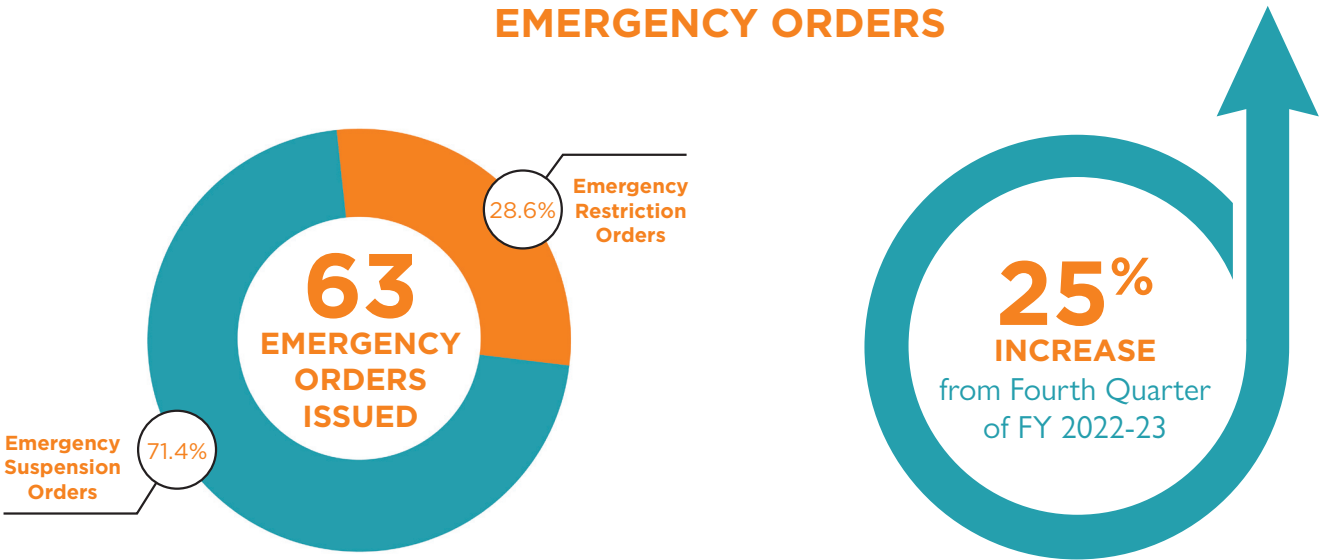
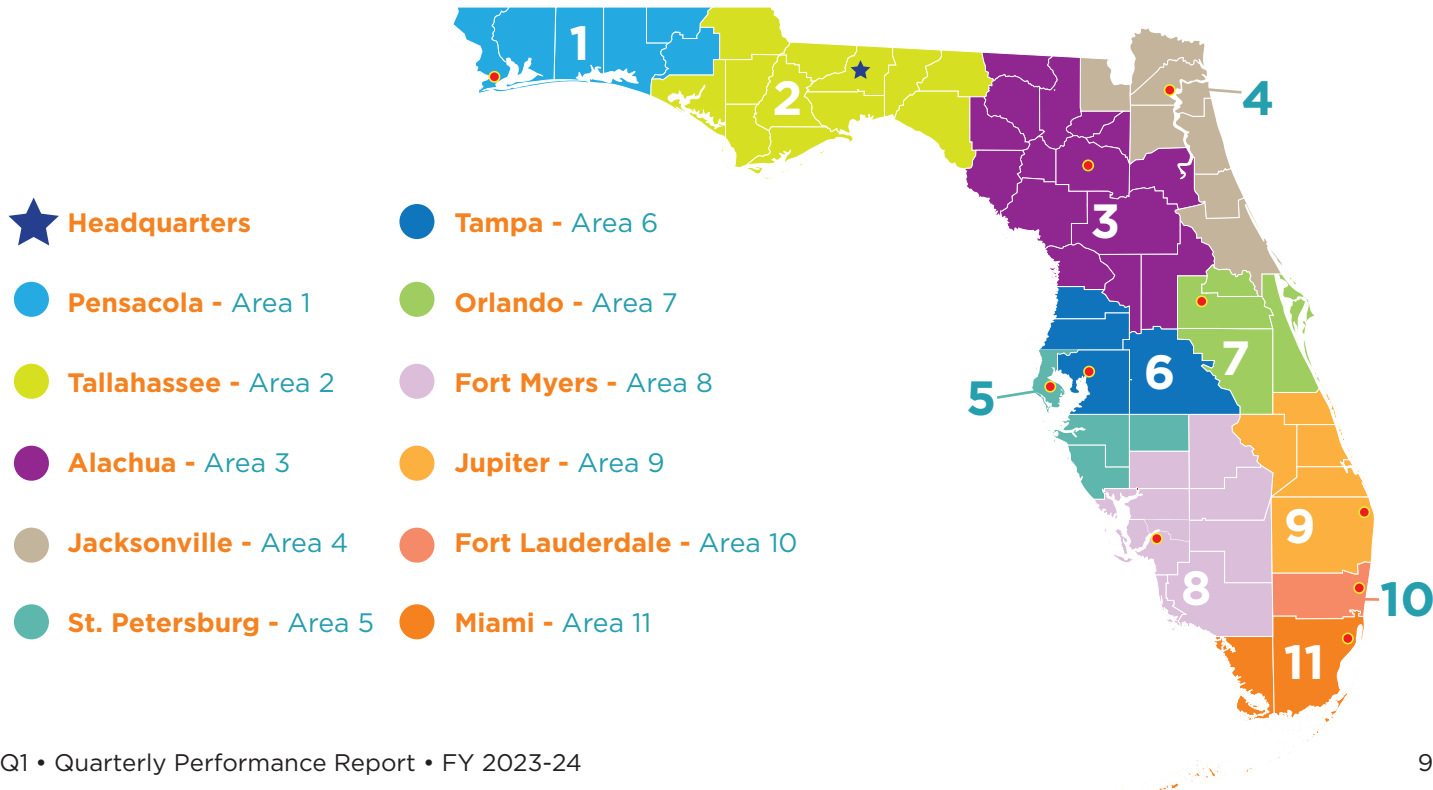


Figure 5: Investigative Services Area Map



UNLICENSED ACTIVITY INVESTIGATIVE SPOTLIGHT

MQA's ULA Program educates Floridians and visitors about the dangers of receiving health care services from unlicensed practitioners.

The ULA Program works in conjunction with law enforcement and the state attorney's offices to prosecute individuals practicing without a license. Program staff also proactively conduct public outreach to educate consumers; however, support from licensed health care practitioners and partnering organizations is equally important.

Outreach is a vital component of the ULA Program as it educates the public about the dangers of receiving health care services from unlicensed persons. While participating in outreach, MQA investigators highlight not only physical ramifications of receiving unlicensed health care services but also the mental and monetary consequences. Investigators discuss violation fines, criminal offenses, and methods of reporting unlicensed activity.

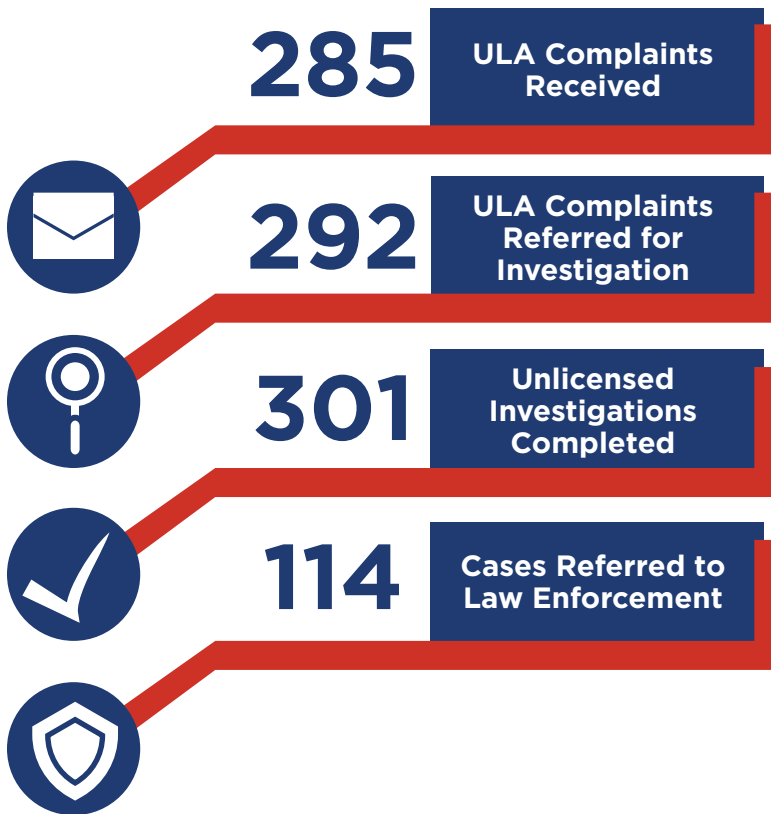
The *Just Because It's Open . . .* marketing initiative emphasizes the importance of verifying massage therapists and facilities before receiving massage

services. Due to a high level of complaints received during the fourth quarter of FY 2022-2023, MQA focused this campaign in Palm Beach and Broward counties.

1.9%

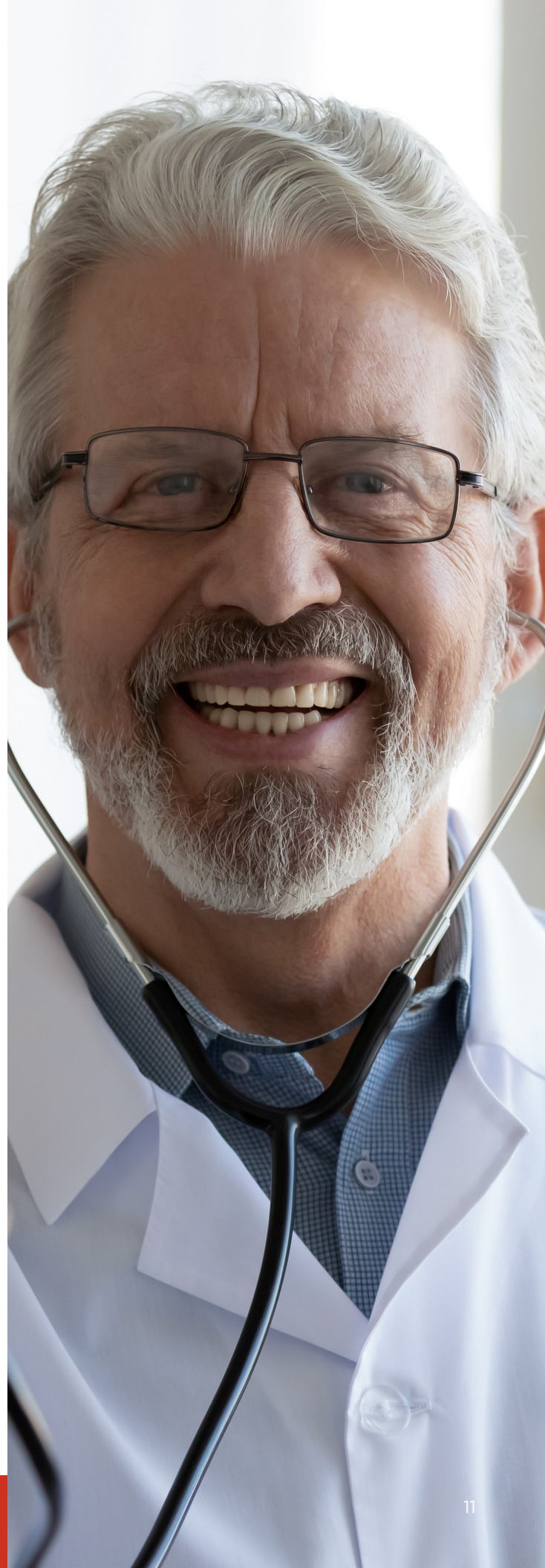
**Decrease from
the fourth
quarter of
FY 2022-23**

**107 Cease and
Desist Orders
Issued**



FIGHTING UNLICENSED ACTIVITY AND FRAUD

On July 12, MQA participated in the Florida Insurance Fraud Education Committee Conference in Orlando, to promote its ULA Program and join partners who identify, investigate, and prosecute illegal insurance practices. Insurance investigators, law enforcement officers, prosecutors, insurance carrier adjusters, and insurance deference attorneys came together to share their experiences and offer great feedback to an audience of over 750 attendees.



MEET AND GREETs

Networking through meet and greets is a vital, effective method the ULA Program uses to connect investigators to local law enforcement partners.



Miami ISU hosted a virtual meet and greet with the Florida International University Police Department. With virtual applications available to facilitate meetings, investigators are experiencing more participation from law enforcement partners, increasing the reach of the ULA Program, and promoting greater awareness of the dangers of unlicensed activity.



Tampa ISU also coordinated a meet and greet with various law enforcement and regulatory agencies in August to discuss ULA practices and promote the ULA Program.



In September, Pensacola ISU hosted a meet and greet with the Pensacola Police Department to create a stronger bond with leaders in the local community. In some instances, it may be necessary to arrest someone who is practicing without a license. When this occurs, our investigators collaborate with law enforcement to make the arrest.

Through answering questions and sharing information during meet and greets, partnerships are established and opportunities to get involved beyond the scope of the day-to-day role are created, building the Department's ability to halt unlicensed health care activity, and increasing collective impact with industry partners to protect the health of Floridians and visitors.



NATIONAL NIGHT OUT AGAINST CRIME

MQA joined the Sunrise Police Department in August by participating in the annual National Night Out celebration to spread awareness about crime prevention resources and services. First established in 1984, this national family-friendly event also strengthens relationships between the community and law enforcement. Since the event is designed to generate support for and participation in local anti-crime programs, the Ft. Lauderdale ISU joined the mission with law enforcement partners by spreading awareness and encouraging attendees to remain vigilant in spotting unlicensed activity.

FIGHTING AGAINST HUMAN TRAFFICKING

While MQA investigators investigate health care crimes, they also encounter victims of human trafficking. MQA is committed to ensuring that its investigators remain knowledgeable about human trafficking by sharing information and collaborating with industry partners.

In September, ISU staff attended the International Association of Human Trafficking Investigators (IAHTI) Conference in Clearwater to learn best practices, establish new relationships, and explore new opportunities related to the fight against human trafficking.

Through attending different sessions, investigators learned more about how to conduct trauma-informed investigations, build effective relationships between victims and law enforcement, and understand interactive crime scenes. Conferences like this also allow MQA investigators to network with other organizations within Florida and outside state lines. For example, as a result of attending the IAHTI Conference, investigators were able to connect with Victim Advocates, Miami Springs Police Department Detectives and Special Agents from the Federal Bureau of Investigation (FBI), connections that will prove valuable to investigators in the future. Fort Myers ISU participated in the fight against

human trafficking during September as they hosted a meet and greet in Naples with Intercept Task Force. This organization identifies victims of human trafficking and child exploitation and provides necessary resources, staffing, and support. This meet and greet was beneficial in establishing a partnership between both agencies as questions were asked and contact information was exchanged. As a result, both agencies are collaborating and upholding their commitment to protecting the health of all Floridians.

A CALL TO ACTION



While MQA has several resources to combat unlicensed activity, help from licensed health care practitioners, partnering organizations, and consumers is crucial to educating others. If you suspect unlicensed activity, you can report what you know by submitting information through MQA's Online Complaint Portal or by calling 1-877-HALT-ULT to speak directly with an investigator. MQA also encourages you to know before you go; verify that your practitioner has a license by looking them up via MQA's License Verification Portal and beware of the signs of unauthorized practice to detect when it may be happening, which can be found at FLHealthSource.gov/ULA.



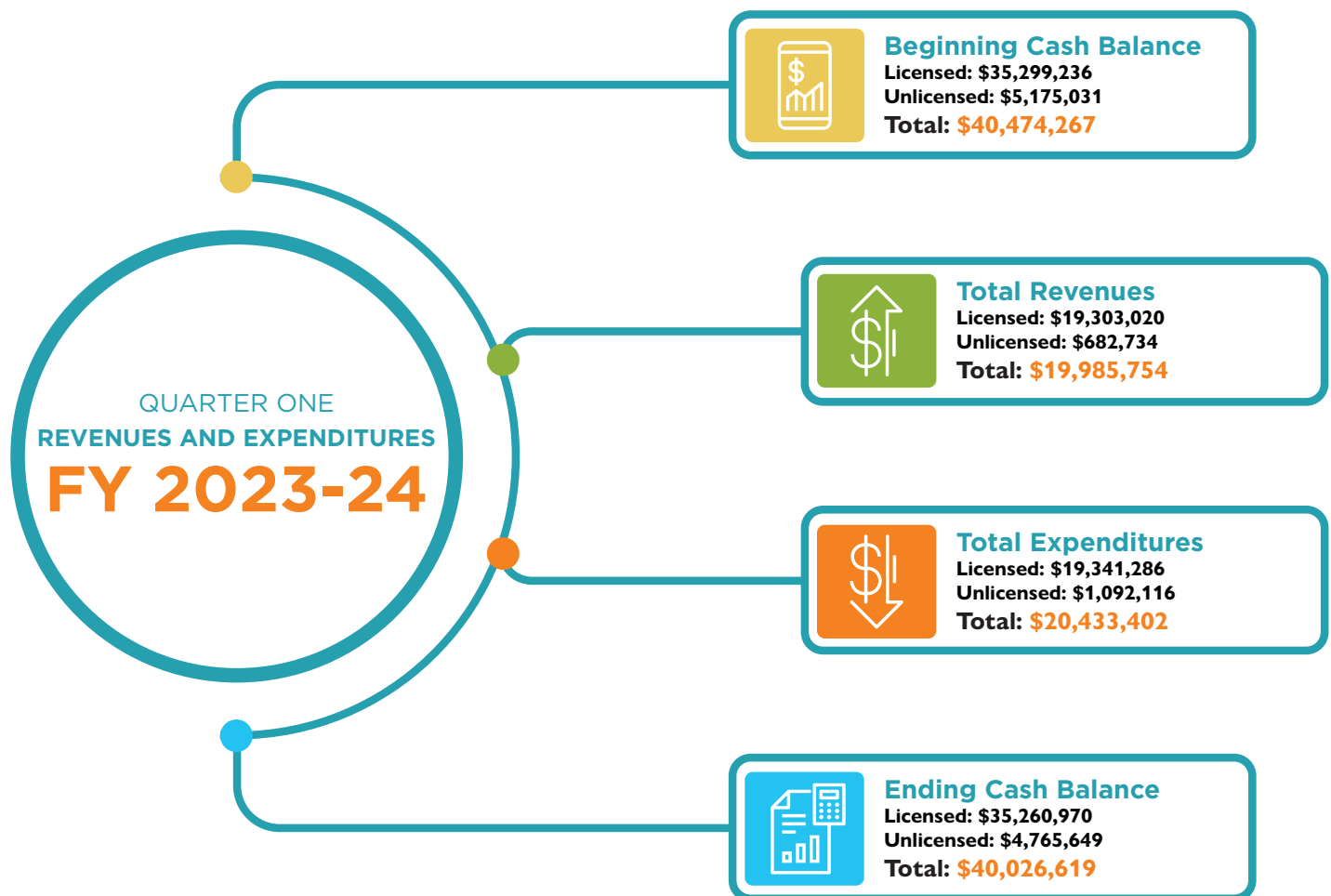
FINANCIAL SUMMARY

MQA is funded by fees and fines collected through the licensure and enforcement of health care professions. The funds collected are distributed to the 22 regulatory boards and four councils that carry out the daily tasks of licensure and enforcement. Additionally, five dollars from each practitioner's application fee is directly allocated for ULA enforcement activity.

MQA TRUST FUND

Among the penalties for disciplinary actions is the collection of fines. These funds are maintained in the MQA Trust Fund and are distributed for the maintenance of practitioner and facility regulation. The revenues and expenditures of this fund are reported quarterly as measures of the effectiveness of MQA's compliance management.

MQA ended Quarter One with an overall cash balance of \$40 million for licensing activities, ULA monitoring actions and ULA marketing efforts. The data reported below include the beginning cash balance at the start of FY 2023-24, the total revenues and expenditures, and the cash balance for the end of the quarter.



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 Department 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 Department restricting the practice of a practitioner in the state of Florida under conditions specified by the Department.

FINAL ORDER

An order of a regulatory board or the Department 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 PSU with an Investigative Report and all documents related to the complaint.

LEGALLY SUFFICIENT

Per section 456.073(1), Florida Statutes, a complaint is legally sufficient if it contains ultimate facts that show that a violation of this chapter, of any of the practice acts relating to the professions regulated by the department, or of any rule adopted by the department or a regulatory board in the department has occurred.

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.

CHAT NOW

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