

Florida Department of Health

QUARTERLY

PERFORMANCE REPORT

A Medical Quality Assurance Publication

JANUARY - MARCH 2023

QPR • THREE



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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LETTER FROM THE DIRECTOR

It is my honor to present the Division of Medical Quality Assurance (MQA) Quarterly Performance Report (QPR) for the third quarter of Fiscal Year 2022–23. This report collects key performance and fiscal data from Quarter Three, highlighting MQA's drive to be a leader in the field of health care regulation.

MQA began planning for the future by preparing for Fiscal Years 2022-23 Strategic Plan. The strategic planning period offers an opportunity to renew goals, develop innovative ideas, and refresh the services MQA provides. MQA kicked off the quarter with the 2023 Annual Long-Range Planning Meeting, which invited partners and staff to the table to share in discussions about key regulatory topics. The quarter ended with the conclusion of an environmental scan that collected the strengths, weaknesses, opportunities, and threats facing MQA. All the while, MQA continued to excel in providing timely licensure, reliable enforcement, and quality information to health care applicants, practitioners, and consumers.

MQA's oversight is efficient and effective, and the teams behind it are critical to its success. As you flip through the pages of this report to learn about the great performance achieved in each area of the [organization](#), you will find the data and stories showcasing a strong commitment on behalf of our staff to protect the health of all Floridians. Proceeding from this position of strength and confidence, I am incredibly excited for what is to come over the next five years. I hope you will join me in that excitement, too.



MQA's oversight is efficient and effective, and the teams behind it are critical to its success. (...) I am incredibly excited for what is to come over the next five years.

**JENNIFER L. WENHOLD,
MSW, CPM**

EXECUTIVE SUMMARY

As required by section 456.065, Florida Statutes, the QPR details the latest performance statistics of MQA's key functions and responsibilities as related to the goals of the Department. This report serves as an assessment of MQA's operational health and performance during the third quarter of fiscal year 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 license qualified health care practitioners, enforce a regulatory standard of care, and promote meaningful information to licensees, consumers, and stakeholders. 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



LICENSE

ENFORCE

INFORM

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.

AROUND MQA

A Special Field Office Visit

In January, MQA staff welcomed special guest Florida State Surgeon General, Dr. Joseph A. Ladapo, to the Miami Field Office for a visit.

As one of 11 field offices throughout the state committed to protecting and serving the health of all Floridians, the team shared with Dr. Ladapo more about the unit's work in conducting facility inspections and uncovering unlicensed activity.

Thank you, Dr. Ladapo!



ReFRAMEing Health Care Practitioner Education



The Florida Department of Health launched a new program in February to offset medical education loan debt for health care practitioners serving less densely populated areas of the state.

Through the Florida Reimbursement Assistance for Medical Education (FRAME) program, physicians, physician assistants, and nursing professionals specializing in primary care may be eligible for up to \$20,000 annually to assist in paying off the principal amount of loans for medical education.

MQA is proud to support programs like this which is intended to alleviate physician shortages in underserved communities, encourage more physicians to practice family and general medicine, and promote team-based medicine in rural communities. For more information about FRAME, please visit www.FLHealth.gov/FFRAME.



MQA On the Go: Board Staff Conference Participation

In February, Board of Nursing staff attended the Florida Center for Nursing (FCN) annual symposium for the latest updates on nursing education in Florida.

FCN observes and analyzes the supply and demand of Florida's nursing workforce to inform key stakeholders of relevant obstacles and provide actionable policy suggestions. The symposium highlighted FCN's 2023 Nursing Education Report and trends from recent National Council Licensure Examination (NCLEX) examination results.

Board staff returned to MQA with a better understanding of new and future nursing graduates applying for licensure to provide these groups with a more efficient licensing experience.

Also in February, staff from the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling (Board), traveled to New Orleans, Louisiana, for the American Association of State Counseling Boards 2023 Annual Conference.

Officials from regulatory Boards across the country came together for three days of presentations, panels, and roundtable discussions on recent developments in the mental health field.

Board staff gained valuable knowledge on national initiatives, like the interstate Counseling Compact and National Mental Health Counseling Examination, which will assist in future implementation efforts in Florida.



Overall, attendees left feeling more informed and better equipped to champion quality health care regulatory practices, citing that the agenda was “one of the best (...) ever” and “the materials and content were very informative.”

2023 Long-Range Planning Meeting

In January, MQA hosted the 2023 Annual Long-Range Planning Meeting to discuss the current state of health care practitioner regulation in Florida. The conference brought together Board and Council chairs, vice-chairs, industry partners, and MQA leadership for a day of educational presentations and panel discussions ranging from legislative updates and licensure innovations to practitioner disciplinary processes and unlicensed activity trends.

Overall, attendees left feeling more informed and better equipped to champion quality health care regulatory practices, citing that the agenda was “one of the best (...) ever” and “the material and content was very informative.” Most felt that the event was facilitated in such a way where they “were able to engage in informed discussions,” and some even remarked about the synergy between partners and staff in the room.

During the remainder of the quarter, MQA leveraged the feedback obtained from the event to inform its approach for the new, upcoming strategic planning period of FY 2023-27.

MQA was honored by the eager and thoughtful participation of those in attendance and thanks its partners for a long-lasting partnership and an unwavering commitment to protecting the health and safety of all Floridians through quality regulation.

PERFORMANCE STATISTICS

Initial Applications

One of MQA's primary responsibilities is to provide licensure services to over 200 license types and 40 health care professions. The licensing process examines the knowledge, experience, and education of each applicant according to criteria set for each individual profession. These requirements are established through a combination of statutes, administrative rules, and Board recommendations to maintain a minimum standard of care to be provided by practitioners in Florida.

MQA provides licensure support services to potential new practitioners by processing initial applications in a timely and effective manner. MQA measures the average number of days to issue a license to a qualified applicant to assess the health and efficiency of the licensure process.

While licensure and examination requirements for specific professions may vary, MQA maintains a target of one business day to process an application from the time the individual is determined to be qualified to the time the license is issued. This measure is calculated as the average number of days licenses are issued after initial application.

MQA received 37,856 total initial applications and issued 31,537 initial licenses this quarter, resulting in a total of 92,148 initial licenses issued to date in FY 2022-23.

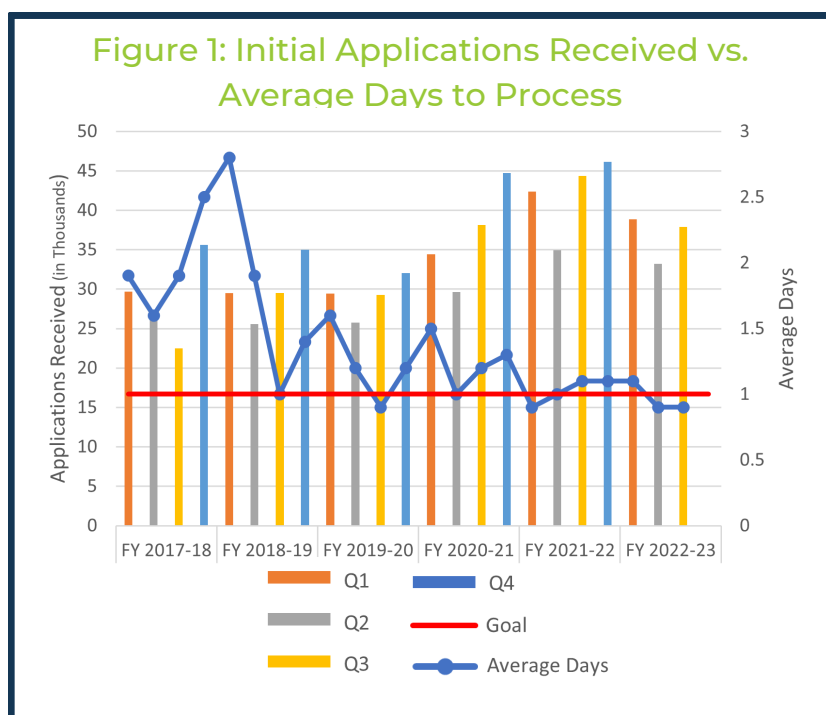


Figure 1 illustrates increased efficiency in processing initial applications; as the number of initial applications received has increased, the average number of days to issue a license to a qualified applicant has decreased.

With the exception of the first quarter of FY 2021-22, MQA tends to require the most

time to process an initial application during the first quarter when compared to the other quarters over the last five fiscal years. Since MQA also tends to receive the highest number of applications during the fourth quarter, it is plausible that the influx of applications from Quarter Four is routinely processed during the following quarter, yielding a greater overall processing time for Quarter One. However, since MQA consistently processed licenses in an average of one day over the last four quarters, further analyses are needed to determine other factors occurring annually between spring and summer that may impact processing times. For example, it may be that the volume of applications received from some professions in the spring following the graduation season is greater than those from the remaining (majority) of professions, reflecting an increase in the overall average time to process.

Figure 1 also demonstrates MQA's commitment to streamline licensure processes for health care practitioners. MQA processed initial applications within 0.97 days on average for the second consecutive quarter this fiscal year, an accomplishment equivalent to the all-time low achieved only once before in the second quarter of FY 2019-20. Not only are the processing times of the last two quarters comparable to the most efficient processing time ever recorded by MQA, but the volume of applications received in FY 2022-23 Quarter Three was 14% more than those received in FY 2022-23 Quarter Two and 29% more than those in FY 2019-20 Quarter Two.

Overall, MQA continues to sustain progress in achieving competitive quarterly processing times that are below the target goal, regardless of the fluctuations in total number of applications received.

Did You Know?

When applying for a license in Florida, applicants must meet the minimum requirements for licensure in one of two ways: licensure by examination, or licensure by endorsement.

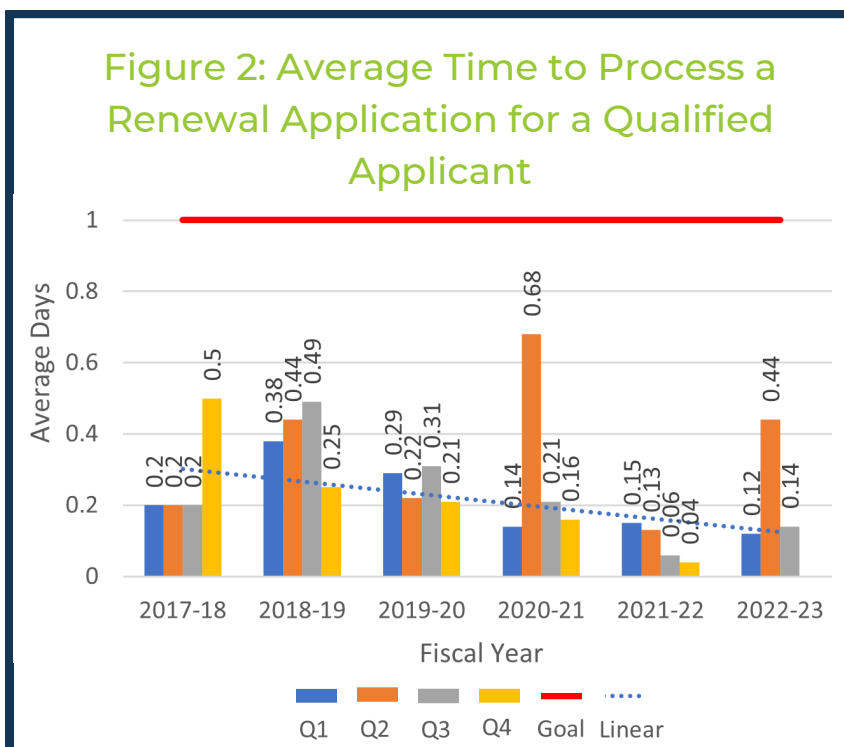
Licensure by examination is more commonly pursued by new graduates who will sit for the profession's examination for the first time. Meanwhile, licensure by endorsement is commonly pursued by practitioners relocating to Florida who have already obtained a license or certification in another state. Having obtained a license elsewhere, those practitioners will already have accumulated experience or passed the profession's required examination. These practitioners are able to supply documentation for such activities or experience in lieu of retaking the profession's examination.

License Renewals

As opposed to processing initial applications for licensure, processing applications for the renewal of a license is a business activity which relates to already licensed practitioners. The renewal of a license reaffirms that a health care practitioner continues to operate under the authority granted by an active, valid license after an established length of time has passed. Additionally, the renewal process raises the standard of care in the state by requiring continuing education for the best practice in each profession each renewal cycle.

MQA ensures the timely processing of renewal applications for health care practitioners measuring the average number of days to process a renewal application. The measure does not include delinquent renewals, and specifically calculates the average number of days for processing from the time an application for renewal is received to the time the renewal is issued. MQA staff set a target goal to process renewals in no more than one business day on average.

MQA processed 426,397 renewal applications in FY 2022-23 to date, 48% of which were processed this quarter. Of the 205,830 renewal applications processed this quarter, 97.8% were processed online. The number of renewal applications processed this quarter grew 52.6% compared to last quarter. With the exception of FY 2017-18, the average time to process a renewal application has trended downward over the past five fiscal years.



As shown by Figure 2, while MQA appeared to operate most efficiently during FY 2021-22 when compared to any other year shown in Figure 2, MQA spent only 0.14 days on average this quarter to process a renewal application for a qualified applicant—a 68% decrease from the previous quarter—which was abnormally high compared to other quarters.

Did You Know?

Practitioners are required to possess an active, valid license to practice in the Florida. Licenses that are not renewed by the required date are considered delinquent, and the licensee is no longer authorized to practice while the license is in this status. Licenses which remain delinquent for an entire renewal cycle are considered null, and the practitioner is required to apply for a new license to resume practicing.

To reduce delinquencies, section [456.038, Florida Statutes](#), requires that a renewal notification be issued to licensees at least 90 days before the end of the licensure cycle. The notification ensures licensees are provided adequate time to complete any necessary continuing education requirements and submit a completed renewal application to MQA for processing. MQA transmits renewal notices to licensees' last known addresses with a goal of notifying no later than 120 days before the profession's renewal requirement date.

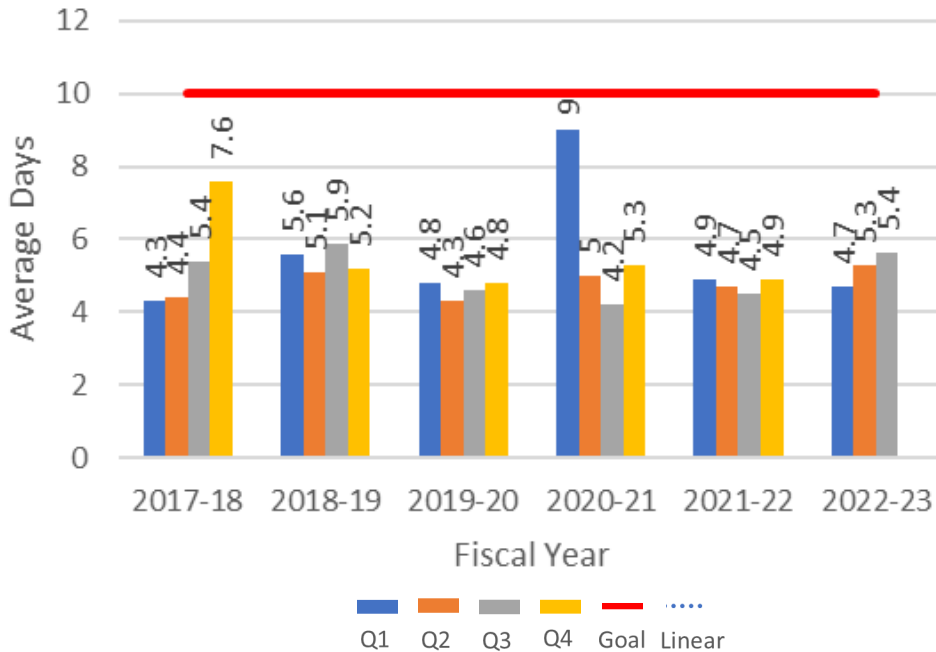
Massage, Optical, Dental Lab, and Electrolysis Establishment Inspections

In addition to providing health care practitioner licensure services, MQA is responsible for the licensure, inspection, and regulation of seven types of health care facilities: dental labs, electrolysis facilities, massage establishments, office surgeries, optical establishments, pain management clinics, general pharmacies, and sterile compounding pharmacies. Massage, optical, dental lab, and electrolysis establishments are collectively referred to as M.O.D.E. facilities.

Teams of inspectors across 11 investigative services regions travel to facilities to ensure compliance, investigate complaints, and perform inspections. With the exception of optical establishments, M.O.D.E. facilities are required to pass an initial inspection before opening as a pre-condition of licensure.

MQA measures the efficiency of the inspection process by recording the average number of days to complete a facility inspection. MQA aims to complete an inspection in no more than 10 days on average, which is a measure that includes all initial inspections for M.O.D.E. facilities, except for facilities that formally requested a delay.

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



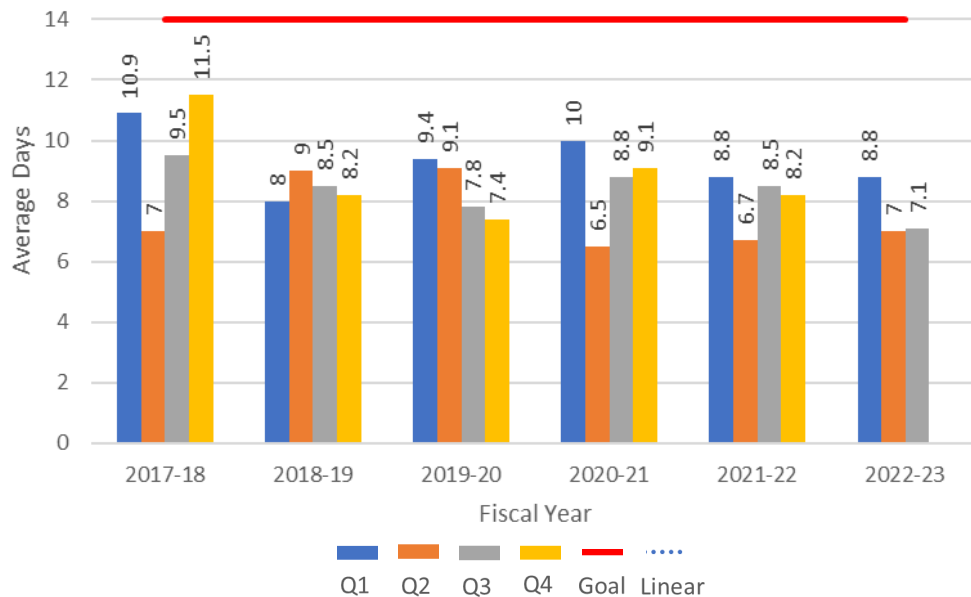
With the exception of the first quarter of FY 2020-21, MQA has consistently completed M.O.D.E. inspections in less than half the goal time (10 days) over the past five fiscal years. MQA consistently performs M.O.D.E. inspections in five days, on average.

Pharmacy Inspections

MQA is responsible for the inspection of pharmacies to ensure minimal standards of practice are maintained. Requirements for facilities include appropriate placement of signage, adequate staffing, and proper dispensing practices. Inspections are conducted regularly by a team including pharmacists, and are required prior to facility licensure, when ownership or location changes, and when an administrative complaint is received.

The efficiency of pharmacy inspections is determined by recording the average number of days to complete a new or change of location/ownership inspection, and a goal set to conduct an inspection in 14 days or less. This measure does not include initial inspections for which applicants requested a formal delay.

Figure 4: Average Time to Complete a Pharmacy Inspection



MQA has achieved excellent performance over the past five fiscal years by consistently completing pharmacy inspections under 12 days—two days less than the target goal. MQA completed pharmacy inspections in half the time set by the target this quarter, just as it did previously. In fact, there was little to no variability in the time it took MQA to complete pharmacy inspections. The lack of variability indicates that MQA concentrated more attention toward reducing inefficiencies to control the performance of conducting inspections, which is supported by the following initiative.

Initiative

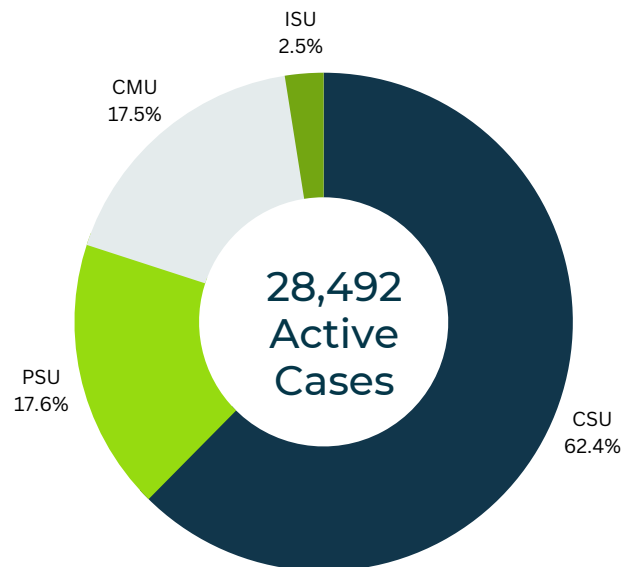
MQA launched a post-inspection digital survey in January to generate consumer feedback on the quality of the inspection process. Prior, MQA staff contacted recently inspected facilities for feedback on a weekly basis but only a small percentage could be reached due to the substantial number of facilities.

The new survey has streamlined the feedback process and encouraged greater participation, with MQA receiving 15 to 20 responses on average. By administering the survey in a digital format, MQA can obtain valuable feedback in a way that is simple, convenient, and familiar to the consumer. As a result, staff can personally address consumer concerns through targeted communication with respondents and gather crucial information to improve the inspection process.

ENFORCEMENT

The Bureau of Enforcement (BOE) is one of three bureaus within MQA and is responsible for maintaining the standards of health care practice as established by Florida Statutes and the Florida Administrative Code. BOE is organized into three units: the Consumer Services Unit (CSU), the Investigative Services Unit (ISU), and the Compliance Management Unit (CMU), and works closely in conjunction with the Prosecution Services Unit (PSU).

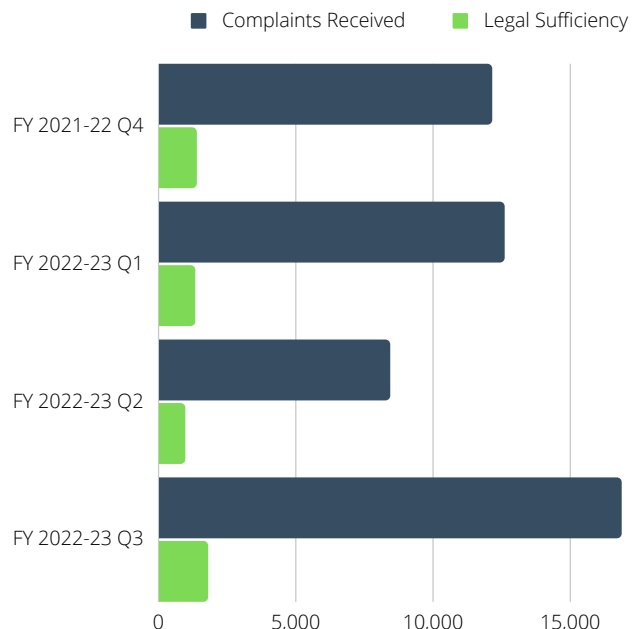
In the third quarter, MQA had 28,492 active cases in the enforcement process. This was a 28% increase from the 22,280 active cases in Quarter Two. CSU constituted most of the active cases with 62.4%, or nearly 18,000 individual cases. PSU held the second highest number of active cases at 5,013, followed by CMU at 4,994, and ISU at 701. CSU saw the greatest change in activity from the previous quarter with a 37% increase in the number of active cases under its jurisdiction.



Consumer Services

CSU represents the first step in the enforcement process, receiving all complaints submitted to MQA and determining if there is legal sufficiency for further review. Complaints with legal sufficiency indicate a potential violation of Florida Statutes or administrative rules, and are forwarded to ISU for investigation.

In Quarter Three, CSU received 16,849 complaints, doubling from the previous quarter, and contributing to a total of 38,852 for FY 2022-23. A total of 1,806 complaints received, or 10.7%, were determined to be legally sufficient and forwarded to ISU.



Did You Know?

CSU is the central intake hub for all complaints made against practitioners and facilities regulated by MQA. Complaints originate from a range of sources including consumers, other practitioners, hospitals, and law enforcement. New complaints may also result from a licensee's failure to comply with a disciplinary order. MQA does not investigate complaints regarding fee or billing disputes, personality conflicts, or bedside manner.

Complaints submitted to CSU must be provided in writing (excluding complaints of unlicensed activity), and include a subject, a description of the alleged violation, and the complainant's signature. Complaints may be submitted anonymously; however, this may impede investigators from gathering all necessary evidence to establish legal sufficiency.

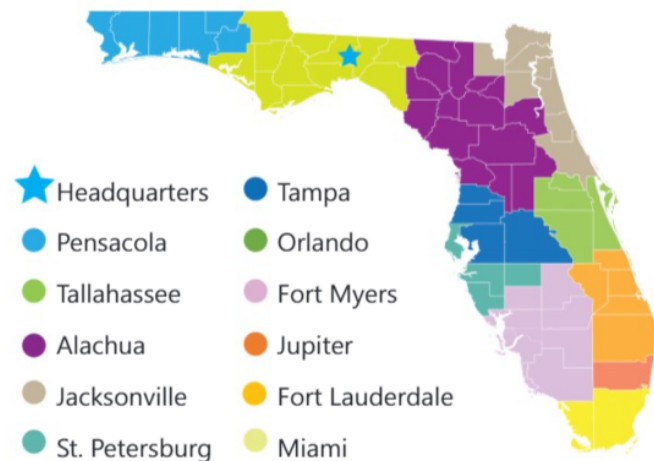
Investigative Services

ISU operates out of regional field offices located within 11 investigative services regions across the state. The unit functions primarily to investigate legally sufficient complaints against health care practitioners and facilities. ISU also conducts routine facility inspections of the 10 facility types in MQA's purview and houses the

Unlicensed Activity (ULA) Program. Following a complete investigation of

a complaint, ISU concludes the investigation by detailing all findings in a final investigative report that is submitted to PSU.

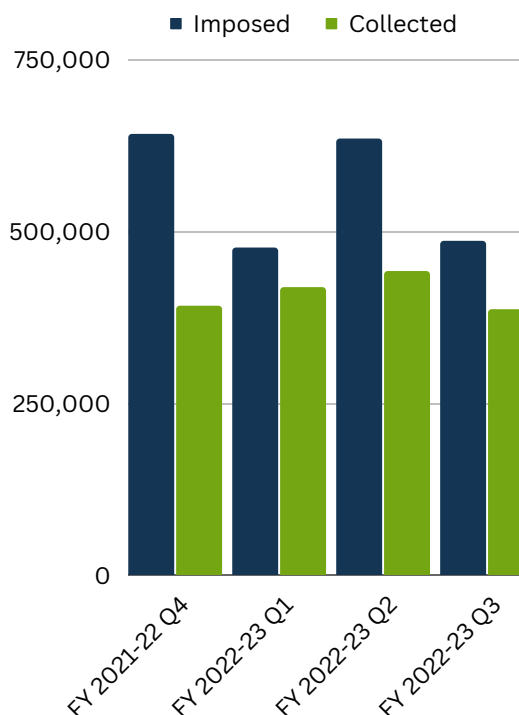
ISU staff completed 1,668 administrative investigations in the third quarter, a nearly 60% increase from Quarter Two. Additionally, 32 citations were issued this quarter, doubling from 16 the past two quarters.



Compliance Services

A licensee is prescribed corrective actions or fines in a final order following disciplinary proceedings. CMU monitors the practitioner or facility to ensure the conditions of the final order are met. If a person or entity fails to satisfy the imposed disciplinary requirements, CMU generates a new complaint with CSU.

In Quarter Three, \$486,388.98 of fines and fees were imposed by board-issued final orders, a 23% decrease from the second quarter. Of that number, 79.6% was collected, a total of \$386,952.26 and a 9.9% increase from the previous quarter.

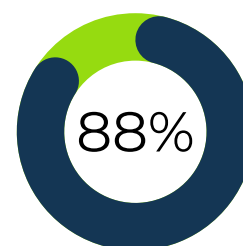


Prosecution Services

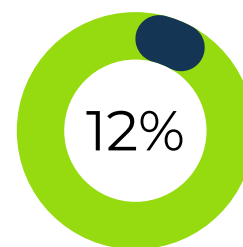
PSU comprises of attorneys, analysts, and other legal experts who receive the final complaint reports from ISU and prepare for probable cause panels. In Quarter Three, 314 cases of probable cause were found. If probable cause is found, PSU prepares legal recommendations for discipline to the relevant health care regulatory board while also mediating alternatives like settlements and minor remedial actions.

After a final disciplinary order has been issued or a settlement reached, the case is referred to CMU to ensure the terms of the final order are satisfied. This quarter, 223 cases resulted in a final order that were subsequently referred to CMU for monitoring while 83 were dismissed.

PSU and the Emergency Action Unit prepared a total of 33 emergency orders in Quarter Three of this fiscal year. Emergency suspension orders constituted 88% of this amount at 29 orders while the remaining four orders were emergency restriction orders.



**Emergency
Suspension
Orders**



**Emergency
Restriction
Orders**

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 members.

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



Consumers may verify the license of a practitioner through the [MQA License Verification Portal](#) to ensure that the individual offering services possesses a valid and active license to practice.

The ULA Program also utilizes substantial marketing and outreach efforts targeting individual consumers to raise awareness of the dangers posed by unlicensed activity. These educational marketing initiatives are funded through the \$5 ULA prevention fee paid by all licensees biennially, and initial applicants for licensure.

The ULA Program received 353 complaints of potential unlicensed activity in Quarter Three. Of those complaints, 347 were referred to staff for an investigation. ULA investigators completed 325 investigations this quarter, and 181 cases were referred to law enforcement for potential criminal investigation.

Investigators also issued 187 cease and desist orders to individuals suspected of unlicensed activity. This is a 66.2% increase from the previous quarter and above the average of FY 2022-23 to date of 147 orders. When compared to Quarter Three of FY 2021-22, the number of cease and desist orders increased by 19%.

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 of fines and fees that are collected throughout the fiscal year including application fees, unlicensed activity fees, and disciplinary fines. These funds are distributed between the 22 regulatory boards and councils, and MQA, 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 from the start of FY 2022-23 to the end of the third quarter. Also included is MQA's cash balance at the start of the fiscal year and cash balance as of the conclusion of the third quarter. 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
Total Revenues 03/31/2023	\$63,182,319	\$2,239,445	\$65,421,764
Total Expenditures 03/31/2023	\$61,311,366	\$1,781,189	\$63,092,555
Ending Cash Balance 03/31/2023	\$39,959,130	\$4,591,306	\$44,550,436

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 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 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.

LEIDS

Licensing and Enforcement Information Database System. MQA's licensure and enforcement database.

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)

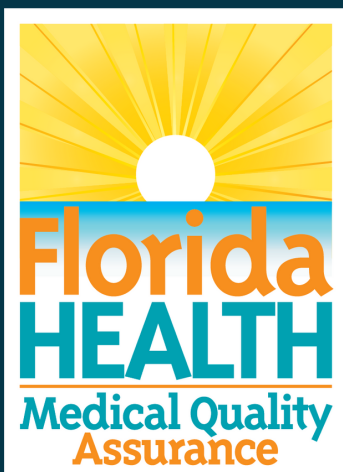
Unauthorized practice of a health care profession or delivery of health care or medical services by an individual not in possession of a valid or active license to practice that could cause injury, disease, or death.

CONTACT US



For more information or to contact us, please visit our website, www.FLHealthSource.gov, or chat online with our virtual agent, ELI. Look for the ELI icon on the board and council websites and www.FLHealthSource.gov to chat online.

Leveraging cutting edge artificial intelligence to improve the consumer experience, ELI is the MQA virtual agent available to assist current and prospective health care licensees with immediate information and suggestions. ELI provides flexible support to licensees and consumers by fielding inquiries outside of normal business through voice and online chat options.



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