

NEVADA PROFESSIONALS ASSISTANCE PROGRAM
MICHEL A SUCHER MD, MEDICAL DIRECTOR
BENJAMIN SEYMOUR CADC, EXECUTIVE DIRECTOR
P.O. Box 13600
SCOTTSDALE, AZ 85267-3600
Phone: (480) 990-3111
Fax: (480) 775-2419

To: President and Members, Nevada State Board of Medical Examiners
Ed Cosineau, Executive Director, Nevada State Board of Medical Examiners

From: Michel A Sucher MD, Benjamin Seymour CADC, Nevada Professionals Assistance Program and the Western States Professionals Health Foundation

RE: State of Physician monitoring in Nevada and proposal to the Nevada State Board of Medical Examiners

CURRENT HEALTH PROFESSIONALS ASSISTANCE LANDSCAPE IN NEVADA

1. There are 3 current providers of health professionals assistance services in NV
2. The Northern NV only program is operated by Misty Guantonio MA
3. There are two programs that cover Northern and Southern NV. They are:
 - a. Mark Chase Phd, MBA
 - b. NPAP, operated by Dr. Sucher and Ben Seymour CADC
4. Only NPAP is a member of the Federation of State Physician Programs
5. Only NPAP has a board certified addiction medicine physician as part of its core staff
6. Not all PHP's are created equal. With multiple providers there are:
 - a. No consistency or quality control
 - b. No uniform monitoring, compliance or reporting standards
 - c. No auditing of programs for quality and demonstration of true public safety protection
 - d. Liability exposure to all parties due to inconsistent standards and practices
7. Most States have a single Physician Health Program. Only a few states have multiple programs and have the same issues described here.
8. PHP participants often take the "easier, softer way" or the path of least resistance. This results in the majority of NV participants utilizing the other two programs which are less stringent, less expensive and less accountable. This results in greater liability for the NVBME and less assurance of protection of public safety.

NEVADA PROFESSIONALS ASSISTANCE PROGRAM (NPAP)-CURRENT STATE

1. NPAP is the only Nevada Professionals Assistance Program that is and has been an active member of the Federation of State Physician Health Programs (www.fsphp.org)
2. NPAP currently has memoranda of understanding with the Allopathic Medical Board (NVBME), Osteopathic Medical Board and Dental Boards in NV
3. The principals of NPAP each have 30+ years of documented experience operating and managing Physician Health Programs that are high caliber, utilize best practices and have been actively involved in setting PHP standards through the FSPHP
4. NPAP has struggled due to the above comments about the other two programs and the

difficulties resulting from multiple monitoring programs. We currently have 12 active participants (including MD, DO and Dental participants)

5. NPAP accepts all referrals both voluntary and mandatory
6. NPAP is the only current program that is a member of the FSPHP (and an active dues paying member with voting rights in the FSPHP)
7. We have an excellent group facilitator in Deena Schiode who runs weekly virtual groups throughout the State of Nevada for our participants.
8. We use chain of custody drug testing by SAMHSA certified laboratories with state of the art testing capabilities and testing panels that are appropriate for healthcare professionals. We also have the capability to perform urine, hair, nail (fingernail and toenail), oral fluids, blood and breath drug testing. We have the ability to obtain medical polygraphs when indicated. We have a statewide collection network. (There is a maxim in drug testing- "you won't find a drug you didn't test for").
9. NPAP can monitor mental health conditions, boundary violations, process addictions and disruptive behavior in addition to substance use disorders.
10. It is not financially feasible for NPAP to continue operations in the current environment as described above.

FSPHP PEER (Performance Enhancement and Effectiveness Review) Accreditation

1. PEER Accreditation is the Federation of State Physician Health Programs process for accrediting the quality, standards and processes of Physician Health Programs nationwide.
2. Dr. Sucher and Mr. Seymour, through their membership in the FSPHP have been actively involved in the development of the PEER Accreditation process. The programs we operate in Idaho and Arizona intend to apply for PEER Accreditation as soon as it is available (probably 2024)
3. NPAP is the only current PHP in Nevada that would qualify for PEER Accreditation.
4. NPAP also intends to apply for PEER Accreditation as soon as it is available.
5. A description of the PEER Accreditation process from the FSPHP website is attached to this memo.

PROPOSAL

1. Our proposal is to ask the Nevada State Board of Medical Examiners to award NPAP a sole provider/exclusive contract for the provision of Health Professionals Assistance services.
2. This would assure the Nevada State Board of Medical Examiners and the citizens of Nevada continued high quality assessment and monitoring services for the foreseeable future.
3. This would result in consistent public safety protection and lower risk of patient harm on behalf of the Nevada State Board of Medical Examiners and the citizens of Nevada.
4. NPAP is the only PHP program in Nevada that could qualify for FSPHP PEER Accreditation. NPAP intends to apply for PEER Accreditation as soon as it is available.
5. An exclusive contract with the NVBME would allow NPAP to become financially stable with continued viability. This would result in:
 - a. NPAP Physical offices in Nevada (Las Vegas and probably Reno)
 - b. In state and in person Case Management personnel and administrative staff
 - c. Additional group therapy services serving the State of Nevada on a broader basis
 - d. Would provide a physical office base for Dr. Sucher and Mr. Seymour to regularly and consistently be present in Nevada
 - e. Would increase the availability of both Dr. Sucher and Mr. Seymour to participate

- in Medical Board meetings.
 - f. Would result in growth capability by NPAP as the State of Nevada continues to grow
 - g. Hopefully this would assist with the Osteopathic, Dental and other healthcare boards in having the same high quality, consistent, accountable and accredited monitoring services.
6. Financial Management under a sole provider/exclusive contract with the NVBME
- a. The current practice of participant licensees paying for our services would continue. With an exclusive contract the current fees would be lowered to account for the anticipated increase in volume.
 - b. We commit to developing a sliding scale fee structure for residents, fellows and financially challenged licensees
 - c. Most State licensing boards offer a full or partial subsidy for the program. This can be a surcharge added to the renewal fees for each licensee (generally \$ 25-50/licensee/year). Another option is a fixed subsidy which reduces the per participant out of pocket costs. If we are awarded a sole provider/exclusive contract and if the NVBME agree, we would dialogue and work with the NVBME to develop a mutually agreeable program for the next open budget cycle.
 - d. Western States Professionals Health Foundation (a 501c3 non profit foundation to support education, training and financial support for licenses with financial issues). This will be described in more detail below.
7. Transition Plan
- a. If the NVBME chooses to award NPAP a sole provider/exclusive contract we would develop a transition plan for current participants in the other programs.
 - b. Current participants in the other existing programs would be allowed to immediately or at any time transition to NPAP or to continue in their current monitoring program until their agreement has been completed.
 - c. Once a new sole provider/exclusive contract is in place all new participants would enroll in the NPAP program.
8. Western States Professionals Health Foundation
- a. Created in 2016 by Dr. Mansky and Dr. Sucher; Currently operated, although not active, by Dr. Sucher and Mr. Seymour
 - b. The foundation was developed to accept contributions from:
 - i. Hospital Systems and Medical Staffs
 - ii. Malpractice Insurance Companies
 - iii. Other Health insurance payors
 - iv. Prior graduates of the program
 - v. Other
 - c. The purpose of the Foundation is to provide:
 - i. Education to the medical and hospital community about physician and other health professionals health and wellness
 - ii. Provide Training to the medical and hospital community on recognition of impairing conditions, burnout, depression, suicidal ideation, etc.
 - iii. Provide financial support to residents, fellows and financially challenged professionals regarding costs of evaluation, monitoring and treatment.
 - d. The Foundation can be incorporated into the financial management process for NPAP under a sole provider/exclusive contract with the NVBME.

SUMMARY

1. We have outlined above the current issues and challenges in the Professionals Assistance arena for the NVBME, the Citizens of Nevada and the participants in monitoring.
2. We have proposed a solution to strengthen the NPAP program, assure its longevity and allow the NVBME to be highly confident that its licensees who participate are being properly rehabilitated and the that public safety protection is assured to be of the highest quality.
3. NPAP and its operators (Dr. Sucher and Mr. Seymour) have over 30 years of experience in successfully operating the Physician Health Programs in Arizona, Idaho, privately in California. There have never been any issues of patient harm ever identified in our participants in all of those states. This is also true in Nevada where we have been operating the program since 2017.
4. We respectfully request the Nevada State Board of Medical Examiners to award a sole provider/exclusive contract to the Nevada Professionals Assistance Program (NPAP). We look forward to working more closely with the NVBME to assure consistency, quality, accountability and solid protection of public safety, as your partner.

QUESTIONS

Thanks for your time, attention and consideration of our proposal. We have prepared this proposal and a PowerPoint presentation for the full board at its December meeting. Further we would be fully prepared to respond to an RFP for the provision of Health Professionals Assistance Services for the Nevada State Board of Medical Examiners (and all other Nevada healthcare regulatory agencies).

We look forward to a productive discussion with you at the December 1, 2023 meeting in Las Vegas and to identify the next steps to discuss at any subsequent board meeting and/or with board staff to reach a mutually agreeable and positive result. We are happy to respond to any questions at the board meeting or at any other time.

Sincerely,

Michel A Sucher MD DFASAM

Benjamin Seymour CADDC

FSPHP Performance Enhancement and Effectiveness Review (PEER™)

Quick Links

- [FSPHP 2024 Annual Conference](#)
- [Physician Subtitle Presentation Resources](#)
- [Join FSPHP](#)
- [FSPHP](#)
- [FSPHP/ETA](#)
- [Diversity, Equity, and Inclusion](#)
- [Job Opportunities](#)
- [Presidents Message](#)
- [Resource Articles & Podcasts About PEER](#)
- [Media/Press](#)
- [Contact](#)
- [Become a PEER Society Member](#)
- [Testimonial about a Job](#)
- [Member Testimonials](#)
- [2024 FSPHP Application Reimbursement Study](#)

FSPHP PEER™ Program

The FSPHP PEER™ (Performance Enhancement and Effectiveness Review™) program is a structured review process designed to empower Physician Health Programs (PHPs) and other safety-sensitive professional health programs to use the [2019 FSPHP Physician Health Program Guidelines](#) as a practical tool for identifying opportunities to optimize performance and effectiveness in alignment with best practices among PHPs.

In partnership with Metacred—an organization with expertise in quality improvement and credentialing—**FSPHP has developed a comprehensive set of PEER™ assessment criteria, metrics, and assessment method specifications that align with the 2019 FSPHP Physician Health Program Guidelines** through a robust consensus-building process utilizing a diverse group of subject-matter experts.

FSPHP PEER™ Program Criteria and Metrics

Some criteria will be assessed by staff assessors; other criteria will be assessed by PEER™ subject-matter expert (SME) assessors. The staff assessor's assessment and PEER™ SME assessor's assessment will be combined by FSPHP staff into a comprehensive PEER™ Report, which will be shared with the applicant.

Some criteria are assessed remotely, by "desk" review. Other criteria are assessed "on-site." Criteria for which the assessment method is defined as "on-site" shall be assessed via remote meeting and screen-sharing technology (such as webconferences) if the applicant entity's systems and policy support and permit this. If the applicant organization's systems or policy do not support or permit this, the on-site assessment of those criteria shall be conducted at the physical location(s) of the applicant entity and will require assessor travel (in alignment with FSPHP travel reimbursement guidelines).

Areas of review for a PEER™ include:

- PHP staff job qualifications

Announcements

[FSPHP President's Message from Dr. Scott Hambleton - Fall 2023](#)

[FSPHP Supports National Efforts to Remove Intrusive Mental Health Questions from Licensure and Credentialing Applications](#)

[FSPHP announces 2023 Award Recipients](#)

[FSPHP Releases FSPHP-PEER™ Criteria and Metrics and FSPHP-ETA™ Standards for Accreditation for Purchase](#)

[FSPHP supports the Dr. Lorna Breen Health Care Provider Protection Act \(S. 4349\)](#)

Physician Suicide Prevention: Listening to the Voices of

Experience is now available as a complimentary resource. [Click here](#) for more information.

Upcoming Events

No events

[View Full Calendar](#)

- medical oversight of the PHP
- information systems
- structure
- intake and assessment processes
- PHP compliance with laws and regulations
- accessibility of the PHP to voluntary referrals
- responsiveness of PHP to clinically sensitive matters and necessary reporting or cessation of practice of its participants
- oversight of case management
- quality assurance practices
- toxicology policy and procedures
- utilization of qualified evaluators or treatment providers
- utilization data

SME assessors will review materials against defined criteria, with prescribed methods and metrics to guide the review.

What kind of entities are eligible to apply for a PEER™?

Geographic

The PEER™ program is global in scope. Programs anywhere in the world are eligible to participate.

Occupational Roles Served

The PEER™ program is exclusively for organizations that provide health program services to workers in safety-sensitive occupational roles.

FSPHP PEER™ Program Subject Matter Expert (SME) Assessor Description and Application

[PEER™ SME Assessor Description and Qualifications](#)



Nevada Professional Assistance Program

Michel Sucher MD, Medical Director

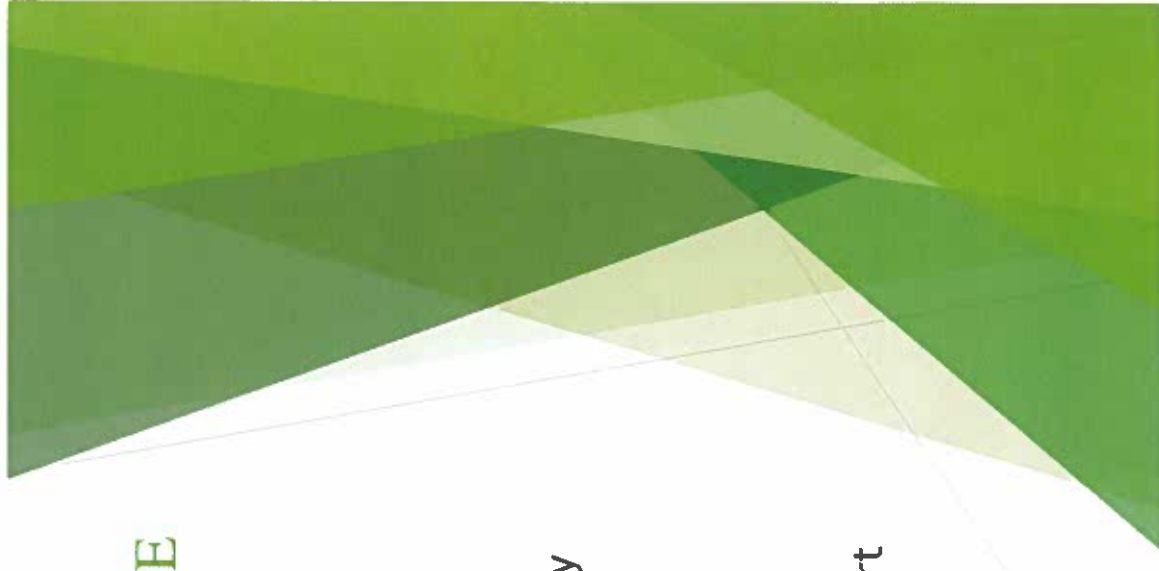
Benjamin Seymour, CADC, CIP, Executive Director

Presentation to the Nevada State Board of Medical Examiners

December 1, 2023 Las Vegas, NV

CURRENT HEALTH PROFESSIONALS ASSISTANCE LANDSCAPE IN NEVADA

- ▶ There are 3 current providers of health professionals assistance services in NV
- ▶ The Northern NV only program, is operated by Misty Guantonio MA
- ▶ There are two programs that cover Northern and Southern NV. They are:
 - ▶ Mark Chase PhD, MBA
 - ▶ NPAP, operated by Dr. Sucher and Ben Seymour CADC
- ▶ Only NPAP is a member of the Federation of State Physician Health Programs
- ▶ Only NPAP has a Board-Certified Addiction Medicine Physician as part of its core staff.



CURRENT HEALTH PROFESSIONALS' ASSISTANCE LANDSCAPE IN NEVADA

- ▶ Not all PHP's are created equal. With multiple providers there are:
 - ▶ No consistency or quality control practices
 - ▶ No uniform standards Liability exposure to all due to inconsistent standards and practices
- ▶ PHP participants often take the “easier, softer way” or the path of least resistance. This results in the majority of NV participants utilizing the other two programs which are less stringent, less expensive and less accountable. This results in greater liability and less protection of public safety.



NEVADA PROFESSIONALS ASSISTANCE PROGRAM (NPAP)-CURRENT STATE

- ▶ NPAP is the only Nevada Professionals Assistance Program that is and has been an active member of the Federation of State Physician Health Programs (FSPHP)
- ▶ NPAP has memoranda of understanding with the Medical Board, Osteopathic Board and Dental Boards in NV
- ▶ The principals of NPAP each have 30+ years of documented experience operating and managing Physician Health Programs that are high caliber, utilize best practices and have been actively involved in setting PHP standards through the FSPHP
- ▶ NPAP has struggled due to the above comments about the other two programs. We currently have 12 active participants (including MD, DO and Dental participants)
- ▶ NPAP accepts all referrals both voluntary and mandatory

NEVADA PROFESSIONAL ASSISTANCE PROGRAM (NPAP)-CURRENT STATE

- ▶ NPAP is the only current program that is a member of the FSPHP (and an active voting member)
- ▶ We have an excellent group facilitator in Deena Schiode who runs weekly virtual groups throughout the State of Nevada
- ▶ We use chain of custody drug testing by SAMHSA certified laboratories with state-of-the-art testing capabilities and testing panels that are appropriate for healthcare professionals. We also have the capability to perform urine, hair, nail (fingernail and toenail), oral fluids, blood and breath drug testing. We have the ability to obtain medical polygraphs when indicated. We have a statewide collection network. (There is a maxim in drug testing-“you won’t find a drug you didn’t test for”).
- ▶ NPAP can monitor mental health conditions, boundary violations, process additions and disruptive behavior in addition to substance use disorders.
- ▶ It is not financially feasible for NPAP to continue operations in the current environment as described above.

FSPHP PEER (Performance Enhancement and Effectiveness Review) Accreditation

- ▶ PEER Accreditation is the Federation of State Physician Health Programs process for accrediting the quality, standards and processes of Physician Health Programs nationwide.
- ▶ Dr. Sucher and Mr. Seymour, through their membership in the FSPHP have been actively involved in the development of the PEER Accreditation process. The programs we operate in Idaho and Arizona intend to apply for PEER Accreditation as soon as it is available (probably 2024)
- ▶ NPAP is the only current PHP in Nevada that would qualify for PEER Accreditation.
- ▶ A description of the PEER Accreditation process from the FSPHP website is attached to this presentation.

Proposal

1. Our proposal is to ask the Nevada State Board of Medical Examiners to award NPAP a sole provider/exclusive contract for the provision of Health Professionals Assistance services.
2. This would assure the Nevada State Board of Medical Examiners and the citizens of Nevada continued high quality assessment and monitoring services for the foreseeable future.
3. This would result in consistent public safety protection and lower risk of patient harm on behalf of the Nevada State Board of Medical Examiners and the citizens of Nevada.
4. NPAP is the only PHP program in Nevada that could qualify for FSPHP PEER Accreditation. NPAP intends to apply for PEER Accreditation as soon as it is available.

Proposal

5. This would allow NPAP to become financially stable with continued viability. This would result in:
 - a. NPAP Physical offices in Nevada (Las Vegas and probably Reno)
 - b. In state and in person Case Management personnel and administrative staff
 - c. Additional group therapy services serving the State of Nevada on a broader basis
 - d. Would provide a physical office base for Dr. Sucher and Mr. Seymour to regularly and consistently be present in Nevada
 - e. Would increase the availability of both Dr. Sucher and Mr. Seymour to participate in Medical Board meetings.
 - f. Would result in growth capability by NPAP as the State of Nevada continues to grow
 - g. Hopefully this would assist with the Osteopathic, Dental and other healthcare boards in having the same high quality, consistent, accountable and accredited monitoring services.

Proposal

Financial and Cost issues

- ▶ Fees primarily paid for by licensees on a fee for service basis
- ▶ We accept all participants regardless of ability to pay
- ▶ We will develop a sliding scale for residents, fellows and financially challenged physicians
- ▶ Most state licensing boards are partially subsidized through a licensee surcharge (average is \$25 - 50 per licensee, annually)
- ▶ Another option is a fixed subsidy model that could be developed with the Nevada State Board of Medical Examiners, in future budget cycles.



Transition Plan

- ▶ Should we be selected as the sole provider/exclusive contractor, participants in the other programs may choose to complete with their current provider or transfer to NPAP.
- ▶ All new participants would enter NPAP



Proposal - Western State Professionals Health Foundation

- ▶ Created in 2016 by Drs. Sucher and Mansky, in Nevada as a 501c3 non profit entity
- ▶ Now managed by NPAP
- ▶ Developed to accept donations from malpractice companies, health insurers and hospital systems to support education, training, financial resources for impaired professionals.
- ▶ Could be incorporated into the financial model of a sole provider/exclusive contract with the NVBME



Summary

- ▶ 1.) We propose NPAP be awarded an exclusive sole provider contract for provision of the Physicians Health Program in Nevada, for all licensees.
- ▶ 2.) We agree to develop financial models including
 - ▶ Sliding Scale structure where appropriate
 - ▶ A subsidy or partial subsidy model in collaboration with the NVBME
- ▶ 3.) We would develop a mutually agreeable transition plan for existing participants in the other programs
- ▶ 4.) We agree to work with the NVBME to utilize the WSPHF to the benefit our participants, constituents, the NVBME and the Citizens of Nevada.

Questions

- ▶ Thanks very much for your time, attention and consideration of our proposal.
- ▶ Questions
- ▶ Comments
- ▶ Next Steps

