

Board Action

- The Board, not Board staff, is the only entity who may issue action. The Board staff work under the direction of the Board when processing closure of investigations.
- Once an investigation is complete and the DC has reviewed the investigative file, the DC submits its recommendation to the Board. The Board either approves or denies the recommendation.
- **IF** the Board approves the recommendation, the recommendation becomes final Board action.
- **IF** the Board denies the recommendation, the following could occur:
 - The investigation could be remanded or sent back to the DC for further review and recommendation;

OR

- The Board could issue final Board action of a less severe action than recommended by the DC (i.e. a Notice of Warning or Dismissal).
- **IF** a hearing is held, after the Board's deliberations, the final decision by the Board is considered "final" Board action. A Board order will be sent to the licensee/certificate holder after the hearing and the investigation is closed.
- **IF** the Board action is discipline on a license/certificate, the action must be reported to the entities, as required by law. Reportable discipline includes: Letter of Reprimand, Conditional License/Certificate, Suspension, acceptance of a Voluntary Surrender or Revocation.

Reporting Requirements

National Practitioner Data Bank (NPDB)

- The **National Practitioner Data Bank (NPDB)** is a federal data bank created to serve as a repository of information about health care providers in the United States. Federal law requires adverse actions taken against a health care professional's license or certificate be reported to this data bank. Board disciplinary action is reported to NPDB. All information included in the NPDB is NOT available to the general public. Access to information in the NPDB is limited to those entities specified by law as listed below:

- Federal and State Government Agencies (such as OIG and other licensing boards);
 - Health Care Providers, Suppliers or Practitioners through a self query (such as a hospital or clinic that makes inquiry for employment purposes);
 - Health Plans.
- More information about the NPDB can be obtained from the following website: <https://www.npdb.hrsa.gov/>

Nursys Database

- The National Council of State Boards of Nursing (NCSBN) maintains a database called **Nursys**. Nursys is a national database for verification of nurse licensure, discipline and practice privileges for APRNs, RNs and LPNs. NCSBN, via Nursys, serves as a reporting and querying agent to the federal data bank (NPDB) for the Wyoming State Board of Nursing. In other words, ALL Board discipline issued on APRNs, RNs, and LPNs is reported to Nursys and Nursys transfers the information to NPDB.
- More information about Nursys can be obtained from the following websites: <https://www.ncsbn.org/674.htm> and <https://www.ncsbn.org/nursys.htm>.

Office of Inspector General's (OIG)

- The **Office of Inspector General's (OIG)** mission is to protect the integrity of Department of Health & Human Services (HHS) programs, as well as the health and welfare of program beneficiaries. OIG has the authority to exclude individuals and entities from federally funded health care programs.
- OIG maintains a list of all currently excluded individuals and entities called the List of Excluded Individuals and Entities (Exclusion List). OIG has discretion to exclude individuals, such as nurses or nursing assistants, on a number of grounds, including disciplinary action by the Board. Suspension, Revocation or Voluntary Surrender actions are reported to OIG and the licensee/certificate holder may be added to the Exclusion List.
- This means once a licensee/certificate holder is on the Exclusion List and has not been removed from the Exclusion List, even after a reinstatement, he/she may not be hired as a nurse or nursing assistant by medical facilities receiving federal funds. **This should be an important factor in your decision whether to agree to the DC's recommendation or request a hearing before the Board.**
- More information about OIG and the exclusions can be obtained from the following website: <http://oig.hhs.gov/exclusions/>.