



The results are from the first audit of licensees' self-reported completion of CME activities needed for medical license renewal.

At best, the results were disappointing.

Until the 2012-2014 licensing period, CME reporting was not part of a physician renewing a Vermont medical license. But Vermont law was changed in 2011, and the Board was directed to establish such a requirement.

In addition to a mandate for a minimum number of hours, the law requires training during each licensing period on two specific subjects:

- 1) prescribing of controlled substances (required only for licensees who have or have applied for DEA registration) and
- 2) hospice/palliative care/end-of-life care/pain management.

The Audit

The Board was directed to issue rules for administration of the CME requirement. Those rules do not require licensees to submit documentation of activities at the time of license renewal. Instead, the rules provide simply for self-certification and verification of compliance through audit.

This first audit was performed for activities required during the licensing period that ran from December 1, 2014 to November 30, 2014. The audit was conducted according to a plan approved by the Board.

The Plan

A key part of planning an audit is determining the sample size, and that depends in large part on assumptions about the activity and people being audited. Following published standards for compliance audits, the plan called for only 59 licensees to be audited, based upon the assumption that Vermont physicians would have a high rate of compliance. The plan called for a second round of audits in the event that the first-round results undermined the assumption that licensees would be compliant.

The Results

Unfortunately, the results of the first audit were disappointing, so a second round of audit notices was issued to a new group of 93 licensees. We're still working through the last few stragglers who were delayed in responding or asked for more time to locate certificates, so the final outcome of the audit and the Board's next steps are not yet known. However, we don't need to wait any longer to give our physician licensees advice about CME reporting.

Here are some things to remember:

1) Know what you are attesting to when you certify that you meet the CME requirements.

Most licensees must have completed 30 hours of training and at least one of those hours must be on hospice/palliative care/pain management. Those who hold or who have applied for DEA registration must complete at least two hours of CME on prescribing controlled substances. All training must be AMA PRA Category 1TM. Physicians licensed just before the renewal are exempt, and some military physicians may be exempt if activated or on a deployment, but there are no other exemptions or exceptions. If newly licensed or in the military, check the rules. Everyone who is not exempt must meet the requirements. Even if you do not see patients (i.e., pathology or teleradiology), you must meet the requirement for hospice/palliative care/pain management. The Legislature heard from advocates asking for exceptions when the law was being written – no exceptions were included in the law. The Board is obligated to follow the law that mandates the training

for all. Likewise, if you have a DEA registration, but do not use it, you must still do training on controlled substance prescribing. That is the requirement in the statute.

- 2) **If you do not meet the requirements, do not certify that you do!** If it's time to renew and you have not completed CME requirements, you can still renew. You must just submit a makeup plan to get the missing training completed in a timely fashion. Makeup plans are addressed in the rules.
- 3) **Keep your documents in a file that you can access.** Many of those audited had difficulty providing documentation of their activity, even when they were certain that they had met the requirements. The requirement is to submit documentation. All AMA PRA activities are used to providing participants certificates of completion. Be sure to request them and hang onto them.
- 4) **Board certification and recertification alone do not satisfy the requirement.** Some licensees felt that proving evidence of current specialty board certification should suffice. It does not. Those who certify or recertify probably have enough activity to renew a Vermont medical license – again, it's just a matter of getting and keeping track of your AMA PRA Category 1 certificates.
- 5) **While there are requirements for CME, no specific class is mandated.** The Board is aware that certain commercial enterprises have distributed misleading advertising offering CME courses that could cause a physician to believe that the specific course was required and that it was associated with the Board. There is no requirement for a particular course, only the requirements for total hours and the special subjects, as applicable. The Board sent out notices about those misleading advertisements to all licensees, but we still saw many certificates associated with those activities. The credit counts, but the Board is disappointed that any licensee may have paid for the courses and put in the effort to complete them on based on the false impression that they were required. When the Board is associated with a CME event, it is clearly stated, we send email announcements to licensees, and the event is noted on our website.
- 6) **Special subjects are mandated each licensing cycle.** Some licensees indicated that they thought the special subjects were required only once. They are required each two-year licensing cycle.
- 7) **When you report CME compliance at the time of renewal, you are reporting based on activities completed from the first day of the about-to-end licensing period *through the day you submit your renewal.** Some licensees expressed confusion over the dates that applied to the certification of CME activities. Medical licenses issued by the Board are valid for two years. Renewal licenses are effective from December 1 until November 30 of the second following year; this always occurs in an even-numbered year. For example, in the next renewal you will be certifying CME activities from December 1, 2016 through the date that you submit your renewal in late 2018. (*for those first licensed during the period, from the date first licensed.)
- 8) **CME courses about medical marijuana do not satisfy the requirement for CME on prescribing controlled substances.** Vermont law provides that qualifying individuals may sign up for a registry and thereby be legally able to possess and use small amounts of marijuana. The program does not involve any prescribing by a physician or other health care provider. Courses on medical marijuana do not meet the requirement for those who have DEA registration to complete two hours of CME on safe prescribing of controlled substances.

Keep these tips in mind and you should have no problem if you win the audit lottery next time. Whenever you have questions about CME requirements, ask!

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