

New York State Department of Health Physician Profile

2018 Annual Report

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Executive Summary

The New York Patient Health Information and Quality Improvement Act (Public Health Law (PHL) §2995) established the Physician Profile in October 2000 to provide all New Yorkers with information about physicians who are licensed and registered to practice in New York State. The Physician Profile (Profile) is a one-stop source of information published on the Department of Health website for over 99,000 physicians, as of December 31, 2018. www.nydoctorprofile.com

Public Health Law section 2995-a .13(d) requires the Department of Health to issue an annual report to the legislature on the status of the physician profiles and any recommendations for additions, consolidations or other changes deemed appropriate.

This report describes the status of the Profile and actions taken by the Department to improve the usefulness and utility of the Profile.

The Physician Profile is one of the Department's most popular sites. Its use has grown, averaging over 3,000,000 page views per month since January 2018. The Physician Profile contains 81 data elements in four primary categories: education, practice information, legal actions, and professional activities.

Physicians are required to initiate a profile within 30 days of being licensed by the New York State Education Department. They are also required to update his or her Profile information within the six months prior to the expiration date of the physician's biennial registration period as a condition of registration renewal.

The Department has made several improvements to make the Profile more user-friendly and to improve the content quality of the Profile's information. More improvements are planned for 2019, some that will require changes to existing law.

Looking to the future, the Department of Health will continue to enhance the usefulness and utility of the Profile, and will continue to work with stakeholders to ensure the availability of accurate, meaningful information about physicians, other practitioners, and other providers to patients and the public.

Introduction

The New York Patient Health Information and Quality Improvement Act (Public Health Law (PHL) §2995) established the Physician Profile in October 2000 to provide all New Yorkers with information about physicians who are licensed and registered to practice in New York State. The Physician Profile (Profile) is a one-stop source of information published on the Department of Health website for over 99,000 physicians, as of December 31, 2018. www.nydoctorprofile.com

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Overview of the Physician Profile

Pursuant to subdivision 4 of PHL §2995-a, physicians must report information in the Physician Profile and, as a condition of registration renewal, update their Profile within six months prior to the expiration of the physician's current registration period.

Certain information is required to be available on the Profile for all physicians including:

- The physician's medical education
- Translation services available at the physician's office
- Legal actions taken against the physician

Physicians also have the opportunity, but are not required, to provide other information about their practice on the Profile. Each doctor may add information regarding:

- The name, address, and phone number of all offices
- The names of other physicians in a practice group
- A listing of articles or research papers the physician has published
- A list of professional and community service activities or awards
- A list of health plans the physician works with
- A personal statement about any information in the physician's Profile

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Table 1: Average page views and visitors per month for the Physician Profile

Year	Average Page Views per month	Average Visitors per month
2017	3,358,032	19,179
2018	3,601,281	19,080

Page views: hits on specific pages; **Visitors:** unique visits, where each IP address is included once in the total number

Completion of Initial Profile

Within 30 days of being licensed by the New York State Education Department (SED), physicians receive a letter detailing the requirements of the Profile and instructions on how to complete their Profile. A reminder letter is sent 45 days later to those who have not successfully submitted their Profile.

Biennial Update

Public Health Law §2995-a requires each physician to update his or her Profile information within the six months prior to the expiration date of the physician’s biennial registration period as a condition of registration renewal. Under Education Law §6524, physicians are required to update their Profile within the six months prior to submission of registration.

Profile Information

The Physician Profile contains 81 data elements in four primary categories: education, practice information, legal actions, and professional activities. The physician can also add a statement, at his or her discretion. Approximately 80% of data items are related to mandatory information – meaning that the information must be included on the Profile. The physician has the option of having his or her Profile omit other information. Physicians directly report about two-thirds of all data elements and about half of the mandatory items. Information for the remaining data elements are collected from other sources and verified by the physician. Physicians attest to the accuracy of the information on the Profile.

Optional information is not generally provided by physicians. Information about publications (15%) and personal statements (16%) is supplied less frequently by the physician than information about professional memberships (46%) and practice location (50%). Approximately one-third of physicians include health plan affiliation information on their Profile.

Chapter 57 of the Laws of 2015 amended subdivision 13 of PHL section 2995-a to require DOH to study the feasibility of incorporating health plan network participation information in the Profile, without imposing extra burdens on physicians, and to ensure that information on the Profile is available, accurate, up-to-date, and accessible to consumers. DOH worked with a broad spectrum of stakeholders including consumers and physicians to conduct a comprehensive study of the Profile. This effort produced recommendations to enhance the usefulness and utility of the Profile, contained in a report that was issued in 2016 to Governor Andrew M. Cuomo and the New York State Legislature.

(http://www.health.ny.gov/health_care/consumer_information/physician_profile/docs/physician_profile_study_report.pdf)

2018 Activity

Call Center

The Physician Profile's call center is available Monday through Friday, 8:30 a.m. to 4:45 p.m. This year, the center received a total of 9,109 calls from physicians. Questions could generally be categorized into three main categories: logging into or assessing the Profile update application on the Health Commerce System (HCS), assistance with initiating and updating their Profile and medical malpractice reporting.

The call center also answered 1,662 calls from consumers who generally requested hard copy information from the Profile or had questions pertaining to medical malpractice or other legal actions. Additionally, call center staff made 489 outbound calls. Outbound calls primarily pertained to outreach to physicians regarding data verification and data completeness.

Letters

In 2018 the following hardcopy letters were sent:

Initial Letter	Reminder Letter	Survey	Review Copy	Medical Malpractice Letter	Severity Letter	Data Verification & Notification Letter
5,126	4,520	763	839	919	264	92

Newly licensed or re-registered physicians receive an 'Initial Letter' telling them about the Profile and their obligation to create one, giving them 30 days to initiate their Profile. A reminder letter is sent after 45 days if the physician has still not initiated a Profile. Physicians who wish to complete a paper version of the Profile may request a hardcopy; this year DOH received 763 such requests. Physicians who complete the paper survey are then mailed a 'Review Copy' to ensure that the responses entered on the paper survey were correctly entered into the Profile database.

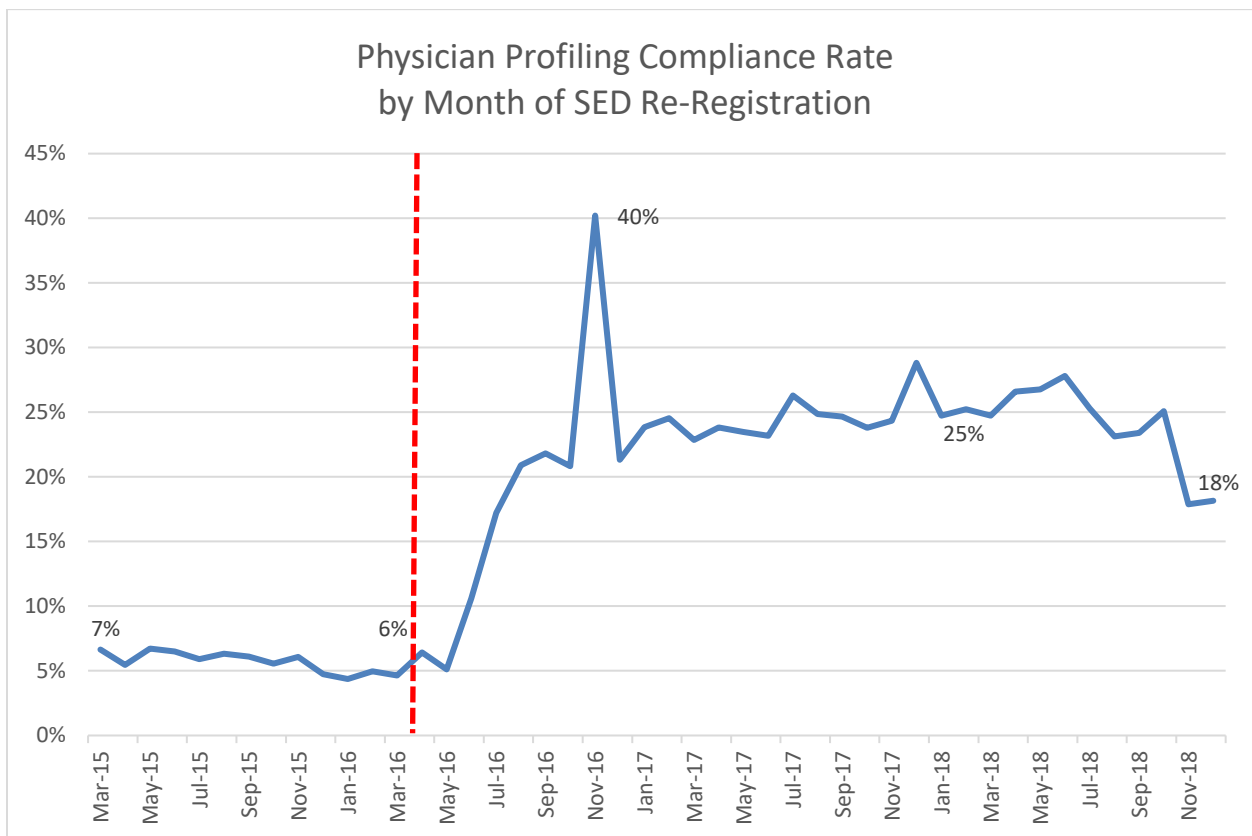
Prior to a medical malpractice payment being posted on a physician's Profile, the DOH notifies the physician via the 'Medical Malpractice Letter'. This letter gives the physician the opportunity to dispute the information or appeal the posting of the payment, depending on the physician's medical malpractice history. Occasionally the medical malpractice information will not contain enough information to determine if the payment is relevant to patient decision-making. This is important because the law requires that medical malpractice payments be posted to the Profile if the information about the event would be relevant to patient decision-making. In those instances, a 'Severity Letter' is sent to the physician prior to the 'Medical Malpractice Letter'.

Finally, if DOH learns of missing Profile information from a physician, whether from the National Practitioner Data Bank (NPDB), another state medical board or any other source, the physician will receive a 'Data Verification & Notification Letter' prior to that information being posted on the public Profile. This year 92 such letters were sent to physicians.

Reminder e-mails

As part of the study of the Physician Profile that DOH conducted, the Department received feedback from physicians indicating that reporting compliance could be significantly improved if they could receive reminders of their obligation to update their Profile. Beginning in May 2016, DOH began sending physicians reminder emails six months prior to the expiration of their registration and, if they have not updated, again at three months prior to registration expiration. Additionally, physicians who have re-registered but have never initiated a Profile or did not update their Profile receive an email reminding them of their obligation, giving them 45 days to create or update their Profile.

In 2018, DOH sent over 93,000 emails to physicians. The reminders have been very successful in improving physician compliance with creating and updating their Profiles, as seen in the chart below resulting in a 300% increase in compliance since the date of implementation, marked by the dashed red line.



OPMC

The Office of Professional Medical Conduct (OPMC) monitors compliance with Profile reporting requirements. The OPMC initiated over 1,700 investigations of physicians who had not initiated or updated their profile in 2018, approximately 400 less than in 2017. Additionally, OPMC closed over 1,900 investigations in 2018, achieving 99.1% profile initiation or update compliance for that

group. Since 2008, when OPMC took over management of the Profile, the Board has issued 10 actions against physicians for failing to comply with Profile requirements, primarily because of the success in achieving physician compliance.

Future Improvements

Incorporation of PNDIS Data

Consumers expressed a strong desire for a listing of health plan networks in which physicians participate to be included in the Profile. Determining which physicians accept their health insurance product is a critical factor in considering a physician to be their care provider.

Although health plan network participation information is included in the Physician Profile, relying on the Profile as the source of this information has, in the past, been challenging for the following reasons:

- A physician may choose to exclude that information from his or her profile.
- Many physicians participate in multiple health plan networks, so it has sometimes been challenging for a physician to accurately report to the Profile every network in which he or she is a member.
- Network participation information is optional, and when a physician enters or separates from a health plan network, reporting that new information to the Profile is not required until six months prior to the end of the re-registration period.

As a result, only 30% of physicians include health plan network participation information on their current profiles, and the information that is included may be incomplete or outdated. This situation exacerbates the challenge that consumers and patients experience in securing this important information. However, ensuring that information related to health plan network participation is accurate and current is easier today than it has been, for two reasons:

- The Surprise Bill Law (Financial Services Law Article 6 and Insurance Law Section 3241(c)), which went into effect March 31, 2015, requires health care professionals, including physicians, to disclose to patients and prospective patients, in writing or through their website, their health plan and hospital affiliations prior to the provision of non-emergency services, in addition to verbally at the time the appointment is scheduled.
- The Department currently collects various information directly from health plans, including which physicians participate in their networks, for purposes not related to the Physician Profile. The information is collected through DOH's Provider Network Data System (PNDS).

The primary purpose of PNDS is to evaluate provider networks for these plans to assure comprehensive health services are available as required under PHL §4403. Data collection for PNDS is authorized under PHL §4403(5)(a) and regulated by 10 NYCRR 98- 5 1.16(j) and Medicaid Managed Care Contract §18.5 (a)(viii).

Health plans report other physician-related information through the PNDS as well, including some data that are included in the Profile. The data reported through the PNDS includes:

- Provider Site Address (PNDS includes the address of all practice sites)
- Wheelchair Accessibility
- Primary and Secondary Specialty
- Board Status
- Gender

Health plans attest to the accuracy of the PNDS data and are subject to citation and enforcement if inaccurate information is submitted. Past audits of PNDS have demonstrated a data accuracy rate of over 90%.

Using PNDS as the data source for health plan network participation information would make this important information available without placing an additional reporting burden on physicians. Incorporating this information into the Profile is very feasible. However, in order to ensure that it is available on the Profile for all physicians, PHL §2995-a has to be modified to make health plan network affiliation a mandatory part of the Profile.

Website Updates

Based on DOH's review and stakeholder feedback, DOH has begun discussions with the Physician Profile's vendor regarding a redesign of the Profile website, including the following improvements:

- Make the Profile website mobile friendly, as more consumers use smart phones and tablets, while maintaining telephone access to the Profile to ensure access in geographic areas where internet access is challenging.
- Make the website more easily identified through search engines.
- Enhance consumer tips, facts, and links to other relevant information such as the CMS Hospital Compare and Nursing Home Compare websites.
- Create a FAQ document to address common issues, tailored for both consumers and physicians. In particular, better explanation of medical malpractice information is needed.
- Redesign the layout to be more visually appealing and easier to navigate, including improving accessibility for individuals with disabilities.
- At the physician's discretion, provide a link to the physician's website and social media accounts, or the Profile pages of physicians who work at the same practice location.
- Allow users to view physician profiles side by side.
- Ensure that website language is understandable, especially in the areas of licensure actions and medical malpractice information.
- Improve the search capability. Currently, a user can search by county or city, field of medicine, or hospital, if not searching for an individual physician. Stakeholders want the ability to also search by distance and health plan network, and want to search by a greater field of subspecialty.

Through redesign with the latest technology, the Profile will be easier to access and to navigate to review information about physicians. The Department has already begun making changes, almost doubling the medical subspecialties available for consumers to search for on the Profile.

Other recommendations requiring legislative change to PHL § 2995-a

The Physician Profile study included recommendations that require statutory changes to be able to be implemented. These recommendations would add information to the Profile that is important to consumers, make certain information mandatory on the Profile so that it is available for all physicians, and make it easier for physicians to create and update information on their profiles. The recommendations include:

- Requiring information that is important to consumers to be included on the Profile. Physicians currently have the option of including some of this information in their profiles (e.g., location of primary practice setting), while some information is not included in the current Profile (e.g., availability of telehealth services); and some require modification of existing Profile information (e.g., availability of assistive technologies);
- Requiring the reporting/collection of information important to physician workforce research and planning through the Profile. The SUNY School of Public Health’s Center for Health Workforce Studies (CHWS) conducts valuable research on New York State’s physician workforce that assists policy and program development to ensure adequate medical workforce capacity for the future. The CHWS collects information for research and planning from physicians through its voluntary CHWS Physician Survey (PS). Because of significant, but not complete, overlap between information collected by the CHWS PS and the Profile, adding a few mandatory questions to the Profile, but restricting their use solely for research and planning, could remove a duplicative reporting burden for physicians and improve the data available for physician workforce research and planning;
- Allowing physicians to authorize designees to input data into their profile on his or her behalf; and
- Improving reporting to the Profile by linking the Physician Profile and the licensure/registration process.
- Align Public Health Law and Education Law requirements for updating the Profile. Currently, PHL §2995-a requires each physician to update his or her Profile information within the six months prior to the expiration date of such physician’s registration period, while under Education Law §6524, physicians are required to update their Profile within the six months prior to submission of registration. This slight variation in the two statutes has caused confusion among physicians about when the Profile update is due. Stakeholders recommend that Public Health Law be modified to be consistent with the Education Law requirement.

The Department will continue its dialogue with all relevant stakeholders to streamline the reporting, collections, storage, and use of physician-related information.

Summary

The NYS Physician Profile remains a valuable single online source of information about physicians who are licensed and registered to practice in New York State. The Department of Health will continue to enhance the usefulness and utility of the Profile, and will continue to work with stakeholders to ensure the availability of accurate, meaningful information about physicians, other practitioners, and other providers to patients and the public.