

**Practitioners with Impairments**  
 A Continuing Issue  
 Of Concern for the BOE  
**ASHA Advisory Councils**  
 March 26<sup>th</sup>, 2011  
 Monitoring Vice Presidents for  
 Standards & Ethics  
**Council of State Association  
 Presidents**  
**May 20, 2011**

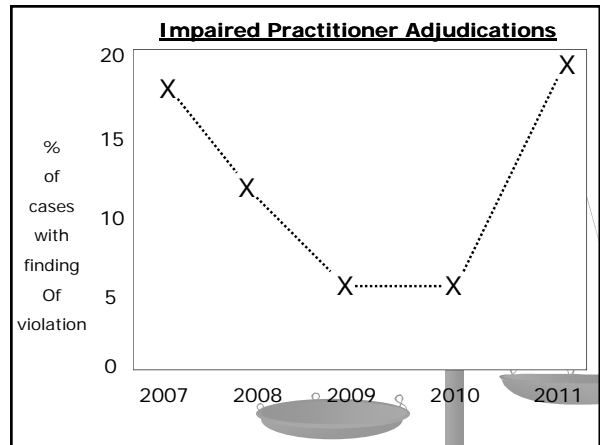
**Practitioners with Impairments**  
 A Continuing Issue  
 Of Concern for the BOE  
**From March, 2010 AC**  
 Defining the issues and  
 concerns more specifically  
**Data from 2007-2011**  
**(9 Meetings):**

- 119 Adjudications
- 12 (10%) involving 'impaired' professionals with a finding of a violation

**Data from 2007-2011**  
 10% involved "impaired" professionals with a finding of a violation

Impairments:

- Alcohol/Substance abuse
- Mental illness (extreme stress, bi-polar disorder, depression) leading to inappropriate behavior, commission of thefts or other crimes, inability to see patients as scheduled, maintain records;
- Inappropriate contacts with clients (including children)
- Possession of child pornography



**Practitioners with Impairments**  
**Data from 2007-2011**  
**(9 Meetings):**

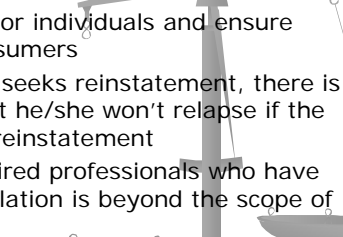
- Sanctions rendered:
  - Reprimand
  - Censure
  - Revocation of membership and certification
    - 12 months
    - 24 months
    - 36 months
    - 48 months
    - 60 months
    - Life-revocation

**Impaired Practitioners**  
 Board of Ethic's Sanctions  
 (Evidence-based decision making re: Revocation)

- **Reprimand:** Confidential and imposed in cases where unethical conduct is of a minor nature;
- **Censure:** A public reprimand
- **Revocation:** For cases of egregious misconduct; reinstatement requires application to the BOE and the board must approve by a 2/3<sup>rd</sup>s vote.
- **Suspension:** At the end of the period of suspension, the individual can make application directly to the Association for reinstatement
- **Withholding:** For applicants and/or Clinical Fellows when a violation of misconduct is found.

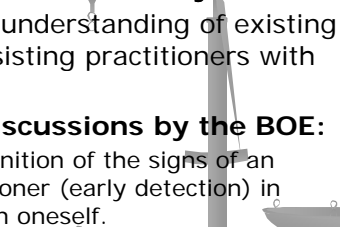
## **Impaired Practitioners**

Board of Ethics Concerns  
(mainly related to protection of consumers)

- No way to monitor individuals and ensure protection of consumers
  - When individual seeks reinstatement, there is no guarantee that he/she won't relapse if the board allows for reinstatement
  - Monitoring impaired professionals who have been found in violation is beyond the scope of the BOE's charge
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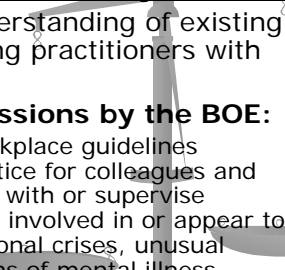
## **Practitioners with Impairments**

### **From March, 2010: Advisory Councils**

- Establishing an understanding of existing resources for assisting practitioners with impairments
  - **Subsequent discussions by the BOE:**
    - A greater recognition of the signs of an impaired practitioner (early detection) in colleagues and in oneself.
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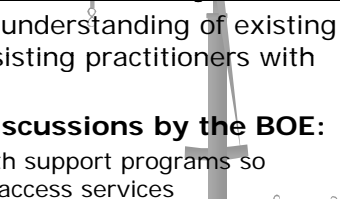
## **Practitioners with Impairments**

### **From March, 2010: Advisory Councils**

- Establishing an understanding of existing resources for assisting practitioners with impairments
  - **Subsequent discussions by the BOE:**
    - Development of workplace guidelines concerning best practice for colleagues and employees who work with or supervise practitioners who are involved in or appear to be experiencing personal crises, unusual mental stress, or signs of mental illness.
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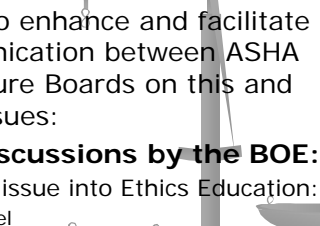
## **Practitioners with Impairments**

### **From March, 2010: Advisory Councils**

- Establishing an understanding of existing resources for assisting practitioners with impairments
  - **Subsequent discussions by the BOE:**
    - A familiarity with support programs so individuals may access services
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## **Practitioners with Impairments**

### **From March, 2010: Advisory Councils**

- Examine ways to enhance and facilitate effective communication between ASHA and State Licensure Boards on this and other relevant issues:
  - **Subsequent discussions by the BOE:**
    - Incorporate the issue into Ethics Education:
      - Prevention Model
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## **Practitioners with Impairments**

### **From March, 2010: Advisory Councils**

- Develop an approach for practitioners with impairments that balances professional support with consumer protection:
  - **Subsequent discussions by the BOE:**
    - Must be mechanisms to ensure that the public is protected (close supervision, regular reports from counselors, periodic drug tests);
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