

Consideration of Report on the Oversight of the Texas Peer Assistance Program for Nurses (TPAPN)

Summary of Report

Concerns have recently been expressed by the Board and staff concerning the backlog of cases awaiting processing by TPAPN, the low enrollment numbers despite recent increases in funding and general confusion regarding program processes. This is a status report on the progress of staff oversight of the program.

Historical Perspective

The Texas Peer Assistance Program for Nurses was founded in 1987 under Chapter 467 of the Health and Safety Code. TPAPN is a program of the Texas Nurses Foundation, a "charitable, professional and public education and scholarly arm of the Texas Nurses Association." TPAPN was awarded a service contract by the Board following a Request for Proposals (RFP). The RFP is periodically re-posted and a contract developed between TPAPN and the BON.

The program requires evaluation and treatment as recommended by the evaluator and offers support and monitoring of nurses who have substance use disorders or mental illness. A nurse may be referred by the Board, ordered by the Board, referred by a third party or self-referred. The program uses case managers and advocates to assist nurses in their recovery. The program currently offers a traditional substance use/mental health participation agreement and an Extended Evaluation Program for drug testing only. The Nursing Practice Act permits confidential Board orders to TPAPN.

Staff participate on the TPAPN Advisory Committee which considers and recommends policy for the program.

TPAPN participated in the development of the *Substance Use Disorder in Nursing Resource Manual and Guidelines* published in 2011 by the National Council of State Boards of Nursing. Recommendations have been implemented by the program incrementally toward the eventual goal of full compliance.

BON Staff meet weekly with TPAPN staff to review third party referrals and make determinations concerning participation in the program or referral back to the Board.

Since the April 2014 Board meeting, staff have met with Texas Nurses Foundation leadership and TPAPN staff several times and communicated frequently in an effort to understand the backlog. TPAPN staff identify a staff shortage in the program in the fall that led to the backlog. Also under discussion in these meetings have been the services offered to mental health participants and alternative programs for individuals with a substance use past but no current diagnosis of chemical dependency.

At this point in time, the backlog is improving. Staff will continue to monitor this issue. Mental Health participants have complained that they are subject to drug monitoring and strict practice oversight which they believe is unwarranted. Nurses board ordered to the program who are determined not eligible by diagnosis or who are referred for mental health may be ultimately referred back to the Board, delaying treatment and monitoring.

The following oversight activities are underway:

1. Monitoring of the level of participation and the backlog of processing cases and obtaining participation agreements;
2. Continued weekly meetings to review data and 3rd party referrals;
3. Development of a separate, more appropriate participation agreement for mental health participants; and
4. Development of a modified monitoring program for nurses who do not have current diagnoses but have a significant drug or alcohol use pattern that requires monitoring.

Staff are also exploring a comprehensive audit of the entire program that will include auditor expertise in these types of programs.

Pros: The program and its leadership are cooperating with these efforts.

Cons: There remains concern about communication and timely problem resolution in the program.

Staff Recommendation: None at this time. This item is for information purposes only. Staff will research a comprehensive audit and report back to the Board in October.