

SERENITY BEHAVIORAL HEALTH SYSTEMS

SUBJECT: PROFESSIONAL LICENSING & CERTIFICATION
REQUIREMENTS & THE REPORTING OF PRACTICE
ACT VIOLATIONS

POLICY NUMBER: HR-24

EFFECTIVE DATE: June 1997

SUPERSEDES: N/A

LAST REVISION DATE: March 2011

POLICY:

It is the policy of Serenity Behavioral Health Systems (SBHS) that possession of a valid professional license or certification issued by the respective State Licensing Board or nationally recognized Certification Board is required for anyone occupying a position of employment and performing a function that by State law requires a valid professional license or certification issued by the respective State Licensing Board or nationally recognized Certification Board (ADACB-GAIIC&RC or GACAINAADAC). It is the responsibility of SBHS to verify and maintain a current copy of the person's license or certification prior to employment and at least annually thereafter. If the individual is providing one of the professional services covered by the practice acts but is doing so pursuant to a stated exception in the act, such as those for students, interns and others who may work under direction and/or supervision while working toward licensure or certification, it is the responsibility of SBHS to ensure compliance with any requirements for supervision and/or direction of this work. Upon knowledge of the potential violation of this requirement, the Chief Executive Officer (CEO) is to report that to the respective licensing board as outlined in its regulations and to the DBHDD as outlined in this policy.

NOTICE:

The Human Resources in-processing staff will provide an Acknowledgement of Responsibility to Maintain Current License, Certification or Registration (SBHS Form 341) to applicants/employees selected for employment in positions which require a license, certificate, certification or registration.

- A. Selected applicants/employees will submit this completed form along with a copy of the appropriate license, certification or registration, to the Human Resource Department during in processing.
- B. These documents are to be maintained in the individual's personnel file. The SBHS Human Resource Department will verify the license through the appropriate licensing board, when applicable.

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RENEWAL:

- I. Employees are responsible for renewing required license, certification or registration prior to the expiration date.
- II. Employees will submit proof of renewal to the Human Resource Department, the Billing Department and to their supervisor. As part of ongoing performance management, evaluating supervisors are responsible for ensuring that employees under their supervision meet this condition of employment.
- III. Failure to obtain or maintain valid license, certification, or registration is a basis for separation from employment.

PROCEDURES

- I. If any employee of SBHS on behalf of DBHDD receives information that indicates there is reason to believe that an individual employed by SBHS may be providing professional services governed by the state's practice acts without a valid license or certification or without meeting one of the listed exceptions to licensure and/or any associated restrictions on such practice (e.g. only under supervision and/or direction), the Chief Executive Officer (CEO) of SBHS program/facility and the DBHDD Provider Network Management (PNM) Section must be notified within three (3) business days.
- II. If SBHS or DBHDD have reason to believe that an individual in its employment may have provided professional services in violation of practice act requirements and the services were funded in whole or in part by DBHDD funds (including but not limited to state contracted, fee-for-service, and/or Medicaid), SBHS's CEO is required to report such activity to PNM at the DBHDD State office and immediately restrict the practitioner's job duties until such time as it is determined that the practitioner is in compliance with practice act requirements. SBHS also must report such activities to the Professional Licensing Boards Division of the Georgia Secretary of State's Office or the certifying Certification Board within 3 business days of the discovery and provide PNM with a copy of the complaint.
- III. The employee's clinical supervisor and the administrator of the facility/program for which the employee works are responsible for filing the complaint with the Professional Licensing Boards Division of the Georgia Secretary of State's Office or the certifying Certification Board within 3 business days. A copy of the complaint is provided to PNM.
- IV. When a formal complaint is filed with the Professional Licensing Boards Division or certifying Certification Board ("the Board"), the SBHS facility/program filing the complaint supplies the Board with information that may assist the Board in making a determination regarding possible unlicensed practice.

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- V. Once the Board's investigation of the complaint is complete and the Board's findings are received by the SBHS facility/program making the complaint, PNM is provided with a copy of the results. PNM staff notifies the Program Integrity Unit at the Department of Community Health (DCH) of the results of the Board's investigation if the agency is a provider of Medicaid services.
- VI. When SBHS program/facility has reason to believe an employee may have engaged in unlicensed or uncertified professional practice or if the Professional Licensing Boards Division or the certifying Certification Board confirms that unlicensed or uncertified practice has occurred, the SBHS program/facility employing the individual in question is required to do the following:
- a. provide PNM with a written attestation that they have taken appropriate action to limit the individual's duties to services consistent with the individual's credentials and in compliance with the practice acts within three business days. In addition, the SBHS program/facility may not submit claims or encounters for services provided by practitioners in violation of the practice acts.
 - b. provide PNM and the DBHDD Regional Office with a corrective action plan that addresses the operation deficiencies in the organization that resulted in the unlicensed practice within 10 business days.
- VII. If the Board issues a public order or any other public communication regarding a sanction against the subject of the complaint as part of its handling of the complaint and informs SBHS or DBHDD program/facility of such order or communication, PNM staff immediately notify DBHDD Regional and State offices and facilities and DBHDD's providers of the order.
- VIII. PNM maintains records of all reports received, complaints filed, and related Professional Licensing Board Division or Certification Board determinations.
- IX. Any and all reimbursement for services provided by practitioners not having the required professional license or credential is subject to recoupment by DBHDD and DCH.
- X. It is the responsibility of the employer to verify licensure and/ or certification status.

ATTACHMENT:

- I. [Acknowledgement of Responsibility to Maintain Current License, Certificate or Registration SBHS Form 341](#)

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REFERENCE:

DBHDD Policy 04-101

APPROVAL SECTION:

Chief Executive Officer

Date

Committee Chairperson

Date

RESCISSION SECTION:

Chief Executive Officer

Date

REVIEW SECTION:

Committee Chairperson

Date

Committee Chairperson

Date

Committee Chairperson

Date