

**SENATE CONCURRENT
RESOLUTION No. 36**

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Urges federal government to make National Practitioner Data Bank available to state health care professional boards without cost.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



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- 1 **A CONCURRENT RESOLUTION** urging the federal government to
2 make the National Practitioner Data Bank available to certain
3 state professional boards without cost.
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- 5 **WHEREAS**, The National Practitioner Data Bank (NPDB) is a
6 national repository of information regarding adverse actions
7 related to health care practitioners, providers, and suppliers; and
8 **WHEREAS**, The NPDB maintains a database with information on
9 medical malpractice payments, adverse licensure actions or loss
10 of license, adverse clinical privileging actions, any negative
11 action or finding by a state licensing or certification authority,
12 and exclusions from federal or state health care programs, among
13 other information; and
14 **WHEREAS**, The NPDB provides valuable information that can help
15 patients and health care providers make safer and more informed
16 choices about their health care options; and
17 **WHEREAS**, The general public does not have access to the NPDB,
18 but hospitals and state health care professional boards, which
19 oversee the licensure of certain health care practitioners, have
20 access for a fee of two dollars per search; and
21 **WHEREAS**, Most state health care professional boards regularly
22 report adverse actions to the NPDB, but many fail to check
23 health care practitioner records on a regular basis; and
24 **WHEREAS**, When a state health care professional board does not
25 check health care practitioner records regularly, the board may be
26 unaware of information that is vital to licensure decisions
27 regarding health care practitioners; and
28 **WHEREAS**, Occasionally, health care practitioners who have
29 experienced an adverse action in one state are able to continue
30 practicing or even acquire a new license in another state that may
31 be unaware of the adverse action because it does not regularly
32 check the NPDB; and
33 **WHEREAS**, Providing state health care professional boards with free
34 access to the NPDB would remove a barrier to the regular use of
35 the database to check health care practitioner records; and
36 **WHEREAS**, Making the NPDB available without cost could improve
37 access to this information and improve the regularity with which
38 record searches are performed by state health care professional
39 boards; and
40 **WHEREAS**, Improving the regularity of record searches will help
41 protect patients not only in New Jersey, but throughout the
42 United States; now, therefore,
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- 44 **BE IT RESOLVED** *by the Senate of the State of New Jersey (the*
45 *General Assembly concurring):*
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- 47 1. The Legislature of this State respectfully urges the federal

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1 government to make the National Practitioner Data Bank available
2 to state health care professional boards without cost.

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4 2. Copies of this resolution, as filed with the Secretary of State,
5 shall be transmitted by the Clerk of the General Assembly or the
6 Secretary of the Senate to the Speaker and Minority Leader of the
7 United States House of Representatives, the Majority and Minority
8 Leaders of the United States Senate, and to each member of
9 Congress elected from this State.

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STATEMENT

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14 This concurrent resolution urges the federal government to make
15 the National Practitioner Data Bank (NPDB) available to state
16 health care professional boards without cost.

17 The NPDB provides information on adverse actions against
18 health care practitioners. The information is not available to the
19 public, but state professional licensing boards may access its
20 information for a fee of two dollars per search. Record searches
21 performed through the NPDB offer critical information to state
22 professional licensing boards, which make decisions regarding the
23 licensure or continued licensure of certain health care practitioners
24 within the state.

25 Many boards do not regularly perform record searches to
26 determine if applicants for licensure or licensed practitioners have
27 faced any adverse actions. Without regular record searches, boards
28 may be unaware of adverse actions that may otherwise lead to the
29 denial of an application for licensure or the revocation of licensure.

30 The NPDB's two dollar fee for record searches represents a
31 barrier to the regular use of the database. By providing state
32 professional licensing boards with free access to the database, the
33 federal government can help improve patient safety in New Jersey
34 and throughout the United States.