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STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

November 18, 2010

Michael F. Hogan, Ph.D.
Commissioner
New York State Office of Mental Health
44 Holland Avenue
Albany, NY 12229

Re: Report 2010-F-29

Dear Dr. Hogan:

Pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law, we have followed up on the actions taken by officials of the Office of Mental Health to implement the recommendations contained in our audit report, *Creedmoor Psychiatric Center Continuing Medical Education Credits* (Report # 2008-S-99).

Background, Scope and Objective

The New York State Office of Mental Health (OMH) operates 27 psychiatric centers throughout the State. These centers care for and treat adults and children with psychiatric disabilities. Creedmoor Psychiatric Center, an OMH facility located in Queens, has a budget of \$115million for the fiscal year ended March 31, 2011. According to the American Medical Association (AMA), continuing medical education (CME) serves to maintain, develop, or increase the knowledge, skills, and professional performance physicians need to properly serve their patients, the public and the profession. According to AMA guidelines, practicing physicians should earn at least 60 CME credits over a consecutive three-year period, or an average of 20 credits per year. In line with the AMA guidelines, OMH encourages, but does not require, its physicians to do the same. OMH officials allow each facility to establish its own specific CME requirements. Creedmoor officials require each physician to earn at least 40 hours of CME credits over the two-year period that coincides with their biennial physician reappointment schedule.

Our initial audit report, which was issued on May 5, 2009, examined physicians' CME credits earned over a two-year period to determine if the physicians were receiving the credits deemed necessary to perform their duties. We found that 14 Creedmoor physicians reappointed during our audit period did not earn the Creedmoor-required 40 CME credits. We also concluded that since OMH only encourages, and does not require its physicians to earn a specific number of CMEs, there were notable differences in the CME policies across the 27 centers. The objective of

our follow-up was to assess the extent of implementation, as of September 7, 2010, of the four recommendations included in our initial report.

Summary Conclusions and Status of Audit Recommendations

OMH officials have made progress in correcting the problems we identified in the initial report. All four of the prior audit recommendations have been implemented.

Follow-up Observations

Recommendations 1 through 3 were addressed to Creedmoor, Recommendation 4 to OMH.

Recommendation 1

Re-instruct Medical and Psychiatric Department physicians to submit evidence of their CME credits as soon as the credits are earned to evidence compliance with industry standards and to allow for supervisory monitoring.

Status - Implemented

Agency Action - Creedmoor officials issued a memo to all of the Center's physicians requiring them to submit proof of their CME credits as they are earned, and to submit proof they have earned 40 hours of CMEs over each two-year period. Additionally, Creedmoor has created a spreadsheet to track in-house CMEs earned by its physicians and is maintaining credentialing files for all CME documentation, including documentation for CMEs earned from outside sources.

Recommendation 2

Ensure that the Department Chiefs periodically review physician files to assess physician CME compliance and to intervene as appropriate.

Status - Implemented

Agency Action - Creedmoor officials have issued a memo to the Medical and Psychiatric Department Heads reminding them that CMEs are to be reviewed periodically. Moreover, they have assigned staff to monitor CME credits. As a result of enhanced attention and monitoring of CME credits, at the time of our follow-up all physicians were in compliance with their CME requirements.

Recommendation 3

Document the consideration of each physician's compliance with Creedmoor's CME requirements in the re-appointment decision process, and the overriding reasons for reappointment where the required CMEs have not been earned.

Status - Implemented

Agency Action - Creedmoor officials discuss and document in the minutes for their Medical Staff Executive Committee meetings their consideration of physicians' compliance with CME credits when deciding on re-appointment. As noted earlier, all Creedmoor physicians were in compliance with the CME requirements at the time of our review.

Recommendation 4

Consider establishing a standard or minimum CME requirement for the physicians at all OMH psychiatric centers. If such CME requirement is established, provide periodic oversight for compliance.

Status - Implemented

Agency Action - OMH officials considered establishing a standard or minimum CME requirement for the physicians at all OMH psychiatric centers, but decided to recommend, not require 60 CME credits be earned during a three-year period. Additionally, OMH instructed all Medical Staff Organization Presidents to provide their governing bodies, and OMH, with minutes that demonstrate the discussion of CMEs by their Credentialing and Privileging committees. This will allow for better monitoring of each facility's physician compliance with the recommended CME standard.

Major contributors to this report were Michael Solomon, Santo Rendon, Orin Ninvalle, and Unal Sumerkan.

We thank the management and staff of OMH and Creedmoor for the courtesies and cooperation extended to our auditors during this process.

Very truly yours,

Michael Solomon
Audit Manager

cc: Mr. Thomas Lukacs, Division of the Budget
Mr. Ken Lawrence, Office of Mental Health
Mr. James Russo, Office of Mental Health
Dr. William Fisher, Creedmoor Psychiatric Center
Ms. Kathleen Iverson, Executive Director, Creedmoor Psychiatric Center