

Exhibit A  
HELMS  
Business  
Requirements

RFI N22787

Part 2 of 2

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# 1 Enforcement

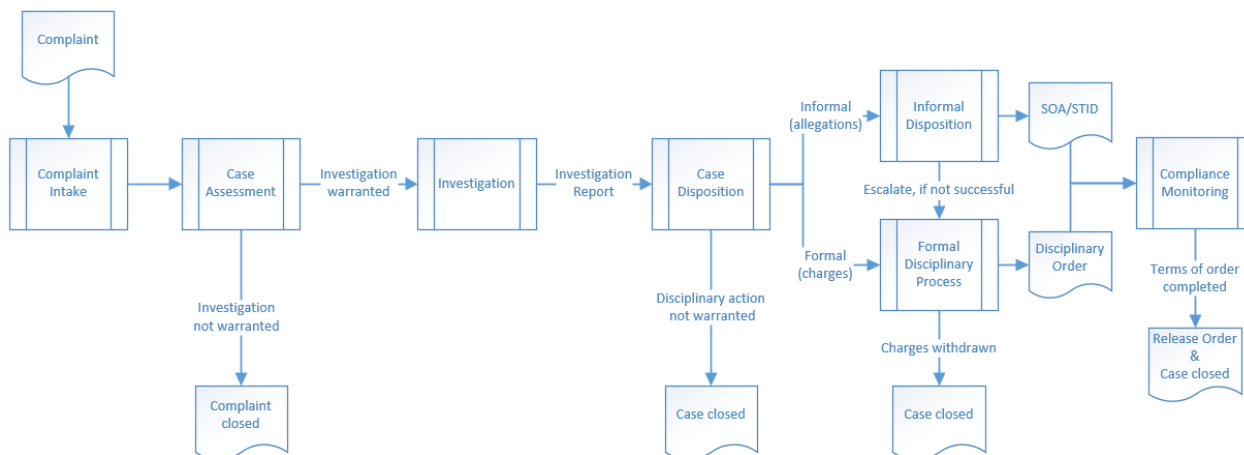
## 1.1 Processes

### 1.1.1 Process: Overview of Enforcement

Purpose	To process and resolve complaints in order to ensure licensees comply with rules, regulations and professional standards of their license.
Owner	Department of Health and Independent Commissions
Inputs	<p>The main input to the Enforcement Process is a complaint. Here the term <i>complaint</i> is used broadly to mean any type of complaint, allegation or report of misconduct regarding a license holder or their business. They can come from anybody, including:</p> <ul style="list-style-type: none"> <li>• Recipients of services or their representative.</li> <li>• Witnesses.</li> <li>• Whistle blowers.</li> <li>• Department of Health offices.</li> <li>• Hospitals and other institutions.</li> <li>• Other Washington state or local agencies.</li> <li>• Other states (via national practitioner databases).</li> </ul> <p><b>Please note:</b> the complainant does not have to identify themselves. If they are a patient, for example, they may want to protect their identity. By default, the department, prevents the Respondent from learning the identity of the complainant, but the complainant may want to stay anonymous, even to the department.</p>

<p>Outputs</p>	<p>The desired result is resolution of the complaint which generally takes one of two paths:</p> <ul style="list-style-type: none"> <li>• If the Respondent is found to have violated rules or standards of their license, appropriate legal action results in a Disciplinary Order. Such a case is ultimately resolved after the Respondent has satisfied the terms of the Disciplinary Order. <ul style="list-style-type: none"> <li>○ If the Respondent does not comply with the terms of the order, progressive legal action is taken. Suspension of a license is generally the strongest action taken, although in some cases revocation is considered. Revocation is permanent, suspension is for a specified time period.</li> <li>○ Criminal activity is not under the jurisdiction of the department and is referred to the appropriate law enforcement agency.</li> </ul> </li> <li>• If the Respondent is found to have not violated any rules or standards of their license, the case is closed.</li> </ul> <p>In any case, the output of the process is a closed case with all of the actions, decisions, transactions and communications recorded and completed. This includes a variety of notifications, letters, statements, exhibits, documents and records for the various parties involved in a case. More information is provided with each sub-process described below.</p>
<p>Notes</p>	

## Overview of Enforcement Process



### Complaint Intake

Complaints and reports of misconduct are generally accepted in writing only. They can be a short few sentences or many pages long with attached records and more. The main purpose of the Complaint Intake process is to receive complaints, record them and prepare them for Case Assessment. If the complaint indicates possible imminent danger, it is given top priority and processed before other cases.

### **Case Assessment**

New cases are assessed by the Disciplinary Authority to determine if they warrant investigation. In board/commission cases, a redacted copy of the complaint is created so that the identity of the Respondent and Complainant is not revealed to board/commission case reviewers. The output of Case Assessment is the Case Assessment worksheet that includes the decision to investigate (or not) and if so, it may include a scope for the investigation.

### **Investigation**

Investigator's main job is to gather facts related to the incident(s), circumstances and people involved in the complaint. In the case of Facility Investigation, the investigator may also work with the Facility to remedy any deficiencies found with the facility. In the case of Profession Investigation, the investigator must only gather facts and evidence. The main output of the investigation is an Investigation Report with evidence, if any found.

### **Case Disposition**

The purpose of Case Disposition is to decide if a case warrants disciplinary action. The decision is made by the Disciplinary Authority based on the Investigation Report and the Respondent's case history. The decision also includes whether to pursue formal or informal action.

### **Informal Disciplinary Process**

This process is generally reserved for cases involving less serious violations. The Statement of Allegations (SOA) identifies the alleged violations while the Stipulation of Information Disposition (STID) identifies the sanctions. These two documents must always be prepared and served together. If the Respondent signs the STID and the Disciplinary Authority approves it, the action was successful and the case proceeds to Compliance Monitoring. If the action is not successful, the case is escalated to Formal Disciplinary action.

### **Formal Disciplinary Process**

Formal disciplinary action starts with the Legal Services unit preparing and serving an initiating document. A Statement of Charges (SOC), for example, is used to notify the Respondent of findings and charges. Sometimes the SOC is accompanied by a proposed Agreed Order which identifies the suggested sanctions. The Respondent, with possibly an attorney has a period of time to review the document(s) and respond. Depending on their response (or lack thereof) a relevant process is initiated.

- If no response by the deadline, the Default Order process is initiated.
- If a proposed Agreed Order has been included and the Respondent agrees to it, they sign and return it. If the Disciplinary Authority approves the Agreed Order, the documents are filed and served, and the disciplinary action is complete. The case proceeds to Compliance Monitoring.
- Otherwise, the Respondent can request a hearing or settlement. Either way the Adjudicative Process is initiated and a hearing is scheduled. The Respondent or Staff Attorney may attempt settlement. If both parties agree to the settlement, the Staff Attorney prepares an Agreed Order and if approved by the Disciplinary Authority, the settlement was successful and the Adjudicative Process is canceled. If settlement is not successful, the case proceeds to hearing as scheduled.
- One final option is the waiver option. If the Respondent does not want to request a hearing but they also do not agree to the charges, they can make a statement and waive their rights to a hearing. This initiates the Waiver Order process which is similar to the Default Order process.

### **Adjudicative Process**

If the Respondent requests a hearing, the case goes to the Adjudicative Services Unit - the "Administrative Court" for the department. A Health Law Judge is assigned the case and presides over the process. In most cases, an Assistant Attorney General (from the Attorney General's Office) litigates the case on behalf of the department, while the Respondent may or may not choose to be represented by an attorney. After hearing the case, a panel of board/commission members in boards and commission cases, or the Health Law Judge in Secretary cases decide the case. The Health Law Judge prepares a new order conveying the decision of the court. The new decision will generally either uphold, make changes to or withdraw the original decision. If the Respondent chooses, they may appeal the decision in which case, it goes through an appeal process.

**Brief Adjudicative Process**

In some types of cases, the Respondent is given the option to request a Brief Adjudicative Process instead of a full blown hearing. This is where they provide a written statement explaining why they believe the disciplinary decision is not warranted. They also request an adjustment or reconsideration of the decision. A presiding officer (often a staff attorney acting in the role of judge) reviews the case and the statement from the Respondent and decides if there is merit to the Respondent's request.

**Compliance Monitoring**

When a disciplinary order places sanctions on a provider, Compliance Monitoring is initiated. A Compliance Officer tracks a Respondent to ensure they comply with the terms and conditions of the order. In a few cases, facilities can also go through a compliance monitoring process. Suspended or revoked licenses are not actively monitored but are periodically reviewed.

**Other Options**

- **Substance Abuse Monitoring Program.** The Washington Health Professional Services (WHPS) is a confidential program for chemically-impaired nursing professionals. WHPS ensures early entry into recovery for the impaired practitioner while providing maximal protection of public safety. Participation in the program is monitored and unsuccessful completion of the program often results in enforcement action.
- **Early Remediation.** The Nursing Commission offers the Early Remediation program to resolve allegations of practice breakdown where there is minimal or no harm to the patient. If the nurse agrees, they participate in an action plan to address the issues that led to the practice breakdown. A formal investigation and legal action is not needed if the nurse agrees to participate in the program when it is offered to them.

**Education Programs**

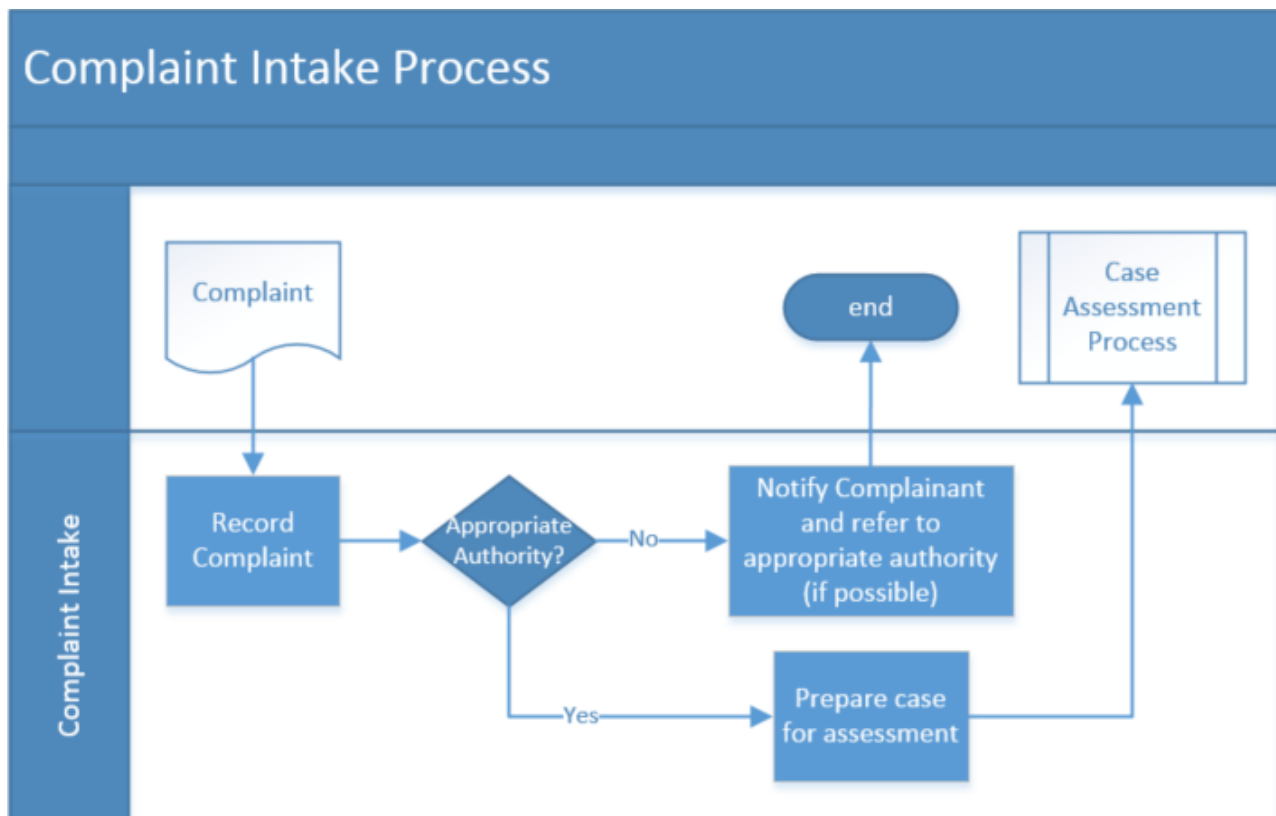
Four health professions’ education programs in the state of Washington are overseen by the Department of Health:

- Nursing Education overseen by the Nursing Commission
- Nursing Assistant training overseen by the Nursing Commission
- Emergency Medical Services (EMS) Training overseen by the HSQA Office of Community Health Systems
- Chiropractor Education overseen by the Chiropractic Commission

**1.1.2 Process: Complaint Intake Process**

Purpose	To record complaints and prepare them for the Case Assessment process.
Owner	Complaint Intake (see table of Complaint Intake Units in the Background Section)

Inputs	Complaint
Outputs	<p>New case with:</p> <ul style="list-style-type: none"> <li>• Original complaint as received.</li> <li>• Redacted complaint (for board/commission cases).</li> <li>• Summary of key points of complaint.</li> <li>• Per RCW 18.130.080, any available related records from the following: <ul style="list-style-type: none"> <li>○ prior complaints</li> <li>○ prior findings of fact</li> <li>○ any stipulations to informal disposition (STID)</li> <li>○ any comparable action taken by other state disciplining authorities.</li> </ul> </li> </ul>
Notes	



Preparing a case for assessment, generally involves the following activity:

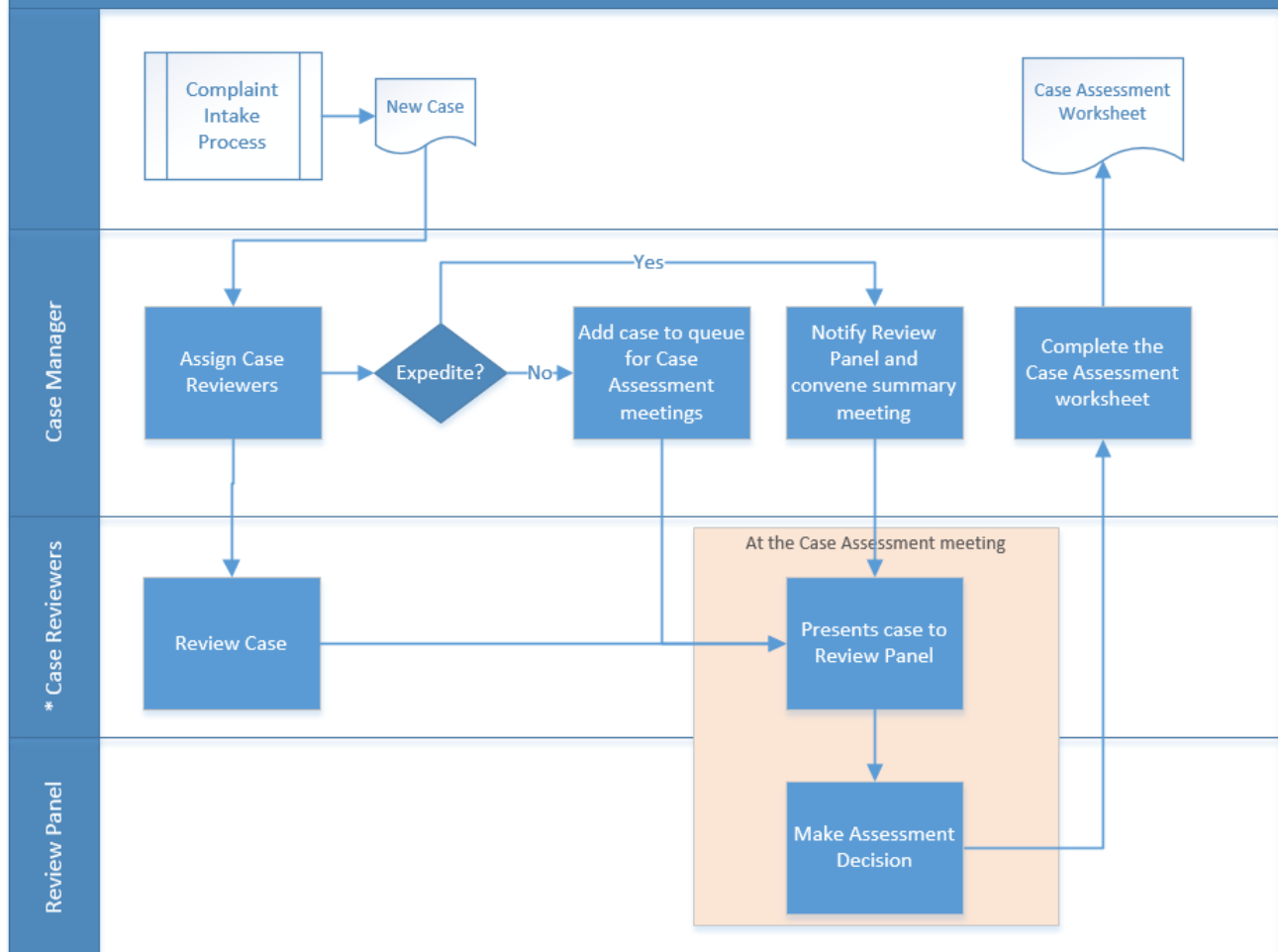
- Create redacted version of the complaint for board/commission members.
- Cases indicating imminent danger are given the highest priority (Priority A) and expedited.
- Key points of complaint are summarized.

### 1.1.3 Process: Case Assessment Process

Purpose	To decide if a complaint warrants investigation.
Owner	Disciplinary Authority
Inputs	Complaint and Respondent information/case history.
Outputs	<p>Case Assessment:</p> <ul style="list-style-type: none"> <li>• Investigation Authorized. Optional: Investigation Scope to give direction to the investigator as to what to focus on.</li> <li>• Investigation Not Authorized. A reason must be provided. The next step would generally be to close the case. Other alternatives are possible: <ul style="list-style-type: none"> <li>○ Early Remediation. This is an option the Nursing Commission offers in cases where the violations were modest in nature (see the Early Remediation process for more information).</li> <li>○ Substance Abuse Monitoring program - Washington Health Professional Services (WHPS) contract.</li> </ul> </li> <li>• Date and time the decision was made, and who was present.</li> </ul> <p>Notifications</p> <ul style="list-style-type: none"> <li>• Generally the Complainant is notified of the decision.</li> <li>• Sometimes the Respondent is notified of the decision, sometimes not. It depends on whether the investigation might be compromised. This is decided on a case by case basis.</li> </ul>
Notes	



## Case Assessment Process

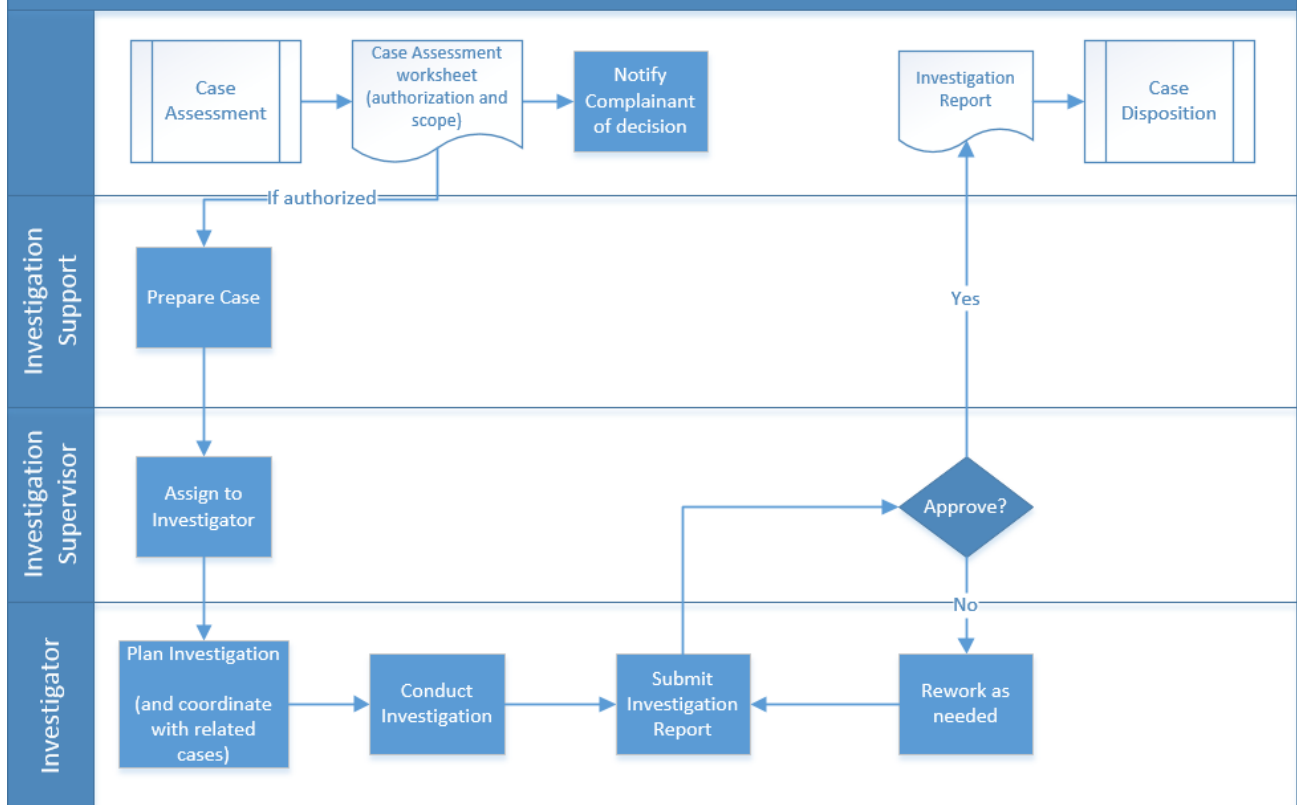


### 1.1.4 Process: Investigation Process

Purpose	Licenses are investigated for two purposes: 1) to gather facts and evidence that substantiates (or not) the allegations against them, or 2) to confirm (or deny) compliance with sanctions.
Owner	Investigations Unit

Inputs	The input to an investigation is the <i>Authorization and Scope of Investigation</i> which can stem from any of the following: <ol style="list-style-type: none"> <li>1. <i>Case Assessment Worksheet</i> - in cases stemming from complaints or reports of misconduct.</li> <li>2. <i>Additional Investigation Request</i> can come from department staff, commission/board member, Staff Attorney or Attorney General’s Office.</li> <li>3. <i>Compliance Audit Request</i> from the Compliance Unit.</li> <li>4. Report of a Disciplinary Order in another state.</li> </ol>
Outputs	Investigation Report
Notes	

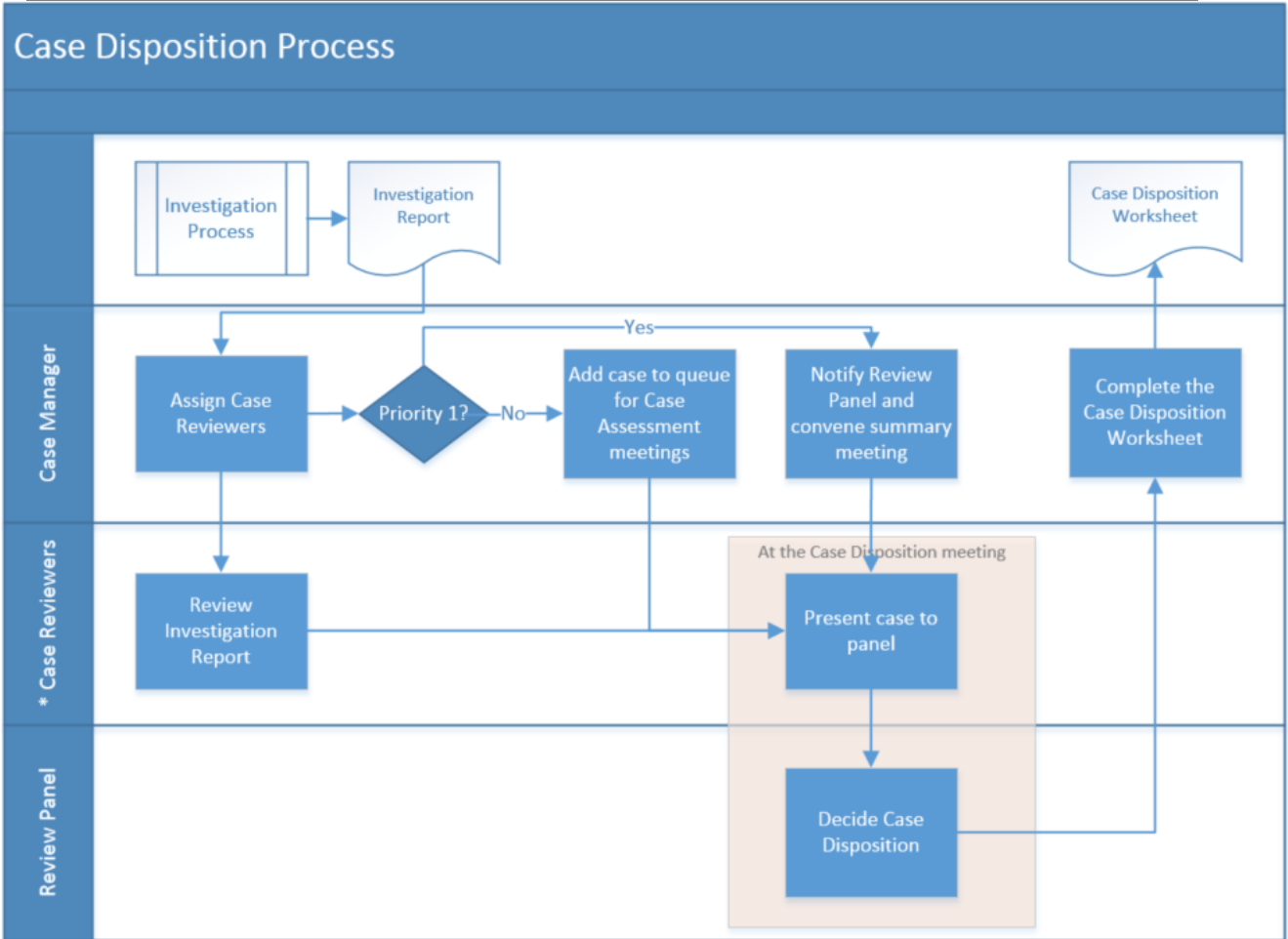
### Provider Investigation Process



#### 1.1.5 Process: Case Disposition Process

Purpose	To present a case to the Commission after an investigation is complete so they may consider the facts found in the case and decide whether to pursue disciplinary action.
Owner	
Inputs	Approved Investigation Report and evidence gathered by investigator.

Outputs	<p>The Case Disposition Worksheet captures the decision (to initiate legal action or not) plus additional information:</p> <p>If decision is to initiate legal action:</p> <ul style="list-style-type: none"> <li>• What type of action (SOA, SOC, etc.)</li> <li>• Sanction Worksheet may also be attached (optional).</li> </ul> <p>If decision is to close the case</p> <ul style="list-style-type: none"> <li>• Reason for closing case</li> </ul>
Notes	

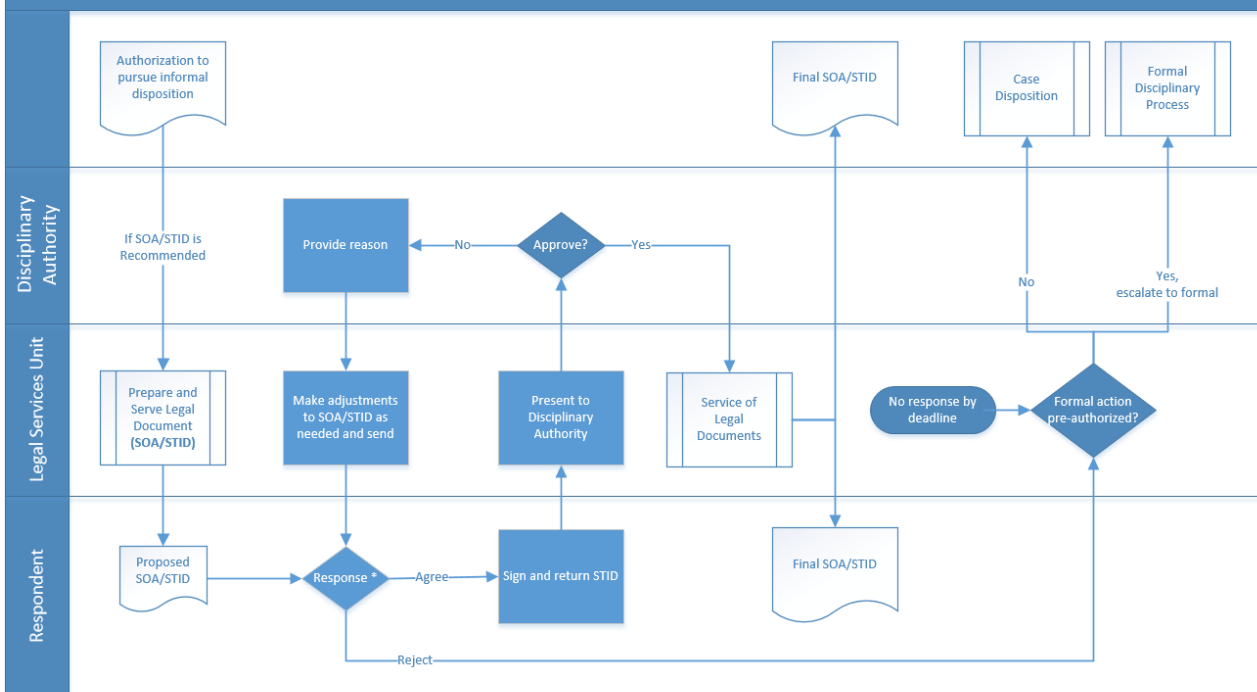


#### 1.1.6 Process: Informal Disposition Process

Purpose	To attempt to get agreement from the Respondent on disciplinary measures using an informal process.
Owner	Legal Services Unit
Inputs	<ul style="list-style-type: none"> <li>• Authorization to pursue informal disposition.</li> <li>• Optionally, proposed sanctions may also be included.</li> </ul>

Outputs	<ul style="list-style-type: none"> <li>If the process is successful, an approved and signed Statement of Allegations (SOA) and Stipulation of Informal Disposition (STID).</li> <li>Otherwise the department will generally escalate to Formal Disciplinary action.</li> </ul>
Notes	

### Informal Disposition Process (SOA/STID)

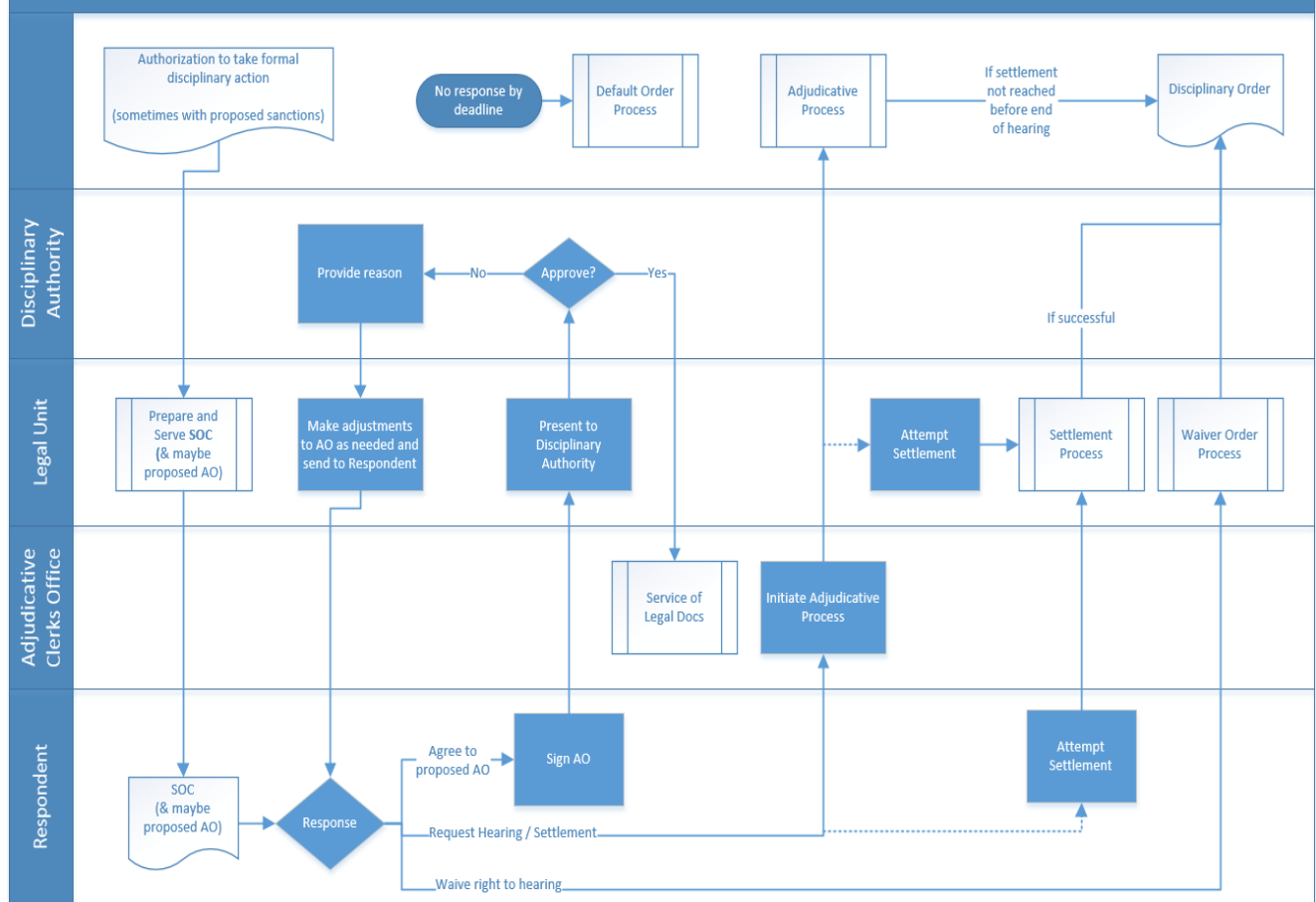


**\* Not shown:**  
 - Some negotiation is possible before the Respondent either agrees or rejects the STID.  
 - In rare cases, the Respondent provides new information that warrants withdrawing SOA and closing case.

#### 1.1.7 Process: Formal Disciplinary Process

Purpose	To formal process for obtaining a decision on charges and sanctions on a Respondent, including adjudication, if requested by the Respondent.
Owner	
Inputs	<ul style="list-style-type: none"> <li>Authorization from the Disciplinary Authority to initiate formal disciplinary action.</li> <li>Optionally proposed sanctions may be included.</li> </ul>
Outputs	<ul style="list-style-type: none"> <li>Disciplinary Order</li> <li>Or an order to withdraw charges.</li> </ul>
Notes	

## Formal Disciplinary Process



### 1.1.8 Legal Documents

Please note:

- Wherever Staff Attorney is mentioned below, assume the Paralegal may also perform this task in coordination with the Staff Attorney.
- The list of signatures required on each legal document type must be configurable by each Legal Services unit. The table below shows the required signatures regardless of Legal Services unit.

Legal Documents have two main purposes in the enforcement process:

#### Initiation

The disciplinary process (whether formal or informal) starts with the preparation and service of an initiating document which informs the Respondent of the allegations or charges against them. In some cases, proposed sanctions are also included in the form of a proposed disciplinary order. The Respondent is expected to respond to document(s) by a deadline. Their response (or lack thereof) determines the next step in the Disciplinary Process.

- Initiating documents are always prepared by Staff Attorneys and served by their Legal Services unit.

### Disciplinary Order

Upon completion of the due process afforded the Respondent, the Disciplinary Authority makes a decision in the case. A Disciplinary Order is used to convey the decision on the findings, charges/allegations and sanctions.

- Disciplinary Orders resulting from a hearing are prepared by the Health Law Judge, otherwise they are prepared Staff by Attorneys in the Legal Services unit.
- Approved and signed Disciplinary Orders are served by the Adjudicative Clerk's Office.

### Informal Disposition

Purpose	Legal Documents	Preparer	Req'd Signatures	Notes
Initiation	<ul style="list-style-type: none"> <li>• Statement of Allegations (SOA)</li> <li>• Proposed Stipulation to Informal Disposition (STID)</li> </ul>	Staff Attorney		When the SOA is initially prepared and sent to the Respondent it must be accompanied by a proposed STID. If the Respondent agrees to the SOA and proposed STID, they sign and return the STID.
Decision	<ul style="list-style-type: none"> <li>• Final Stipulation to Informal Disposition (STID)</li> </ul>	Staff Attorney	<ul style="list-style-type: none"> <li>• Respondent</li> <li>• Disciplinary Authority</li> </ul>	After the Respondent signs the STID, it is reviewed by the Disciplinary Authority. If they approve and sign it, the STID is final and serves as a Disciplinary Order.

### Formal Disciplinary Process

Purpose	Legal Documents	Preparer	Req'd Signatures	Notes
Initiation	<ul style="list-style-type: none"> <li>• Statement of Charges (SOC)</li> <li>• Sometimes a proposed Agreed Order is included with the SOC.</li> </ul>	Staff Attorney	<ul style="list-style-type: none"> <li>• Disciplinary Authority</li> <li>• AAG</li> </ul>	Every SOC must be approved and signed by an Assistant Attorney General (AAG). Since the Attorney General's Office is a different state agency, the SOC is currently sent by email, ftp or paper. Future improvements TBD.
Disciplinary Order	Agreed Order (AO)	Staff Attorney	<ul style="list-style-type: none"> <li>• Respondent</li> <li>• Disciplinary Authority</li> </ul>	Only used when the Respondent agrees to the findings of fact, charges and sanctions.
Disciplinary Order	Default Order	Staff Attorney	<ul style="list-style-type: none"> <li>• Disciplinary Authority</li> </ul>	Only used when the Respondent does not respond to the SOC by the deadline.
Disciplinary Order	Waiver Order	Staff Attorney	<ul style="list-style-type: none"> <li>• Disciplinary Authority</li> </ul>	Used when Respondent waives their right to a hearing.
Disciplinary Order	Final Order	Health Law Judge (HLJ)	<ul style="list-style-type: none"> <li>• HLJ</li> </ul>	After hearing, the Disciplinary Authority makes a decision in the case. HLJ prepares the order.

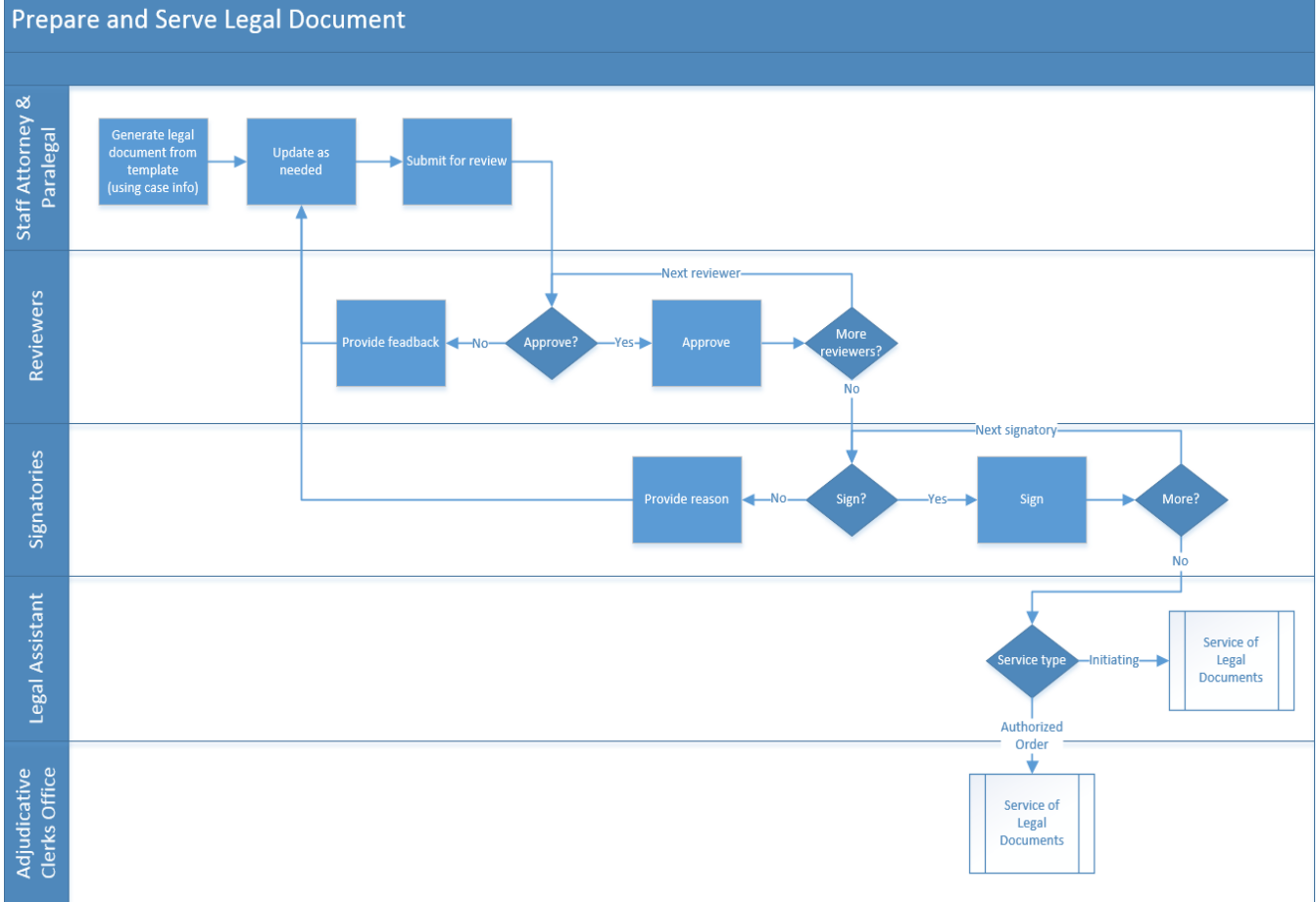
Disciplinary Order	Order to Withdraw Charges	HLJ	<ul style="list-style-type: none"> <li>HLJ</li> </ul>	With new information, whether before or during the hearing, sometimes charges are withdrawn.
Disciplinary Order	Summary Order	Staff Attorney	<ul style="list-style-type: none"> <li>AAG</li> <li>Disciplinary Authority</li> </ul>	SOC accompanies Summary Order. Served in same way as SOC.
Initiation	Notice of Intent to Cease and Desist (NIC)	Staff Attorney	<ul style="list-style-type: none"> <li>AAG</li> </ul>	Used in cases involving unlicensed practice.
Disciplinary Order	Agreed Order to Cease and Desist	Staff Attorney	<ul style="list-style-type: none"> <li>Respondent</li> <li>Disciplinary Authority</li> </ul>	

### License Application Denials

Purpose	Legal Documents	Preparer	Req'd Signatures	Notes
Initiating	Notice of Decision (NOD)	Staff Attorney	?	The Notice of Decision is used to deny a license application or to conditionally approve a license with limitations.
Disciplinary Order	Final Order Notice of Decision (NOD)	Health Law Judge	HLJ	If the applicant requests a hearing and the decision stands, the NOD is prepared as a Final Order by the presiding HLJ.
Disciplinary Order	Notice of Required Examination (NORE)	Health Law Judge?	?	The NORE is used to require an applicant to successfully complete an examination before their license can be issued.

#### 1.1.9 Process: Prepare and Serve Legal Document

Purpose	To prepare and serve a legal document on Respondent.
Owner	
Inputs	Depending on the context, any of the following could be inputs: <ul style="list-style-type: none"> <li>Case and Respondent information</li> <li>Findings of fact</li> <li>Allegations or charges</li> <li>Proposed or authorized sanctions</li> </ul>
Outputs	Legal document included in a Service Packet with the required accompanying documents.
Notes	



### Reviewers and Signatories

The list of reviewers and signatories must be configurable for by each Legal Services Unit for each Document Type.

### Assistant Attorney General

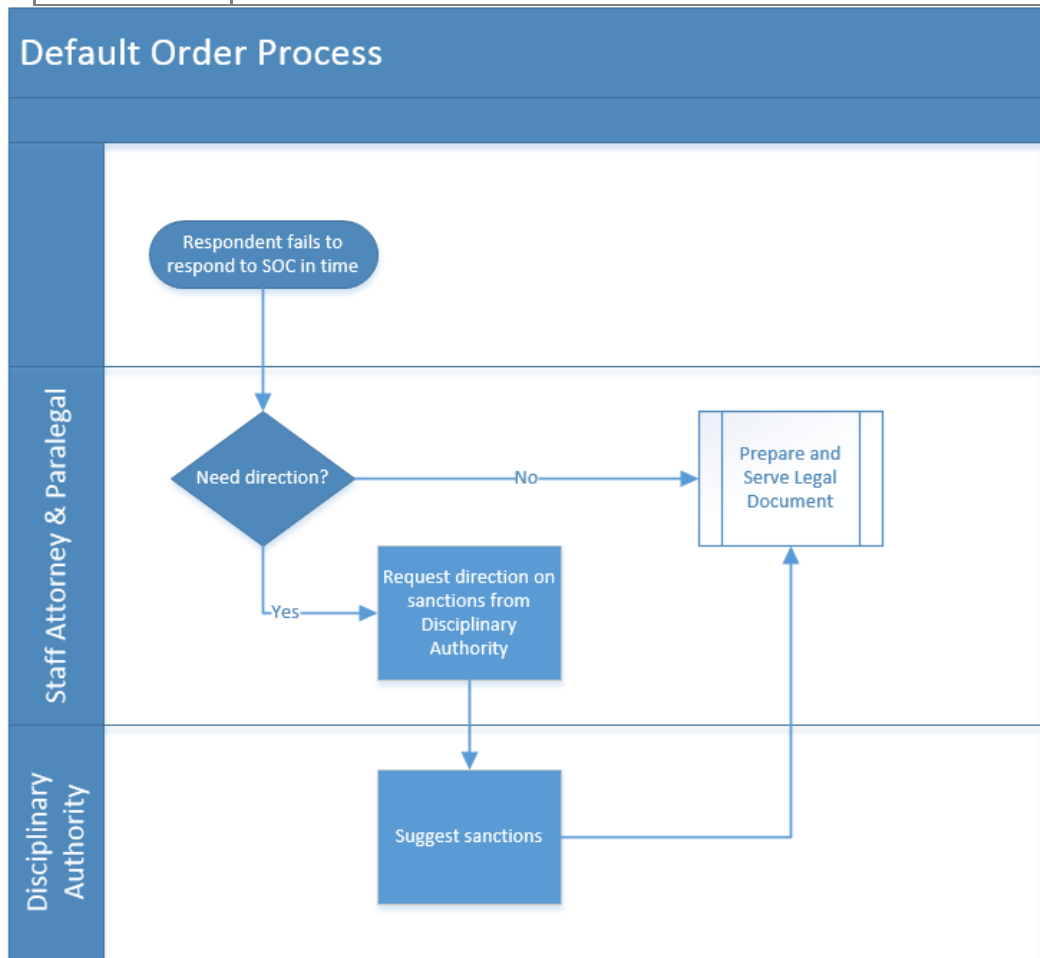
The Assistant Attorney General is a required reviewer for the Statement of Charges, Summary Orders and a few other Document Types. Because they are in a different agency, their review may need to be handled manually. Currently when a legal document needs their signature, the document is sent to them by email, ftp or through campus mail (on paper). The best way to implement their review and signature is still TBD.

#### 1.1.10 Process: Default Order Process

Purpose	To prepare and serve a Default Order when the Respondent does not respond to the initiating document by the deadline.
Owner	
Inputs	<ul style="list-style-type: none"> <li>Case and Respondent info</li> <li>Statement of Charges</li> </ul>
Outputs	Default Order



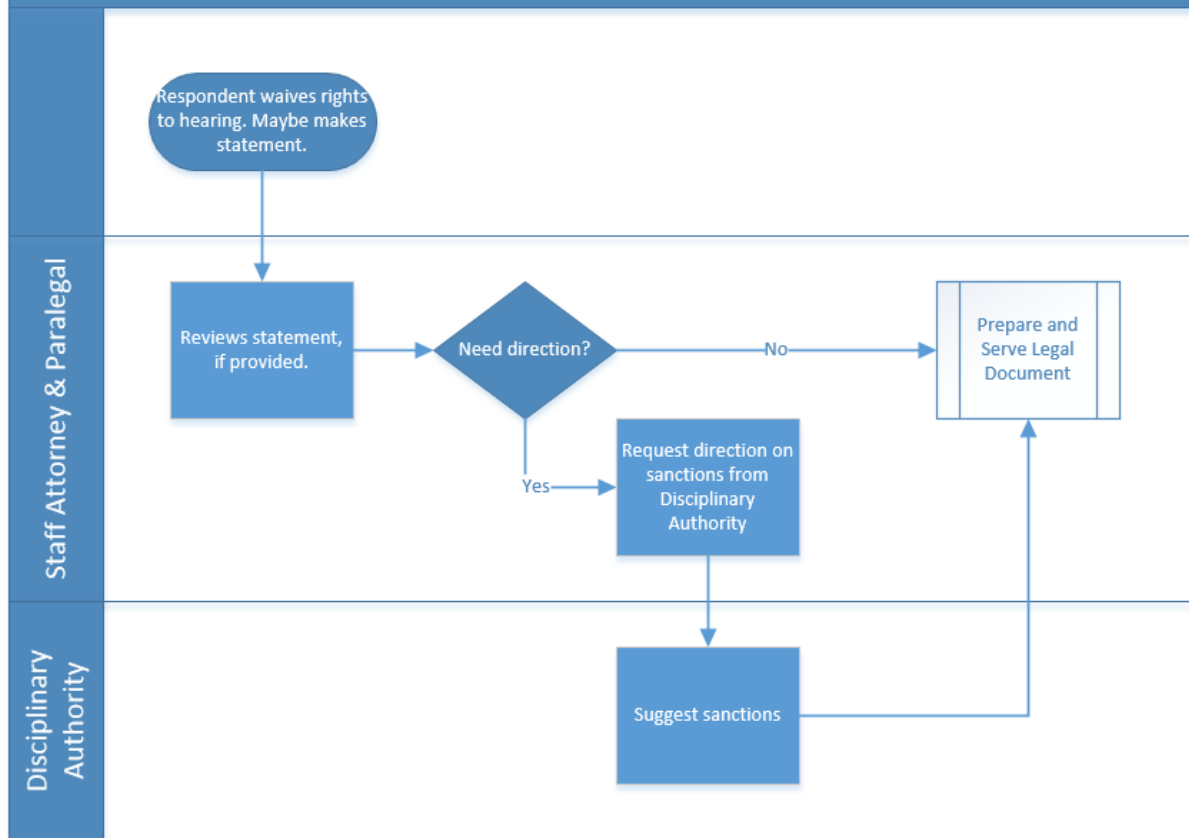
Notes	
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#### 1.1.11 Process: Waiver Order Process

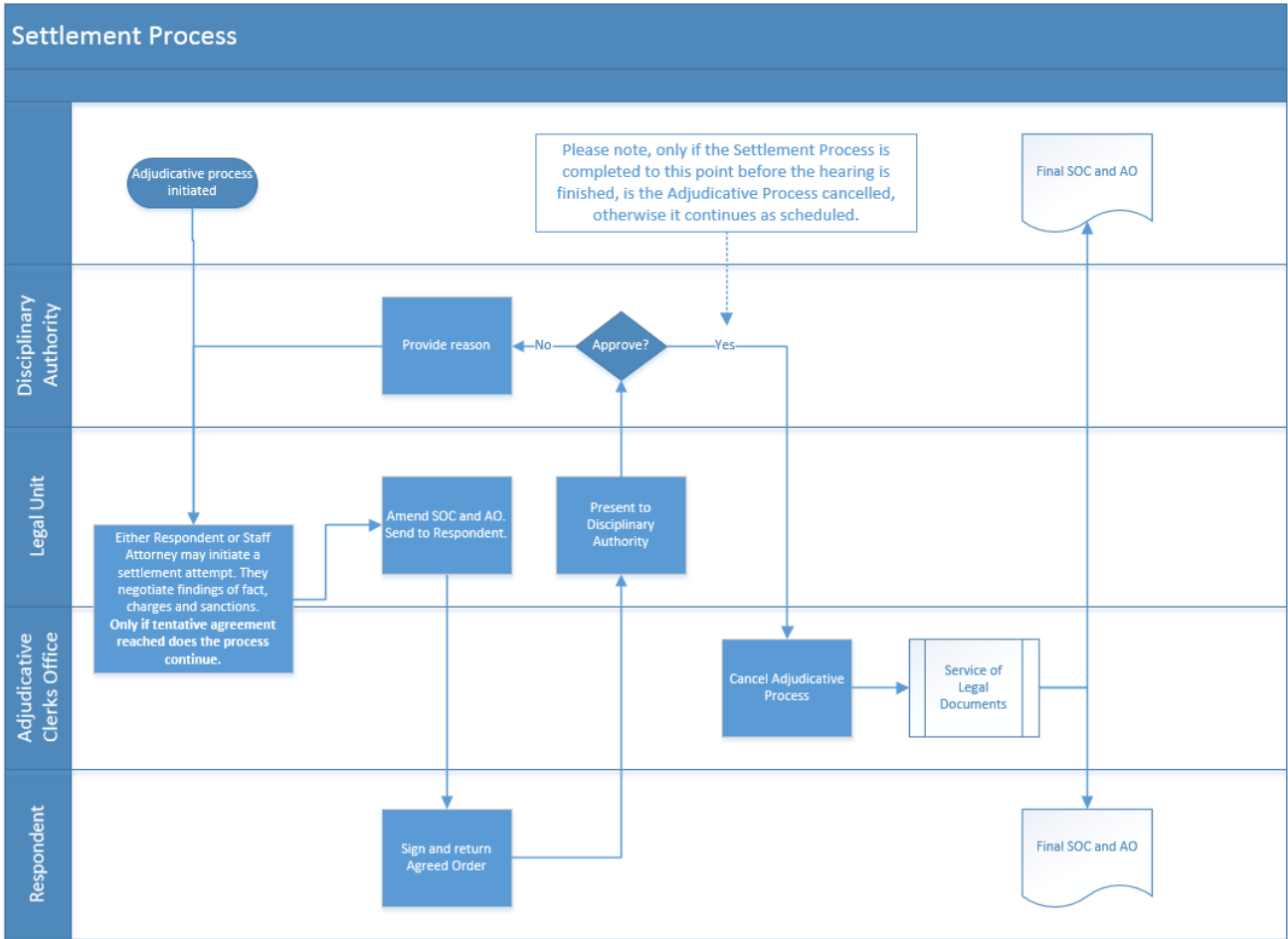
Purpose	To prepare and serve the disciplinary order when Respondent waives right to hearing.
Owner	
Inputs	<ul style="list-style-type: none"> <li>• Case and Respondent info</li> <li>• Statement of Charges</li> </ul>
Outputs	Waiver Order
Notes	

## Waiver Order Process



### 1.1.12 Process: Settlement Process

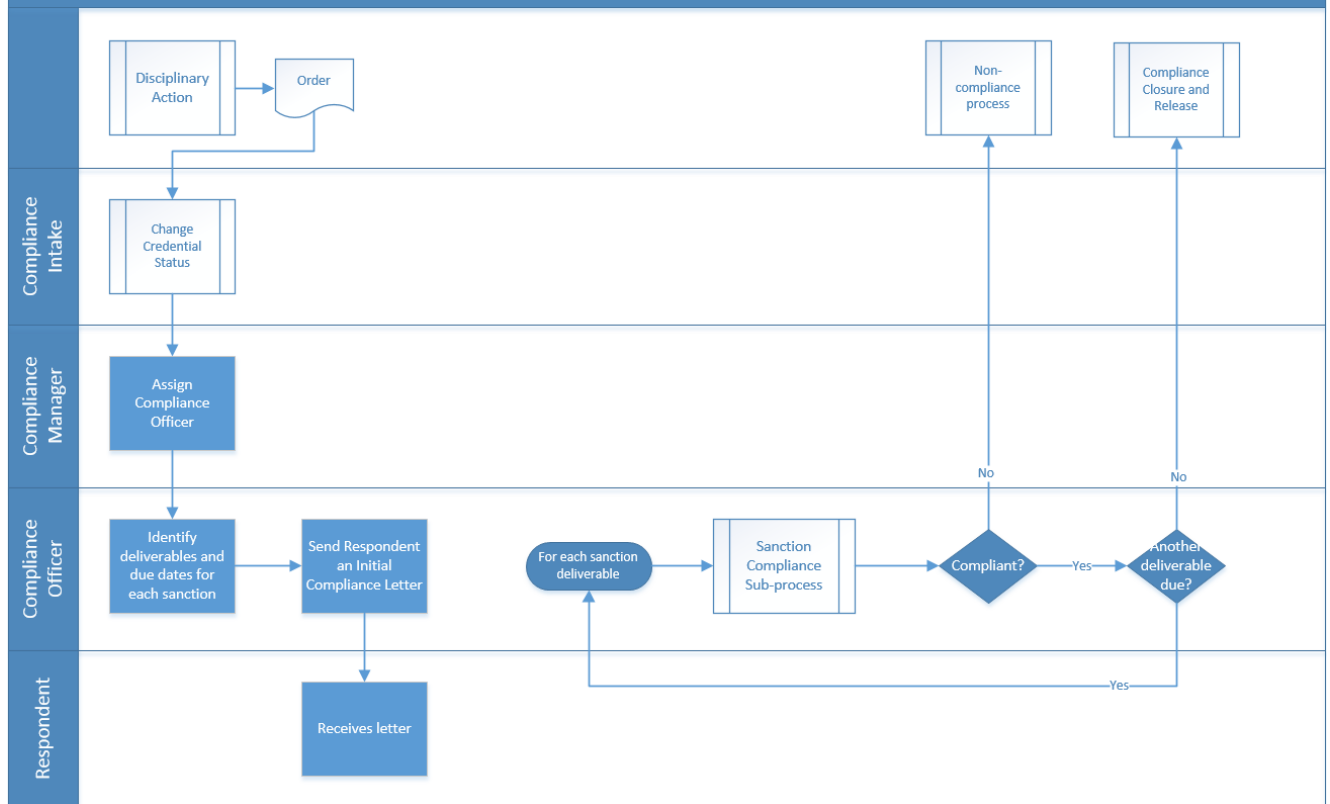
Purpose	To attempt settlement with Respondent.
Owner	
Inputs	Respondent's Hearing Request.
Outputs	One of the following: <ul style="list-style-type: none"> <li>• Disciplinary Order</li> <li>• Decision to withdraw charges and close the case.</li> </ul>
Notes	



#### 1.1.13 Process: Compliance Monitoring Process

Purpose	To monitor a respondent's compliance with the terms and conditions of a disciplinary order.
Owner	Compliance Unit
Inputs	Disciplinary Order (a set of sanctions placed on Respondent).
Outputs	<p>If compliant with all sanctions:</p> <ul style="list-style-type: none"> <li>Release Order (aka Order of Termination) is initiated to release the Respondent from sanctions. If license was suspended, the Order to Reinstate License is initiated.</li> </ul> <p>If non-compliant:</p> <ul style="list-style-type: none"> <li>Initiate Non-Compliance process.</li> </ul>
Notes	

## Compliance Monitoring Process



### 1.1.13.1 Sanctions and Deliverables

Sanctions place terms and conditions on a license, and require the Respondent to do certain things for the terms and conditions of the Disciplinary Order to be satisfied. For each task the Respondent must complete, one or more deliverables must be provided to the Compliance Officer. The table below identifies different types of sanctions and the deliverables typically required of a Respondent.

Sanction	Description	Deliverables	Who provides	DA Approval?
<b>Limitations on license</b>	The basic disciplinary tool available to the department is the ability to place limitations on or change the status of a license. Suspension being the most severe.	Defined by the other sanctions in the order - see below.	NA	Reinstating a suspended license requires DA approval after compliance with other sanctions.
<b>Fine</b>	Fines can be up to \$5000 and are punitive in nature. They can only be collected in a Final or Agreed Order.	Payment	Respondent	No

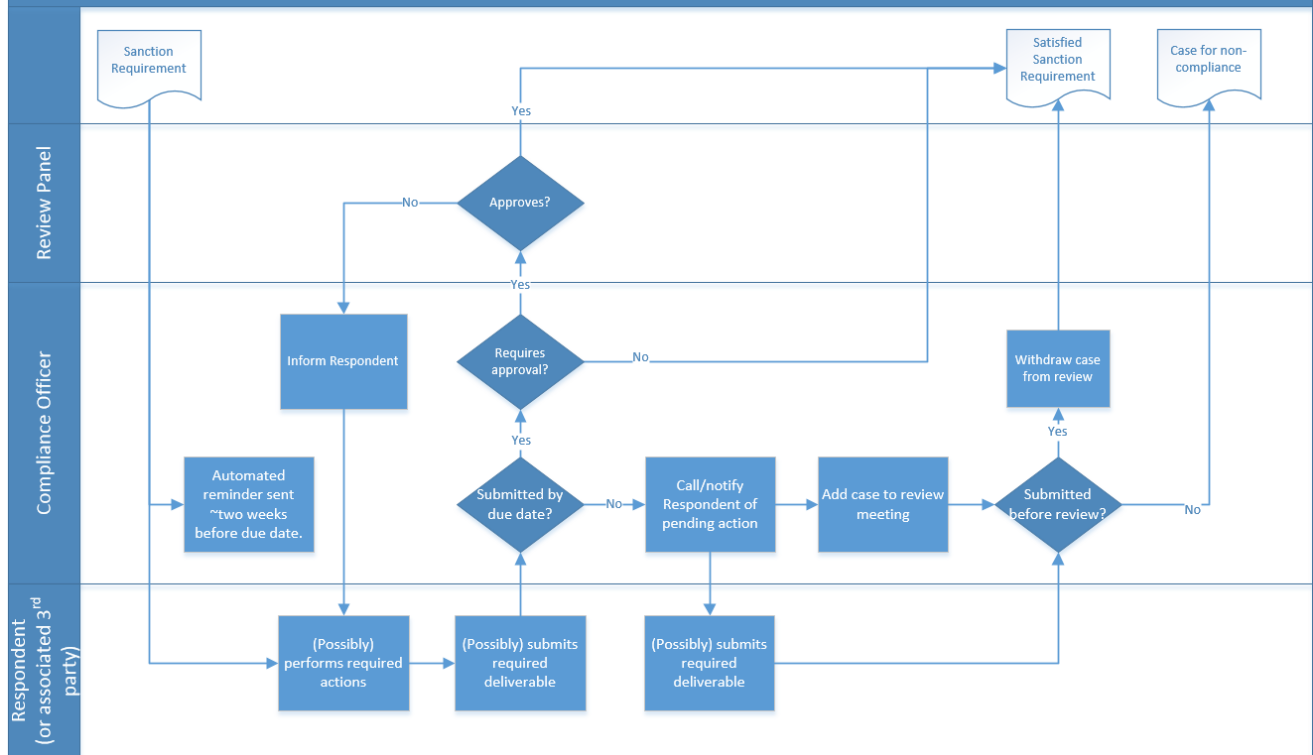
<b>Fee</b>	Fees are for cost recovery and are generally less than \$1000. They can only be collected in a STID and are for the purpose of covering the cost of investigation, legal work, etc.	Payment	Respondent	No
<b>Supervisor, Chaperone, or Monitor</b>	A supervisor, chaperone or monitor must oversee the Respondent's work and provide periodic reports.	Resume of supervisor, chaperone or monitor.	Respondent	Yes
		Periodic performance evaluations.	Supervisor	No
		If unemployed during the time of the supervision requirement, the Respondent must submit unemployment declarations.	Respondent	No
<b>Continuing Education</b>	The order will specify the type and hours of training/education required.	A link to or a copy of the course description must be pre-approved.	Respondent	Yes
		Transcript	Respondent	No
<b>Audit/Practice Review</b>	An Investigator visits the practice, interviews the Respondent, and sometimes other staff. The Investigator identifies and copies a representative number of medical records as needed. Those materials are submitted for review. A configurable workflow is needed for the review of the findings.	Audit/Practice Review	Investigator	No
<b>Assessment</b>	These are cognitive, behavioral or clinical assessments required of the Respondent.	Transcript showing the successful completion of the assessment.	Respondent	No
<b>Substance Abuse Monitoring</b>	Depending on the Respondent's profession, they will be required to	The first requirement is an evaluation from the program.	Monitoring Program Evaluator	No

	complete one of Washington state's Substance Abuse Monitoring programs.	The Respondent must then sign a contract with the program. The program notifies the Compliance Officer.	Respondent	No
		Once the Respondent completes the program, the program notifies the Compliance Officer.	Monitoring Program	No
<b>JP Exam</b>	The Respondent must complete a jurisprudence examination.	Exam score	JP Exam Program Manager	No
<b>Presentation to board/commission</b>	Sometimes a Respondent is required to make a presentation on a particular topic to the board or commission.	In person presentation.	Respondent	Yes
<b>Other</b>	Disciplinary Orders can have other types of sanctions too.	One or more deliverables with due dates.	Generally the Respondent	No

**1.1.13.2 Process: Sanction Compliance Sub Process**

Purpose	To check compliance with each sanction.
Owner	Compliance Unit
Inputs	Sanction requirement and due date.
Outputs	Determination of compliance or non-compliance with the sanction.
Notes	

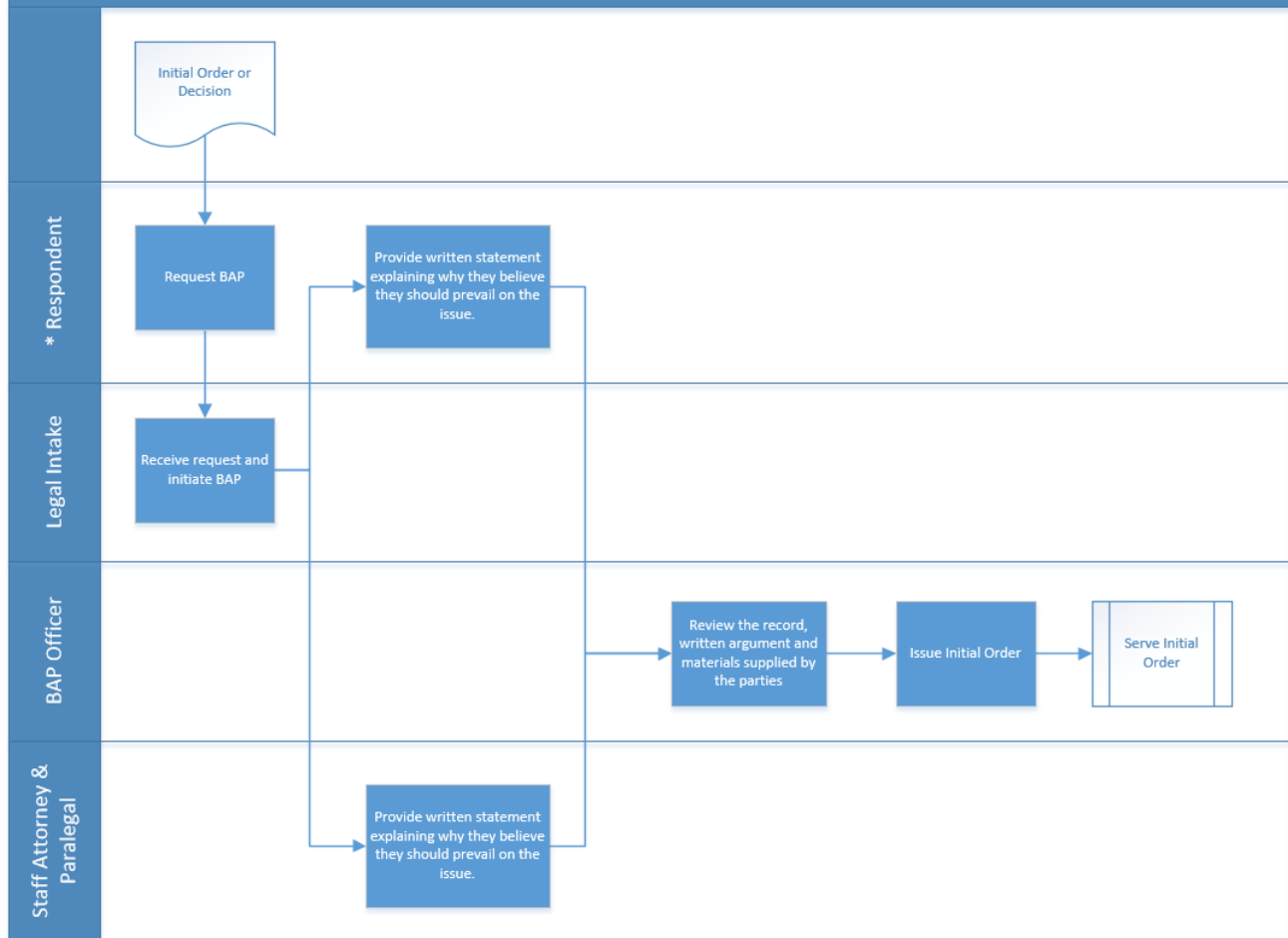
### Sanction Compliance Sub-process



#### 1.1.14 Process: Brief Adjudicative Process

Purpose	To provide Respondent with a quick review of their response to the charges.
Owner	Legal Unit
Inputs	<ul style="list-style-type: none"> <li>Request for BAP</li> <li>The order the Respondent is requesting a BAP for.</li> <li>Respondent statement.</li> <li>Staff Attorney statement</li> <li>Case History.</li> </ul>
Outputs	Initial Oder conveying the BAP Officer's decision on the case.
Notes	

## Brief Adjudicative Process (BAP)



\* The Respondent may or may not be represented by an attorney. If represented, the attorney will generally be the one interacting with the department/commission.

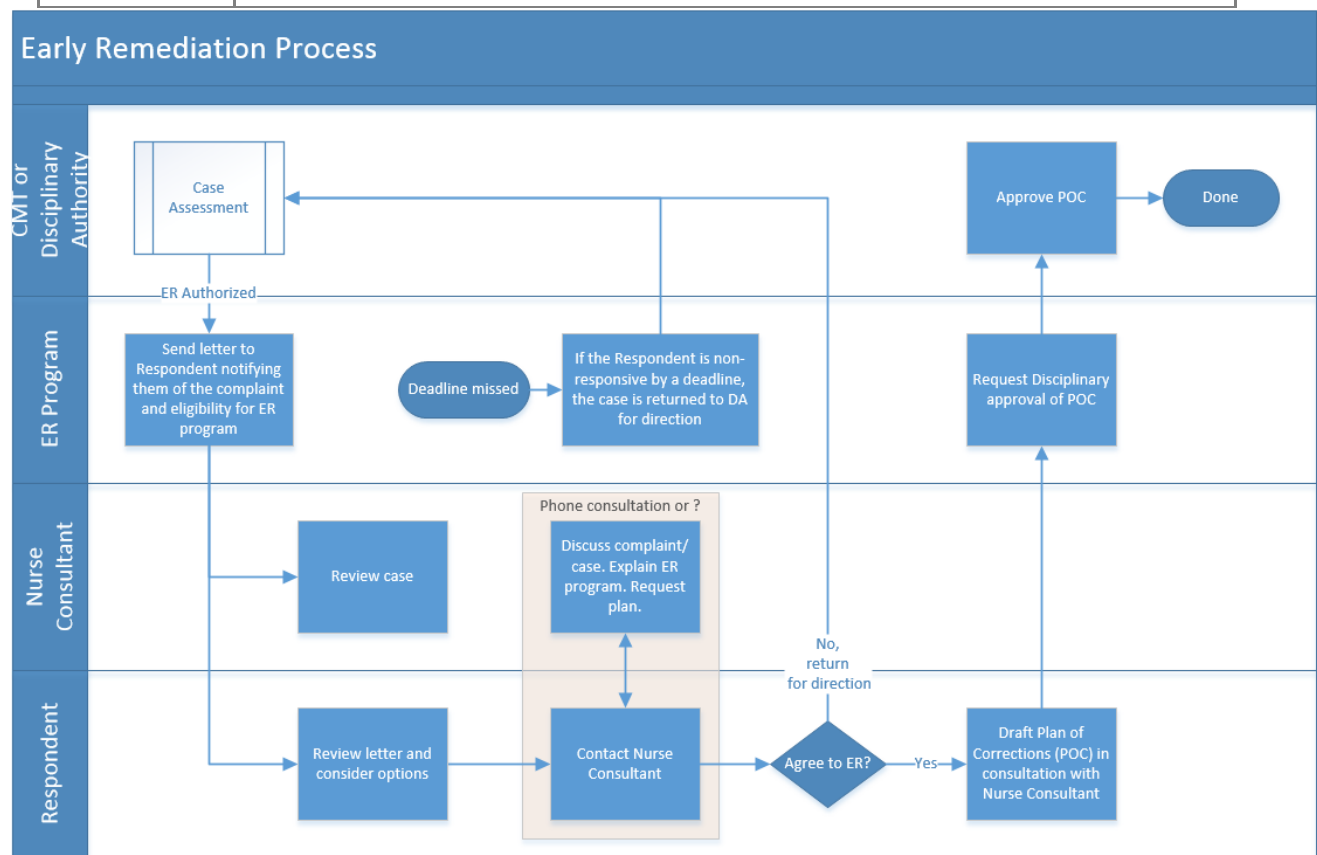
### 1.1.15 Process: Order Release or Termination process

Purpose	After a Respondent has come into compliance and completed the terms of an order, the order is released (or terminated).
Owner	
Inputs	<ul style="list-style-type: none"> <li>Compliance Monitoring case status changes to Case Closed/Compliance Achieved.</li> </ul>
Outputs	<ul style="list-style-type: none"> <li>Release Order (aka Order of Termination) is prepared, filed and sent to Respondent.</li> <li>Status of license changed to Active or Active with Stipulations.</li> </ul>
Notes	



### 1.1.16 Process: Early Remediation Process

Purpose	To provide a qualifying Respondent with an alternative to disciplinary action.
Owner	Nursing Care Quality Assurance Commission
Inputs	CMT provides ER Authorization (conveyed in Case Assessment worksheet).
Outputs	<ul style="list-style-type: none"> <li>If Respondent agrees to ER and completes the program, they are released from the ER program and their case is closed. No disciplinary action shows on their record.</li> <li>If Respondent does not agree to ER or they do not complete the program their case is returned to the CMT for Case Assessment (to determine if the case warrants full investigation).</li> </ul>
Notes	

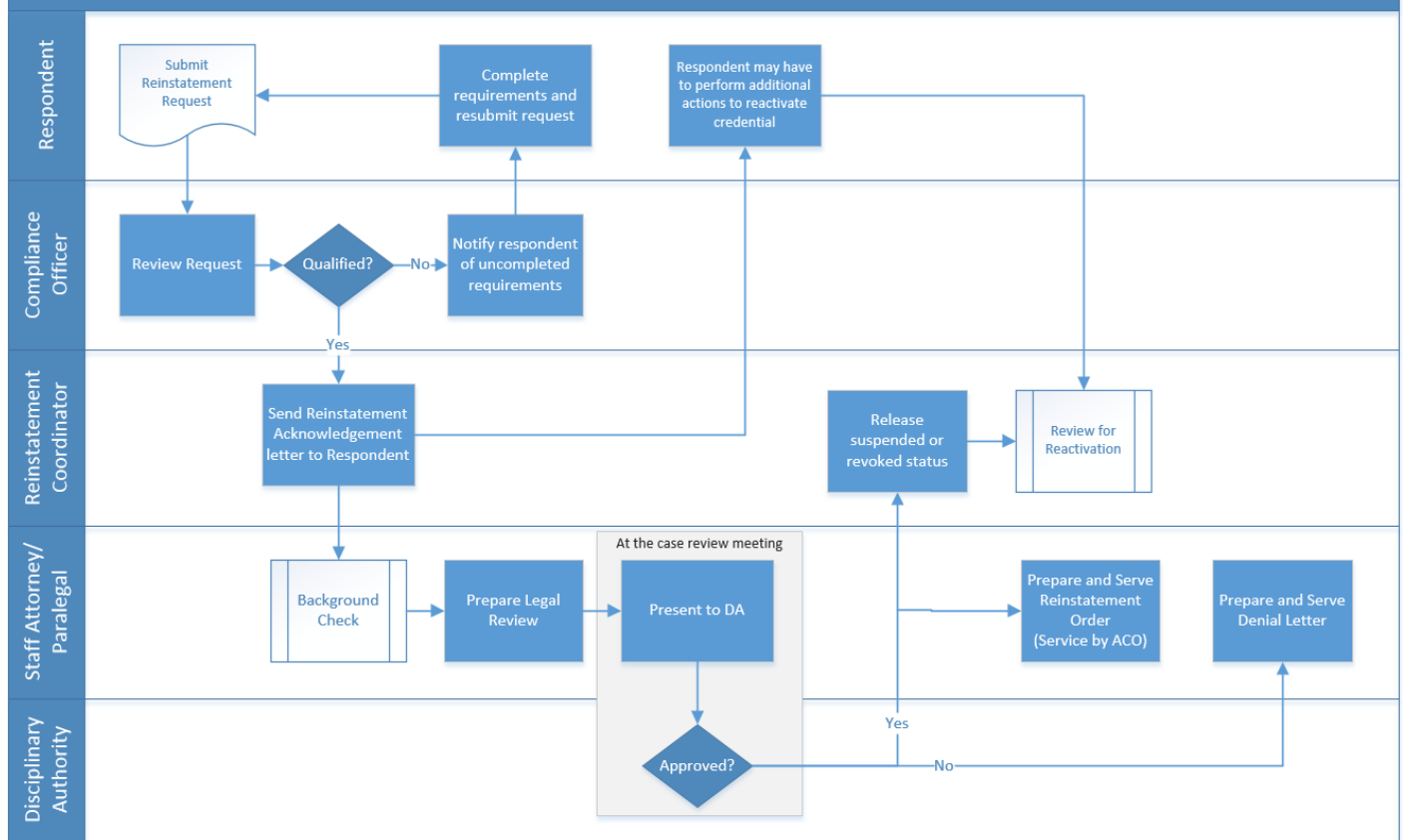


### 1.1.17 Process: Reinstatement After Disciplinary Suspension or Revocation

Purpose	To review a reinstatement request from a credential holder who has been suspended or revoked as a result of disciplinary action.
Owner	
Inputs	Reinstatement Request received from a Respondent.

Outputs	<ul style="list-style-type: none"> <li>If approved, a Reinstatement Order is issued. This releases the Respondent from suspension or revocation.</li> <li>Once reactivation is approved, the credential is placed in active status.</li> </ul>
Notes	<p>Reinstatement happens in two stages:</p> <ol style="list-style-type: none"> <li>Release of Respondent from suspension or revocation. They are no longer a "Respondent" - just a "Credential Holder".</li> <li>Reactivation of each credential held by the Credential Holder.</li> </ol>

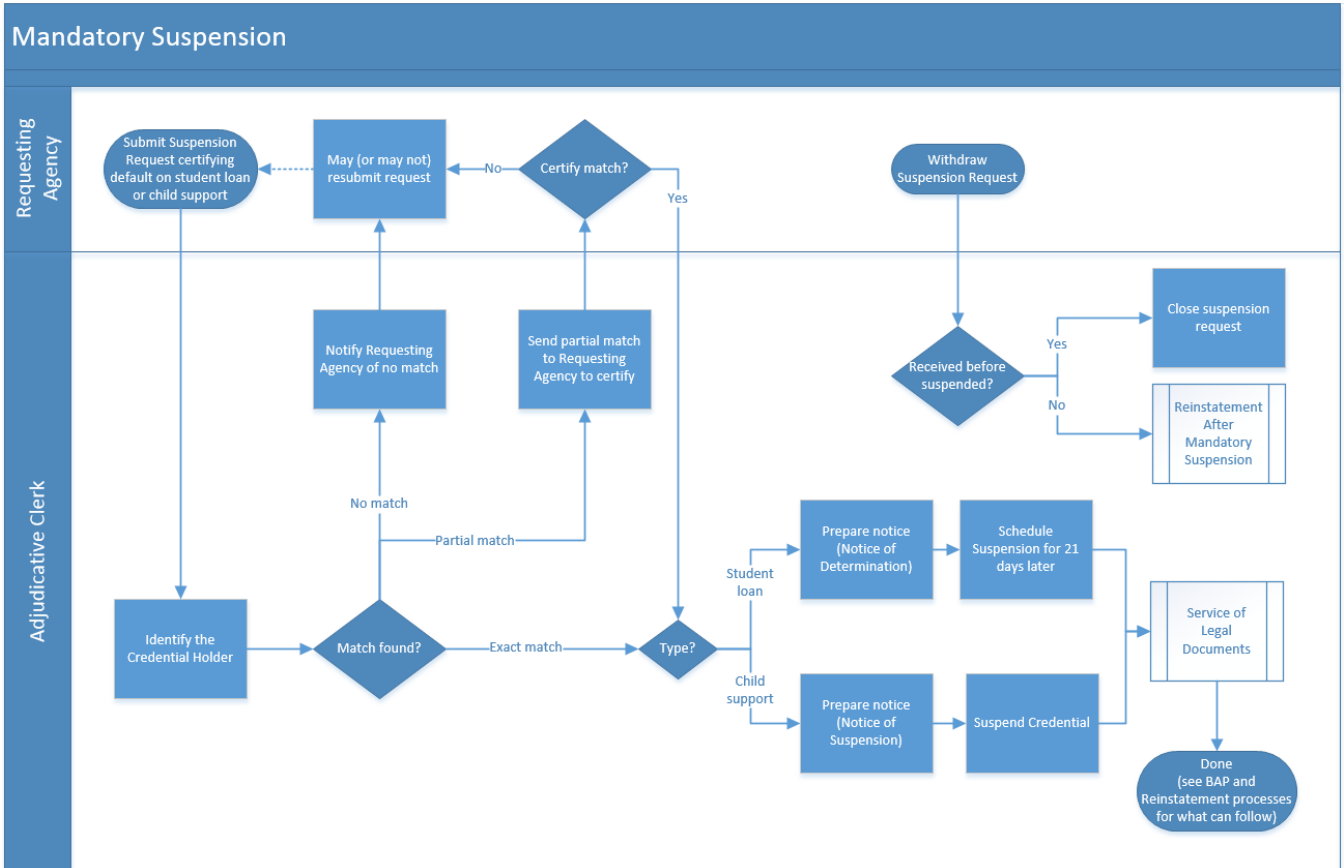
### Reinstatement After Disciplinary Suspension or Revocation



#### 1.1.18 Process: Mandatory Suspension

Purpose	To suspend a credential holder when a certified report of default (on student loan or child support) is received.
Owner	Adjudicative Clerk's Office
Inputs	<p>Suspension Request certifying:</p> <ul style="list-style-type: none"> <li>default on student loan - received from lender of federal/state guaranteed loan.</li> <li>default on child support - received from the Department of Social and Health Services.</li> </ul>

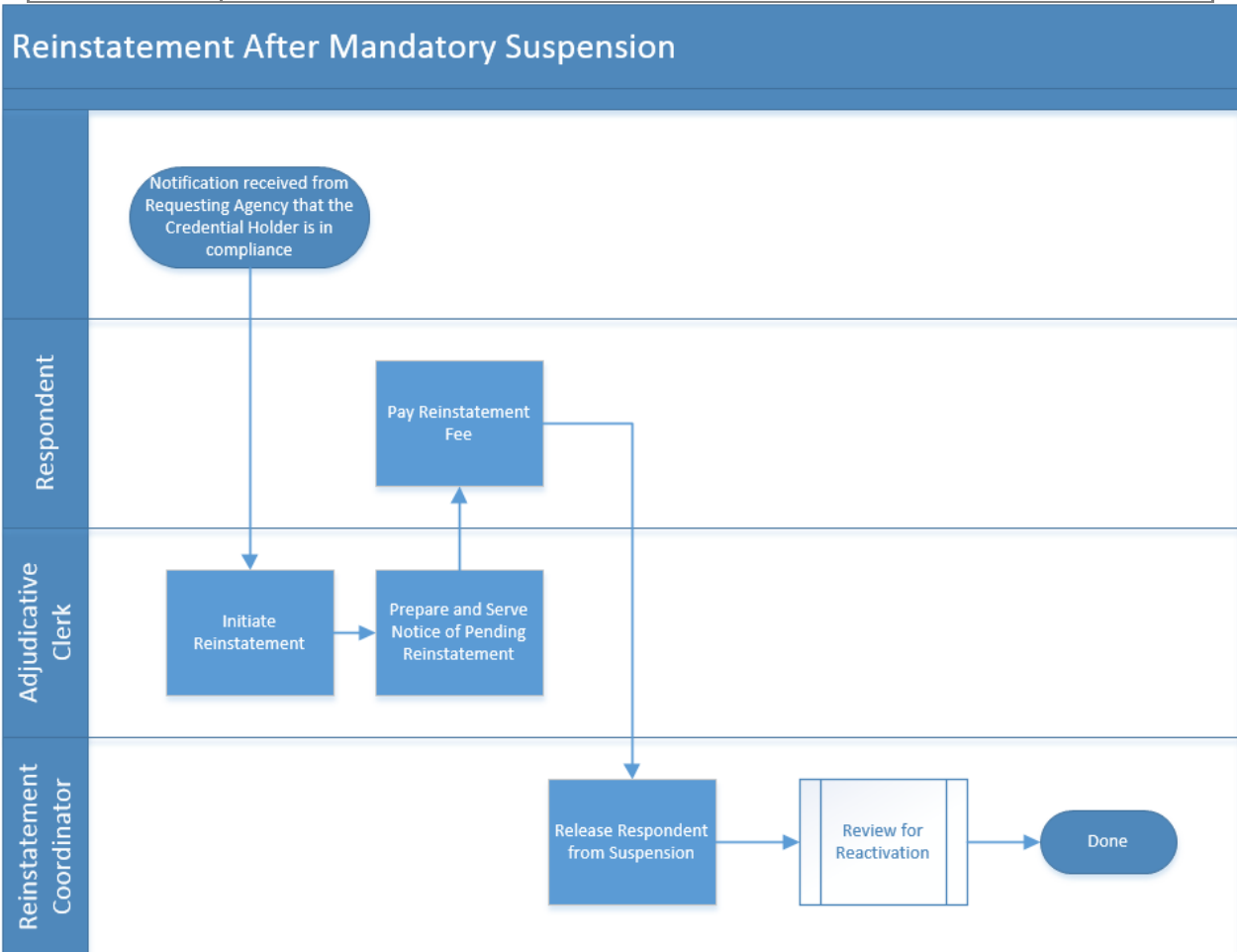
Outputs	<ul style="list-style-type: none"> <li>Suspended status on credential holder and all their credentials.</li> <li>Notification to credential holder:             <ul style="list-style-type: none"> <li>If child support default - Notice of Suspension.</li> <li>If student loan default - Notice of Determination.</li> </ul> </li> </ul>
Notes	<p>The suspension status is on the credential holder:</p> <ul style="list-style-type: none"> <li>it places all credentials held by them in suspended status.</li> <li>and any applications for new credentials will be denied.</li> </ul>



#### 1.1.19 Process: Reinstatement After Mandatory Suspension

Purpose	To reinstate a Respondent after Mandatory Suspension.
Owner	
Inputs	<ul style="list-style-type: none"> <li>Notice of Compliance received from the Requesting Agency.</li> <li>Payment of Reinstatement Fee.</li> </ul>
Outputs	<ul style="list-style-type: none"> <li>Notice of Pending Reinstatement sent to Respondent.</li> <li>Notice of Release from Suspension sent to Respondent and other parties.</li> </ul>

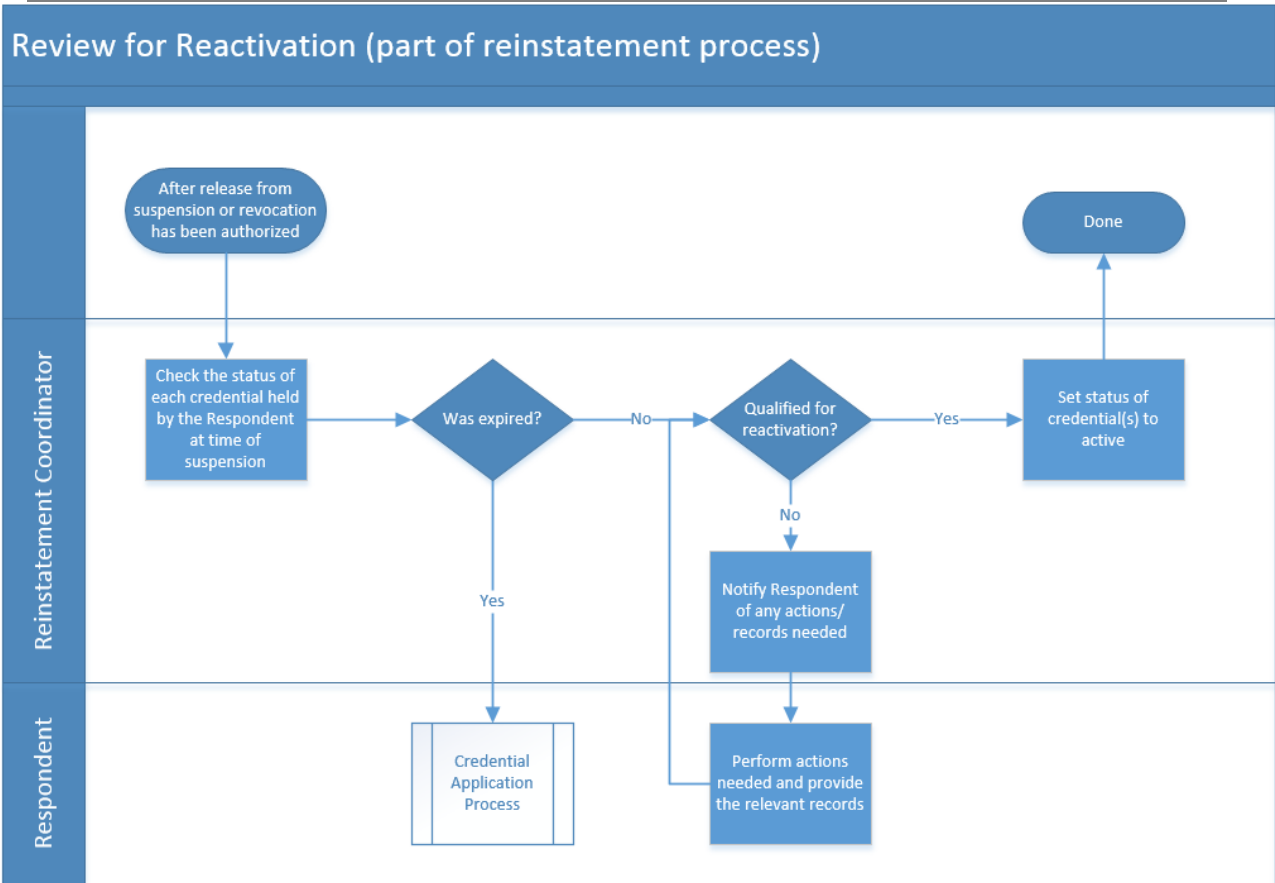
Notes	<p>Please note, there are two stages to reinstatement:</p> <ol style="list-style-type: none"> <li>1. Release from suspension.</li> <li>2. Reactivation of credentials.</li> </ol>
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#### 1.1.20 Process: Review for Reactivation

Purpose	To ensure proper completion of the actions needed to reactivate credentials for a Credential Holder that has been released from suspension (or revocation).
Owner	
Inputs	<ul style="list-style-type: none"> <li>• Authorization to Release Suspension:             <ul style="list-style-type: none"> <li>○ For Mandatory Suspensions the Notice of Compliance from the Requesting Agency is sufficient.</li> <li>○ For Suspensions due to Disciplinary Action, authorization from the Disciplinary Authority is required.</li> </ul> </li> <li>• Respondent's Credential History</li> </ul>

Outputs	<ul style="list-style-type: none"> <li>• Notices informing the Credential Holders of requirements for reactivation.</li> <li>• If/when qualified, credentials in Active status.</li> </ul>
Notes	



## 1.2 User Roles

These are roles that participate in the Enforcement Process. They are also users of the desired solution and thus become "User Roles".

### 1.2.1 Complainant/Patient/Witness/Whistleblower

The Complainant is anybody who submits a complaint or report of misconduct to the department. If they so choose, they can identify themselves and be available for follow-up communications with the department.

#### Their Identity

They have a choice in how their identity is handled:

- They may remain anonymous to all parties, including the department.
- They may remain anonymous to the Respondent and only reveal their identity to enforcement staff assigned to the case.
- They may give permission for their identity to be available to both parties in a case.

Additionally, a patient, witness or whistleblower can have a similar role to a complainant - they provide important information that is used in an investigation, legal action or hearing. Because their interactions with the department are similar in nature, their requirements are grouped together.

### **1.2.2 Respondent**

When enforcement action is taken against someone doing health related work, whether licensed or not, they become a "Respondent" to the department. They must "respond" to the department in a number of ways related to the case.

They may or may not be represented by an attorney. If they are represented by an attorney, they are delegating their interaction with the department to that attorney. They are still served legal documents in addition to their attorney, but the attorney is expected to respond on their behalf and file all of the required court documents, etc., on their behalf.

In these requirements, where ever the term "Respondent" is used, it is short-hand for "Respondent or their attorney, if they have one".

#### **1.2.2.1 Respondent's Attorney**

If a Respondent chooses to be represented by an attorney and the attorney agrees, the attorney must file a Notice of Appearance or Letter of Representation. After receipt of this notice, the department primarily interacts with the attorney. Key legal documents such as the Statement of Charges and the Disciplinary Order are sent to both the attorney and the Respondent. In general, wherever the "Respondent" is mentioned in the requirements, it means the Respondent's Attorney, if they have one.

### **1.2.3 Complaint Intake**

- Responsible for intake of complaints provided by phone, email, fax or postal mail.
- Refer complaints to other Complaint Intake units or agencies when needed.
- Identify complaints that potentially involve imminent danger.
- Make a summary of the key points of a complaint.
- For Boards/Commissions cases, make a redacted copy of paper, fax or emailed complaint.
- Ensure cases are assigned to the correct Case Manager.

### **1.2.4 Case Reviewer**

Case Reviewers review (study) a case and present them to the Disciplinary Authority.

There are three types of Case Reviewers:

- Staff Attorney/Paralegal
- Case Manager
- Reviewing Board/Commission Member
- Expert Witness

#### 1.2.4.1 *Reviewing Board/Commission Member (RBM or RCM)*

Reviewing Board/Commission Members (RBMs/RCMs) review/study enforcement cases and exception applications and present them to the board/commission for the decision that is needed.

#### **Hearings**

Board and Commission members may also be assigned to hearings as a member of the panel making the final case decision after the hearing - similar to a jury, they decide whether the charges were substantiated or not in the hearing. But an **important rule** in hearings is that the panel must only consider information that has been admitted to the hearing by the Health Law Judge. For this reason, hearing panel members must be board/commission members that were not involved in any of the enforcement decisions in the same case (case assessment, case disposition, etc.). The selection of board/commission members must be done carefully so as to not violate this rule. Some boards and commissions assign members to either a "Panel A" or a "Panel B". If a case is assigned to Panel A for case decisions, then it is assigned to Panel B for the hearing, if it goes to hearing. And vice versa.

#### 1.2.4.2 *Expert Witness and Approved Evaluator*

Expert Witnesses are contracted experts on a particular subject area related to health. They are contracted to provide expert input on a case in support of the decisions that need to be made. Their testimony/review can be written and/or presented in person at a Disciplinary Authority meeting or hearing.

***Because they are not employees of the department, they will be "External Users" that access their assigned cases through an online portal.***

***Another role that has similar requirements is the Approved Evaluator.*** An Approved Evaluator is a contracted individual who has been approved in advanced by the Disciplinary Authority to perform mental/physical evaluation on Respondent if the there is information that Respondent may not be safe to practice.

#### 1.2.5 *Case Manager*

- Help cases move properly and efficiently through the enforcement process.
- Review all complaints for Secretary regulated professions and presents the case and a recommendation to the Case Management Team
- Schedule and present cases for review by the Disciplinary Authority Review Team.
- Ensure case decisions are properly considered, authorized and documented.

#### 1.2.6 *Case Management Supervisor*

- Supervise Case Managers - their workload and performance.
- Responsible for ensuring case decisions are properly considered, authorized and documented.

#### 1.2.7 *Case Management Support*

Provide administrative support to Case Managers, Case Reviewers, Investigators and Attorneys.

### **1.2.8 Nursing Consultant**

Provides expert input into nursing enforcement cases and applications.

### **1.2.9 Nursing Education Consultant**

Provides specialized knowledge of Nursing Education programs.

### **1.2.10 Medical Consultant**

For the Medical Commission, the Medical Consultant has specialized knowledge about medical professions. They are involved in a variety of case and application reviews.

### **1.2.11 Program Manager**

- Program Managers in the Office of Health Professions provide specialized expertise on particular secretary professions.
- Program Managers in the Office of Community Health Systems provided specialized in-depth knowledge on particular facility types.
- They are pulled in to Case Management Team meetings for case decisions.
- They perform Non-routine Application reviews.
- They propose and review new rules proposed for their program areas.
- They help manage existing rules.
- They act as liaison with their assigned board/commission.

### **1.2.12 Investigation Support**

Investigation Support performs a variety of tasks in support of Investigators, Investigation Supervisors, Case Managers, Case Management Supervisor, Legal Intake and Compliance.

### **1.2.13 Investigation Supervisor**

- Manages investigators, their workload and assignments.
- Reviews and approves Investigation Reports.

### **1.2.14 Investigator**

- Investigate health providers in response to complaints or allegations of misconduct.
- Complete practice reviews and compliance audits.
- Write Investigation Report.
- Their authority is limited to fact finding only - they gather information and evidence only.

### **1.2.15 Legal Intake**

This role may or may not be delegated by the Supervising Staff Attorney. It should be configurable by the Legal Services Unit.

- Check case file for completeness.
- Route cases depending on legal service requested.
- Request Attorney General services.



### 1.2.16 Legal Assistant

Legal Assistants support Staff Attorneys and Paralegals in the following ways:

- Routing – moving files between units and organizations.
- Calendaring – updating Staff Attorney and Supervising Staff Attorney calendars.
- Check document formatting.
- Check redacting.
- File legal documents with the Adjudicative Clerks Office.
- Service of Legal Documents.

### 1.2.17 Paralegal

Paralegals work with Staff Attorneys on cases in a variety of ways, including:

- Draft and review legal documents.
- Present cases to the CMT.
- Redact documents for the Expert Witness.
- Communicate with Respondent and Applicants.
- Liaison with the Attorney General's office.

### 1.2.18 Staff Attorney

Staff Attorneys:

- Provide legal input to investigations. Can request expansion of the scope of investigation.
- Provide legal review of cases as part of Case Assessment and/or Case Disposition.
- Prepare Initiating Documents.
- Prepare Disciplinary Orders.
- Propose and negotiate settlements.
- Recommend licensing decisions.
- Find/identify Expert Witnesses.
- Interact with opposing counsel.
- Attend hearings.
- Provide input on reinstatement or modification hearings.
- Provide input on Fast Track non-compliance hearings.
- Review and track news/media releases.
- Review orders to if they comply with sanction rules.

### 1.2.19 Legal Manager or Supervising Staff Attorney

The title of this role should be configurable by the Legal Services unit.

- Supervises staff attorneys and their case load.
- Assign cases to their Staff Attorneys.
- Act as Staff Attorney (they do everything Staff Attorneys do).

**1.2.20 Archive Admin**

- Archive paper files and documents by boxing and sending them to the Records Center. This includes keeping a record of what is archived and in what box, and having the transmittal reviewed by the department's Records Manager.
- Retrieve records from the Records Center, when needed.

**1.2.21 Compliance Intake**

This role is currently performed by the Compliance Manager:

- Ensure new Compliance Cases, including initial and final orders, are appropriately enforceable by Compliance Officers.
- Change status of credential as required by order.
- Create and send letters, summary worksheets, fee slips, education information and more.

**1.2.22 Compliance Officer**

In general, the Compliance Officer monitors Respondent for compliance with ordered sanctions. This includes:

- Define and track due dates for actions required of Respondent based on sanctions in a disciplinary order.
- Review submissions from Respondent (or related to Respondent) to ensure they meet the requirements of the order.
- Forward Respondent’s submissions that require approval from the Disciplinary Authority.
- Request patient file audits, practice reviews or inspections when an order requires these methods of ensuring compliance.
- Refer non-compliance or releasable cases to the Disciplinary Authority.
- Review proposed sanctions to make sure they are compliant.
- Attend compliance hearings.

**1.2.23 Compliance Manager**

- Assign new cases to Compliance Officers.
- Manage Compliance Officer workload and performance.
- Act as a Compliance Officer.

**1.2.24 Records Manager**

- Makes records retention decisions.

**1.3 Use Cases for Complainant/Patient/Witness/Whistleblower**

**1.3.1 Complaint Intake Units**

Complaints submitted online should be routed to the appropriate complaint intake unit as follows:

Complaint Intake Unit	Scope of Complaint
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Nursing Commission, Case Management Unit	<ul style="list-style-type: none"> <li>Complaints involving only a licensed nurse or nurse technician.</li> <li>Complaints involving a Nursing Education or Nursing Assistant Training program.</li> </ul>
Medical Commission	Complaints involving only a licensed Medical Doctor or Physician Assistant.
Chiropractic Commission	Complaints involving only a licensed Chiropractor.
HSQA Office of Legal Services	<ul style="list-style-type: none"> <li>Complaints involving professions not listed above.</li> <li>Complaints involving sexual misconduct.</li> <li>Complaints where the provider's license type is not known.</li> <li>Complaints involving providers with licenses in more than one profession.</li> <li>Complaints involving an unlicensed provider.</li> </ul>

### 1.3.2 Use Case: Submit Complaint (and Track)

Purpose	Registered users can submit AND track a complaint.
Description	<p>This version of Submit Complaint is for registered users. It allows them to track the status of their complaint (see use case).</p> <ul style="list-style-type: none"> <li>Required information for a complaint: <ul style="list-style-type: none"> <li>Identify the Practitioner, Facility or Education Program</li> <li>One or more allegations</li> </ul> </li> <li>Additionally, the complainant should be able to provide information about themselves, the incident(s), and any supporting documentation/records they might want to include.</li> <li>System assigns the complaint (if possibly) to the appropriate Complaint Intake unit (see table above). If not possible, the system assigns the case to the HSQA Complaint Intake unit.</li> <li>If the complaint possibly pertains to more than one Complaint Intake unit, the complaint is assigned to HSQA and notifies the other intake unit of the case.</li> </ul>
User Roles	Registered External User

### 1.3.3 Use Case: Track Status of Complaint

Purpose	For the Complainant to track the status of the complaint they submitted.
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Description	<ul style="list-style-type: none"> <li>Shows the overall status of the complaint, including when it was received, approved for investigation (or not), when and why it was closed (if closed), the Initiating Document (if served), and the Disciplinary Order (if served).</li> <li>Complainant must never be informed of Respondent contact information.</li> <li>If their complaint was closed, it gives them the ability to request reconsideration (see use case).</li> </ul>
User Roles	Complainant (registered user)

#### 1.3.4 Use Case: Request Reconsideration of Complaint

Purpose	To request that a case be reconsidered.
Description	<ul style="list-style-type: none"> <li>After receiving the Case Closure Letter, the letter informing the Complainant that their case has been closed and why, the Complainant may request reconsideration.</li> <li>They must provide additional information that could possibly result in a different decision than closing the case.</li> <li>System notifies the Reconsideration Specialist and assigned Case Manager.</li> </ul>
User Roles	Complainant (registered user)

#### 1.3.5 Use Case: Submit Statement in Case

Purpose	To submit a statement in a case they are a party to.
Description	<p>A Complainant, Patient, Witness, or Whistleblower can submit statement in a case.</p> <ul style="list-style-type: none"> <li>If they are not the Complainant (and therefore inherently associated with the case), they must be associated with the case by an authorized enforcement staff assigned to the case.</li> <li>Patients can make a <i>Victim Impact Statement</i>.</li> <li>Witnesses can make a <i>Witness Statement</i>.</li> </ul>
User Roles	Complainant, Patient, Witness, Whistleblower (Registered user)

#### 1.3.6 Use Case: Submit Complaint (only)

Purpose	For members of the general public to submit a complaint.
Description	<ul style="list-style-type: none"> <li>This version of submit complaint does not require the complainant to be a registered user.</li> <li>But they won't be able to track their complaint.</li> </ul>
User Roles	General Public (via online website)

## 1.4 Use Cases for Enforcement Staff

### 1.4.1 Complaint Intake

#### 1.4.1.1 Use Case: Record Complaint

Purpose	To record and save complaints received through channels other than the online complaint form.
Description	<ul style="list-style-type: none"> <li>• Complaints received on paper - scan and save.</li> <li>• Faxed complaints - automatically save.</li> <li>• Complaints received by email - automatically save.</li> <li>• Complaints by phone - see use case <i>Input Phone Complaint</i>.</li> </ul> <p>For complaints submitted online, see the <i>Submit Complaint</i> use case under "Online Services for External Users".</p>
User Roles	Complaint Intake

#### 1.4.1.2 Use Case: Assign Complaint to a Different Complaint Intake Unit

Purpose	To assign the complaint to a different Complaint Intake Unit
Description	If a complaint is sent to the wrong complaint intake unit, the Complaint Intake staff will use this to redirect it to the appropriate complaint intake unit.
User Roles	

#### 1.4.1.3 Use Case: Refer complaint to a different regulatory authority

Purpose	To refer a complaint to a different regulatory authority when it is not in the regulatory scope of the Department of Health.
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Description	<p>Examples of other regulatory authorities:</p> <ul style="list-style-type: none"> <li>• Other Washington state agencies including the Department of Social and Health Services (DSHS), the Office of the Insurance Commissioner (OIC), the Health Care Authority (HCA), the Department of Labor and Industries (LNI), and the Washington State Patrol.</li> <li>• Local law enforcement agencies (city police, county sheriff, etc.).</li> <li>• Federal agencies include the Federal Bureau of Investigation (FBI), the Veterans Administration (VA), the Drug Enforcement Agency (DEA) and the Center for Medicare Services (CMS).</li> </ul> <p>Requirements:</p> <ul style="list-style-type: none"> <li>• Nice to have: be able to electronically and automatically refer to the regulatory authority (depends on regulatory authority).</li> <li>• System: <ul style="list-style-type: none"> <li>○ Saves a record of the referral.</li> <li>○ Notifies the complainant (if complainant has email or online account).</li> </ul> </li> </ul>
User Roles	Complaint Intake, Case Manager

**1.4.1.4 Use Case: Receive Complaint by Phone**

Purpose	To receive a complaint by phone.
Description	<p>Nice to have:</p> <ul style="list-style-type: none"> <li>• Option to record call and save with complaint record.</li> <li>• Script of questions for intake staff to ask caller.</li> <li>• Will consider automated transcription with intake staff verification.</li> </ul>
User Roles	Complaint Intake

**1.4.1.5 Use Case: View New Complaints**

Purpose	Shows new complaints and allows intake staff to work on them.
Description	<ul style="list-style-type: none"> <li>• Shows all new complaints, how they were submitted and their status.</li> <li>• Provides ability to open and work on complaint.</li> <li>• Once submitted for Case Assessment, the complaint is taken off the list of new complaints.</li> </ul>
User Roles	Complaint Intake

**1.4.1.6 Use Case: Identify Case Type**

Purpose	Identify the type of case.
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Description	<p>Some cases can involve more than one license/credential type. They can also involve both unlicensed and licensed practice. This tool allows authorized users at different stages of the enforcement process to select the type of case/complaint(s).</p> <p>Provide the ability to select multiple licenses:</p> <ul style="list-style-type: none"> <li>• Option to find and select by: <ul style="list-style-type: none"> <li>○ Profession, then license type (for the selected profession).</li> <li>○ Facility type, then license type.</li> <li>○ Searching by key word.</li> </ul> </li> <li>• Choosing unlicensed practice must be an option.</li> <li>• Select multiples of the above.</li> <li>• After selection is complete, notify the program areas involved.</li> <li>• TBD: what to do if the case has already been assessed.</li> </ul>
User Roles	Complaint Intake, Case Manager

**1.4.1.7 Use Case: Redact Complaint**

Purpose	To create a redacted version of the complaint for Disciplinary Authority Reviewers (Board/Commission cases only).
Description	<p>Respondent or Complainant identifying information must be hidden/redacted on complaints for Board/Commission cases. This includes contextual information about an incident (such as location) that could be used to infer the identify of the Respondent.</p> <ul style="list-style-type: none"> <li>• Complaint Intake Staff review the text of the complaint and manually redact information that identifies (or might identify) the Respondent and/or Complainant.</li> <li>• The system automatically excludes Respondent and Complainant identifying fields from the Disciplinary Authority Reviewers (B/C Reviewers only) view of the complaint and case.</li> </ul>
User Roles	Complaint Intake

**1.4.1.8 Use Case: Expedite Case**

Purpose	To expedite a case for assessment when there is imminent danger.
Description	<ul style="list-style-type: none"> <li>• Flags case as Expedited (Case Priority A).</li> <li>• Sends notification to Complaint Intake Supervisor.</li> </ul>
User Roles	Complaint Intake

**1.4.1.9 Use Case: Summarize Key Points**

Purpose	To summarize the key points of a complaint and identify the case nature.
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Description	<p>Some complaints can be very long. By summarizing the key points, Complaint Intake helps case participants focus on the important aspects of a case. Be able to identify:</p> <ul style="list-style-type: none"> <li>• Case Nature by selecting from a standard (configurable) list.</li> <li>• List of allegations.</li> <li>• Parties involved in complaint.</li> <li>• Key incidents.</li> </ul> <p>Please note, this is not a replacement for the full text of the complaint. Sometimes the Investigator or Disciplinary Authority need to read the original complaint to research details that might not be captured in the key points.</p>
User Roles	Complaint Intake

#### 1.4.1.10 Use Case: Submit Case for Assessment

Purpose	After intake work is complete, the case is submitted for assessment.
Description	<ul style="list-style-type: none"> <li>• System places the case in the Case Assessment queue.</li> </ul>
User Roles	Complaint Intake

### 1.4.2 Case Management

#### 1.4.2.1 Case Priority

The following table describes the priorities that can be currently assigned to a case. The choices should be configurable in the solution:

Priority	Description	Individual Reasons	Business/Agency Reasons
Priority A	Imminent Danger or Immediate Jeopardy	Possible Summary Action involving Death, Serious Injury, Sexual Misconduct, Abuse, Prohibition in another State	Possible Summary Action involving abuse, neglect, EMTALA, exposure to serious physical/ fire hazards, sanitation, health and safety violations, transfusion fatality, abduction, abandonment
Priority B	Serious Risk	Death, Serious Injury, Sexual Misconduct, Media Attention, Abuse <i>For legal case only:</i> Pattern indicating Gross Incompetence	Abuse, neglect, EMTALA, exposure to serious physical/ fire hazards, sanitation, health and safety violations, transfusion fatality, abduction, abandonment
Priority C	Moderate Risk	Drug Diversion, Standard of Care	Drug Diversion, Standard of Care, Physical environment, Health and Safety violations,
Priority D	Minor Risk	No Patient Harm	Inspection Issues, Health and Safety violations, inappropriate verbal communication



Priority E	Technical or Questionable Violation(s)	Credential Application, Failure to Pay Child Support, Testing Issues	Jurisdictional questions
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**1.4.2.2 Use Case: Identify Respondent in a Case**

Purpose	To identify (or correct) the Respondent in a case.
Description	<p>The Respondent in a case is not always positively identifiable from the complaint. Sometimes the complainant doesn't know the Respondent's name, or they misspell it, or there might be multiple providers with the same name.</p> <p>Before legal action can be initiated, the Respondent must be positively identified. It might be during Complaint Intake or during the Investigation.</p> <p>The Respondent will be either a licensed provider, facility, education program or an unlicensed provider, facility or education program.</p> <ul style="list-style-type: none"> <li>• If they are a licensed provider or facility, the case record must be related to a particular (DOH issued) license held by the Respondent. As part of establishing the related license, the Respondent's contact information is checked, and if needed, updated.</li> <li>• If they are an unlicensed provider, a contact record must be established that positively identifies the Respondent. Until a method of contact with the Respondent is established, it is difficult to pursue legal action.</li> </ul> <p>If and when a Respondent's license is established/related to the case record, the system should check to make sure the case is assigned to the correct Complaint Intake unit. See use case <i>Assign Complaint to a Different Complaint Intake Unit</i> for more information.</p>
User Roles	Complaint Intake, Case Manager, Investigation Support, Investigator

**1.4.2.3 Use Case: View Case Details (Case Manager View)**

Purpose	For Case Managers to view the details of a case and be able to take relevant action as needed.
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Description	<ul style="list-style-type: none"> <li>• Be able to view all information related to a case.</li> <li>• The most important information for Case Management includes:             <ul style="list-style-type: none"> <li>○ Complaint as received, including the source and form/channel of complaint.</li> <li>○ Redacted complaint.</li> <li>○ Case Information (case number, case status, related cases, activity, etc.).</li> <li>○ Information Parsed from the complaint:                 <ul style="list-style-type: none"> <li>▪ Respondent information (whatever is available): Name, Address, Email, Phone, Profession/Facility Type.</li> <li>▪ Incident Information, if any. Location, what happened, etc.</li> <li>▪ Nature of case.</li> <li>▪ Allegations.</li> </ul> </li> </ul> </li> <li>• It's also important Case Management be able access:             <ul style="list-style-type: none"> <li>○ Disciplinary Authority View (what they see), case assessment, case disposition and other decisions.</li> <li>○ Investigation View, assignments, activity, evidence, deficiencies, etc.</li> <li>○ Legal View, assignments, activity, legal reviews, legal statements, etc.</li> </ul> </li> <li>• Be able to initiate actions depending on the status of the case (see Case Management use cases).</li> </ul>
User Roles	Case Manager, Case Management Support

**1.4.2.4 Use Case: Assign Case Reviewer**

Purpose	To request a Case Reviewer to review a case and present it at the next case review meeting.
Description	<p>The Case Reviewer is responsible for reviewing the case and presenting it the CMT/panel at the assigned meeting. The CMT/panel makes the required case decision.</p> <ul style="list-style-type: none"> <li>• Choose the Case Reviewer Type (Staff Attorney, Case Manager, RCM/RBM or Expert Witness).</li> <li>• Get list of qualifying Case Reviewers (based on Case Reviewer Type and the profession/facility type).</li> <li>• See a Case Reviewers availability and their case history. If RCM/RBM or Expert Witness, view their term expiration date.</li> <li>• Select at least one Case Reviewer.</li> <li>• System assigns them to the case and sends them a notification.</li> </ul>
User Roles	Case Manager, Staff Attorney, Paralegal

**1.4.2.5 Use Case: Set Case Priority**

Purpose	To set or change the Case Priority.
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Description	<ul style="list-style-type: none"> <li>• See Case Priority options.</li> <li>• Priority A (Imminent Danger or Immediate Jeopardy) is the highest priority.</li> </ul>
User Roles	Case Manager, Investigation Support

#### 1.4.2.6 Use Case: Relate Cases

Purpose	To relate two or more cases.
Description	<ul style="list-style-type: none"> <li>• Select cases and relate them. Select the type of relationship (companion, associated, or other).</li> <li>• The cases must either be for the same Respondent or for the same incident (multiple Respondent's).</li> <li>• The two cases remain separate but provide easy access to each other.</li> <li>• System notifies everybody assigned to both cases.</li> </ul>
User Roles	Case Manager

#### 1.4.2.7 Use Case: Un-relate Cases

Purpose	To un-relate two related cases.
Description	<ul style="list-style-type: none"> <li>• System notifies everybody assigned to both cases.</li> </ul>
User Roles	Case Manager

#### 1.4.2.8 Use Case: Merge Cases

Purpose	Merges two cases when multiple people have reported the same issue.
Description	<ul style="list-style-type: none"> <li>• The two cases must be for the same Respondent.</li> <li>• If there is conflicting information between the two cases, the conflict must be resolved.</li> <li>• The end result is one case, with the information combined from the two cases.</li> <li>• System notifies everybody assigned to both cases.</li> </ul>
User Roles	Case Manager

#### 1.4.2.9 Use Case: Place Case on Hold

Purpose	To place a case on hold.
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Description	<p>Case Management places cases on hold when there is a related investigation in progress. For example, if Washington State Patrol is investigating a Respondent for similar allegations, the case will be placed on hold till the criminal investigation is complete. Depending on the outcome of the criminal investigation, the case may be reopened and the DOH investigation continued.</p> <p>User provides:</p> <ul style="list-style-type: none"> <li>○ Reason. From a standard list or option to provide a new reason.</li> <li>○ Follow-up date (default 60 days - configurable).</li> </ul> <p>System:</p> <ul style="list-style-type: none"> <li>○ Notifies all staff assigned to case of the on hold status.</li> <li>○ Does not count days a case is on hold toward performance goals.</li> <li>○ When the follow-up date passes, the system creates a task for follow-up and assigns to the Investigator and Case Manager.</li> </ul>
User Roles	Case Manager

**1.4.2.10 Use Case: Remove Hold**

Purpose	To remove a hold and reactivate the case.
Description	<ul style="list-style-type: none"> <li>● User must provide a reason for removing the hold.</li> <li>● The case continues in the enforcement process from where it left off.</li> <li>● System notifies everybody assigned to case.</li> </ul>
User Roles	Case Manager

**1.4.2.11 Use Case: Delete Case (workflow)**

Purpose	To remove an incorrectly created case.
Description	<ul style="list-style-type: none"> <li>● User must select a reason from a standard configurable list. If due to duplicate case, they must identify the other case.</li> <li>● System requires approval - this should be configurable by program group.</li> <li>● System notifies everybody assigned to the case.</li> <li>● System removes the record from view/access by any (business) user but it can be restored by request.</li> </ul>
User Roles	Case Manager

**1.4.2.12 Use Case: Reopen Case**

Purpose	To reopen a case that is closed.
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Description	<ul style="list-style-type: none"> <li>Complainants can ask that their complaint be reconsidered - they are required to provide a reason and/or additional information. Also the Disciplinary Authority can request that a closed case be reopened.</li> <li>If there is sufficient cause, the Case Manager reopens the case and it is sent back to Case Assessment.</li> <li>System reactivates assignments and notifies everybody assigned.</li> </ul>
User Roles	Case Manager

**1.4.2.13 Use Case: Attach Complaint Impact Statement**

Purpose	To upload and attach an Impact Statement from a witness.
Description	<ul style="list-style-type: none"> <li>From a view of the case details, the user may select the Impact Statement.</li> <li>The system uploads and attaches the file to the case.</li> </ul>
User Roles	Case Manager

**1.4.2.14 Use Case: Monitor Case Work**

Purpose	To ensure case work is meeting performance targets.
Description	<p>Details TBD, but here are some examples of the types of information needed:</p> <ul style="list-style-type: none"> <li>Days in enforcement phase (assessment, investigation, legal, adjudication, etc.). View averages and outliers.</li> <li>View cases close to or past over due dates.</li> <li>View by profession, license or credential.</li> <li>View by case worker, their workload, number of cases, number of hours on cases.</li> <li>View companion and single complaint cases.</li> </ul>
User Roles	Various supervisor and management roles

**1.4.2.15 Use Case: Send Closure Letter(s)**

Purpose	To send Closure Letters to the Complainant and the Respondent.
Description	<ul style="list-style-type: none"> <li>System generates a letter for the Respondent and a letter to the Complainant from the appropriate templates.</li> <li>If the recipient has email, the system sends the letter by email.</li> <li>If the recipient is a registered user, the system makes the letter available on the recipient's portal account.</li> <li>Otherwise the case is forwarded to Complaint Intake where they print and send the letter by postal mail.</li> </ul>
User Roles	Case Manager, Complaint Intake

**1.4.2.16 Use Case: Close Case (Disciplinary Action is complete)**

Purpose	This is for completed disciplinary action that is not going to Compliance Monitoring.
Description	<p>Cases where the license is suspended, for example, do not go to Compliance Monitoring. When the action is complete, the case is closed.</p> <ul style="list-style-type: none"> <li>• Status of license is changed (this may involve an assignment for credentialing, or it may be done by the user - it depends on the configuration requirements TBD).</li> <li>• Case is closed.</li> <li>• System does all of the housekeeping needed - details TBD. Examples: <ul style="list-style-type: none"> <li>○ For Nursing, the system sends case information to TERCAP, if an electronic interface is possible. If not, the system sends a request for TERCAP update to the TERCAP unit.</li> </ul> </li> </ul>
User Roles	Case Manager, Staff Attorney, Paralegal

**1.4.3 Case Assessment**

**1.4.3.1 Use Case: View Case Assessment Queue**

Purpose	To view cases ready for assessment.
Description	<ul style="list-style-type: none"> <li>• View Case Number, Complainant, Respondent (if known), License Type, Case Manager, Date Report Received, how received (online, phone, mail, etc.).</li> <li>• Option to View Case Details.</li> </ul>
User Roles	Case Manager, Case Management Support, Case Management Supervisor

**1.4.3.2 Use Case: Change Case Manager**

Purpose	To change the Case Manager assigned to a case.
Description	This is for the Case Management Supervisor, in case they need to assign a case to a different Case Manager.
User Roles	Case Management Supervisor

**1.4.3.3 Use Case: Submit Case Assessment**

Purpose	To record the results of the case assessment and initiate the next step in the process.
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Description	<p>The Case Manager records:</p> <ul style="list-style-type: none"> <li>• Date of Decision</li> <li>• Case Reviewers that presented the case.</li> <li>• Deciders - the panel members that were present and participated in the decision.</li> <li>• Decision. <ul style="list-style-type: none"> <li>○ If decision is to close case: <ul style="list-style-type: none"> <li>▪ User selects reason from standard list of reasons (allow for "other" with explanation). List is configurable.</li> <li>▪ System queues for Close Case (see use case with the same name).</li> </ul> </li> <li>○ If decision is to investigate: <ul style="list-style-type: none"> <li>▪ User records Scope of investigation (optional).</li> <li>▪ System places the case in the Investigation Unit's queue.</li> </ul> </li> </ul> </li> </ul>
User Roles	Case Manager

**1.4.3.4 Use Case: Close Complaint**

Purpose	To close a complaint (and case) when it is not authorized for investigation by the Disciplinary Authority.
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Description	<p>All complaints must be reviewed by the relevant disciplinary authority. Once assessed, if the Disciplinary Authority determines that a complaint does not warrant investigation, the Case Manager may close it.</p> <ul style="list-style-type: none"> <li>A reason must be provided. See table below for a current list of reasons. The table needs to be configurable. For example, one reason that is missing from the table is if the business was closed.</li> <li>The complaint is no longer consider a complaint when it comes to public disclosure requests. See related business rule.</li> <li>If possible, the Complainant is notified with a Complaint Closure letter.</li> </ul> <p><b>A. FILE CLOSED:</b></p> <table border="1" data-bbox="389 661 1435 1144"> <tr> <td><input type="checkbox"/> <b>BT- No Jurisdiction</b></td> <td><input type="checkbox"/> <b>BT- No violation at the time the event occurred</b></td> <td><input type="checkbox"/> <b>BT- Communication and personality issues</b></td> <td><input type="checkbox"/> <b>BT- Ri likely to re</b></td> </tr> <tr> <td><input type="checkbox"/> <b>BT- Billing and fee disputes except as designated by disciplining authority</b></td> <td><input type="checkbox"/> <b>BT- Time practiced on expired credential accepted by disciplining authority</b></td> <td><input type="checkbox"/> <b>BT- Insufficient information</b></td> <td><input type="checkbox"/> <b>BT- I true, no vi occurred</b></td> </tr> <tr> <td> <input type="checkbox"/> <b>BT- Profession-specific threshold.</b>            Explain: _____            _____            a) Violating confidentiality            b) Inappropriate delegation            c) Failure to supervise            d) Isolated incidents            e) Advertising that is a technical violation         </td> <td> <input type="checkbox"/> <b>BT- Issues which have been otherwise resolved.</b>            Explain resolution: _____            _____            _____            (detail corrective action: practitioner is already revoked; ongoing monitoring, etc.)         </td> <td><input type="checkbox"/> <b>BT- Referral to another program or agency</b></td> <td><input type="checkbox"/> <b>BT – Ir facility</b></td> </tr> </table>	<input type="checkbox"/> <b>BT- No Jurisdiction</b>	<input type="checkbox"/> <b>BT- No violation at the time the event occurred</b>	<input type="checkbox"/> <b>BT- Communication and personality issues</b>	<input type="checkbox"/> <b>BT- Ri likely to re</b>	<input type="checkbox"/> <b>BT- Billing and fee disputes except as designated by disciplining authority</b>	<input type="checkbox"/> <b>BT- Time practiced on expired credential accepted by disciplining authority</b>	<input type="checkbox"/> <b>BT- Insufficient information</b>	<input type="checkbox"/> <b>BT- I true, no vi occurred</b>	<input type="checkbox"/> <b>BT- Profession-specific threshold.</b> Explain: _____ _____ a) Violating confidentiality b) Inappropriate delegation c) Failure to supervise d) Isolated incidents e) Advertising that is a technical violation	<input type="checkbox"/> <b>BT- Issues which have been otherwise resolved.</b> Explain resolution: _____ _____ _____ (detail corrective action: practitioner is already revoked; ongoing monitoring, etc.)	<input type="checkbox"/> <b>BT- Referral to another program or agency</b>	<input type="checkbox"/> <b>BT – Ir facility</b>
<input type="checkbox"/> <b>BT- No Jurisdiction</b>	<input type="checkbox"/> <b>BT- No violation at the time the event occurred</b>	<input type="checkbox"/> <b>BT- Communication and personality issues</b>	<input type="checkbox"/> <b>BT- Ri likely to re</b>										
<input type="checkbox"/> <b>BT- Billing and fee disputes except as designated by disciplining authority</b>	<input type="checkbox"/> <b>BT- Time practiced on expired credential accepted by disciplining authority</b>	<input type="checkbox"/> <b>BT- Insufficient information</b>	<input type="checkbox"/> <b>BT- I true, no vi occurred</b>										
<input type="checkbox"/> <b>BT- Profession-specific threshold.</b> Explain: _____ _____ a) Violating confidentiality b) Inappropriate delegation c) Failure to supervise d) Isolated incidents e) Advertising that is a technical violation	<input type="checkbox"/> <b>BT- Issues which have been otherwise resolved.</b> Explain resolution: _____ _____ _____ (detail corrective action: practitioner is already revoked; ongoing monitoring, etc.)	<input type="checkbox"/> <b>BT- Referral to another program or agency</b>	<input type="checkbox"/> <b>BT – Ir facility</b>										
User Roles	Case Manager												

### 1.4.4 Investigation

#### 1.4.4.1 Use Case: View New Cases for Investigation

Purpose	To view new cases for Investigation that have not been assigned to an Investigator.
Description	<ul style="list-style-type: none"> <li>Shows new cases that have been authorized for investigation but not yet assigned to an investigator.</li> <li>Shows key case information including Case Number, Date Authorized, Due Date, Profession or Facility Type, Respondent, Case Manager, Last Case Entry date.</li> <li>Option to Assign Case to Investigator (see related use case).</li> </ul>
User Roles	Investigation Supervisor, Investigation Support, Investigator



**1.4.4.2 Use Case: Assign Case to Investigator (and/or Investigation Support)**

Purpose	To assign the case to an investigator or support staff.
Description	<p>After selecting the case:</p> <ul style="list-style-type: none"> <li>• Show case information.</li> <li>• Option for system to recommend assignment based on prior work, specialty and region. This option should be configurable by Investigation Unit.</li> <li>• User selects from a list of qualified investigators which shows their specialty, region and case load. Or user selects support staff.</li> <li>• Option to prioritize investigation for investigator (can be different from Case Priority).</li> <li>• The system notifies the investigator and places it in their queue.</li> </ul>
User Roles	Investigation Supervisor, Investigation Support

**1.4.4.3 Use Case: View Case Details (Investigation View)**

Purpose	To show all information about a case to an investigator.
Description	<p>Investigators need to be able to see all information on and related to a case including:</p> <ul style="list-style-type: none"> <li>• Case dates, priority, status.</li> <li>• Complaint as received.</li> <li>• Complaint summary (provided by Complaint Intake).</li> <li>• Links to related cases.</li> <li>• Case History (actions taken, communications, etc.).</li> <li>• Scope of Investigation provided by Disciplinary Authority Review Team.</li> <li>• Respondent information (see related use case).</li> </ul>
User Roles	All Investigation Staff

**1.4.4.4 Use Case: View Respondent Details**

Purpose	To view all information on a Respondent.
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Description	Be able to access all information available on Respondent including: <ul style="list-style-type: none"> <li>• Contact Information.</li> <li>• Credentials, Licenses, Registrations or Certifications.</li> <li>• If the Respondent is a Facility Licensee, be able to see all facilities and branches that they hold a license for.</li> <li>• Applications and application history.</li> <li>• Annual updates and renewals.</li> <li>• Accrediting organization activity.</li> <li>• Changes in ownership.</li> <li>• Current and previous enforcement activity.</li> <li>• Be able to access information on Respondent in National Practitioner Database.</li> <li>• Be able to initiate (or perform) a correction, if Respondent records are incorrect.</li> </ul>
User Roles	Investigator

**1.4.4.5 Use Case: Request Expansion of Investigation**

Purpose	For investigators to be able to request expansion of the scope of investigation. This is needed when the investigator comes across evidence of misconduct that is not covered in the current scope.
Description	The Investigator initiates the request from the case. <ul style="list-style-type: none"> <li>• The Investigator describes the reason for the request - what they found and what allegations they want to include in the scope of the investigation.</li> <li>• System routes the request to the Case Manager to present to the assigned Case Reviewers.</li> </ul>
User Roles	Investigator

**1.4.4.6 Use Case: Add/Update Evidence**

Purpose	To capture evidence/information gathered.
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Description	<p>These are facts, records, documents, information or (data representing) physical evidence gathered in a case. Examples are victim or witness statements, bills, emails, phone records, pictures, x-rays, drugs or other physical items.</p> <ul style="list-style-type: none"> <li>• For physical evidence, provide option to store an image of the evidence. Also provide a link or reference to the evidence record. The evidence record shows the current location of the physical evidence.</li> <li>• Optionally be able to identify a termination date for evidence. That's when the evidence may be destroyed. The system would send a notification to the Evidence Locker Manager for items that may be destroyed.</li> <li>• Any features that enable gathering and recording of evidence in the system.</li> <li>• Evidence can pertain to one or more cases.</li> <li>• Option to associate evidence with a particular allegation or the case as a whole.</li> </ul>
User Roles	Investigator

**1.4.4.7 Use Case: Request a Document from Respondent**

Purpose	To request a document or record from the Respondent.
Description	<ul style="list-style-type: none"> <li>• This is for Respondents that is a registered users of the portal (online services). Otherwise, the Investigator will use a letter of phone call to request the document.</li> <li>• Check items on a standard list of documents or records.</li> <li>• System sends the request to the Respondent.</li> </ul>
User Roles	Investigator

**1.4.4.8 Use Case: Generate Letter or Document**

Purpose	To generate a standard letter or document from a template.
Description	Investigators generate and send a variety of letters/documents, depending on the status and results of an investigation/case. These letters/documents need to be generated automatically using templates that can be designed and configured by program area and credential type.
User Roles	Investigator, Investigation Support

**1.4.4.9 Use Case: Send Letter**

Purpose	To send a letter to a Respondent.
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Description	<p>If Respondent is a registered user of the Licensee Portal:</p> <ul style="list-style-type: none"> <li>• The system should offer the option of sending a generated letter via the portal.</li> <li>• The system uses email to notify Respondent with a link to letter in Portal.</li> <li>• This is a more efficient and secure solution for sending letters than either email or postal mail.</li> </ul> <p>If Respondent is not a registered user of the Licensee Portal, the letter must be sent by email or postal mail.</p>
User Roles	Investigator, Investigation Support

**1.4.4.10 Use Case: Log Activity**

Purpose	To log investigation work that takes place "outside" the system.
Description	<ul style="list-style-type: none"> <li>• Case activity in the system is automatically logged by the system.</li> <li>• Activity outside of the system that needs to be logged is entered by the investigator.</li> </ul>
User Roles	Investigator, Investigation Support

**1.4.4.11 Use Case: Attach Email to Case**

Purpose	To attach an email to a case.
Description	<ul style="list-style-type: none"> <li>• Although most case related communications will be conducted and tracked in the system, there will be occasions when email will be used. These communications should be easily attachable to the case record.</li> <li>• Be able to identify the email as an exhibit or just a communication.</li> </ul>
User Roles	Investigator, Investigation Support, Case Manager

**1.4.4.12 Use Case: Generate Investigation Report**

Purpose	To generate and view the Investigation Report
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Description	<p>Once the Investigator has recorded their actions (see Update Activity Log) and what they found (see Add/Update Exhibits), they may generate the Investigation Report.</p> <ul style="list-style-type: none"> <li>• The system uses this information, applies the formatting of the template for the and generates the report.</li> <li>• The system places a "Draft" watermark on the report until it is approved.</li> <li>• The report generated should not require any correcting or reformatting.</li> <li>• The Investigator may regenerate the report up until it is reviewed and approved. Then the report is saved as it was approved. If the further investigation work is done and the case updated, the report may be regenerated.</li> <li>• The system saves each version of the report that was approved and allows users to view the previous approved versions, if needed.</li> <li>• The system also keeps a log of reviews and the results of the reviews.</li> </ul>
User Roles	Investigator

#### 1.4.4.13 Use Case: Submit Investigation Report for Review

Purpose	To submit the Investigation Report to the supervisor for review.
Description	<ul style="list-style-type: none"> <li>• Sends notification to the Investigation Supervisor.</li> <li>• Places the Investigation Report in the supervisor's queue for review.</li> </ul>
User Roles	Investigator

#### 1.4.4.14 Use Case: Review Investigation Report

Purpose	To review and approve the Investigation Report or return it to the Investigator for more work.
Description	<p>Supervisor reviews the investigation report and decides to:</p> <ul style="list-style-type: none"> <li>• <b>Approve.</b> The system removes the "draft" watermark and submits it for Case Disposition which notifies the Case Manager.</li> <li>• <b>Send it back</b> to the Investigator for more work. In this case, the supervisor must provide a reason and/or instructions. <ul style="list-style-type: none"> <li>○ <i>Nice to have:</i> allow the supervisor to make tracked changes that would be accepted (or not) by the Investigator. The system would update the source records accordingly.</li> </ul> </li> <li>• In either case, the system notifies the Investigator.</li> </ul>
User Roles	Investigation Supervisor

#### 1.4.4.15 Use Case: Monitor Investigation Work

Purpose	A set of tools to help the Investigation Supervisor monitor and manage investigation work.
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Description	<ul style="list-style-type: none"> <li>• View and analyze current workload distribution.</li> <li>• Track Key Performance Indicators for each investigator. Be able to identify problem areas.</li> </ul>
User Roles	Investigation Supervisor

#### 1.4.4.16 Use Case: Submit for Case Disposition

Purpose	To submit a case for Case Disposition before the Investigation Report has been approved.
Description	<p>When the investigation is complete and the Investigation Report has been approved by the supervisor, the case is automatically submitted for Case Disposition. Sometimes, however, a case needs to be intentionally submitted for Case Disposition - before the report is approved.</p> <ul style="list-style-type: none"> <li>• For example, anytime the Investigator finds a life threatening or serious violation, they must immediately submit the case for disposition and summary action. They do not need to get approval on their Investigation Report.</li> <li>• The Investigator must provide a reason for initiating Case Disposition.</li> <li>• System sends a notification to the Case Manager.</li> </ul>
User Roles	Investigator

### 1.4.5 Case Disposition

#### 1.4.5.1 Use Case: View Cases Ready for Disposition

Purpose	To view all cases that are awaiting Case Disposition.
Description	<p>When a case is ready for Case Disposition, the assigned Case Manager will get a notification and will see these cases with View My Cases. But Case Managers need to be able to see all cases ready for Case Disposition so they may backup another Case Manager, if needed.</p> <ul style="list-style-type: none"> <li>• Show all cases ready for Case Disposition.</li> <li>• Show Case Number, Respondent, License Type, Priority</li> <li>• Be able to drill down into case details (see View Case Details).</li> </ul>
User Roles	Case Manager

#### 1.4.5.2 Use Case: Request Legal Review (Nursing)

Purpose	
Description	System creates the request for all cases and places it in the queue for the Legal Unit.
User Roles	System

**1.4.5.3 Use Case: Request Legal Review (HSQA, Medical, Chiro)**

Purpose	To request a Legal Review from a Staff Attorney
Description	<ul style="list-style-type: none"> <li>• From the case, the user requests a legal review.</li> <li>• System creates the request and places it in the queue for the Legal Unit.</li> </ul>
User Roles	Case Manager

**1.4.5.4 Use Case: Assign Staff Attorney**

Purpose	To assign a Staff Attorney to a case
Description	<ul style="list-style-type: none"> <li>• System shows cases that have not been assigned to a Staff Attorney/Paralegal.</li> <li>• If the Respondent has an open or prior case, the system defaults to the Staff Attorney/Paralegal that is/was assigned to the case. User can change the selection. <ul style="list-style-type: none"> <li>○ Otherwise the user selects a Staff Attorney and/or Paralegal.</li> </ul> </li> <li>• System notifies the assigned Staff Attorney and/or Paralegal and places it in their queue.</li> </ul>
User Roles	Supervising Staff Attorney - or someone they delegate this capability to.

**1.4.5.5 Use Case: Submit Case Disposition**

Purpose	To capture the results of the Case Disposition.
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<p>Descript ion</p>	<p>User can record and update:</p> <ul style="list-style-type: none"> <li>• Case Priority</li> <li>• Hot Topic (Yes, No)</li> <li>• Participants:             <ul style="list-style-type: none"> <li>○ Actual Reviewers</li> <li>○ Decision Makers (members of the DA Review Team but not necessarily assigned to the case).</li> <li>○ Any members that recused themselves and why.</li> </ul> </li> <li>• Date of Decision</li> <li>• Disposition information includes:             <ul style="list-style-type: none"> <li>○ Authorization to proceed with disciplinary/legal action. If so, the system also assigns the case to Legal Intake.</li> <li>○ Recommended action type. Each Legal Services unit should be able to configure this list. The list will include actions like:                 <ul style="list-style-type: none"> <li>A. <b><u>REQUEST FOR LEGAL ACTION:</u></b> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Summary Action:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Suspension</i>   <input type="checkbox"/> <i>Practice Restrictions</i></li> </ul> </li> <li><input type="checkbox"/> <b>Statement of Charges:</b>                      <input type="checkbox"/> <b>Withdrawal of SOC:</b>                      <input type="checkbox"/> <b>Compliance: R</b></li> <li><input type="checkbox"/> <b>Statement of Allegations:</b>                      <input type="checkbox"/> <b>Withdrawal of SOA:</b>                      <input type="checkbox"/> <b>Compliance: A</b></li> <li><input type="checkbox"/> <b>Notice of Correction:</b>                      <input type="checkbox"/> <b>SOC/if STID not accepted</b>                      <input type="checkbox"/> <b>Compliance: R</b></li> <li><input type="checkbox"/> <b>Notice of Determination:</b>                      <input type="checkbox"/> <b>BAP (CIE/MCA.400 DSHS)</b></li> <li><input type="checkbox"/> <b>Notice of Required Evaluation:</b> <ul style="list-style-type: none"> <li>▪ Fast Track non-compliance hearing</li> <li>▪ Refer to ER Program</li> </ul> </li> </ul> </li> <li>○ If SOA, allow for option of "pre-authorized SOC". This means if the SOA is unsuccessful, escalating to SOC is pre-authorized (no need for another Case Disposition).</li> <li>○ Recommended Sanctions. Should be an open ended list. That is, user can choose from a standard (and configurable) list of sanctions, or enter a new, non-standard sanction.</li> <li>○ Close case - case is not authorized for legal action (see Close Case).</li> </ul> </li> </ul> </li> </ul>
<p>User Roles</p>	<p>Case Manager Nursing and Medical Commissions may want to provide this ability directly to RCMs.</p>

**1.4.5.6 Use Case: Close Case (Case Disposition decision)**

<p>Purpose</p>	<p>To close a case as decided for the Case Disposition</p>
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Description	<p>Reason must be provided. This list of reasons must be configurable. Here are some examples of closure reasons</p> <ul style="list-style-type: none"> <li>• Care rendered was within standard of care</li> <li>• complainant withdrew</li> <li>• Complaint unique closure</li> <li>• Conduct was within standard of practice</li> <li>• Evidence does not support a violation</li> <li>• Insufficient evidence</li> <li>• Issues which have otherwise been resolved</li> <li>• Mistaken identity</li> <li>• No jurisdiction</li> <li>• No violation at the time the event occurred</li> <li>• No violation determined</li> <li>• No whistleblower</li> <li>• Risk minimal, not likely to reoccur</li> </ul> <p>System initiates the Send Case Closure Letter use case.</p>
User Roles	Case Manager

#### 1.4.6 Legal Services

##### 1.4.6.1 Use Case: Assign Staff Attorney/Paralegal to case

Purpose	To assign an Attorney and/or a Paralegal to a case.
Description	<ul style="list-style-type: none"> <li>• View of open cases, select a case and assign (or reassign) it to a Staff Attorney and Paralegal.</li> <li>• View their case load.</li> <li>• Select the type of assignment (choices depend on where the case is in the overall process).</li> <li>• Even after a case is assigned to a Staff Attorney and Paralegal, a different team member may always step in and back them up if they are out of the office or for other reasons.</li> </ul>
User Roles	Supervising Staff Attorney

##### 1.4.6.2 Use Case: Write Legal Review

Purpose	To provide a legal review of a case.
Description	<ul style="list-style-type: none"> <li>• The Staff Attorney/Paralegal study the case information - see View Case Details, Staff Attorney View, and write a legal review.</li> <li>• This document represents the attorney's suggestions on a case, and is most commonly used during case disposition.</li> </ul>
User Roles	Staff Attorney, Paralegal

**1.4.6.3 Use Case: View Case Details (Legal View)**

Purpose	For legal staff to be able to see all information on a case, with easy access to the legal aspects of case.
Description	<ul style="list-style-type: none"> <li>• Be able to view all information related to a case.</li> <li>• Be able to view:             <ul style="list-style-type: none"> <li>○ General case information: case number, case status, related cases, complaint as received</li> <li>○ Respondent information: Name, Address, Email, Phone, Credentials</li> <li>○ Case Assessment worksheet</li> <li>○ Investigation Report</li> <li>○ Investigation Evidence</li> <li>○ If decided, Case Disposition decision. May include:                 <ul style="list-style-type: none"> <li>▪ Findings of Fact</li> <li>▪ Allegations/charges</li> <li>▪ Sanctions</li> </ul> </li> <li>○ If adjudication has been initiated:                 <ul style="list-style-type: none"> <li>▪ Exhibits submitted/admitted</li> <li>▪ Orders issued</li> </ul> </li> <li>○ Legal staff communications with Respondent/attorney</li> <li>○ Legal Documents</li> </ul> </li> <li>• Be able to work on case (see related use cases).</li> </ul>
User Roles	Legal Intake, Staff Attorney, Paralegal, Legal Assistant

**1.4.6.4 Use Case: Generate Legal Document**

Purpose	To generate a draft legal document from case information. Generally either a Charging or Settlement document.
Description	<p>See Legal Documents for common document types. The template for each document type would be configurable by each Legal Services Unit.</p> <ul style="list-style-type: none"> <li>• Staff Attorney or Paralegal select the type of document. Based on the status, a subset of document types could be more prominent (easy selection), but all document types should be available.</li> <li>• Legal documents typically have a fixed set of sections for each document type. Common sections include:             <ul style="list-style-type: none"> <li>○ Case information (case number, Respondent, their attorney (if they have one), etc.</li> <li>○ Findings of fact</li> <li>○ Allegations/charges</li> <li>○ Sanctions</li> </ul> </li> <li>• The contents of some sections vary on a case by case basis but common and reused "stock" language may apply. Tools to reuse stock language can be very helpful.</li> </ul>

User Roles	Staff Attorney, Paralegal
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#### 1.4.6.5 Use Case: Edit Legal Document

Purpose	To edit a legal document.
Description	<ul style="list-style-type: none"> <li>• Users (Staff Attorneys or Paralegals) must be able to edit the contents of the document. However changes to information that is sourced in Case Details should be controlled so as to prevent the Legal Document and Case Details from getting out of sync.</li> <li>• Track edits and version history.</li> <li>• Stock language:             <ul style="list-style-type: none"> <li>○ Ideally, the system would allow users to reuse stock language organized by legal document type and section heading.</li> <li>○ The system should also allow users to write new language that is more appropriate for the case at hand.</li> <li>○ Provide option to save new language by document type and section for later reuse and refinement. Workflow will be needed for approving changes to stock language.</li> </ul> </li> </ul>
User Roles	Staff Attorney, Paralegal, Legal Assistants

#### 1.4.6.6 Use Case: Submit Legal Document for Review

Purpose	To automatically circulate a legal document for review.
Description	<ul style="list-style-type: none"> <li>• System assigns a default set of reviewers based on the document type, case type and profession/facility type.</li> <li>• Document author is able to add or remove reviewers. For example Expert or Board/Commission reviewers.</li> </ul>
User Roles	Staff Attorney, Paralegal, Legal Assistant

#### 1.4.6.7 Use Case: Review Legal Document

Purpose	For reviewers to provide feedback or approve a legal document.
Description	<ul style="list-style-type: none"> <li>• Reviewer may highlight text and suggest changes, ask questions or make comments.</li> <li>• If rejecting a document, the reviewer must provide a reason or have provided feedback.</li> <li>• System tracks who reviewed, when and what comments/feedback they provided.</li> <li>• After the final reviewer, the system forwards the document to the Legal Assistant for formatting and service.</li> </ul>
User Roles	Reviewers

**1.4.6.8 Use Case: Record Response from Respondent**

Purpose	When Respondent responds to the Attorney/Paralegal, their response is captured and the appropriate workflow kicked off.
Description	
User Roles	Staff Attorney, Paralegal

**1.4.6.9 Use Case: Identify Parties in a Case**

Purpose	To identify other parties in a case.
Description	From a case, the user may identify any of the following parties: <ul style="list-style-type: none"> <li>• Respondent's Attorney</li> <li>• Witnesses. Please note, contracted Expert Witnesses are assigned and tracked separately.</li> <li>• Patients (patients to a provider or facility that may have been adversely impacted by the Respondent)</li> </ul>
User Roles	Legal Intake, Staff Attorney, Paralegal, Legal Assistant

**1.4.6.10 Use Case: Track Summary Orders**

Purpose	Special features needed to track Summary Orders
Description	Summary Orders involve cases where there is imminent danger. They follow the same basic process as other disciplinary orders, but they are given the highest priority and must be acted on immediately. <ul style="list-style-type: none"> <li>• Show a view of the Summary Orders</li> <li>• For each order, the system shows who is working on it and how long they have been working on it.</li> <li>• When a staff assigned to the summary order complete a task, the Summary Order Coordinator is notified.</li> </ul>
User Roles	Summary Order Coordinator

**1.4.6.11 Litigation Use Cases**

Each Legal Services Unit litigates some cases. For example:

- HSQA Office of Legal Services currently litigates simple Nurse Assistant cases. These are cases that do not involve other credentials and the Respondent does not have an attorney.
- NCQAC Legal Services Unit litigates Fast Track Non-Compliance cases and Reinstatement Hearings.

TBD: can/should these capabilities be extended to the Attorney General's Office?

#### 1.4.6.11.1 Use Case: Manage Case in Litigation

Purpose	This is a placeholder for a variety of information that needs to be managed about a case in litigation.
Description	<ul style="list-style-type: none"> <li>• Hearing location</li> <li>• Hearing panel members</li> <li>• Contracts required</li> <li>• and more TBD.</li> </ul>
User Roles	TBD (this is an admin function)

#### 1.4.6.11.2 Use Case: Request Exhibits for Hearing

Purpose	To request exhibits be admitted to a hearing
Description	<ul style="list-style-type: none"> <li>• From a case that has gone to adjudication, the user may opt to submit exhibits. User attaches the file.</li> <li>• The user selects one or more files to be submitted for review by the Health Law Judge.</li> <li>• System forwards the exhibits to the assigned Health Law Judge for review.</li> </ul>
User Roles	Staff Attorney, Paralegal, Legal Assistant, Respondent, Respondent's Attorney

#### 1.4.6.11.3 Use Case: View Hearing Schedule

Purpose	View hearings schedule																
Description	<p>For each open case be able to view the dates issued in the Scheduling Order (or updated by approved motions). Standard Adjudicative Case dates:</p> <table border="1" data-bbox="438 1239 1096 1543"> <thead> <tr> <th>Activity</th> <th>Date Type</th> </tr> </thead> <tbody> <tr> <td>Witness Identification</td> <td>Deadline</td> </tr> <tr> <td>Exhibits Filing</td> <td>Deadline</td> </tr> <tr> <td>Discovery Completion</td> <td>Deadline</td> </tr> <tr> <td>Dispositive Motions</td> <td>Deadline</td> </tr> <tr> <td>Prehearing Memorandum</td> <td>Deadline</td> </tr> <tr> <td>Prehearing Conference</td> <td>Event date</td> </tr> <tr> <td>Hearing</td> <td>Event date</td> </tr> </tbody> </table>	Activity	Date Type	Witness Identification	Deadline	Exhibits Filing	Deadline	Discovery Completion	Deadline	Dispositive Motions	Deadline	Prehearing Memorandum	Deadline	Prehearing Conference	Event date	Hearing	Event date
Activity	Date Type																
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Prehearing Memorandum	Deadline																
Prehearing Conference	Event date																
Hearing	Event date																
User Roles	Respondent, Respondent's Attorney, Staff Attorney, Paralegal, Legal Assistant																

#### 1.4.6.11.4 Use Case: File a Motion

Purpose	To file a motion for consideration by the Health Law Judge in an adjudicative case.
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Description	<ul style="list-style-type: none"> <li>Choose from a list of common motions (configurable list).</li> <li>Be able to enter a motion (free form text) if it is not on the common motions list.</li> <li>Provide a reason and/or attach supporting document.</li> </ul>
User Roles	Respondent, Respondent's attorney

#### 1.4.6.11.5 Use Case: Request Witness

Purpose	To request a witness be admitted to the hearing in order to provide testimony.
Description	<ul style="list-style-type: none"> <li>Provide name and other identifying information (tbd), and why they should testify.</li> </ul>
User Roles	Respondent, Respondent's Attorney

#### 1.4.7 Early Remediation

Early Remediation is an alternative to disciplinary action. Participation in the program, if approved, does not show up on a provider's record as disciplinary or enforcement action. The ER program, however, does require the Respondent take certain actions (often coursework) and provide related records proving they completed the required actions (Compliance Monitoring).

While the following use cases are for the ER program, there are corresponding use cases in the other enforcement processes that could be reused. This is TBD at a later time.

##### 1.4.7.1 Use Case: View ER Cases

Purpose	To view and access the open ER cases.
Description	<ul style="list-style-type: none"> <li>View ER cases, their status and other summary information TBD.</li> <li>Be able to open the case and view Compliance Monitoring activity and status.</li> </ul>
User Roles	ER Program, Nurse Consultant, and Compliance Monitoring roles

##### 1.4.7.2 Use Case: Generate and Send ER Letter

Purpose	To send ER letter to Respondent before they discuss with Nurse Consultant
Description	<p>Letter is generated from template (configurable).</p> <p>Option to send by email, if Respondent has an email on file.</p> <p>System creates a "tickler" with a due date for a response or call from the Respondent.</p>
User Roles	ER Program

##### 1.4.7.3 Use Case: Receive Statement from Respondent

Purpose	Receive (and upload) statement from Respondent
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Description	<ul style="list-style-type: none"> <li>• Save the statement.</li> <li>• Identify from the letter if the Respondent agrees to participating in the ER program.</li> <li>• Identify "sanctions" that the Respondent will comply with. In the case of ER these are generally courses or other programs the Respondent will be required to participate in.</li> <li>• System sends case to Compliance Monitoring. Please note, in this case, a Disciplinary Order is not the input to Compliance Monitoring. It is simply a list of "sanctions".</li> </ul>
User Roles	ER Program

#### 1.4.8 Compliance Monitoring

##### 1.4.8.1 Use Case: View Unassigned Compliance Cases

Purpose	To view and access unassigned compliance cases.
Description	<ul style="list-style-type: none"> <li>• Shows list of unassigned cases.</li> <li>• Provide option to assign case (see use case).</li> </ul>
User Roles	Compliance Intake, Compliance Manager

##### 1.4.8.2 Use Case: Monitor Active Compliance Cases

Purpose	To view the status of all active compliance monitoring cases.
Description	<ul style="list-style-type: none"> <li>• Show cases with sanctions that have not been assigned due dates.</li> <li>• Show cases with past due dates that have not been referred for non-compliance.</li> </ul>
User Roles	Compliance Manager

##### 1.4.8.3 Use Case: Assign Case

Purpose	To assign a Compliance Officer to a case.
Description	<ul style="list-style-type: none"> <li>• Have option for system to automatically assign to a Compliance Officer that worked on a prior case for the same Respondent.</li> <li>• Be able to view each Compliance Officer's current work load.</li> <li>• Option to assign (or remove) a Compliance Officer to (from) case.</li> <li>• System notifies the Compliance Officer and places it (or removes it) from their queue.</li> </ul>
User Roles	Compliance Manager

#### 1.4.8.4 Use Case: Change Credential Status

Purpose	To change the status or place stipulations on a license/credential as required by a disciplinary order.
Description	<ul style="list-style-type: none"> <li>• Suspend or inactivate a license/credential.</li> <li>• Place other types of stipulations/limitations on a license/credential.</li> <li>• Suspending a license requires proper authorization (details TBD later).</li> <li>• Nice to have: system automatically sends the updated license status to the National Practitioner Database (NPDB).</li> </ul>
User Roles	Compliance Intake

#### 1.4.8.5 Use Case: View Case Details (Compliance View)

Purpose	To access information and initiate compliance actions on a case.
Description	<p>View:</p> <ul style="list-style-type: none"> <li>• Case info.</li> <li>• Contact info.</li> <li>• Associated cases.</li> <li>• Communications with Respondent.</li> <li>• Case participants - Case Reviewers, opposing counsel, etc.</li> <li>• Sanction deliverables, due and received.</li> </ul>
User Roles	Compliance Officer

#### 1.4.8.6 Use Case: Add/Edit Sanction Deliverables

Purpose	For each sanction, define one or more deliverables and associated due dates.
Description	<p>For more information, see <i>Sanctions and Deliverables</i> with the Compliance Monitoring process description.</p> <p>For each sanction in the order, be able to create one or more deliverables. For each deliverable, define:</p> <ul style="list-style-type: none"> <li>• What must be provided.</li> <li>• Who must provide it - the Respondent or a third party such as their supervisor.</li> <li>• Due date.</li> </ul> <p>System will:</p> <ul style="list-style-type: none"> <li>• Ensure due dates have been assigned for each sanction deliverable.</li> <li>• Send automated reminder to Respondent of upcoming due date. This requires email or other option for alerts.</li> <li>• Notify Compliance Officer when deliverable is past due.</li> </ul>
User Roles	Compliance Officer

#### 1.4.8.7 Use Case: Send Reminder to Respondent

Purpose	To send a courtesy reminder of an upcoming due date to Respondent.
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Description	This would be done automatically by system for Respondents that have email or some other way of receiving automated notifications.
User Roles	

**1.4.8.8 Use Case: Receive Deliverables**

Purpose	To record receipt of the required deliverables.
Description	<p>Here are the different type of compliance requirements and the document/records and capabilities needed.</p> <p>For each of the document/records needed, the system must track when it was received and from whom.</p> <p>See table below.</p>
User Roles	Compliance Officer

Deliverable	Documents/records needed	Capabilities needed
<b>Payment toward Fine or Fee</b>	Fine/fee and final due date Payment plan Balance due	System automatically posts/pulls this from payment processing.
<b>Supervisor, Chaperone, or Monitor</b>	Resume	Attach file Forward to DA Reviewer for approval.
	Performance evaluations	Attach file CO evaluation (satisfactory, exceptional, unsatisfactory)
	Unemployment declarations	Attach file received CO approval (yes/no)
<b>Continuing Education or Refresher Course</b>	Course syllabus	Attach Forward to DA Reviewer for approval.
	Transcript or certificate of completion	Attach file
<b>Audit/Practice Review</b>	Practice Review submitted by the Investigator	Notify Compliance Officer when Practice Review is approved by Investigation Supervisor.
<b>Assessment</b>	Transcript or certificate of completion	Attach file CO approval (yes/no)
<b>Substance Abuse Monitoring</b>	Program evaluation of Respondent	Attach file or automated data feed from program
	Contract	Attach file or automated data feed from program
	Completion Certificate	Attach file or automated data feed from program
<b>Presentation</b>	Copy of presentation/essay	Attach file
	Presentation to the board/commission	Track date, time and acceptance of presentation. DA Evaluation (satisfactory, exceptional, unsatisfactory)

<b>JP Exam</b>	Exam completion and score.	Attach file or automated data feed from program
<b>Early Remediation</b>	Nursing only - details TBD.	
<b>ARNP</b>	Nursing only - Details TBD.	
<b>Other</b>	Other documents.	Attach file

**1.4.8.9 Use Case: Request Practice Review/Audit**

Purpose	To request an Investigator performs a Practice Review/Audit
Description	<ul style="list-style-type: none"> <li>From case details, be able to initiate a request for Practice Review/Audit.</li> <li>System creates an assignment for the Investigation Unit and notifies the supervisor.</li> </ul>
User Roles	Compliance Officer

**1.4.8.10 Use Case: Review Compliance Case Submissions**

Purpose	To review and approve/deny Respondent compliance case submissions.
Description	<p>After a Compliance Officer receives a submission that needs Case Reviewer approval, the system creates a review task for the Case Reviewer.</p> <ul style="list-style-type: none"> <li>If rejected, the Case Reviewer must give a reason.</li> <li>System notifies the Compliance Officer of the result.</li> </ul>
User Roles	DA Reviewer

**1.4.8.11 Use Case: Close Compliance Case**

Purpose	When a Respondent has fulfilled the requirements of their order, they are released from the order.
Description	<ul style="list-style-type: none"> <li>Only available after all sanction deliverables have been received and approved.</li> <li>System generates a request for a Release Order and sends it to Legal Services.</li> <li>Nursing only: system sends case information to TERCAP, if an electronic interface is available. If not, the system sends a request for TERCAP update to the TERCAP unit.</li> </ul>
User Roles	Compliance Officer

**1.4.9 Archiving**

**1.4.9.1 Use Case: Add Case File to Archive Box**

Purpose	To record that a case file is being added to a box.
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Description	<p>This is for paper files that need to be retained. Two ways:</p> <ul style="list-style-type: none"> <li>• From Case record, be able identify which box (by barcode) will contain the case file.</li> <li>• From the Box Content List, be able to add Case Number, Respondent Name, Disciplinary Authority to the content list.</li> </ul>
User Roles	Archive Admin

#### 1.4.9.2 Use Case: Complete Box

Purpose	To mark that a box is ready to be sent to the Record Center.
Description	<p>System records that the box is complete and sends a list of contents to Office of the Secretary, Records Manager for approval. Content List is printed and placed in box. System retains record and allows many ways to search for and find a box based on Case Number, Respondent, and/or Disciplinary Authority.</p>
User Roles	Archive Admin

#### 1.4.9.3 Use Case: Review Archive Transmittal

Purpose	To review the contents of the archive box to ensure it needs to be archived.
Description	<ul style="list-style-type: none"> <li>• Records Manager reviews the archive transmittal request (contents of the box).</li> <li>• Option to provide feedback to sender, including recommendation that the box not be archived.</li> <li>• Sender is notified.</li> </ul>
User Roles	Records Manager

#### 1.4.9.4 Use Case: Receive Acknowledgment from Records Center

Purpose	To identify a box as received by Records Center.
Description	<p>After a box is received by the Records Center, they send a receipt back to the sender.</p> <ul style="list-style-type: none"> <li>• Find box by bar code number.</li> <li>• Record that it was received by the Records Center.</li> </ul>
User Roles	Archive Admin

#### 1.4.9.5 Use Case: Search for an Archived Case

Purpose	To identify the box containing an archived case.
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Description	<ul style="list-style-type: none"> <li>• Search criteria includes Case Number, Respondent and/or Disciplinary Authority.</li> <li>• System displays a list of boxes that meet the specified criteria.</li> <li>• User can select a box and system displays the contents.</li> <li>• User can then order the box from the Records Center.</li> </ul>
User Roles	Any enforcement role, Records Manager, Forms and Records Analyst

#### 1.4.10 Brief Adjudicative Process

##### 1.4.10.1 Use Case: View BAP Cases

Purpose	To view BAP cases and their status through the BAP process.
Description	<ul style="list-style-type: none"> <li>• Shows new BAP requests.</li> <li>• Shows status of BAP cases in progress.</li> <li>• Provides access to BAP case details and ability to review.</li> </ul>
User Roles	BAP Officer

##### 1.4.10.2 Use Case: Submit Argument

Purpose	For Staff Attorney to make an argument in the case before the BAP Officer.
Description	
User Roles	Staff Attorney, Paralegal

##### 1.4.10.3 Use Case: View BAP Case Details

Purpose	View all information relevant to a BAP case
Description	<ul style="list-style-type: none"> <li>• Shows case details.</li> <li>• Shows Respondent's statement and submitted exhibits.</li> <li>• Shows Staff Attorney's arguments.</li> <li>• Provide ability to review (grant or deny)</li> </ul>
User Roles	BAP Officer

##### 1.4.10.4 Use Case: Issue Initial Order

Purpose	For the BAP Officer to issue an Initial Order conveying their decision on the BAP case.
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Description	<ul style="list-style-type: none"> <li>Using a template for an Initial Order, the system generates a draft order.</li> <li>The BAP Officer makes adjustments to the draft order and provides the required explanations for their decision.</li> <li>When ready, the BAP Officer may circulate the order for review (if desired).</li> <li>When ready, the BAP Officer queues the order for Service of Legal Documents (see process).</li> </ul>
User Roles	BAP Officer

### 1.4.11 Reinstatement After Disciplinary Suspension or Revocation

#### 1.4.11.1 Use Case: Submit Reinstatement Request

Purpose	For the Respondent to request reinstatement.
Description	<ul style="list-style-type: none"> <li>This would be a feature available to the Respondent via their online portal account.</li> <li>When they submit the request, the system acknowledge the request and queue it for review by the Compliance Officer.</li> </ul>
User Roles	Respondent

#### 1.4.11.2 Use Case: Receive Reinstatement Request

Purpose	To record receipt of a reinstatement request.
Description	<p>This is needed for reinstatement requests received at the front desk, by phone or mail. This is not needed for online requests since those are queued automatically.</p> <ul style="list-style-type: none"> <li>User finds and selects the Respondent.</li> <li>System creates the request and queues for review by the Compliance Officer.</li> </ul>
User Roles	Front Desk, Customer Service, Adjudicative Clerk, Compliance Officer

#### 1.4.11.3 Use Case: Review Reinstatement Request

Purpose	For the Compliance Officer to check that the Respondent has satisfied the terms of the Disciplinary Order that placed them in Suspended or Revoked status.
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Description	<ul style="list-style-type: none"> <li>• Generally revoked licenses would not qualify for reinstatement but there are exceptions.</li> <li>• The Compliance Officer logs any unsatisfied terms.</li> <li>• If any unsatisfied terms, the system generates a notice and sends to the Respondent.</li> <li>• If all of the terms of the order have been satisfied, the Compliance Officer approves the request. System creates tasks for the Reinstatement Coordinator and Staff Attorney/Paralegal (that were assigned to the case).</li> </ul>
User Roles	Compliance Officer

#### 1.4.11.4 Use Case: Prepare Legal Review

Purpose	Staff Attorney prepares a Legal Review of the Respondent's status.
Description	
User Roles	Staff Attorney, Paralegal

#### 1.4.11.5 Use Case: Schedule for DA Review

Purpose	To schedule the reinstatement for review by the Disciplinary Authority.
Description	<ul style="list-style-type: none"> <li>• View upcoming (scheduled) DA meetings. View case load for each.</li> <li>• Select a meeting.</li> <li>• System: <ul style="list-style-type: none"> <li>○ Assigns the reinstatement case for review at the selected meeting.</li> <li>○ Notifies the Compliance Officer.</li> <li>○ Places the meeting on the calendar for the Staff Attorney, Paralegal and Compliance Officer.</li> </ul> </li> </ul>
User Roles	Staff Attorney, Paralegal, Legal Assistant

#### 1.4.11.6 Use Case: Record Reinstatement Decision

Purpose	To record the decision made by the Disciplinary Authority.
Description	<ul style="list-style-type: none"> <li>• The Disciplinary Authorities decision can be recorded by any of the user roles below.</li> <li>• If approved, the system creates assignments for: <ul style="list-style-type: none"> <li>○ Staff Attorney and Paralegal to Prepare the Reinstatement Order.</li> <li>○ Reinstatement Coordinator to release the suspended or revoked status.</li> </ul> </li> <li>• If denied, the system creates an assignment for the Staff Attorney and Paralegal to Prepare Denial Letter.</li> </ul>
User Roles	Compliance Officer, Staff Attorney, Paralegal

**1.4.11.7 Use Case: Release from Suspension or Revocation**

Purpose	To release a respondent from disciplinary suspension or revocation.
Description	<ul style="list-style-type: none"> <li>• Reinstatement Coordinator can only release the suspension or revocation after the DA decision is recorded as "approved".</li> <li>• System: <ul style="list-style-type: none"> <li>○ Releases the suspension status from the Respondent's record. They are no longer referred to as a "Respondent". They are now referred to as a Credential Holder.</li> <li>○ The credential(s) are still pending the Review for Reactivation.</li> </ul> </li> </ul>
User Roles	Reinstatement Coordinator

**1.4.11.8 Use Case: Prepare Reinstatement Order**

Purpose	To prepare the Reinstatement Order.
Description	<ul style="list-style-type: none"> <li>• This use case is documented with the use cases for Legal Services.</li> <li>• This process relies on ACO's Service of Legal Documents process.</li> </ul>
User Roles	Staff Attorney, Paralegal

**1.4.11.9 Use Case: Prepare Denial Letter**

Purpose	To notify Respondent that their Reinstatement Request was denied.
Description	<ul style="list-style-type: none"> <li>• This use case is included in the Legal Services' requirements.</li> <li>• This process relies on ACO's Service of Legal Documents process.</li> </ul>
User Roles	Staff Attorney, Paralegal

**1.4.12 Mandatory Suspension**

**1.4.12.1 Use Case: Receive Suspension Request on Paper**

Purpose	To receive a suspension request on paper and initiate the Mandatory Suspension process.
Description	<ul style="list-style-type: none"> <li>• Create Suspension Request record.</li> <li>• Scan and attach Suspension Request received on paper into system and attach to Suspension Request record.</li> <li>• Toss the paper request.</li> </ul>
User Roles	Adjudicative Clerk

**1.4.12.2 Use Case: Identify Respondent**

Purpose	To identify the Respondent in the Suspension Request.
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Description	<ul style="list-style-type: none"> <li>● Use information from the Suspension Request to search for a matching credential holder.             <ul style="list-style-type: none"> <li>○ Match found, select the Credential Holder. The system creates an enforcement case and the Credential Holder is now a "<b>Respondent</b>" in the case. The enforcement case does not go through the enforcement process however, as the suspension is mandatory and does not require any enforcement or legal action.</li> <li>○ Partial match found, generate letter to Requesting Agency requesting certification of the partial match.</li> <li>○ No match, generate letter to Requesting Agency notifying them that no match was found.</li> </ul> </li> </ul> <p>The following scoring system is used to determine the type of match:</p> <p><b>Minimum points needed for match - 18</b>  <b>Range for partial match - ? to 17</b></p> <ul style="list-style-type: none"> <li>● Last name - 5 points*</li> <li>● Last name - (near match for first 8 characters 6 letters out of first 8 letters) - 3 points*</li> <li>● First name or initial (1st character) - 3 points* City - 2 points</li> <li>● Zip code - 1 points</li> <li>● Social security number - 10 points</li> <li>● Social security number (near match of 7 numbers out of 9 numbers) - 7 points</li> <li>● Credential number - 8 points</li> <li>● Profession - 3 points (do not count if credential number is matched)*</li> <li>● DOB - 7 points* (near match 4 out of 6) - 4 points*</li> <li>● School attended - 2 points</li> <li>● Year graduated - 1 point</li> </ul> <p>* Mandatory data to be reported by requesting agency</p>
User Roles	Adjudicative Clerk

**1.4.12.3 Use Case: Receive Suspension Request Automatically**

Purpose	Where possible, receive Suspension Requests automatically.
Description	<ul style="list-style-type: none"> <li>● Suspension Requests are received for two types of Mandatory Suspensions:             <ul style="list-style-type: none"> <li>○ From the Washington State Department of Social and Health Services (DSHS) for default on child support.</li> <li>○ From federal/state backed lenders for default on student loan.</li> </ul> </li> <li>● Explore options for receiving these automatically from these sources.</li> </ul>
User Roles	System



**1.4.12.4 Use Case: View Suspension Requests**

Purpose	Shows and provides access to new and in process Suspension Requests.
Description	<ul style="list-style-type: none"> <li>• At minimum, show Suspension Requests, their status, source/type, and the Credential Holder (if identified).</li> <li>• Provide access details (and use cases).</li> </ul>
User Roles	Adjudicative Clerk

**1.4.12.5 Use Case: Initiate Suspension and Notify Parties**

Purpose	To initiate the suspension and notify other parties.
Description	<ul style="list-style-type: none"> <li>• If the suspension is due to a student loan default, the system schedules the suspension to occur in 21 days.</li> <li>• Otherwise the system updates the Respondent's record and credentials to <i>Suspended</i>. This in turn updates the records seen for: <ul style="list-style-type: none"> <li>○ Public Records requests</li> <li>○ Provider search</li> <li>○ Credentialing</li> </ul> </li> <li>• System also initiates: <ul style="list-style-type: none"> <li>○ Media release</li> <li>○ Notification to Requesting Agency confirming suspension. If automatic transfer is not possible, the user must print and mail a notification or letter.</li> </ul> </li> </ul>
User Roles	Adjudicative Clerk

**1.4.12.6 Use Case: Withdraw Suspension**

Purpose	Withdraw suspension if it has not been completed.
Description	<ul style="list-style-type: none"> <li>• If the Requesting Agency requests withdrawal of the suspension, it is recorded and:</li> <li>• If the suspension has not been completed, it is cancelled and the Suspension Request removed. Otherwise the Credential Holder must request reinstatement.</li> </ul>
User Roles	Adjudicative Clerk

**1.4.12.7 Use Case: Notify Respondent**

Purpose	Notify Respondent of the Mandatory Suspension.
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Description	<ul style="list-style-type: none"> <li>• If it is a student loan default, the system generates a <b>Notice of Determination</b>. This notice includes instructions on how to make a statement and request a Brief Adjudicative Process.</li> <li>• If it is a child support default, the system generates a <b>Notice of Suspension</b>.</li> <li>• User has option to edit if customization is needed.</li> <li>• User has option to circulate for review. Not required.</li> <li>• User prints and serves the notice using the Service of Legal Documents process.</li> </ul>
User Roles	Adjudicative Clerk

### 1.4.13 Reinstatement After Mandatory Suspension

#### 1.4.13.1 Use Case: Receive Notice of Compliance

Purpose	To receive and record a notice of compliance received from Requesting Agency.
Description	<ul style="list-style-type: none"> <li>• User finds and selects the suspended credential.</li> <li>• User selects to initiate the reinstatement process.</li> <li>• System creates a record of the Pending Reinstatement and the Reinstatement Fee.</li> </ul>
User Roles	Adjudicative Clerk

#### 1.4.13.2 Use Case: View Pending Reinstatements

Purpose	View pending reinstatements.
Description	<ul style="list-style-type: none"> <li>• Shows all pending reinstatements.</li> <li>• Shows the payment status (waiting payment, fully paid, partially paid). System updates this automatically as a part of the Payment Posting Process.</li> </ul>
User Roles	Adjudicative Clerk, Reinstatement Coordinator

#### 1.4.13.3 Use Case: Prepare Notice of Pending Reinstatement

Purpose	To notify the Respondent that they have the option to reinstate.
Description	<ul style="list-style-type: none"> <li>• System generated from template.</li> <li>• User has option to modify the generated notice, if customization is needed.</li> <li>• User also has option to send to another for review.</li> <li>• When ready the user prints and serves the notice. See the Service of Legal Documents process.</li> </ul>
User Roles	Adjudicative Clerk

**1.4.13.4 Use Case: Release from Suspension or Revocation**

Purpose	To release a respondent from suspension or revocation
Description	<ul style="list-style-type: none"> <li>• Reinstatement Coordinator can only release the suspension/revocation after the Reinstatement Fee has been paid.</li> <li>• System:             <ul style="list-style-type: none"> <li>○ Releases the suspension or revocation from the Respondent's record. They are no longer referred to as a "Respondent". They are now referred to as a Credential Holder.</li> </ul> </li> </ul>
User Roles	Reinstatement Coordinator

**1.4.14 Reactivation After Reinstatement**

**1.4.14.1 Use Case: Reactivation Review**

Purpose	To make sure the Credential Holder is qualified for reactivation of their credential(s).
Description	<ul style="list-style-type: none"> <li>• All credentials that are in Pending Reinstatement status are queued for this review.</li> <li>• Reinstatement Coordinator checks each credential's history:             <ul style="list-style-type: none"> <li>○ If at the time of the suspension or revocation, the credential was expired, they must reapply for the credential. The reactivation of these credentials would be handled through the standard credential Application Process.</li> <li>○ Otherwise they must complete all of the continuing competency and renewal requirements. The Reinstatement Coordinator logs all such requirements as deficiencies and sends a Reinstatement and Reactivation Notice (see next use case).</li> </ul> </li> </ul>
User Roles	Reinstatement Coordinator

**1.4.14.2 Use Case: Prepare Reinstatement and Activation Notice**

Purpose	To notify the credential holder of the credentialing requirements that must be met to get their credential(s) fully reactivated.
Description	<ul style="list-style-type: none"> <li>• System generates the notice from the (configured) template.</li> <li>• Option to edit.</li> <li>• Option to request a review.</li> <li>• System sends electronically, if possible. Otherwise the user prints and mails.</li> </ul>
User Roles	Reinstatement Coordinator

**1.4.14.3 Use Case: Activate Credential**

Purpose	To activate a credential that was previously suspended.
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Description	<ul style="list-style-type: none"> <li>For each credential that passed the Reactivation Review without deficiencies, the Reinstatement Coordinator may activate it.</li> </ul>
User Roles	Reinstatement Coordinator

#### 1.4.15 External Case Reviewers

##### 1.4.15.1 Use Case: View Assignments (External Case Reviewers)

Purpose	To see new review assignments and be able to open the relevant case reports, documents and exhibits.
Description	<p>View and distinguish between:</p> <ul style="list-style-type: none"> <li>Cases for Assessment (see Accept or Decline Assignment)</li> <li>Cases for Disposition (see Accept or Decline Assignment)</li> <li>Compliance Cases requiring review of Respondent submissions (see View Compliance Case Submissions).</li> </ul>
User Roles	External Case Reviewer

##### 1.4.15.2 Use Case: Accept or Decline Assignment

Purpose	For DA or Expert Reviewers to accept or decline a case review assignment.
Description	<p>For various reasons a reviewer may not want to review a case.</p> <ul style="list-style-type: none"> <li>Provide ability to View Case Details (Reviewer View).</li> <li>Chooses Accept or Decline. <ul style="list-style-type: none"> <li>If they choose to Decline, they must provide a reason.</li> </ul> </li> <li>System notifies Case Manager.</li> </ul>
User Roles	Reviewing Board/Commission Member (RBM and RCM), Expert Reviewer

##### 1.4.15.3 Use Case: View Case Details (DA and Expert Reviewer View)

Purpose	To show reviewers information they are authorized to see about a case.
Description	<p>Except for information the reviewers are not authorized to see, case details includes:</p> <ul style="list-style-type: none"> <li>Respondent background and disciplinary history (if any).</li> <li>Investigation Report</li> <li>Case Exhibits</li> </ul>
User Roles	Reviewing Board/Commission Member (RBM and RCM), Expert Reviewer

##### 1.4.15.4 Use Case: Review Compliance Case Submissions

Purpose	To review and approve/deny Respondent compliance case submissions.
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Description	<p>After a Compliance Officer receives a submission that needs RCM/RBM approval, the system creates a review task for RCM/RBM.</p> <ul style="list-style-type: none"> <li>• If rejected, the RBM/RCM must give a reason.</li> <li>• System notifies the Compliance Officer of the result.</li> </ul>
User Roles	Reviewing Board/Commission Member (RBM and RCM)

#### 1.4.15.5 Use Case: Manage Availability

Purpose	For board/commission members to manage their availability for case reviews and panel meetings.
Description	<ul style="list-style-type: none"> <li>• TBD: is it better/easier to manage time available or time unavailable?</li> <li>• Provide calendar and list view, and be able to work with/maintain either form.</li> </ul>
User Roles	Reviewing Board/Commission Member (RBM and RCM)

#### 1.4.16 Respondent

##### 1.4.16.1 Use Case: View Cases

Purpose	Shows cases where they are the Respondent (or attorney).
Description	<ul style="list-style-type: none"> <li>• Shows current active cases involving investigations, allegations or charges against the Respondent.</li> <li>• For attorneys, it shows all their cases and Respondents.</li> <li>• Option to see closed cases.</li> <li>• Be able to open case details (see use case).</li> </ul>
User Roles	Respondent, Respondent's Attorney

##### 1.4.16.2 Use Case: View Case Details (Respondent View)

Purpose	Show case details that are relevant to the Respondent.
Description	<p>This includes:</p> <ul style="list-style-type: none"> <li>• Administrative Record (see use case)</li> <li>• And additional transactions, documents and communications involving the Respondent that are not part of the Administrative Record.</li> <li>• Must hide or redact information that might be used to identify the complainant/whistleblower.</li> </ul>
User Roles	Respondent, Respondent's Attorney

##### 1.4.16.3 Use Case: View Complaint

Purpose	To view a redacted version of the complaint.
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Description	Complainant identifying information is hidden/redacted unless we have a waiver of whistleblower protection.
User Roles	Respondent, Respondent's Attorney

**1.4.16.4 Use Case: View Charging Document**

Purpose	To view and be able to respond to a charging document.
Description	Only available after a Charging Document is issued.
User Roles	Respondent, Respondent's Attorney

**1.4.16.5 Use Case: Identify Attorney Representation (for Respondent only)**

Purpose	For the Respondent to identify if they are represented by an attorney and if so, by whom.
Description	<ul style="list-style-type: none"> <li>Respondent selects if they are represented or not.</li> <li>If so, the Respondent must provide the name, address and phone of the attorney. The system checks to see if the attorney is a registered portal user. If so, the system completes the attorney assignment to the case. If not, the case is flagged for the Adjudicative Clerk to send the attorney an invitation to sign up for the portal.</li> </ul>
User Roles	Respondent

**1.4.16.6 Use Case: Accept Case (for Attorney only)**

Purpose	For attorneys to accept a case they have been assigned to.
Description	<ul style="list-style-type: none"> <li>If they accept a case, the system records the attorney as a case participant and notifies the Respondent, the Adjudicative Clerk, the Health Law Judge (if they have been assigned), and the Staff Attorney, if they have been assigned to the case using the <i>Notice of Appearance</i> (aka <i>Notice of Representation</i>) template.</li> <li>If they choose to not accept the case, the system notifies the Respondent.</li> </ul>
User Roles	Respondent's Attorney

**1.4.16.7 Use Case: Withdraw from case (for Attorney only)**

Purpose	For attorneys that accepted a case but now want to withdraw.
Description	Notification is sent to the parties involved. Template is <i>Notice of Termination</i> .
User Roles	Respondent's Attorney

**1.4.16.8 Use Case: Respond to Initiating Document**

Purpose	For Respondent to provide a response to charges/allegations.		
Description	The response options depend on circumstances as follows:		
	Response option	Circumstances	Additional Info (required or optional)
	Agree	Service Packet includes Proposed Agreed Order or STID.	Sign Agreed Order/STID
	Request Settlement and/or Hearing	Always	A hearing is scheduled. Either the Respondent or the Staff Attorney can initiate a Settlement Attempt (see Settlement Process). The Respondent then has the Adjudication features available to them (Select Attorney, Submit Motions, etc.)
	Waive rights to hearing	Always	Respondent can make a statement and/or attach records/documents. It is then up to the Disciplinary Authority to decide if the statement or new information warrants a reconsideration of the charges/allegations.
Request Brief Adjudicative Process	Only an option for some programs and types of cases (this must be configurable by program area).		
	See use case Submit Pleadings - Respondent should be able to respond separately to each charge.		
	System notifies: <ul style="list-style-type: none"> <li>• Adjudicative Clerk's Office.</li> <li>• Assigned Staff Attorney and Paralegal.</li> <li>• Assistant Attorney General, if assigned/involved in case.</li> </ul>		
User Roles	Respondent, Respondent's Attorney		

**1.4.16.9 Use Case: View Administrative Record**

Purpose	To view the Administrative Record in a case
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Description	<p>This is only available after a hearing has been requested. Provide all of the information that is designated as part of the Administrative Record, except information that has been specifically restricted. The information includes:</p> <ul style="list-style-type: none"> <li>• Case Information (case number, related cases, credentials involved, etc.)</li> <li>• Respondent Information (except not their address)</li> <li>• Respondent's Attorney information (if applicable)</li> <li>• Staff Attorney assigned to case</li> <li>• Litigating Attorney assigned to case</li> <li>• Allegations/Charges (and the associated Charging Document, if applicable)</li> <li>• Pleadings (if provided)</li> <li>• Notice of Decision (if applicable)</li> <li>• Notice of Action (if applicable)</li> <li>• Request for Hearing</li> <li>• Hearing Schedule (and the associated Scheduling Order(s), if any)</li> <li>• Order of Conduct (if issued)</li> <li>• Case Exhibits, and whether they were admitted or not</li> <li>• Witnesses (if not protected), and whether they were admitted or not</li> <li>• Motions, and whether they were granted or not</li> <li>• Conclusions of Law</li> <li>• Other adjudicative decisions and their associated orders</li> <li>• Testimony under oath</li> <li>• Arguments of both parties</li> </ul>
User Roles	Both Parties, All Adjudicative Roles

**1.4.16.10 Use Case: Submit Pleadings**

Purpose	To respond to each charge with a pleading
Description	<p>This feature is available after a Charging Document has been issued.</p> <ul style="list-style-type: none"> <li>• From a list of charges, the Respondent (or their attorney) identifies how they plead against each charge with "Admit", "Deny" or "Do not Contest".</li> <li>• They may also attach a sworn statement in their defense or in mitigation of charges.</li> </ul>
User Roles	Respondent, Respondent's Attorney

**1.4.16.11 Use Case: File a Motion**

Purpose	To file a motion for consideration by the Health Law Judge in an adjudicative case.
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Description	<ul style="list-style-type: none"> <li>Choose from a list of common motions (configurable list).</li> <li>Be able to enter a motion (free form text) if it is not on the common motions list.</li> <li>Provide a reason and/or attach supporting document.</li> </ul>
User Roles	Respondent, Respondent's attorney

**1.4.16.12 Use Case: Request Witnesses and Exhibits**

Purpose	To request witnesses and exhibits be admitted to the hearing.
Description	<ul style="list-style-type: none"> <li>Provide name and other identifying information of witnesses.</li> <li>Provide a title and attach a copy of each exhibit.</li> </ul>
User Roles	Respondent, Respondent's Attorney

**1.4.16.13 Use Case: Request Interpreter**

Purpose	The Respondent may request an interpreter due to language or hearing limitations.
Description	<ul style="list-style-type: none"> <li>Respondent selects the type of interpreter they need.</li> <li>The list of interpreter types should be configurable.</li> </ul>
User Roles	Respondent, Respondent's Attorney

**1.4.16.14 Use Case: View Hearing Schedule**

Purpose	View hearings schedule																								
Description	<p>For each open case be able to view the dates issued in the Scheduling Order (or updated by approved motions). Standard Adjudicative Case dates:</p> <table border="1" data-bbox="435 1312 1339 1627"> <thead> <tr> <th>Activity</th> <th>Date Type</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>Witness Identification</td> <td>Deadline</td> <td></td> </tr> <tr> <td>Exhibits Filing</td> <td>Deadline</td> <td></td> </tr> <tr> <td>Discovery Completion</td> <td>Deadline</td> <td></td> </tr> <tr> <td>Dispositive Motions</td> <td>Deadline</td> <td></td> </tr> <tr> <td>Prehearing Memorandum</td> <td>Deadline</td> <td></td> </tr> <tr> <td>Prehearing Conference</td> <td>Event date</td> <td></td> </tr> <tr> <td>Hearing</td> <td>Event date</td> <td>Hearing Location</td> </tr> </tbody> </table>	Activity	Date Type	Additional Info	Witness Identification	Deadline		Exhibits Filing	Deadline		Discovery Completion	Deadline		Dispositive Motions	Deadline		Prehearing Memorandum	Deadline		Prehearing Conference	Event date		Hearing	Event date	Hearing Location
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Hearing	Event date	Hearing Location																							
User Roles	Respondent, Respondent's Attorney																								

**1.4.16.15 Use Case: View Order**

Purpose	To view disciplinary order(s) issued to the Respondent.
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Description	<ul style="list-style-type: none"> <li>• View a list of orders if there are more than one.</li> <li>• Option to open order and view details.</li> <li>• Details view shows what's required of them and due dates. <ul style="list-style-type: none"> <li>○ Allows them to submit documents related to each requirement.</li> <li>○ Allows them to pay all or part of the fine/balance due.</li> </ul> </li> </ul>
User Roles	Respondent, Respondent's Attorney

**1.4.16.16 Use Case: Submit Compliance Requirement**

Purpose	To submit transcripts, reports, payments or other documents related to compliance with a disciplinary order.
Description	<p>This feature is available in cases where a disciplinary order has been issued and sanctions are in place.</p> <ul style="list-style-type: none"> <li>• System shows what compliance documents/transactions are required and when.</li> <li>• Respondent can select a requirement and submit a document for it.</li> </ul>
User Roles	Respondent

**1.5 Use Cases for Respondent**

**1.5.1 Respondent**

When enforcement action is taken against someone doing health related work, whether licensed or not, they become a "Respondent" to the department. They must "respond" to the department in a number of ways related to the case.

They may or may not be represented by an attorney. If they are represented by an attorney, they are delegating their interaction with the department to that attorney. They are still served legal documents in addition to their attorney, but the attorney is expected to respond on their behalf and file all of the required court documents, etc., on their behalf.

In these requirements, where ever the term "Respondent" is used, it is short-hand for "Respondent or their attorney, if they have one".

**1.5.1.1 Respondent's Attorney**

If a Respondent chooses to be represented by an attorney and the attorney agrees, the attorney must file a Notice of Participation. Upon receipt of this notice, the department:

- Sends all legal documents to both the Respondent and their attorney.
- Expects responses from the Respondent to come from the attorney.

**1.5.2 Use Case: View Cases**

Purpose	Shows cases where they are the Respondent (or attorney).
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Description	<ul style="list-style-type: none"> <li>Shows current active cases involving investigations, allegations or charges against the Respondent.</li> <li>For attorneys, it shows all their cases and Respondents.</li> <li>Option to see closed cases.</li> <li>Be able to open case details (see use case).</li> </ul>
User Roles	Respondent, Respondent's Attorney

### 1.5.3 Use Case: View Case Details (Respondent View)

Purpose	Show case details that are relevant to the Respondent.
Description	<p>This includes:</p> <ul style="list-style-type: none"> <li>Administrative Record (see use case)</li> <li>And additional transactions, documents and communications involving the Respondent that are not part of the Administrative Record.</li> <li>Must hide or redact information that might be used to identify the complainant/whistleblower.</li> </ul>
User Roles	Respondent, Respondent's Attorney

### 1.5.4 Use Case: View Complaint

Purpose	To view a redacted version of the complaint.
Description	Complainant identifying information is hidden/redacted unless we have a waiver of whistleblower protection.
User Roles	Respondent, Respondent's Attorney

### 1.5.5 Use Case: View Investigation Report

Purpose	To view the Investigation Report.
Description	<p>Obviously only available after an Investigation Report has been approved.</p> <ul style="list-style-type: none"> <li>Non-modifiable.</li> <li>Option to print.</li> <li>Option to make a non-modifiable electronic version for distribution as needed.</li> <li>Tracks date and time sent by DOH, and tracks when first viewed by Provider.</li> </ul>
User Roles	Respondent, Respondent's Attorney

### 1.5.6 Use Case: View Initiating Document

Purpose	To view and be able to respond to a initiating document.
Description	Only available after an Initiating Document has been served.

User Roles	Respondent, Respondent's Attorney
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### 1.5.7 Use Case: Respond to Initiating Document

Purpose	For Respondent to provide a response to charges/allegations.
Description	<ul style="list-style-type: none"> <li>• Overall response - they must choose one:             <ul style="list-style-type: none"> <li>○ <b>Request settlement and/or hearing.</b> If settlement is not reached, the Respondent may still request a hearing. Respondent can provide an explanation and request an adjustment to the findings of fact, allegations and/or sanctions. They may also attach supporting documentation.</li> <li>○ <b>Request a Brief Adjudicative Process.</b> In choosing this option, they waive their right to a hearing. Respondent makes a statement indicating what they want and why. They may also attach supporting materials. System sends notification to the BAP Officer.</li> <li>○ <b>Agree.</b> Respondent must confirm that they are agreeing to the sanctions stated in the accompanying order document (STID or Agreed Order).</li> </ul> </li> <li>• Respondent may Submit Pleadings (see use case).</li> <li>• Respondent may Identify Attorney Representation (see use case).</li> <li>• Respondent may Request an Interpreter (see use case)</li> <li>• System forwards the response to the Staff Attorney and Adjudicative Clerk.</li> </ul>
User Roles	Respondent, Respondent's Attorney

### 1.5.8 Use Case: Identify Attorney Representation (for Respondent only)

Purpose	For the Respondent to identify if they are represented by an attorney and if so, by whom.
Description	<ul style="list-style-type: none"> <li>• Respondent selects if they are represented or not.</li> <li>• If so, the Respondent must provide the name, address and phone of the attorney. The system checks to see if the attorney is a registered portal user. If so, the system completes the attorney assignment to the case. If not, the case is flagged for the Adjudicative Clerk to send the attorney an invitation to sign up for the portal.</li> </ul>
User Roles	Respondent

### 1.5.9 Use Case: Accept Case (for Attorney only)

Purpose	For attorneys to accept a case they have been assigned to.
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Description	<ul style="list-style-type: none"> <li>• If they accept a case, the system records the attorney as a case participant and notifies the Respondent, the Adjudicative Clerk, the Health Law Judge (if they have been assigned), and the Staff Attorney, if they have been assigned to the case. This is a substitute for the current "Notice of Appearance" that would be required otherwise.</li> <li>• If they choose to not accept the case, the system notifies the Respondent.</li> </ul>
User Roles	Attorney

#### 1.5.10 Use Case: Withdraw from case (for Attorney only)

Purpose	For attorneys that accepted a case but now want to withdraw.
Description	
User Roles	Respondent's Attorney

#### 1.5.11 Use Case: View Administrative Record

Purpose	To view the Administrative Record in a case
Description	<p>This is only available after a hearing has been requested. Provide all of the information that is designated as part of the Administrative Record, except information that has been specifically restricted. The information includes:</p> <ul style="list-style-type: none"> <li>• Case Information (case number, related cases, credentials involved, etc.)</li> <li>• Complaints (if any involved in case)</li> <li>• Respondent Information (except not their address)</li> <li>• Respondent's Attorney information (if applicable)</li> <li>• Staff Attorney assigned to case</li> <li>• Litigating Attorney assigned to case</li> <li>• Allegations/Charges (and the associated Charging Document, if applicable)</li> <li>• Pleadings (if provided)</li> <li>• Notice of Decision (if applicable)</li> <li>• Notice of Action (if applicable)</li> <li>• Request for Hearing</li> <li>• Hearing Schedule (and the associated Scheduling Order(s), if any)</li> <li>• Order of Conduct (if issued)</li> <li>• Admitted Exhibits</li> <li>• Admitted Witnesses (if not protected)</li> <li>• Conclusions of Law</li> <li>• Other adjudicative decisions and their associated orders</li> <li>• Testimony under oath</li> <li>• Arguments of both parties</li> </ul>
User Roles	Both Parties, All Adjudicative Roles

### 1.5.12 Use Case: Submit Pleadings

Purpose	To respond to each charge with a pleading
Description	<p>This feature is available after a Charging Document has been issued.</p> <ul style="list-style-type: none"> <li>From a list of charges, the Respondent (or their attorney) identifies how they plead against each charge with "Admit", "Deny" or "Do not Contest".</li> <li>They may also attach a sworn statement in their defense or in mitigation of charges.</li> </ul>
User Roles	Respondent, Respondent's Attorney

### 1.5.13 Use Case: File a Motion

Purpose	To file a motion for consideration by the Health Law Judge in an adjudicative case.
Description	<ul style="list-style-type: none"> <li>Choose from a list of common motions (configurable list).</li> <li>Be able to enter a motion (free form text) if it is not on the common motions list.</li> <li>Provide a reason and/or attach supporting document.</li> </ul>
User Roles	Respondent, Respondent's attorney

### 1.5.14 Use Case: Request Witnesses and Exhibits

Purpose	To request witnesses and exhibits be admitted to the hearing.
Description	<ul style="list-style-type: none"> <li>Provide name and other identifying information of witnesses.</li> <li>Provide a title and attach a copy of each exhibit.</li> </ul>
User Roles	Respondent, Respondent's Attorney

### 1.5.15 Use Case: Request Interpreter

Purpose	The Respondent may request an interpreter due to language or hearing limitations.
Description	<ul style="list-style-type: none"> <li>Respondent selects the type of interpreter they need.</li> <li>The list of interpreter types should be configurable.</li> </ul>
User Roles	Respondent, Respondent's Attorney

### 1.5.16 Use Case: View Hearing Schedule

Purpose	View hearings schedule
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Description	<p>For each open case be able to view the dates issued in the Scheduling Order (or updated by approved motions). Standard Adjudicative Case dates:</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Date Type</th> </tr> </thead> <tbody> <tr> <td>Witness Identification</td> <td>Deadline</td> </tr> <tr> <td>Exhibits Filing</td> <td>Deadline</td> </tr> <tr> <td>Discovery Completion</td> <td>Deadline</td> </tr> <tr> <td>Dispositive Motions</td> <td>Deadline</td> </tr> <tr> <td>Prehearing Memorandum</td> <td>Deadline</td> </tr> <tr> <td>Prehearing Conference</td> <td>Event date</td> </tr> <tr> <td>Hearing</td> <td>Event date</td> </tr> </tbody> </table>	Activity	Date Type	Witness Identification	Deadline	Exhibits Filing	Deadline	Discovery Completion	Deadline	Dispositive Motions	Deadline	Prehearing Memorandum	Deadline	Prehearing Conference	Event date	Hearing	Event date
Activity	Date Type																
Witness Identification	Deadline																
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Dispositive Motions	Deadline																
Prehearing Memorandum	Deadline																
Prehearing Conference	Event date																
Hearing	Event date																
User Roles	Respondent, Respondent's Attorney																

### 1.5.17 Use Case: View Order

Purpose	To view disciplinary order(s) issued to the Respondent.
Description	<ul style="list-style-type: none"> <li>View a list of orders if there are more than one.</li> <li>Option to open order and view details.</li> <li>Details view shows what's required of them and due dates. <ul style="list-style-type: none"> <li>Allows them to submit documents related to each requirement.</li> <li>Allows them to pay all or part of the fine/balance due.</li> </ul> </li> </ul>
User Roles	Respondent, Respondent's Attorney

### 1.5.18 Use Case: Submit Compliance Requirement

Purpose	To submit transcripts, reports, payments or other documents related to compliance with a disciplinary order.
Description	<p>This feature is available in cases where a disciplinary order has been issued and sanctions are in place.</p> <ul style="list-style-type: none"> <li>System shows what compliance documents/transactions are required and when.</li> <li>Respondent can select a requirement and submit a document for it.</li> </ul>
User Roles	Respondent

## 2 Enforcement - Facilities

In addition to the enforcement processes and requirements, enforcement of rules and standards related to facilities involves unique processes and requirements.

Periodic inspections help ensure facilities comply with rules and regulations. Depending on the facility type, facilities will be inspected on a yearly, 18 month or two year cycle.

One big difference between working with facilities and working with health professions is that inspectors and investigators are able to work with a facility to resolve deficiencies. With health professionals, investigators are only allowed to gather information and evidence. Any type of corrective measure against a health professional must be handled through the disciplinary process.

## 2.1 Facilities Terms

Here are some terms related to facilities - investigations and inspections:

Term	Abbr.	Definition
Deficiency		Any issue that needs to be addressed within a facility or licensee's practice in order to meet the rules and standards of that facility type or profession.
Violation		The violation of rules, regulations or standards of care for a profession or facility type.
Center for Medicare Services	CMS	Federal agency regulating healthcare facilities that receive Medicare or Medicaid payments. Facilities participate in CMS programs voluntarily.
Inspection		The onsite review of a designated facility to ensure compliance with federal and state regulations.  Although currently Inspection, Survey and Examination are used interchangeably, we prefer Inspection.
Statement of Deficiency	SOD	A report of the deficiencies found in an inspection. When no deficiencies are found, the "No Deficiencies Letter" is sent to the facility instead of the SOD.
Plan of Corrections	POC	A plan submitted by the Facility to the Department (of Health) indicating their plan for correcting the deficiencies identified in an inspection.
Directed Plan of Corrections	DPOC	A plan provided by the Surveyor(s) to the Facility instructing them on the actions they must take to come into compliance. Directed POC is issued for certain violations only.
Progress Report	PR	This is a report provided by the Facility indicating the progress they have made in addressing the deficiencies found in an inspection. Progress Reports are required for certain facility types and violations, not all.
Surveyor		The person that performs the inspection.  Although currently Surveyor, Inspector and Examiner are used interchangeably, we prefer to use Surveyor.
Investigative Report	IR	The end result of an investigation. It reports the actions taken by the investigator and their findings.

## 2.2 OII Facilities Unit

<b>OII</b>	Office of Investigation and Inspection
<b>Director</b>	Ramiro Cantu



<b>Summary</b>	<p>Inspection Inspect and certify regulated medical and community care facilities – see facility types below.</p> <p>Investigation Investigate complaints related to covered facilities and initiate enforcement action, when needed.</p>
<b>Staff</b>	<p>Facility Investigators and Surveyors are assigned to a subset of facility types - see table below. In total there are:</p> <ul style="list-style-type: none"> <li>• ?? Support Staff</li> <li>• ?? Facility Investigators and Surveyors</li> <li>• 7 Facility Investigation and Inspection Supervisors (some play both roles)</li> <li>• 1 Director</li> </ul>

Below are the facility types that are covered by OII facility inspections. The table shows the facility type, the supervisor and whether the inspection is conducted on behalf of the state or the Federal Center for Medicare Services:

Facility Types	Inspection Supervisor	Investigation Supervisor	Federal Timeline	WA Timeline	Statutes	Notes
Hospitals Acute (HAC)	Elizabeth Gordon	Diane Sanders	M&PD	18 month	246-320	
Psych Hospital (HPSY)	Elizabeth Gordon	Diane Sanders	M&PD	12 month	246-322	
Alcohol Treatment Centers (HALC)	Elizabeth Gordon	Diane Sanders			246-324	
Child Birth Centers (CBC)	Elizabeth Gordon	Diane Sanders	NA		246-329	
Ambulatory Surgery Centers (ASC)	Frank Schitoskey	Diane Sanders	M&PD	NA		
Ambulatory Surgical Facilities (ASF)	Frank Schitoskey	Diane Sanders	NA		246-330	
End Stage Renal Disease Centers (ESRD)	Frank Schitoskey	Diane Sanders	M&PD	NA		
Home Health (IHS)	Robin Bucknell	Diane Sanders	M&PD		246-335	
Hospice (IHS)	Robin Bucknell	Diane Sanders	M&PD		246-335	
Home Care (IHS)	Robin Bucknell	Diane Sanders	NA		246-335	
Rural Health Clinics	Robin Bucknell	Robin Bucknell	M&PD	NA		
Medical Test Sites (MTS)	Susan Walker	Susan Walker	NA	24 months max	246-338	Require Progress Report when deficiencies found

aka Lab Quality Assurance (LQA)						
Residential Treatment Facilities (RTF)	Jon Kuykendall	Jon Kuykendall	NA		246-337	
State Institutions (SI)	Jon Kuykendall	Jon Kuykendall	NA		246-215	MOU Standards
Group Care (Licensed by DSHS)	Jon Kuykendall	Jon Kuykendall	NA			DSHS Issues license
Outpatient physical therapy (OPT)	Elizabeth Gordon	Diane Sanders	M&PD	NA		
Comprehensive Outpatient Rehabilitation Facilities	Elizabeth Gordon	Diane Sanders	M&PD	NA		
Community Mental Health Centers (none currently)	Elizabeth Gordon	Diane Sanders	M&PD	NA		
Pharmacies and various other drug handling businesses *	Gordon MacDonald	Gordon MacDonald			WAC 246-869	Surveyors self-assign work and do peer reviews. They issue grade (A, B or C) which determines the timeline for the follow-up inspection.

\* Drug Researchers, Drug dog handlers, Drug Itinerant Vendors, Drug Fish and Wildlife, Pharmacy Health Care Entity, Drug Manufacturers, Pharmaceutical Wholesalers, Poison Manufacturers and Poison Distributors.

## 2.3 User Roles

### 2.3.1 Inspection Requester

This is the user role that can request an inspection. This role (and ability) will be assigned to Surveyors, Inspection Supervisors, Investigation Support, Staff Attorneys, Compliance Officers and optionally to other business units such as the Office of Customer Service. OCS can request an inspection as part of the credential application review process for a facility.

### 2.3.2 Inspection Support

- Provide administrative support to the Inspection Supervisor and Surveyor.
- Send letters to the Facility.
- Notify credentialing of status changes.
- And other admin responsibilities.

### 2.3.3 Inspection Supervisor

The Inspection Supervisor is assigned to a group of facility types. They schedule, assign, review and manage surveyors and their inspections.

### 2.3.4 Surveyor

The Surveyor specializes in particular types of facilities. They:

- Plan and conduct inspections.
- Gather evidence and create Inspection Reports that describe non compliance based on observations, interviews and record review.
- In some cases, provide Facility with a Directed Plan of Correction.
- Review Plan of Correction (POC) from Facility. Work with Facility to get a suitable POC.
- For some facility programs, the Surveyor also requires and reviews a Progress Report from the Facility.
- Plan revisit inspections.

### 2.3.5 Director of Facilities

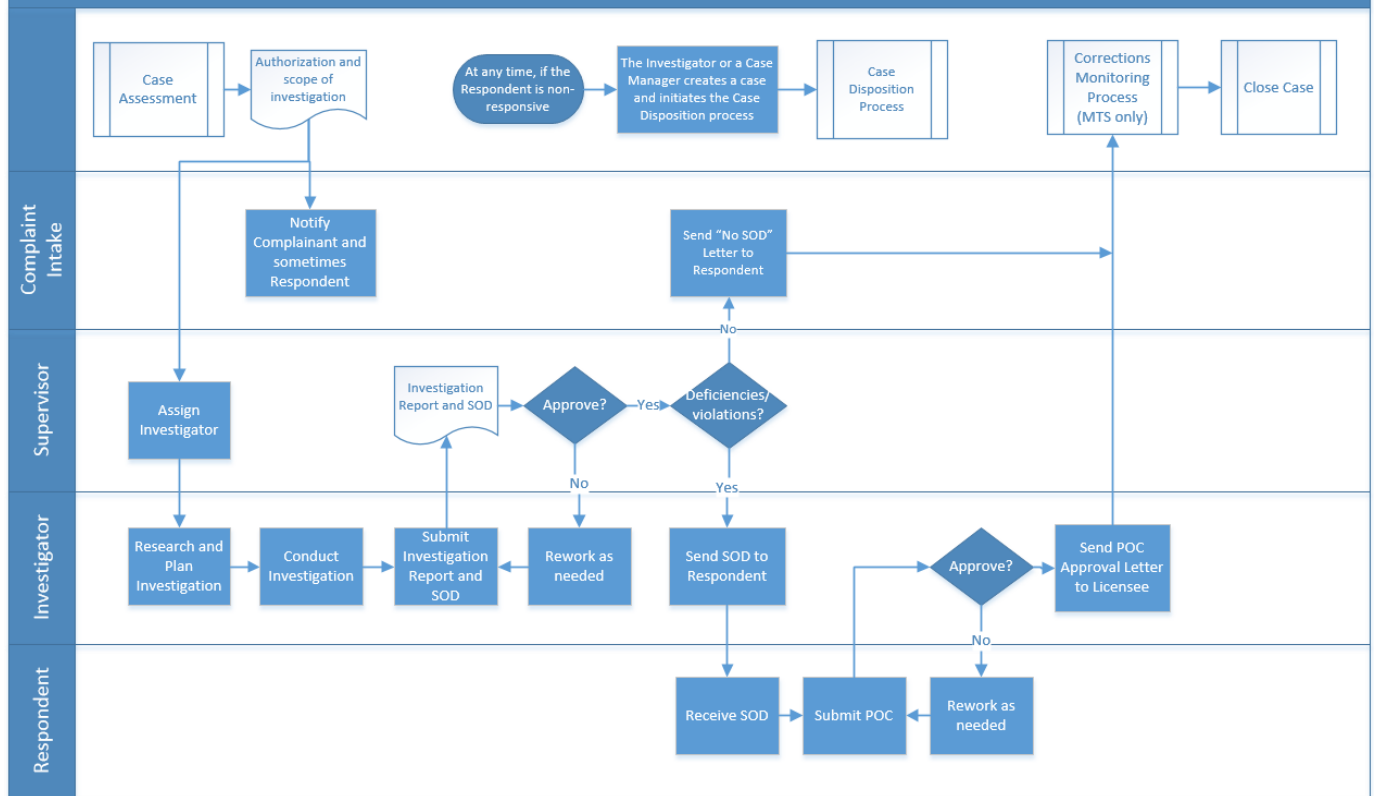
- Oversee high profile or imminent danger cases
- Review and Approve inspections that go beyond the mandated due dates
- Review and Approve Directed Plan of Corrections issued by Surveyor
- May act as an Inspection Supervisor
- May act as an Facility Investigation Supervisor

## 2.4 Facility Processes

### 2.4.1 Process: Facility Investigation Process

Purpose	To plan, conduct and manage investigation of facilities.
Owner	Office of Investigations and Inspections, Facilities Unit
Inputs	Authorization and scope of investigation.
Outputs	<ul style="list-style-type: none"> <li>• Investigation Report.</li> <li>• If deficiencies found:               <ul style="list-style-type: none"> <li>○ Statement of Deficiencies (SOD) sent to Respondent.</li> <li>○ Plan of Corrections (POC) sent to the department.</li> <li>○ POC Approval Letter sent to the Respondent.</li> <li>○ If Respondent is non-responsive, the case is referred to the Office of Legal Services for progressive enforcement action.</li> </ul> </li> <li>• If no deficiencies found, a "No SOD" statement is created and sent to the Respondent.</li> </ul>
Notes	

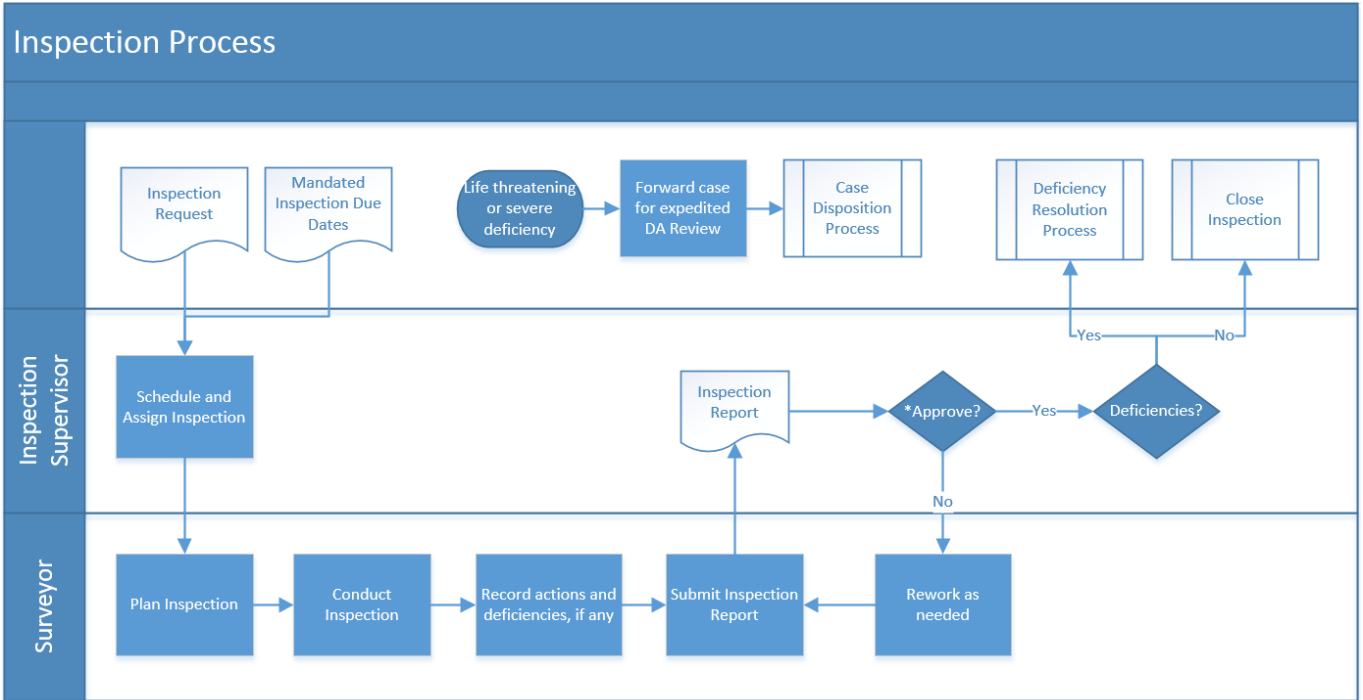
## Facility Investigation Process



**For MTS only:** see the " Corrections Monitoring" process under the Inspection Process for more information.

### 2.4.2 Process: Inspection Process

Purpose	To schedule, conduct and manage inspections to ensure covered facilities meet state and federal standards and regulations.
Owner	Office of Investigation and Inspections
Inputs	<ul style="list-style-type: none"> <li>Mandated Federal and state inspection timelines by facility type.</li> <li>Request for inspection from another DOH office or state agency.</li> </ul>
Outputs	Inspection Report
Notes	



\* A supervisor review is not always needed. Most program areas don't require a review if no deficiencies found.

### 2.4.3 Inspection States

The follow table identifies the various states possible for an inspection. States (or status) help identify what types of features are needed and when they are needed.

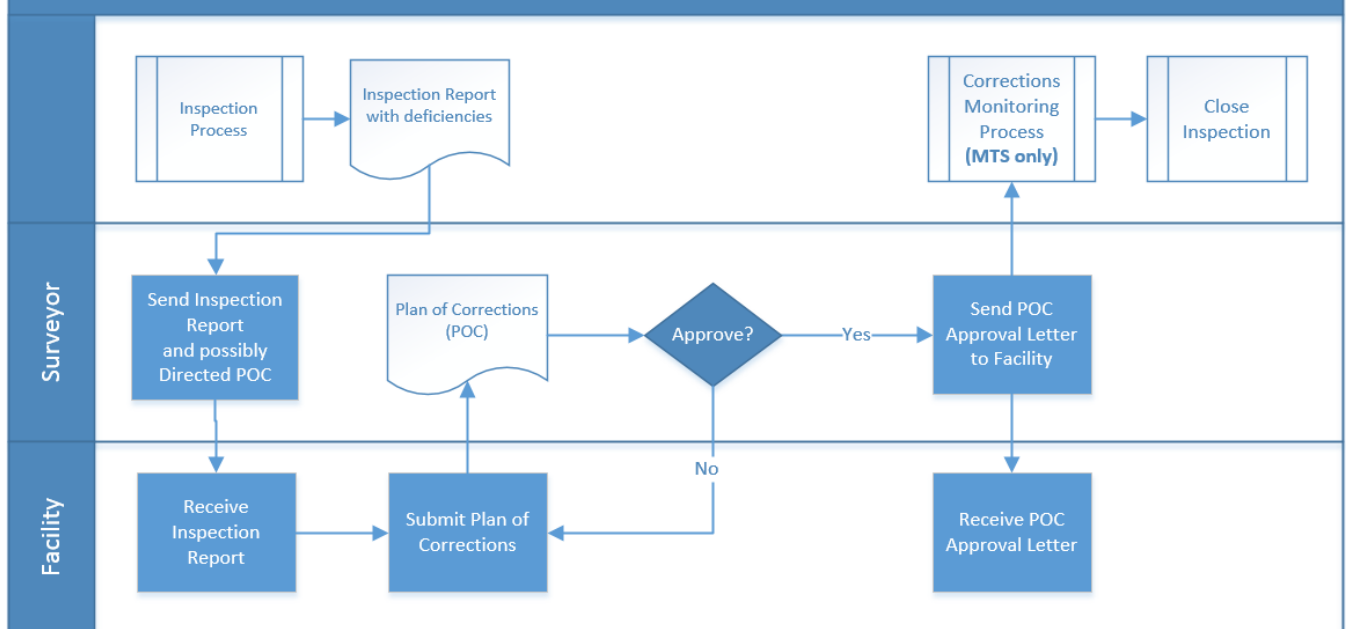
Overall State	Sub state	Notes
<b>Scheduled</b>	<i>Requested or Deemed</i>	Inspection records are fist created in response to a request or if they are deemed due to mandated inspection cycles. In either case, they will have a tentative due date and are considered <i>Scheduled</i> .
<b>Active</b>	<i>Assigned</i>	Inspection is assigned to one or more surveyors.
	<i>Started</i>	Once the surveyor opens the inspection, they inherently accept the assignment and it enters into the started state.
	<i>Entered</i>	Once the site has been entered, or the scheduled site visit date has arrived or passed, the sub state is <i>Entered</i> .
	<i>Exited</i>	Once the scheduled site visits are done, the sub state is <i>Exited</i> .
	<i>Submitted</i>	Once the Inspection Report is complete and has been submitted for review (or simply submitted as complete), the sub state is set to <i>Submitted</i> .
	<i>Approved</i>	Once the inspection report has been approved.

		Not all facility types require approval before the inspection report is sent. Whether this state is required or not should be configurable by facility type.
	<i>Report Sent</i>	After the inspection report has been approved and sent to the Facility Contact.
	<i>POC Received</i>	Only if deficiencies found. After the POC (if required) is received back from Facility Contact.
	<i>POC Approved</i>	After the POC has been reviewed and approved by the inspector.
	<i>PR Received</i>	For MTS only, Progress Reports are required.
	<i>PR Approved</i>	For MTS only, Progress Reports must be approved by Surveyor.
<b>Closed</b>	<i>Complete</i>	The inspection is closed after the facility is found to be in compliance and all inspection and follow-up work has been completed.
<b>Closed</b>	<i>Incomplete</i>	The inspection was closed before it was completed. The facility may have closed, or it was determined to be in compliance, or for some other reason it was determined that the inspection work did not need to continue.

#### 2.4.4 Process: Inspection Deficiency Resolution Process

Purpose	To resolve deficiencies found in an inspection.
Owner	Office of Investigation and Inspections
Inputs	Inspection Report with deficiencies.
Outputs	Depending on circumstances: <ul style="list-style-type: none"> <li>• Directed Plan of Corrections sent to the Facility.</li> <li>• Plan of Correction (POC) provided by Facility to the Surveyor.</li> <li>• POC Approval Letter provided by Surveyor to Facility.</li> <li>• Progress Report provided by Facility to Surveyor. This is required for MTS/LQA facility types only.</li> </ul>
Notes	

## Deficiency Resolution Process

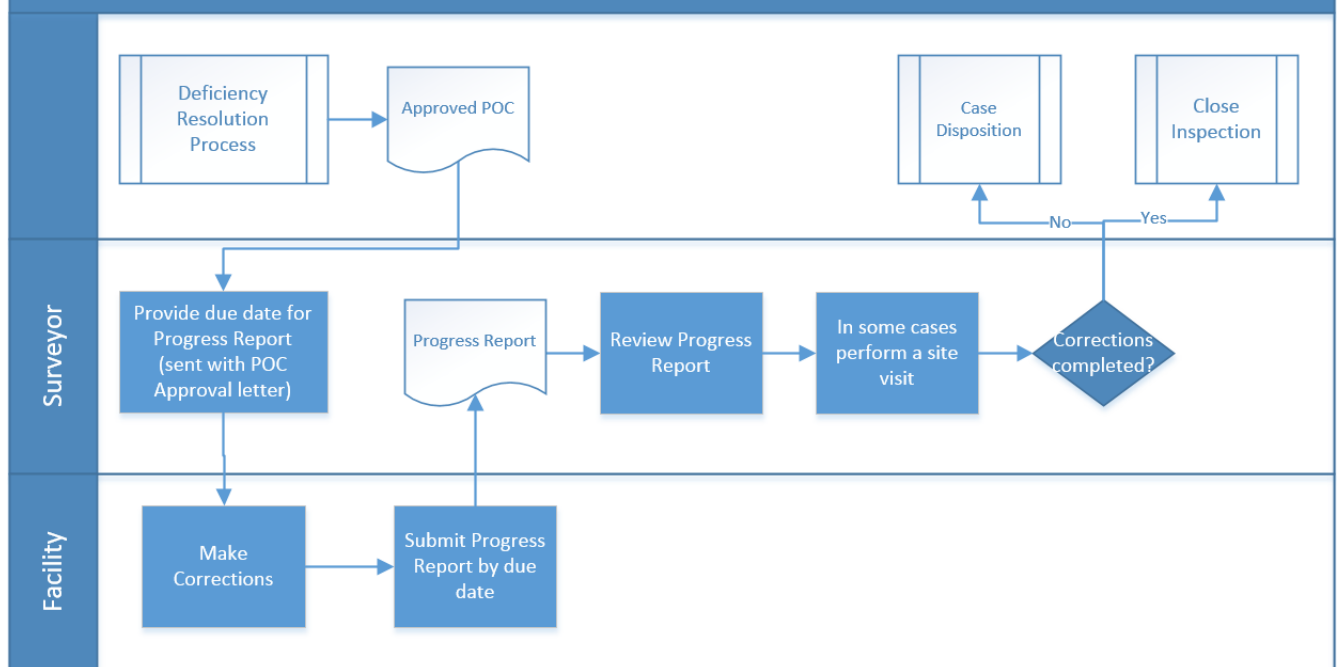


If the POC is not provided by the due date, the Surveyor takes follow-up action.

### 2.4.5 Process: Corrections Monitoring Process - only used by Medical Test Sites (MTS)

Purpose	To ensure the corrections required of a MTS facility have been implemented.
Owner	Office of Investigation and Inspections, MTS program area
Inputs	Plan of Corrections Approval letter issued by Surveyor and sent to facility. The POC approval letter includes a due date for the Progress Report.
Outputs	<ul style="list-style-type: none"> <li>Progress Report</li> <li>Possibly a follow-up Inspection Report.</li> </ul>
Notes	

## Corrections Monitoring Process (for MTS only)

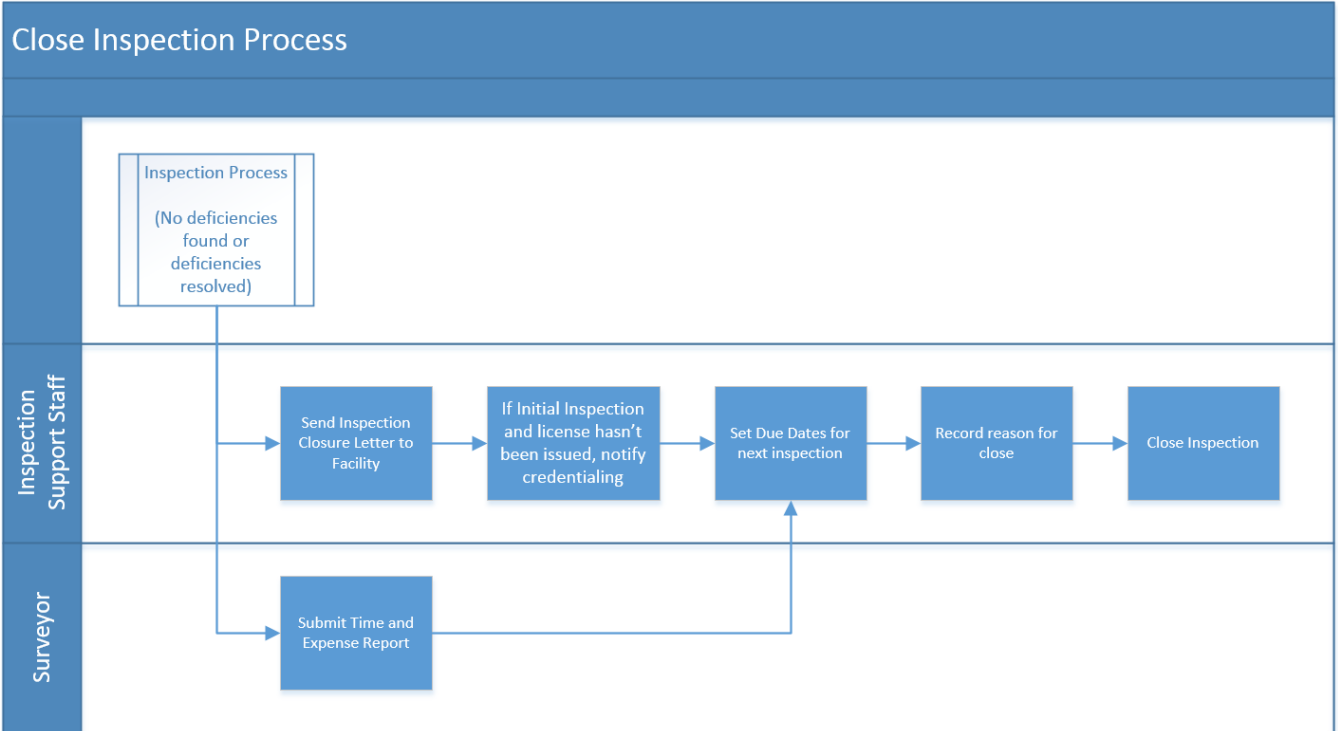


If the Progress Report is not provided by the due date, the Surveyor takes follow-up action.

### 2.4.6 Process: Close Inspection Process

Purpose	To complete tasks needed to close an inspection.
Owner	Office of Investigation and Inspections
Inputs	Reason for closure.
Outputs	<ul style="list-style-type: none"> <li>Closed Inspection record.</li> <li>Inspection Closure Letter sent to Facility.</li> </ul>
Notes	





## 2.5 Use Cases for Facility Enforcement Staff

### 2.5.1 Use Case: Conduct On-site Investigation

Purpose	To be able to conduct on-site investigation and to capture information as needed.
Description	<ul style="list-style-type: none"> <li>• Use mobile device for on-site data collection. For example portable scanning and photography that easily attach images to central inspection records.</li> <li>• Identify violations and capture evidence:             <ul style="list-style-type: none"> <li>○ Select the “Regs” (Regulations) and “Tags” (paragraphs within a regulation) that the facility is out of compliance with.</li> <li>○ Identify the data collection type – interview, observation, document or image. And attach documents and images as evidence.</li> <li>○ Option to make notes with each violation.</li> </ul> </li> <li>• Synchronize changes in real time across devices used by team members.</li> <li>• Access all content available for facility: survey and inspection reports, field notes, citation, POC, complaints, contact information, license applications, accrediting organization’s websites/contact info, service categories, construction review.</li> <li>• Capture entry and exit dates.</li> </ul>
User Roles	Facility Investigator

### 2.5.2 Use Case: Identify Deficiencies Found

Purpose	To record deficiencies found in a facility as a result of an investigation.
Description	<ul style="list-style-type: none"> <li>Investigator selects deficiencies from a standard list of deficiencies for the facility type. The deficiencies identify the Regulations and Tags (paragraphs within a regulation) that have been violated.</li> <li>For each deficiency, the investigator also identifies the data collection method - Interview, Observation, Document or Image, and attach the appropriate file as evidence.</li> <li>Option to make notes with each deficiency.</li> </ul>
User Roles	Facility Investigator

### 2.5.3 Use Case: Generate “No Deficiencies” letter

Purpose	To generate the “No SOD” letter.
Description	<ul style="list-style-type: none"> <li>This option is only available if an inspection has been submitted and no violations recorded.</li> </ul>
User Roles	Surveyor, Facility Investigator

### 2.5.4 Use Case: Generate SOD

Purpose	To generate SOD letter
Description	<ul style="list-style-type: none"> <li>There must be one or more violations before a SOD may be generated. If no violations, the users does not have this option.</li> <li>In some cases, the inspection must be approved before the SOD may be generated. See business rule BR002.</li> <li>The system uses the inspection date including violations found to generate a SOD from the SOD template.</li> <li>The generated SOD should not be modifiable. <ul style="list-style-type: none"> <li>If a change is needed to the template, it must be done prior to generating the SOD.</li> <li>If a change is needed to the “merged” information, it must be done in the source data in the system.</li> </ul> </li> </ul>
User Roles	Surveyor, Facility Investigator

### 2.5.5 Use Case: View facilities with items due (or past due)

Purpose	Helps Surveyor know what’s due from which facilities
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Description	<ul style="list-style-type: none"> <li>Shows a list of inspections/facilities that are due (or past due) to provide a document or a response to something. For example a Plan of Corrections.</li> <li>Identifies what is due for each facility on list.</li> <li>Clearly identifies past due items.</li> <li>Provide ability to take view inspection details and take follow-up action with facility as needed.</li> </ul>
User Roles	Surveyor

### 2.5.6 Use Case: Review Plan of Corrections (POC)

Purpose	To review and approve/reject the POC submitted by the Respondent.
Description	<ul style="list-style-type: none"> <li>View POC submitted. (Upload if not submitted via Licensee portal).</li> <li>Approve/reject. If reject, must provide a reason.</li> <li>System sends notification to Respondent.</li> </ul>
User Roles	Surveyor, Facility Investigator

### 2.5.7 Use Case: Request Inspection

Purpose	To request inspection of a facility.
Description	<ul style="list-style-type: none"> <li>Inspections can be requested in response to a number of situations. For example: <ul style="list-style-type: none"> <li>CSO requests an inspection in response to a credential application.</li> <li>CMT requests an inspection as part of an investigation.</li> <li>Supervisor schedules an inspection as a result of a request from another agency (for example DSHS).</li> </ul> </li> <li>The Inspection Requester selects the facility and a Due Date.</li> <li>The system puts it on the list of Upcoming Inspections.</li> </ul>
User Roles	Inspection Requestor

### 2.5.8 Use Case: View Upcoming Inspections

Purpose	Shows upcoming inspections so inspection supervisor may assign them to surveyors. Or for surveyors to self-assign inspections.
Description	<ul style="list-style-type: none"> <li>The system shows facilities that are due based on required federal or state inspection cycles.</li> <li>Option to see both assigned and unassigned inspections that are coming due in the next few months (e.g. 6 months).</li> <li>Identify multi-site inspections.</li> <li>Show upcoming inspections as a list, in a calendar view, or by region.</li> <li>Supervisor can select an unassigned inspection and assign it to a supervisor (see next use case).</li> </ul>

User Roles	Inspection Supervisor, Surveyor, Inspection Support Staff
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### 2.5.9 Use Case: Assign Inspection

Purpose	To assign an inspection to one or more Surveyors.
Description	<p>After selecting an unassigned inspection (see View Upcoming Inspections above):</p> <ul style="list-style-type: none"> <li>• Supervisor assigns the inspection to one or more surveyors (including cross program assignments).</li> <li>• Choose a date or week for the work to be done.</li> <li>• Identify lead surveyor.</li> <li>• Request Fire Marshal.</li> <li>• Option for system to recommend a surveyor based on region, facility type, workload and schedule.</li> <li>• The result would be that the inspection assignment would appear in the surveyors' queue.</li> </ul>
User Roles	Inspection Supervisor

### 2.5.10 Use Case: Change Dates

Purpose	To update inspection dates.
Description	<ul style="list-style-type: none"> <li>• Supervisor can update the Due Date.</li> <li>• Lead Surveyor (the surveyor designated as the Lead Surveyor on a case) can update the Enter and Exit Dates.</li> <li>• The due date must be after the Enter and Exit Dates.</li> <li>• If the Due Dates is after the Mandated Due Date, OII Director of Facilities approval is required.</li> <li>• System tracks the old and new dates and shows the changes in the Activity Log.</li> <li>• System notifies assigned Surveyors and Fire Marshal (if any).</li> </ul>
User Roles	Inspection Supervisor, Lead Surveyor

### 2.5.11 Use Case: Change Inspection Assignments

Purpose	Change surveyors assigned to an inspection.
Description	<ul style="list-style-type: none"> <li>• Change who is assigned to an inspection.</li> <li>• Option to remove all assignments.</li> <li>• System notifies parties of changes to their assignments.</li> </ul>
User Roles	Inspection Supervisor, Lead Surveyor

### 2.5.12 Use Case: View My Inspections

Purpose	Shows a surveyor the inspections that are assigned to them.
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Description	<ul style="list-style-type: none"> <li>Shows all active inspections assigned to the surveyor.</li> <li>Provides option to see completed or closed inspections the surveyor previously worked on.</li> <li>Shows the facility name, the status of the inspection, and more. Ideally optional fields could be added to the list by the user.</li> <li>Provides a deadline tracker and provides option to sort by aging. Brings to forefront any inspections that are past due.</li> <li>Provides option to view inspection details.</li> </ul>
User Roles	

### 2.5.13 Use Case: View Inspection Details and Related Info

Purpose	Provides access to all information related to an inspection.
Description	<ul style="list-style-type: none"> <li>Provides summary information on inspection (federal and state identifiers, facility name, dates, status, etc.)</li> <li>Facility information.</li> <li>Current violations (if any).</li> <li>Surveyors assigned. Identifies lead surveyor.</li> <li>Provides access to facility credentials, credential applications, CON, CR, previous violations, renewals, complaints, previous inspections, POCs, enforcement activity, and more.</li> <li>Activity history (and audit trail).</li> </ul>
User Roles	

### 2.5.14 Use Case: View Facility Information

Purpose	Provides access to information about a facility.
Description	<p>Be able to access:</p> <ul style="list-style-type: none"> <li>Facility Profile. Updates should be viewable, from most recent to oldest.</li> <li>Current License and Licensing History</li> <li>Inspection history</li> <li>Enforcement activity (current and past)</li> </ul>
User Roles	Surveyor

### 2.5.15 Use Case: Maintain Facility information

Purpose	To enter and maintain Facility information
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Description	<ul style="list-style-type: none"> <li>• Licensee information with links to other facilities licensed by licensee.</li> <li>• Contact information.</li> <li>• Staffing, including credentials, and changes to status of credentials.</li> <li>• Related facilities and branches.</li> <li>• Change and approval workflow needed as some changes can affect the status of the license.</li> <li>• If a facility is a Medicare facility, the system will trigger a change request for ASPEN that would automatically be sent through the required channel. Details TBD.</li> </ul>
User Roles	TBD

### 2.5.16 Use Case: Prepare for Inspection

Purpose	A variety of tools that the surveyor could use in preparing for an inspection.
Description	<p>Optional features that would be helpful:</p> <ul style="list-style-type: none"> <li>• Reserve resources (cars, tech). Interface with Invers?</li> <li>• Identify branches/facilities to include in inspection.</li> <li>• Nice to have: when a facility includes many branch sites, provide option to randomly select a portion of the branches for inspection.</li> </ul>
User Roles	Surveyor

### 2.5.17 Use Case: Conduct Inspection

Purpose	Various tools to help conduct inspection
Description	<ul style="list-style-type: none"> <li>• Use mobile device for on-site data collection. For example portable scanning and photography that easily attach images to central inspection records.</li> <li>• Optional, configurable checklist.</li> <li>• Identify violations and capture evidence: <ul style="list-style-type: none"> <li>○ Select the “Regs” (Regulations) and “Tags” (paragraphs within a regulation) that the facility is out of compliance with.</li> <li>○ Identify the data collection type – interview, observation, document or image. And attach documents and images as evidence.</li> <li>○ Option to make notes with each violation.</li> </ul> </li> <li>• Synchronize changes in real time across devices used by team members (all surveyors assigned to the inspection).</li> <li>• Access all content available for facility: survey and inspection reports, field notes, citation, POC, complaints, contact information, license applications, accrediting organization’s websites/contact info, service categories, construction review.</li> <li>• Upload documents via portable scanners</li> <li>• Capture entry and exit dates</li> <li>• Capture Fire Marshal entry and exit dates.</li> </ul>

User Roles	Surveyor
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### 2.5.18 Use Case: Update Findings

Purpose	Update findings for a Facility
Description	For either an inspection or a facility investigation.
User Roles	Surveyor, Facilities Investigator

### 2.5.19 Use Case: Add/Update Evidence

Purpose	To capture evidence/information gathered in an investigation.
Description	<p>Exhibits are facts, information or evidence gathered in a case. Examples are victim or witness statements, bills, emails, phone records, x-rays, or physical items such as dentures.</p> <ul style="list-style-type: none"> <li>• For physical evidence such as x-rays or dentures, provide option to store an image of the evidence. Also provide a link or reference to the evidence record. The evidence record shows the current location of the physical evidence.</li> <li>• Optionally be able to identify a termination date for evidence. That’s when the evidence may be destroyed. The system would send a “tickler” to the Locker Manager for items that may be destroyed.</li> <li>• Any features that enable gathering and recording of exhibits in the system.</li> <li>• Exhibits can pertain to one or more cases.</li> <li>• Option to associate evidence with a particular allegation or the case as a whole.</li> </ul>
User Roles	Investigator

### 2.5.20 Use Case: Upload 3rd Party Inspection Results

Purpose	o include 3rd party inspection results with inspection report.
Description	<ul style="list-style-type: none"> <li>• 3<sup>rd</sup> party inspection results can come on CD, DVD, thumb drive, SFT or other means.</li> <li>• Be able to upload into system.</li> </ul>
User Roles	TBD

### 2.5.21 Use Case: Submit Inspection Report

Purpose	To indicate that the inspection work is done and ready for review.
Description	<ul style="list-style-type: none"> <li>• Not all inspections need to be reviewed. See business rule BR002.</li> <li>• Even if a review is not needed, the lead surveyor needs to identify that the inspection is complete. This control ensures that a SOD won’t be generated and sent prematurely by a member of the team.</li> </ul>

User Roles	Surveyor
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### 2.5.22 Use Case: View facilities with items due (or past due)

Purpose	Helps Surveyor know what's due from which facilities
Description	<ul style="list-style-type: none"> <li>Shows a list of inspections/facilities that are due (or past due) to provide a document or a response to something. For example a Plan of Corrections.</li> <li>Identifies what is due for each facility on list.</li> <li>Clearly identifies past due items.</li> <li>Provide ability to take view inspection details and take follow-up action with facility as needed.</li> </ul>
User Roles	Surveyor

### 2.5.23 Use Case: Review Inspection Report

Purpose	To check the Inspection Report submitted by the Surveyor.
Description	<ul style="list-style-type: none"> <li>Make notes on each deficiency/violation.</li> <li><b>Nice to have:</b> ability to make tracked changes on deficiency/violation that would be accepted by the surveyor.</li> <li>If approved, the system removes the "draft" watermark on the report.</li> <li>When done (approved or not), system notifies the surveyor.</li> </ul>
User Roles	Inspection Supervisor

### 2.5.24 Use Case: Publish Inspection Report

Purpose	Inspection Report is published online as a public record.
Description	<ul style="list-style-type: none"> <li>Only available after Inspection is "Complete".</li> <li>Automatically push formal reports to public facing website.</li> </ul>
User Roles	Surveyor, Inspection Support

### 2.5.25 Use Case: Send Letter to Facility

Purpose	Send a generated letter to the Facility.
Description	<ul style="list-style-type: none"> <li>Send electronic non-modifiable version automatically to Facility.</li> <li>Option to print as CMS currently requires paper SOD with physical signature sent to Facility contact.</li> <li>Ideal delivery method would use an online portal to deliver correspondence/documents to Facility contact. See Provider Portal requirements below.</li> <li>Important: SODs must not be modifiable after they are generated, in whatever format they are.</li> </ul>
User Roles	Surveyor, Inspection Support



### 2.5.26 Use Case: Create Directed POC

Purpose	To create a Directed Plan of Corrections (POC).
Description	<p>In some cases the Surveyor provides a directed POC to the facility.</p> <ul style="list-style-type: none"> <li>• Surveyor identifies the actions (corrective measures, reports, etc.) required of the facility, including due dates.</li> <li>• OII Facility Director's approval is required.</li> <li>• System tracks Facility requirements and provides a view of upcoming deadlines.</li> </ul>
User Roles	Surveyor

### 2.5.27 Use Case: Review Plan of Corrections (POC)

Purpose	To review and approve/reject the POC submitted by the Respondent.
Description	<ul style="list-style-type: none"> <li>• View POC submitted. (Upload if not submitted via Licensee portal).</li> <li>• Approve/reject. If reject, must provide a reason.</li> <li>• System sends notification to Respondent.</li> </ul>
User Roles	Surveyor, Facility Investigator

### 2.5.28 Use Case: Review Waiver Requests

Purpose	Reviews waiver requests from Facility.
Description	<ul style="list-style-type: none"> <li>• Approve or reject waiver.</li> <li>• Reject must include a reason.</li> <li>• Sends response back to Facility contact.</li> </ul>
User Roles	Surveyor

### 2.5.29 Use Case: Schedule Next Inspection

Purpose	Schedule a new inspection.
Description	<ul style="list-style-type: none"> <li>• This creates a due date for the next (or follow-up) inspection.</li> <li>• System sets the default date. Surveyor can override.</li> <li>• The current and future inspections are tracked as related inspections.</li> </ul>
User Roles	Surveyor

### 2.5.30 Use Case: Close Inspection

Purpose	The closed status is needed when an inspection is closed before it is completely finished.
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Description	<ul style="list-style-type: none"> <li>• Select from a standard (and configurable) list of reasons. For example: <ul style="list-style-type: none"> <li>○ Facility is closed.</li> <li>○ Facility did not follow through with a License application.</li> <li>○ Facility opts to downgrade their facility type to a level that does not need to be inspected.</li> </ul> </li> </ul>
User Roles	Surveyor

### 2.5.31 Use Case: Complete Inspection

Purpose	When inspection and follow-up work is done, the inspection is marked as complete.
Description	<ul style="list-style-type: none"> <li>• Means that all our work in OII is done and submitted. <ul style="list-style-type: none"> <li>○ Facility is in compliance.</li> <li>○ Or Legal Action has been completed and there is an Administrative Order for bringing the facility into compliance.</li> </ul> </li> </ul>
User Roles	Surveyor, Inspection Supervisor

### 2.5.32 Use Case: Submit for Case Disposition

Purpose	To request Disciplinary Authority review and decision regarding legal action.
Description	<ul style="list-style-type: none"> <li>• If Surveyor initiates, their Supervisor’s approval is needed.</li> <li>• Reason is required.</li> <li>• System notifies the Case Manager for the Facility Type and places it in their queue for Case Disposition.</li> <li>• Inspection stays open through legal process.</li> </ul>
User Roles	Surveyor, Inspection Supervisor

## 2.6 Use Cases for Licensed Facility

### 2.6.1 Facility Licensee

Facility Licensee is responsible for the facility complying with rules and regulations that pertain to their facility type. When deficiencies are found at their facility, they must:

- Submit a Plan of Corrections (POC) to their Surveyor.
- Implement the POC and make the required corrections to their facility.
- For Medical Test Sites, the licensee must also provide a Progress Report on the corrections they are making.

In most cases, the Facility Licensee delegates the interactions with DOH to a Facility Contact. For the purpose of these requirements, wherever Facility Licensee is mentioned, it is assumed that the task could also be performed by the Facility Contact.

### 2.6.1.1 Facility Contact

The Facility Licensee often wants to delegate their interaction with the department to a Facility Contact.

### 2.6.1.2 Facility Owner

The owner of the facility must also be tracked with the facility information. When applying for a new facility, any enforcement activity on the owner or facilities they have owned, must be visible to the credentialing staff involved in reviewing the application. Same for any enforcement activity involving the facility owner.

### 2.6.2 Use Case: Manage Facility Information

Purpose	Manage information about a facility.
Description	Changes to facility information must be reviewed by the appropriate program staff to ensure there are no impacts to existing licenses or designations.
User Roles	Facility Licensee, Facility Contact, Facility Owner

### 2.6.3 Use Case: View Inspection Reports

Purpose	To view current and past inspection reports.
Description	
User Roles	Facility Contact, Facility Licensee, Facility Owner

### 2.6.4 Use Case: Create and Update POC

Purpose	To create and update the Plan of Corrections.
Description	<ul style="list-style-type: none"> <li>• Show each violation and require user to describe how they intend to correct the deficiency.</li> <li>• Ability to attach a document relative to a particular violation or the whole POC.</li> <li>• Submit when ready.</li> <li>• System notifies the Surveyor and updates the assignments queue accordingly.</li> </ul>
User Roles	Facility Licensee

### 2.6.5 Use Case: Report Self Audit

Purpose	To report the results of a self-audit.
Description	<ul style="list-style-type: none"> <li>• Report findings in certain areas.</li> <li>• May satisfy part of OII inspection requirements.</li> </ul>
User Roles	Facility Licensee

### 2.6.6 Use Case: Upload 3rd Party Survey Results

Purpose	Upload results from a 3rd party survey
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Description	
User Roles	Facility Licensee

### 2.6.7 Use Case: Submit Reportable Event

Purpose	To report on events at their facility that they are required to report on.
Description	<ul style="list-style-type: none"> <li>List of events that they need to report. (Configurable).</li> <li>Depending on the event, the report would be forwarded to the appropriate office.</li> </ul>
User Roles	Licensee

### 2.6.8 Use Case: Request Waiver

Purpose	Request a waiver on a particular deficiency.
Description	<ul style="list-style-type: none"> <li>Facility Licensee selects a citation or tag, and then requests waiver. They must provide a reason.</li> <li>Request is sent to surveyor.</li> <li>Surveyor reviews and approves or rejects.</li> </ul>
User Roles	Facility Licensee

### 2.6.9 Use Case: Request Extension

Purpose	To request an extension on an upcoming due date.
Description	<ul style="list-style-type: none"> <li>Licensee selects a tag or citation, and requests an extension on the selected item.</li> <li>System notifies Surveyor(s) of request and makes it visible in their assignments queue.</li> </ul>
User Roles	Facility Licensee

### 2.6.10 Use Case: Upload MTS Testing Results

Purpose	To capture results of 3rd party laboratory testing (MTS only).
Description	Update Test volumes and various analytes.
User Roles	Facility Licensee

## 3 Evidence Management

### 3.1 Evidence Management Use Cases

### 3.1.1 Use Case: Log Evidence

Purpose	To add new evidence for tracking
Description	<ul style="list-style-type: none"> <li>Evidence Locker Supervisor selects the case associated with the evidence.</li> <li>System issues an evidence tracking number.</li> </ul>
User Roles	Evidence Locker Supervisor, Investigator, Investigation Support

### 3.1.2 Use Case: Transfer Evidence

Purpose	To track location and custody of physical evidence.
Description	<ul style="list-style-type: none"> <li>User identifies who or what office they are transferring the evidence to.</li> <li>Send notification to recipient.</li> </ul>
User Roles	Investigator, Investigation Support, Evidence Locker Supervisor

### 3.1.3 Use Case: Receive Evidence

Purpose	To receive (physical) evidence in a transfer.
Description	<ul style="list-style-type: none"> <li>Accepts the transfer of evidence to their custody.</li> <li>Sends notification to the sender confirming that the evidence was received by the intended recipient.</li> </ul>
User Roles	Investigator, Investigation Support, Evidence Locker Supervisor

### 3.1.4 Use Case: Manage Evidence

Purpose	To manage evidence information.
Description	<ul style="list-style-type: none"> <li>Manage transfers.</li> <li>Edit or remove items from evidence inventory.</li> </ul>
User Roles	Evidence Locker Supervisor

## 4 Adjudicative Services

The Adjudicative Service Unit (ASU) administers health law hearings for the Department of Health. They report and act independently from other department programs.

ASU staff includes Health Law Judges, who make initial decisions in all cases before the Department of Health except health profession discipline cases that are before a board or commission. Health Law Judges serve as presiding officers in health profession discipline cases that are before a Board or Commission.

Adjudicative Services Unit Organizational Chart, (PDF) (11/10/16)

- All Department of Health cases proceed pursuant to the Administrative Procedure Act (Chapter 34.05 RCW).

- Health Profession discipline cases before a board or commission proceed per Chapter 246-11 Washington Administrative Code.
- All other Department of Health cases (including health profession discipline cases not before a board) proceed according to Chapter 246-10 Washington Administrative Code.

**Mission**

The Department of Health's Adjudicative Service Unit provides an efficient, impartial, fair, and uniform legal process for the litigants and the public.

**Values**

- Fair and impartial - All parties who appear before us will have an opportunity to present their case. Evidence will be heard and decisions rendered in a fair, impartial, and unbiased manner.
- Integrity and Honesty - We provide an open forum. We follow and uphold the law without undue influence from outside sources.
- Respect - We embrace the diversity of individuals and treat all people with dignity.
- Stewardship - We provide services in an efficient, competent, and timely manner. We make good use of public resources.

**4.1 Adjudication Glossary**

Please see the ASU Definitions page for terms and definitions used in the adjudicative process. <http://www.doh.wa.gov/ForPublicHealthandHealthcareProviders/HealthcareProfessionsandFacilities/Hearings/Definitions>

Here are a few terms that need further explanation:

**Case Participants**

Participants	Description
Party	A person named in a legal action. A party has the right to participate in the proceeding. A party is affected by the decisions made in the legal action. In a legal action such as a disciplinary proceeding involving health care practitioners, there are two parties: the Respondent and the Department.
Respondent	The person requesting the hearing in response to charges or a decision by the department. They may or may not choose to be represented by an attorney. In these requirements, "Respondent" is often used to refer to both the Respondent and their attorney, if they have one.
Department	The Department is represented by an attorney - usually an Assistant Attorney General from the Washington State Attorney General's Office. In health profession cases, a Staff Attorney from the Office of Legal Services drafts the Statement of Charges and is the primary source of contact for settlement purposes. In a small number of health profession cases, the Department is represented by a Staff Attorney from the Department's Office of Legal Services.
Presiding Officer	The person presiding over an adjudicative proceeding. They are responsible for ensuring that the process is conducted fairly and impartially to both parties. Among other duties, they admit exhibits, decide who will testify, rule on legal requests (motions); conduct the

	prehearing conferences (if any); write the Prehearing Orders; preside over the hearing; and write the resulting order based on the decision of the Decision Maker(s).
Health Law Judge	Health Law Judges act as the Presiding Officer in all department cases. They also act as the Decision Maker in "Secretary" cases.
Decision Maker	The person or persons responsible for making the case decision after the hearing. For Board/Commission cases, a panel of members are the decision makers, while in all other cases, the Health Law Judge is the decision maker.
Witness	One who testifies at a hearing.

**Administrative Record**

The Administrative Record is the official record of an adjudicative proceeding. This will usually consist of legal documents filed in the case (such as a statement of charges or notice of an action and a request for hearing), hearing exhibits, testimony given under oath, and arguments of the parties. In making a decision after a hearing, the Health Law Judge or other decision-maker (such as a Board/Commission panel) is permitted to consider only the admitted exhibits, witness testimony and arguments at hearing as well as the laws applicable to the case.

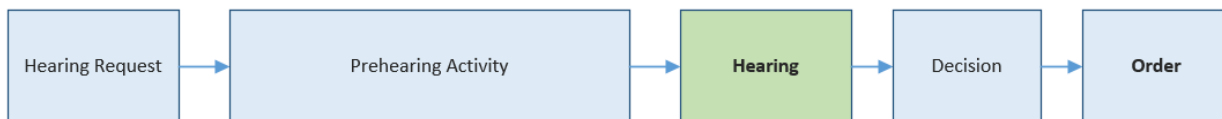
Please see the business rules related to the Administrative Record for more information.

**4.2 Adjudicative Process**

**4.2.1 Process: Overview**

Purpose	To provide an impartial, fair and uniform legal process for decisions and orders from the Department of Health and related boards/commissions to be reconsidered.	
Owner	Adjudicative Services Unit	
Inputs	The input to the Adjudication Process is a Hearing Request. Hearing requests can come from the following:	
	Supplier	Situation
	Applicant	A license or credential application is denied and the applicant wants a hearing. Once they request a hearing, they become a "Respondent".
	Respondent	A respondent is the person getting a hearing because they disagree with a department decision that impacts their license, license application or health system overseen by the department.
	General Public	A member of the general public disagrees with a decision made by the Department of Health, and believes they have been unfairly harmed by the decision.

Outputs	While there can be many orders issued during the course of an adjudicative proceeding, the final output will be one of the following types:	
	Order Type	Description
	Disciplinary Order	An order deciding the charges and sanctions to be imposed on the Respondent.
	Order to Withdraw Charges	The court finds no grounds for charges against the Respondent, so the order tells the legal services unit to withdraw charges.



### Prehearing Activity

After the Respondent requests a hearing, the following activity gets the parties ready for the hearing. This activity is not necessarily completed in the order shown, and some tasks can be performed multiple times, depending on motions filed by the parties:

Task/Activity	Description
<b>Notify Parties</b>	<ul style="list-style-type: none"> <li>The Adjudicative Clerk notifies the parties using a Notice of Hearing.</li> <li>Sometimes the Notice of Hearing is combined with a draft schedule (see Determine Schedule, option 2 below).</li> </ul>
<b>Assign Health Law Judge</b>	<ul style="list-style-type: none"> <li>The Adjudicative Clerk assigns a Health Law Judge and their Legal Assistant to the case.</li> <li>The Senior Health Law Judge can change the assigned judge, if needed.</li> </ul>
<b>Assign attorney to represent the department</b>	<ul style="list-style-type: none"> <li>The Department is usually represented by an attorney from the Attorney General's Office. These attorneys are generally selected when the charging document is issued.</li> <li>In some cases a Staff Attorney from the Office of Legal Services takes the case.</li> <li>The goal is to have an attorney assigned no later than 5 days after receiving the Hearing Request from the Respondent.</li> </ul>
<b>Respondent selects an attorney (optional)</b>	<ul style="list-style-type: none"> <li>Respondent can choose to be represented.</li> <li>If so, their attorney must notify the Adjudicative Clerk.</li> <li>The Respondent can decide to be represented at any point up to the time of the hearing.</li> </ul>



<b>Determine Schedule</b>	<p>Two variations:</p> <ol style="list-style-type: none"> <li>1. Determined in conference: <ul style="list-style-type: none"> <li>• Adjudicative Clerk sets a date for the Scheduling Conference Call, and notifies both parties.</li> <li>• Parties participate in the conference call and work out dates. The Health Law Judge presides over and facilitates the conference call.</li> <li>• Adjudicative Clerk issues Scheduling Order</li> </ul> </li> <li>2. Adjudicative Clerk determines initial schedule: <ul style="list-style-type: none"> <li>• Adjudicative Clerk assigns dates.</li> <li>• Parties can file motions to change.</li> </ul> </li> </ol> <ul style="list-style-type: none"> <li>• The schedule is conveyed in a Scheduling Order.</li> <li>• The result is that deadlines are determined for the following activity.</li> </ul>
<b>Discovery</b>	<ul style="list-style-type: none"> <li>• Parties exchange information such as documents or depositions.</li> </ul>
<b>Identify Witnesses and Submit Exhibits</b>	<ul style="list-style-type: none"> <li>• Parties submit prehearing conference memorandums that state the names of their proposed witnesses and list their proposed exhibits.</li> <li>• HLJ decides to admit or reject witnesses when issuing the Prehearing Order of Conduct (see below).</li> </ul>
<b>File Motions</b>	<ul style="list-style-type: none"> <li>• Parties file motions. They must generally be made by the deadline in the scheduling order.</li> <li>• HLJ grants or rejects motions, generally as soon as possible.</li> <li>• Motions can be "dispositive" which means a party is requesting the case be resolved.</li> <li>• There are many types of legal motions. One of the most common is a request for a change in the dates in the scheduling order (for example a new hearing date). Another common motion is a request to disallow a witness or exhibits.</li> <li>• Prehearing motions must be filed by the deadline in the scheduling order.</li> <li>• There are also a few post hearing motions such as a request for reconsideration or change of the decision after a hearing.</li> </ul>
<b>Prehearing Conference Call</b>	<ul style="list-style-type: none"> <li>• Parties can submit witnesses, exhibits and motions.</li> <li>• They can submit additional witnesses and exhibits for admission at hearing.</li> <li>• In addition, they can make any minor last minute requests specific to the hearing.</li> </ul>
<b>Issue Prehearing Order of Conduct</b>	<ul style="list-style-type: none"> <li>• After the Prehearing Conference Call, the HLJ issues a Prehearing Order of Conduct ruling on admitted witnesses and exhibits.</li> </ul>

**Post-hearing Activity**

After the hearing:

- Decision Maker(s) deliberate on the testimony, evidence and arguments to arrive at a decision on the case.
- The Health Law Judge Issues an order conveying the decision of the court. The order can be to withdraw charges or impose sanctions.

**Appeals**

The Respondent may appeal the court's decision. If appealed, the Adjudicative Clerk sends the case to the Department's Review Officer. The appeal process falls outside the scope of the project, but the Adjudicative Services Unit would like to track the appeal to stay informed on cases they have heard.

## 4.3 User Roles

### 4.3.1 Legal Assistant

The Legal Assistant is assigned to a Health Law Judge and supports them in a number of ways, including:

- Creates draft orders for the Health Law Judge to proof and finalize.
- Proofs orders and other legal documents authored by a Health Law Judge.
- Various other administrative functions in support of their assigned Health Law Judge.

### 4.3.2 Legal Assistant Supervisor

- Supervises the legal assistants.
- Manages workloads.

### 4.3.3 Health Law Judge

Health Law Judges are lawyers who preside over all Department of Health cases. Health Law Judges decide all Department of Health cases except those before a board or commission. In board or commission cases, the board or commission panel decides the case. The Health Law Judge:

- Reviews exhibits and witnesses for admission to the hearing.
- Reviews and decides on prehearing motions filed by both parties.
- Reviews the Prehearing Memorandum submitted by both parties.
- Issues the Order of Conduct for the hearing.
- Conducts the prehearing conference(s).
- Conducts the hearing.
- In non-boards/commission cases, decides the case after the hearing.
- Issues Order resulting from hearing.

### 4.3.4 Senior Health Law Judge

- Acts as Review Judge in some cases. Suggests edits to orders as necessary. Or if asked, as do other ASU Review Judges.
- Supervises the Health Law Judges and manages their workloads.
- Oversees and improves the adjudicative process.

### 4.3.5 Review Judge

Reviews draft orders from Health Law Judge.

### 4.3.6 Court Reporter

Creates a transcript of a hearing from an audio recording or their own notes.

### 4.3.7 Adjudicative Clerk

1) The ACO Supervisor can assign the Adjudicative Clerk based on professions

2) The Adjudicative Clerk is responsible for a variety of administrative functions of Adjudicative Services including:

- Determine hearing schedule and issue Scheduling Order (in most cases).
- Notify and communicate with parties in a case, and Issue Notice of Hearing.
- Serve Legal Documents and Orders on behalf of the Disciplining Authority, Health Law Judge and Review Officer.
- Report disciplinary action to the National Practitioner Database (NPDB).
- File the Appeal to Review Officer or Superior Court.

#### 4.3.8 ACO Manager

#### 4.3.9 ACO Lead

### 4.4 Use Cases

#### 4.4.1 Clerk and Administrative Use Cases

##### 4.4.1.1 Use Case: Record Hearing Request

Purpose	To record a hearing request received on paper.
Description	<ul style="list-style-type: none"> <li>• Select case from cases waiting for Respondent to respond.</li> <li>• Select "Request Hearing" as the response provided.</li> <li>• If provided, enter pleadings (see use case).</li> </ul>
User Roles	Adjudicative Clerk

##### 4.4.1.2 Use Case: View New Hearing Requests

Purpose	To view new hearing requests so they may be scheduled.
Description	<ul style="list-style-type: none"> <li>• Shows new hearing requests - when requested, case type, Respondent and other information TBD.</li> <li>• Once scheduled, the Hearing Request no longer appears on the list but provide ability to search for and view old Hearing Requests.</li> </ul>
User Roles	Adjudicative Clerk, Senior Health Law Judge

##### 4.4.1.3 Use Case: Assign Case to Health Law Judge

Purpose	To assign a case to a Health Law Judge and their Legal Assistant.
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Description	<ul style="list-style-type: none"> <li>• The system shows: <ul style="list-style-type: none"> <li>○ List of unassigned cases, showing profession/case type, and other key information about the case.</li> <li>○ List of Health Law judges and their current case load.</li> </ul> </li> <li>• User assigns case to Health Law Judge.</li> <li>• By assigning a Health Law Judge, their Legal Assistant is automatically assigned to the case.</li> </ul>
User Roles	Adjudicative Clerk

**4.4.1.4 Use Case: Modify Case Assignment**

Purpose	To change the Health Law Judge (and Legal Assistant) assigned to a case
Description	
User Roles	Adjudicative Clerk, Senior HLJ

**4.4.1.5 Use Case: Schedule Adjudicative Proceeding**

Purpose	To decide deadlines and dates for an adjudicative proceeding.								
Description	<ul style="list-style-type: none"> <li>• User determines the dates below.</li> <li>• Nice to have: system recommends dates based on configurable rules. User can change.</li> </ul> <table border="1" style="margin-left: 20px;"> <tr style="background-color: #f4a460;"> <td>Date</td> </tr> <tr> <td>Witness Identification Deadline</td> </tr> <tr> <td>Exhibits Filing Deadline</td> </tr> <tr> <td>Discovery Completion Deadline</td> </tr> <tr> <td>Dispositive Motions Deadline</td> </tr> <tr> <td>Prehearing Memorandum Deadline</td> </tr> <tr> <td>Prehearing Conference Date</td> </tr> <tr> <td>Hearing Date</td> </tr> </table> <ul style="list-style-type: none"> <li>• System saves the dates to the Administrative Record and creates the Scheduling Order.</li> <li>• Adjudicative Clerk prints and serves the Scheduling Order.</li> <li>• System notifies both parties (if possible).</li> </ul>	Date	Witness Identification Deadline	Exhibits Filing Deadline	Discovery Completion Deadline	Dispositive Motions Deadline	Prehearing Memorandum Deadline	Prehearing Conference Date	Hearing Date
Date									
Witness Identification Deadline									
Exhibits Filing Deadline									
Discovery Completion Deadline									
Dispositive Motions Deadline									
Prehearing Memorandum Deadline									
Prehearing Conference Date									
Hearing Date									
User Roles	Adjudicative Clerk								

**4.4.1.6 Use Case: Record Pleadings**

Purpose	To record pleadings provided by the Respondent or their attorney.
Description	
User Roles	

#### 4.4.1.7 Use Case: Record Attorney Selection

Purpose	To record the selection of an attorney by one of the parties
Description	<ul style="list-style-type: none"> <li>Select the party (Respondent or Department)</li> <li>Record information about the attorney.</li> <li>For attorney's representing the department, select the office (Attorney General or DOH OLS), select from a list of attorneys working for the selected office.</li> </ul>
User Roles	Adjudicative Clerk

#### 4.4.1.8 Use Case: Record motion

Purpose	To record a motion submitted by one of the parties
Description	<ul style="list-style-type: none"> <li>Enter the motion.</li> <li>System queues it for review by the HLJ.</li> </ul>
User Roles	Adjudicative Clerk

#### 4.4.1.9 Use Case: Scan and record exhibits

Purpose	To scan and record exhibits submitted on paper for admittance to a case.
Description	<ul style="list-style-type: none"> <li>Scan and attached exhibit to case.</li> <li>User records who submitted and when received.</li> <li>System records who scanned and when.</li> <li>System queues the exhibits for review by Health Law Judge. Or should Health Law Judge review first and only scan if admitted?</li> </ul>
User Roles	

#### 4.4.1.10 Use Case: Record Witness Requests

Purpose	To record witnesses requested by one of the parties
Description	<ul style="list-style-type: none"> <li>Record witness information and attachments submitted on paper. Attachments might need to be scanned first.</li> <li>Submit for Health Law Judge to review.</li> </ul>
User Roles	

#### 4.4.1.11 Use Case: Request Interpreter

Purpose	To process a request for an interpreter. Details TBD.
Description	
User Roles	

**4.4.1.12 Use Case: Upload Recording of Hearing**

Purpose	Upload audio (or potentially video) recording of Hearing and attach it to the case.
Description	The assumption is that the recording would be made by a different system and the resulting recording would be a file that is uploaded into the system.
User Roles	Health Law Judge, Legal Assistant

**4.4.1.13 Use Case: Attach Hearing Transcript**

Purpose	To attach the hearing transcript to the case.
Description	
User Roles	Court Reporter, Adjudicative Clerk

**4.4.1.14 Use Case: Serve Order**

Purpose	Serve an order to provide notice of action to the parties and the public.
Description	<ul style="list-style-type: none"> <li>Once all reviewers have approved, the order can be served.</li> <li>Adjudicative Clerk prints and serves the order.</li> <li>The system creates and saves a Declaration of Service.</li> <li>TBD: should the system ALSO send a notification?</li> <li>If it is a Disciplinary Order, it is queued for publishing on the public facing website.</li> </ul>
User Roles	Adjudicative Clerk

**4.4.1.15 Use Case: Record Appeal**

Purpose	To record an appeal request received from the Respondent.
Description	<ul style="list-style-type: none"> <li>Record the appeal so it may be tracked.</li> <li>System provides option to print the Administrative Record so it may be forwarded to Appeals Judge.</li> <li>If in the future the Review Officer can be a "user" of the system, the system could forward the case to them.</li> </ul>
User Roles	Adjudicative Clerk

**4.4.1.16 Use Case: Update Status of Appeal**

Purpose	To update the status of an appeal so that the Adjudicative Services Unit can track it.
Description	
User Roles	Adjudicative Clerk

#### 4.4.2 Adjudication Use Cases

##### 4.4.2.1 Use Case: View Hearings

Purpose	To view hearings that have been scheduled.
Description	<ul style="list-style-type: none"> <li>• Be able to choose between a Calendar View or List View.</li> <li>• Be able to see the hearing schedule in an Outlook Calendar.</li> <li>• From a particular hearing on the schedule, be able to drill down into View Case Details (see use case).</li> </ul>
User Roles	Adjudicative Clerk, Health Law Judge, HLJ Supervisor, Legal Assistant, LA Supervisor

##### 4.4.2.2 Use Case: View My Cases

Purpose	Shows Adjudicative Staff the cases they are assigned to.
Description	<ul style="list-style-type: none"> <li>• Shows all open cases assigned to the user.</li> <li>• Provides option to see cases the user was previously assigned to and are now closed.</li> </ul>
User Roles	Adjudicative Clerk, Health Law Judge, Supervising Judge, Legal Assistant, Legal Assistant Supervisor

##### 4.4.2.3 Use Case: View My Team's Cases

Purpose	To provide case visibility across team members so that they can step in and back each other up if needed.
Description	<ul style="list-style-type: none"> <li>• Provide options to view active cases by case type, status and more.</li> <li>• Show Respondent, assigned attorneys (if any), Health Law Judge (if assigned), Legal Assistant (if assigned), and basic case info.</li> <li>• Be able to View Case Details (see use case).</li> </ul>
User Roles	Adjudicative Clerk, Health Law Judge, Senior HLJ, Legal Assistant, LA Supervisor

##### 4.4.2.4 Use Case: View Administrative Record

Purpose	To view the Administrative Record in a case
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Description	<p>Provide all of the information that is designated as part of the Administrative Record. This includes:</p> <ul style="list-style-type: none"> <li>• Case Information (case number, related cases, credentials involved, etc.)</li> <li>• Respondent Information (except not their address)</li> <li>• Respondent's Attorney, if applicable</li> <li>• Staff Attorneys assigned to case, with activity history</li> <li>• Pleadings (if provided)</li> <li>• Request for Hearing</li> <li>• Hearing Schedule</li> <li>• All orders and notices issued in the case</li> <li>• Exhibits and whether they were admitted or not, or if they are pending review.</li> <li>• Witnesses and whether they were admitted or not, or if they are pending review.</li> <li>• Motions and whether they were granted or not, or if they are pending review.</li> <li>• Testimony under oath</li> <li>• Arguments of both parties</li> <li>• Hearing transcript</li> <li>• Appeals and their status (if any). Also Final Order, if appeal process has completed.</li> </ul> <p>Please note, the Administrative Record must not include:</p> <ul style="list-style-type: none"> <li>• Sealed records should not be viewable by anybody. They can only be viewed if they are unsealed by order of the Health Law or higher judge. That is the contents of the record are not viewable. Information about the record (it's title, description, its sealed status and when and by whom it was sealed) should be visible from the Administration record.</li> <li>• Investigation Report, unless it (or parts) was requested as an exhibit.</li> <li>• Legal Notes (Staff Attorney and Paralegal notes).</li> <li>• Respondent case history (other cases opened previously), unless one of the parties has requested these as exhibits in the case.</li> </ul>
User Roles	Both Parties, All Adjudicative Roles, Public Records Manager

**4.4.2.5 Use Case: View Other Case Details**

Purpose	To view other case details that are relevant to Adjudicative Services only.
Description	<ul style="list-style-type: none"> <li>• Case notes from Health Law Judge and Legal Assistant.</li> <li>• Order change and review history.</li> <li>• Etc.</li> </ul>
User Roles	Health Law Judge, Legal Assistant, Review Judge



**4.4.2.6 Use Case: Conduct Hearing**

Purpose	To help the Health Law Judge preside over a hearing
Description	<p>Currently the only technology used in hearings is the making of an recording. The Adjudicative Services Unit is open to exploring how technology could be used to help conduct the hearing:</p> <ul style="list-style-type: none"> <li>• Showing exhibits on a display so they may be easily referenced by all parties.</li> <li>• Video recording.</li> </ul>
User Roles	

**4.4.2.7 Use Case: Generate Draft Order**

Purpose	To generate a draft order based on a decision made by the HLJ or panel.
Description	<ul style="list-style-type: none"> <li>• User selects the order type.</li> <li>• The system uses a template for the selected order type.</li> <li>• Some content, for example rule citations, will depend on case, profession or facility type.</li> <li>• The order may include any of the following information. <ul style="list-style-type: none"> <li>○ Case Information (case number(s), case type, credentials, etc.)</li> <li>○ Respondent and Attorney information</li> <li>○ Staff Attorney information</li> <li>○ Summary of key case history</li> <li>○ Hearing Schedule (part or all of the schedule)</li> <li>○ Exhibit List</li> <li>○ Witness List</li> <li>○ Motions</li> <li>○ Pleadings</li> <li>○ Findings of Fact</li> <li>○ Decision/Conclusions of Law (possibly including sanctions decided by court).</li> </ul> </li> <li>• Once the order is generated, it can then be edited (see use case) by the Health Law Judge or their Legal Assistant to further explain the decision or highlight case history.</li> <li>• A "Draft" watermark is kept on the order until it is approved.</li> </ul>
User Roles	Health Law Judge, Legal Assistant (on behalf of HLJ), Reviewing Judge

**4.4.2.8 Use Case: Edit Order (Part of Draft Order Process)**

Purpose	To make adjustments and clarifications in the order after the draft order is generated.
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Description	<p>Health Law Judges and their Legal Assistants must be able to edit the contents of an order after it is generated. In general their changes should be to the explanatory text and reference material.</p> <ul style="list-style-type: none"> <li>• System would allow users to reuse stock language organized by "conclusions of law" and section heading.</li> <li>• The system should also allow users to write new language that is more appropriate for the case at hand.</li> <li>• Provide option to save new language by Order Type and section for later reuse and refinement.</li> <li>• A "Draft" watermark is kept on the order until it is approved.</li> </ul>
User Roles	Health Law Judge, Legal Assistant (on behalf of the HLJ)

#### 4.4.2.9 Use Case: Submit Order for Review

Purpose	To submit an order for review before it is issued.
Description	<p>1) System assigns the order for review based on attributes such as Order Type, assigned Health Law Judge, Case Type, etc. 2) Configuration details to be determined.</p> <p>3) The user is also able to add or remove reviewers as needed. Examples of possible reviewers includes other Health Law Judges, Legal Assistants, the Senior Health Law Judge, a member of a Board/Commission panel, etc.</p>
User Roles	Health Law Judge, Legal Assistant (on behalf of HLJ)

#### 4.4.2.10 Use Case: Review Order

Purpose	To review and possibly approve an order
Description	<p>1) Provide option to provide feedback on the whole document, a section or by highlighting a section of text.</p> <p>2) Provide option to change a portion of the document. In such a case the system will track the change making it easy for reviewers/owner to see what was changed.</p> <p>3) Approve or Reject. Reject requires that some feedback have been provided.</p> <p>4) System notifies the Health Law Judge and their Legal Assistant</p> <p>5) Once all reviewers have approved:</p> <ul style="list-style-type: none"> <li>• The system removes the "Draft" watermark.</li> <li>• The order is served (see use case).</li> </ul>
User Roles	Review Judge, Senior Health Law Judge

#### 4.4.2.11 Use Case: Summary Suspension/Restriction/Limitation Process

Purpose	Immediate update to credential status; trigger of public notification
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Description	<ol style="list-style-type: none"> <li>1) ACO files and an ex parte motion package* from OLS, NCQAC or MQAC</li> <li>2) The motion is then routed through a board and commission sub-processes (if board or commission and decision is not delegated)</li> <li>3) Summary Order received from ASU, HLJ</li> <li>4) Disciplining authority approves or rejects motion</li> <li>5) Distribute order and make publicly available (post to web)</li> <li>6) File Packet</li> <li>7) Update records and trigger final actions -             <ul style="list-style-type: none"> <li>If suspension, flag record to:                 <ul style="list-style-type: none"> <li>• Disallow renewal</li> <li>• Suspend credential</li> </ul> </li> <li>Trigger SOC Answer Process</li> </ul> </li> </ol> <p>*Note: An ex parte motion is an immediate action on credential (suspension/restriction/limitation) without respondent opportunity to dispute Ex parte must be received in original (paper) form</p>
User Roles	

**4.4.2.12 Use Case: Vacating Order Process**

Purpose	When vacated a credential is put back into the status it was in when it was taken in order to start the Adjudicative process.
Description	<ol style="list-style-type: none"> <li>1) The process starts when an order is received from the Superior Court - Paper sent via AAG</li> <li>2) An Order is issued by DOH for removal of a record from website Purpose: When reversed or vacated (usually a default order) – have to put credential back into status it was in when we took it and get the process into Adjudicative so that the person has their right to a hearing; order must also be taken off the web.</li> <li>3) The credential status is restored</li> <li>4) Initiate Adjudicative process</li> </ol> <p>The system must allow scan and upload of hard copy order The system must allow ACO to transition reversed orders (into formal appeal or judicial review) or vacated order into (another ACO) process and maintain history of all statuses and changes within the single case/order record</p>
User Roles	

**4.4.2.13 Use Case: Default Order**

Purpose	Keeps the case moving toward closure in the situation that a respondent fails to appear or respond
Description	<p>After Statement of Charges (SOC) have been served and the respondent does not respond or appear, this process keeps the case moving forward to closure. The pre-hearing order process can kick this process off if the respondent failed to appear at pre-hearing.</p> <p>The process can be slowed down if a board/commission profession is involved. The board commissions will give respondents a second chance before default.</p> <ol style="list-style-type: none"> <li>1) A failure to respond notice goes out with a timeline to respond.</li> <li>2) A notice is sent to the respondent via USPS - ACO does not accept or serve documents by email. (Lack of legal authority to accept them by email.</li> <li>3) Update ILRS step = Status change and complete action item</li> <li>3) Was it delegated to an HLJ step - the file and the order (paper packet) are physically sent to the HLJ.</li> </ol> <p>Currently, documents sent to HLJ are not tracked by ACO.*</p> <ol style="list-style-type: none"> <li>4) If Review Officer or HLJ does not approve the order, they update ILRS by completing a “Serve order” action item and adding a note.</li> </ol> <p>Note: Future system to provide barcoding/scanning for tracking these documents back and forth from ASU/ACO.</p>
User Roles	

**4.4.2.14 Use Case: Schedule Boards and Commissions Process**

Purpose	To schedule the decision makers for the hearing. If no panel is available, seek continuance or possible delegation
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Description	<p>1) Scheduling Order, Board/Commission calendar for hearing dates (on ASU calendar)          Note: scheduling a room will be included in the Scheduling Order process</p> <p>2) Provide a record of board and commission members eligible (board/commission members who were on charging panel or acted as reviewing board/commission member or are already scheduled for hearing are ineligible, Medical has more complex eligibility requirements)          - The System must maintain business rules for board/commission panel selection criteria (criteria for eligibility)          (1st Attempt) Confirm panel members          (2nd Attempt) Secure assistance from CM, PM and ED to confirm panel members          (3rd Attempt) Secure assistance from Office Director to confirm panel members</p> <p>3) Notify PM and CM to confirm that the panel is set and schedule a hearing room</p> <p>4) Notification of hearing room schedule</p> <p>5) Request for continuance - covered in Pre-hearing process</p>
User Roles	

**4.4.2.15 Use Case: Data Bank (NPDB) Reporting**

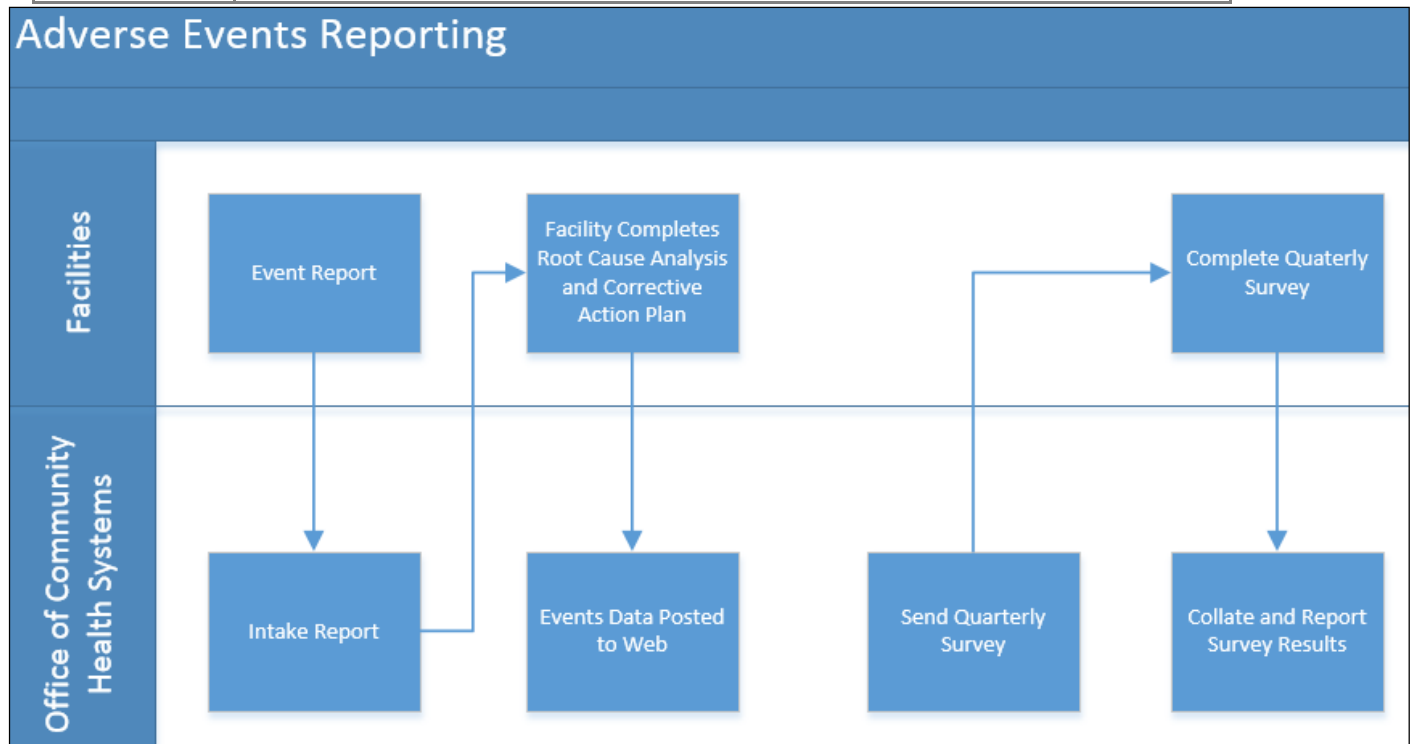
Purpose	To comply with Federal reporting requirements regarding actions taken against health professionals and unlicensed practices
Description	<p>1) A notice that a report needs to occur is when a paper copy of the Disciplinary Action is received in ACO with the Designated Control Number (DCN) of previous reports associated with this credential/action. - This starts a 30 day timeline</p> <p>2) The ACO Manager/Lead notifies NPDB based on any adverse action taken*</p> <p>3) ACO completes the NPDB template and submits for transmittal to NPDB (Note: The submission is validated before it is sent)</p> <p>3) Acceptance by NPDB is verified and status updated with an email back (accepted and or rejected with explanation - Functional equivalent of HPDB “rejected” report)</p> <p>Note: Reports are needed any time an adverse action is taken. Would be nice if an automated notice occurred with link to an order any time “action taken” is indicated in system.</p>
User Roles	

## 5 Adverse Events Reporting

### 5.1 Adverse Events Reporting

#### 5.1.1 Process: Adverse Events Reporting

Purpose	Facilities are required to report all adverse events as they relate to patient care
Owner	OCHS
Inputs	Adverse Event Report
Outputs	Reports
Notes	This is the process for recording and analyzing adverse events as they relate to patient care in hospital facilities.



### 5.2 Adverse Event Reporting

#### 5.2.1 Use Case: Report Event

Purpose	To give facilities a means to report an adverse event as it relates to patient care.
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Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Allow user to complete an Adverse Event Report online and submit.</li> <li>• Not allow form to be submitted until complete.</li> <li>• Allow OCHS staff to input a reported event manually.</li> <li>• Allow user to amend a report, versioning all changes.</li> <li>• Allow user to retract a report at any time.</li> <li>• Require mandatory free form text in the case notes when a report has been retracted.</li> <li>• Notify the associated OCHS user when a report has been submitted for review, any time it has been revised and/or if it has been retracted.</li> </ul>
User Roles	Facilities OCHS

### 5.2.2 Use Case: Intake Report

Purpose	To intake and acknowledge receipt of report
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Alert OCHS staff that a report has been submitted.</li> <li>• Send confirmation letter for receipt of report.</li> <li>• Allow user to add free form text to letters.</li> <li>• Auto populate facility information and due date (45 days from system date).</li> <li>• Track the 45 day time frame.</li> <li>• Allow OCHS user to change the due date.</li> <li>• Auto mail reminders every 15 days from when the confirmation letter was sent to facilities that have not submitted the root cause analysis, populating the specific due date for the facility.</li> <li>• Allow the initiator the option to retract the report only up to 60 days from the date the report was submitted.</li> <li>• Allow OCHS staff to retract the report at any time.</li> <li>• Require free form text in case notes by the user who submits, revises or retracts a report.</li> </ul>
User Roles	OCHS

### 5.2.3 Use Case: Complete Root Cause Analysis and Corrective Action Plan

Purpose	Give the user a template format for submitting required analysis and CAP
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Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Allow user to complete and submit the root cause analysis and corrective action plan online (template)</li> <li>• Allow OCHS user to complete and "securely" submit root cause analysis (in the event of mail in responses)</li> <li>• Collate and index root cause analysis to the initial report.</li> <li>• Allow user to print the analysis and corrective action plan.</li> <li>• Printed versions of the analysis and plan will be easily collated and indexed to the initial report upon receipt by OCHS if mailed (Barcode?)</li> </ul>
User Roles	Facilities

#### 5.2.4 Use Case: Post Event Data

Purpose	OCHS is required to post the reported event data quarterly
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Roll up quarterly event reporting data in a specific format.</li> <li>• Include event reporting via quarterly survey in the quarterly report.</li> <li>• Allow user to review results prior to posting.</li> <li>• Allow user to post quarterly report directly to web.</li> </ul>
User Roles	OCHS

#### 5.2.5 Use Case: Send Quarterly Survey

Purpose	OCHS is required to survey facilities and post results quarterly
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Send a quarterly survey, on a specified date, to all facilities during the quarter. <ul style="list-style-type: none"> <li>• Allow the user to add, edit or delete invitees from the survey list.</li> </ul> </li> <li>• Allow the OCHS user to send surveys to facilities individually.</li> <li>• Allow OCHS users to change/update survey questions.</li> <li>• Send reminders to facilities after seven and 14 days from the initial request if the survey has not been received. <ul style="list-style-type: none"> <li>• Allow OCHS users to edit the send dates including adding additional dates.</li> </ul> </li> </ul>
User Roles	OCHS

#### 5.2.6 Use Case: Complete Survey

Purpose	Facilities are required to complete a survey quarterly
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Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Alert facilities that a survey is required to be completed at designated time during the year.</li> <li>• Allow user to complete and submit the surveys online.</li> <li>• Send reminder notices to those who have not submitted the survey within a given time.</li> <li>• Allow only one survey to be completed per quarter per facility.</li> <li>• Allow user to revise the survey, versioning all changes.</li> </ul>
User Roles	Facilities

### 5.2.7 Use Case: Collate and Report Survey Results

Purpose	To collate and report survey results
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Collate survey results into a specific format.</li> <li>• Allow user to print real time survey results at any time.</li> <li>• Allow user to access/extract report of facilities that have not submitted the survey during a specific quarter.</li> <li>• Roll up survey event reporting into the total event quarterly report.</li> <li>• Allow user to extract reports related to number of incidents reported, by who, and when, as needed. (sort reports)</li> </ul>
User Roles	OCHS

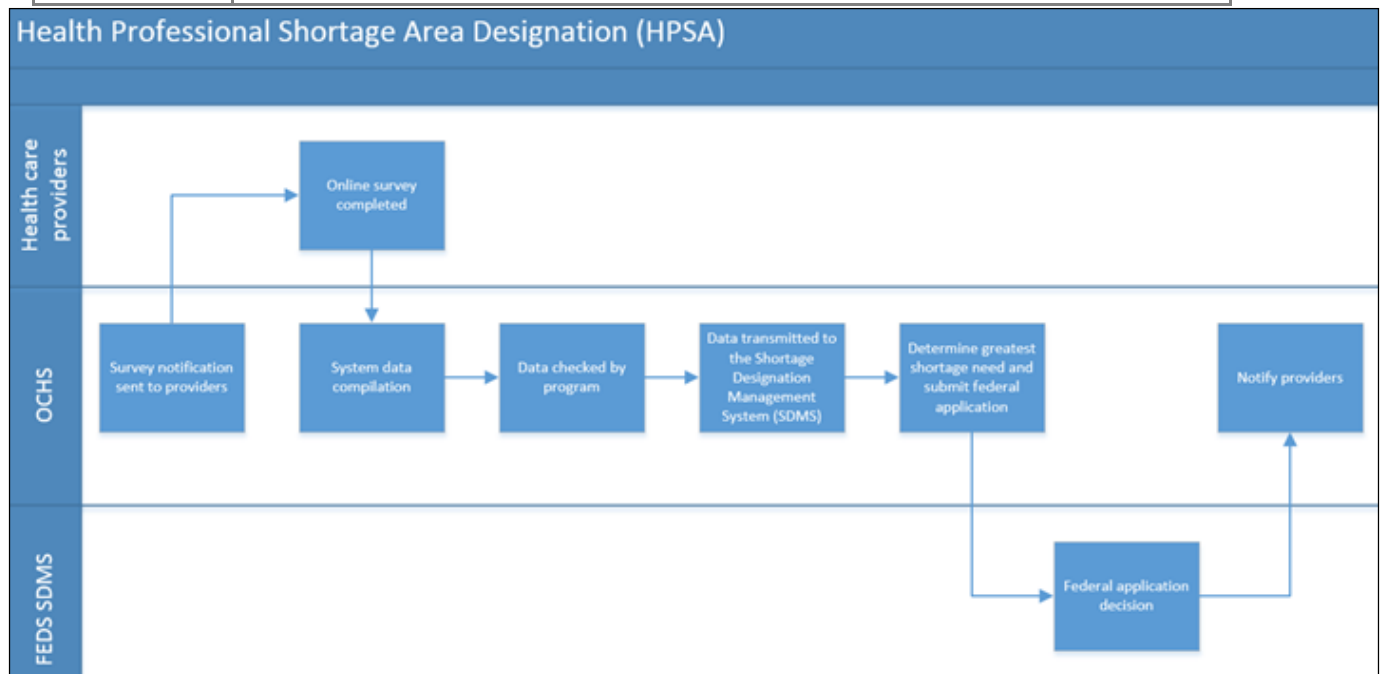
## 6 Health Professional Shortage Areas

To determine if there is a shortage of health care providers in any specific areas

### 6.1 Health Professional Shortage Area

#### 6.1.1 Process: Health Professionals Shortage Areas

Purpose	To determine if there is a shortage of health care providers in any specific areas.
Owner	Office of Community Health Systems (OCHS)
Inputs	Survey results
Outputs	HPSA Score
Notes	Information gathered from Health Care Providers is gathered statewide to make a determination as to what areas of the state have a shortage of health care professionals. The level of each communities need is determined using a numerical format called a HPSA score.



### 6.2 Health Professional Shortage Area

#### 6.2.1 Use Case: Send Request to Complete Survey.

Purpose	To notify health care providers to complete a survey to determine if a health care shortage exists
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Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Schedule surveys to be sent on a defined 4 month schedule.</li> <li>• System must be able to schedule a survey by request.</li> <li>• Send a notification to providers who are scheduled to complete a survey.</li> <li>• Allow physicians who meet this criteria to complete the online survey</li> <li>• Provide the “type” of survey based on the providers’ profession type.</li> <li>• Send notice to where provider is practicing.</li> </ul>
User Roles	OCHS

### 6.2.2 Use Case: Complete Survey

Purpose	To allow provider to complete the survey online
Description	<p>System must :</p> <ul style="list-style-type: none"> <li>• Notify the provider that they must complete the survey.</li> <li>• Provide the type of survey based on the profession type.</li> <li>• Allow provider to complete and submit the survey on line.</li> <li>• Allow user to locally print the survey.</li> <li>• Not allow edit access to the survey after it has been submitted.</li> <li>• Not allow more than one "active" survey per provider per facility. Active = survey that has been completed for the time period, submitted and has not been retracted.</li> <li>• Allow OCHS users to input surveys (in the event of mail in surveys)</li> </ul>
User Roles	Health Professionals

### 6.2.3 Use Case: Compile and Review Data

Purpose	To put the data results in an understandable format for review.
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Compile the data for each defined area, by profession e.g. Dentist/ Psych/Primary care</li> <li>• Allow user to review data extract.</li> <li>• Allow user to print the extract.</li> <li>• Send the formatted data to the Federal Shortage Designation Management System (currently EXCEL format)</li> </ul>
User Roles	OCHS

### 6.2.4 Use Case: Submit Application to the Feds

Purpose	To allow OCHS staff to submit applications for approval of health profession shortage areas.
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Description	System must: <ul style="list-style-type: none"> <li>• Allow user to complete the application on line.</li> <li>• Allow user to print application.</li> <li>• System must save completed applications.</li> </ul>
User Roles	OCHS

**6.2.5 Use Case: Notify Providers/Facilities of Results**

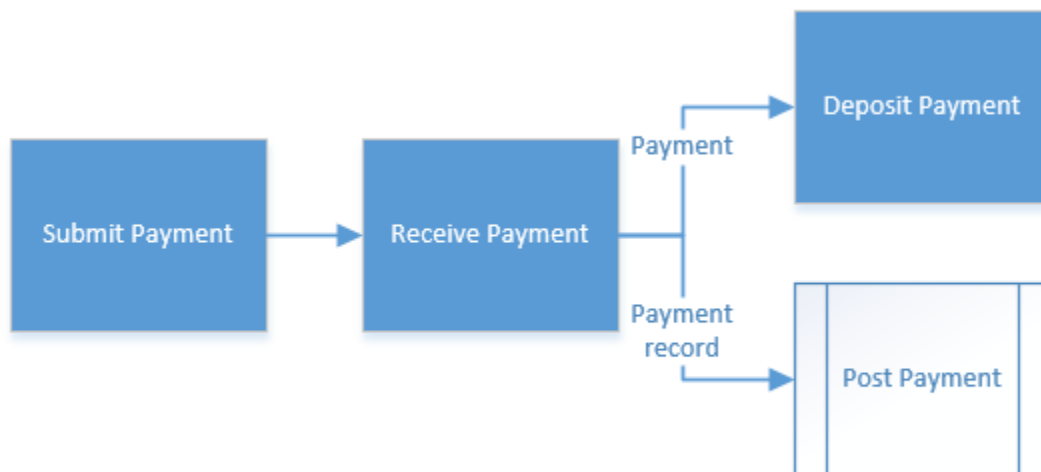
Purpose	To notify the providers whether they have been approved as a shortage area
Description	System will: <ul style="list-style-type: none"> <li>• Allow the user to designate approvals and annotate HPSA scores.</li> <li>• Allow the user to send notification to providers/facilities of the disposition of their designation and their HPSA score.</li> </ul>
User Roles	OCHS

## 7 Payments

### 7.1 Payment Process

#### 7.1.1 Process: Payment Process Overview

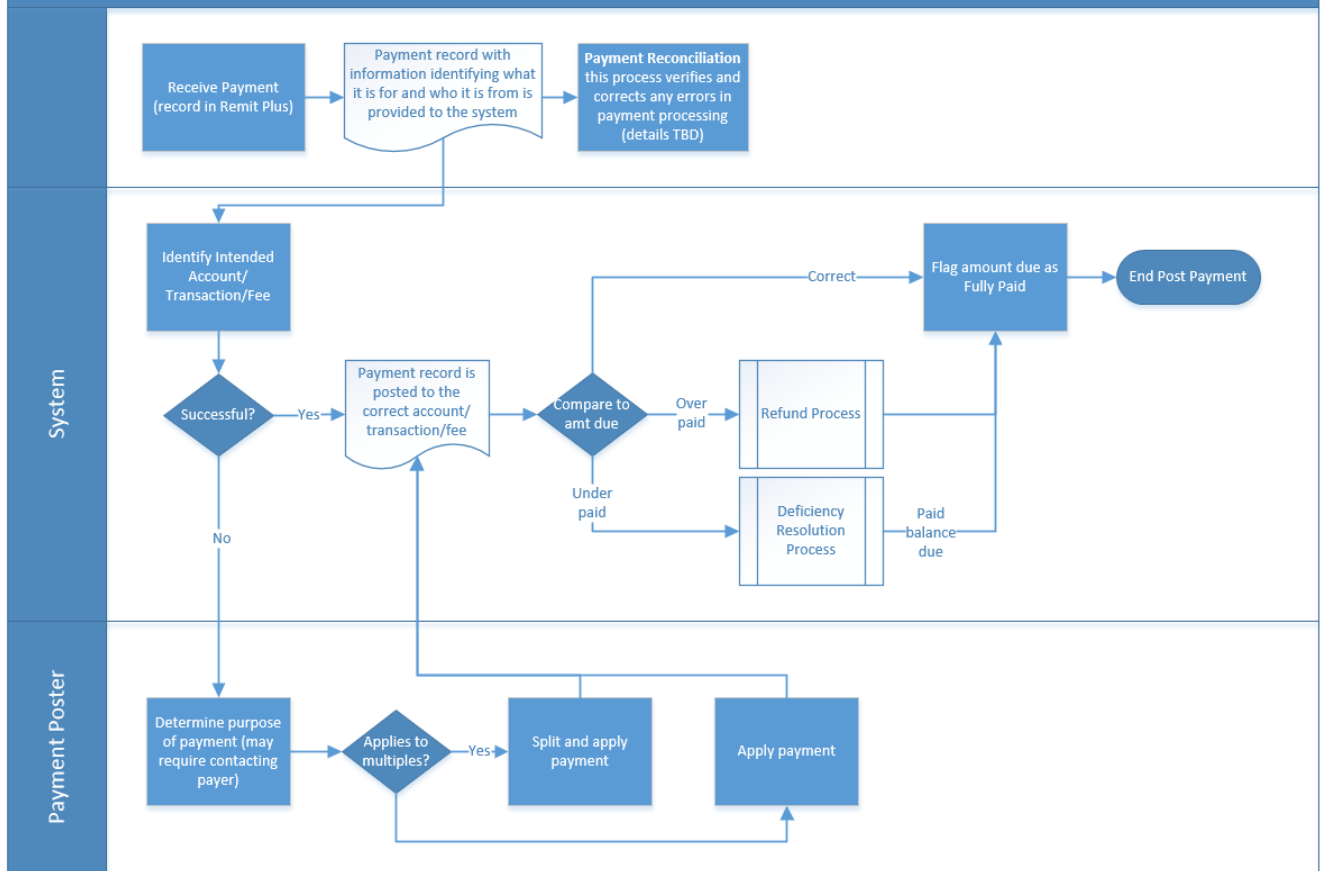
Purpose	For the customer to make payment and for the department to properly deposit and process the payment.
Owner	
Inputs	Payment
Outputs	Completed processing of the payment.
Notes	Details about how a payment is submitted, received and deposited depend highly on the payment method (check, credit card, etc.) are not needed at this time.



#### 7.1.2 Process: Post Payment

Purpose	To post a payment to the appropriate account and transaction fee(s).
Owner	
Inputs	Unposted payment record
Outputs	Payment record(s) has been properly posted to the intended account and transaction/fee(s).
Notes	

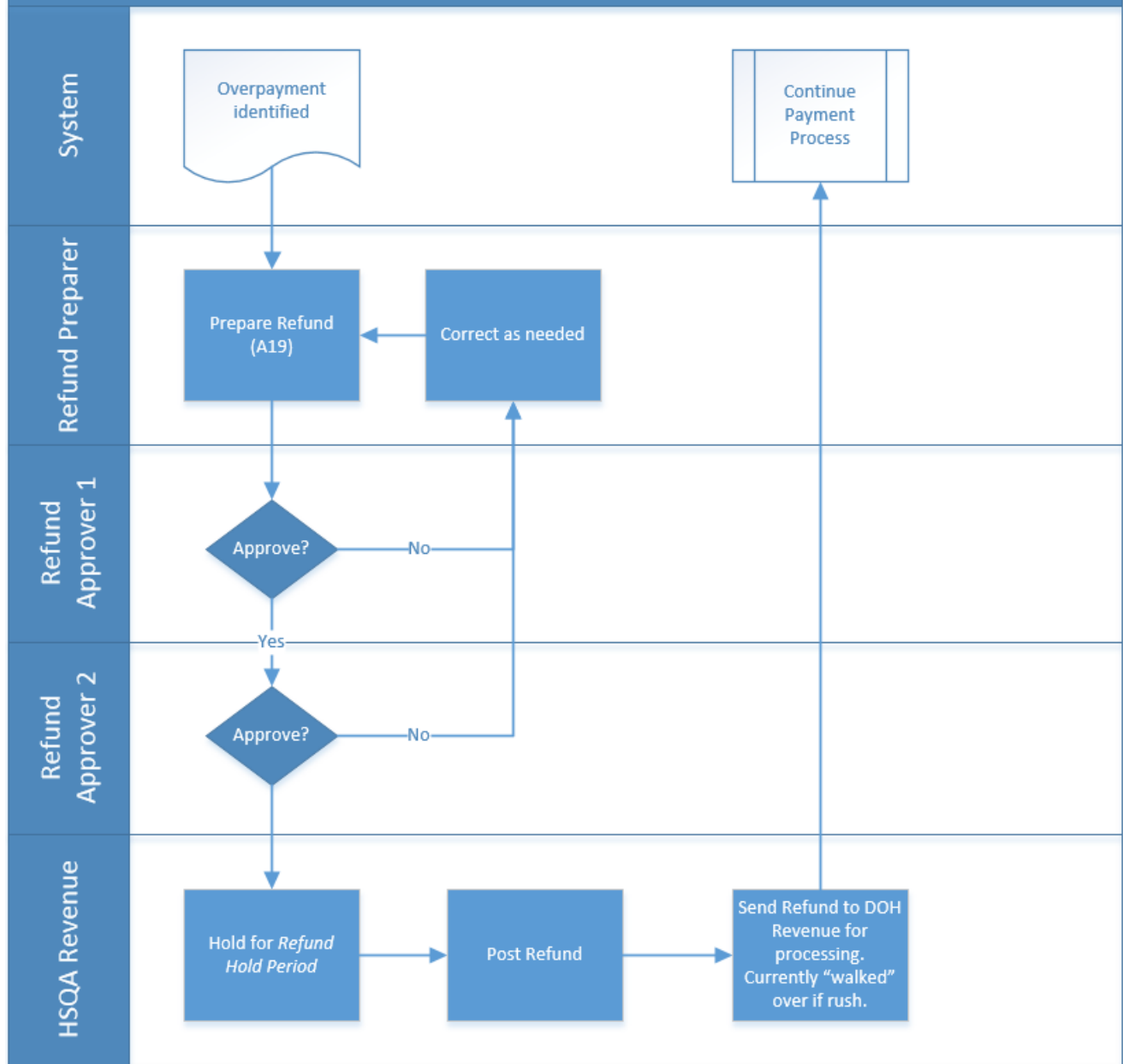
## Post Payment



### 7.1.3 Process: Refund Process

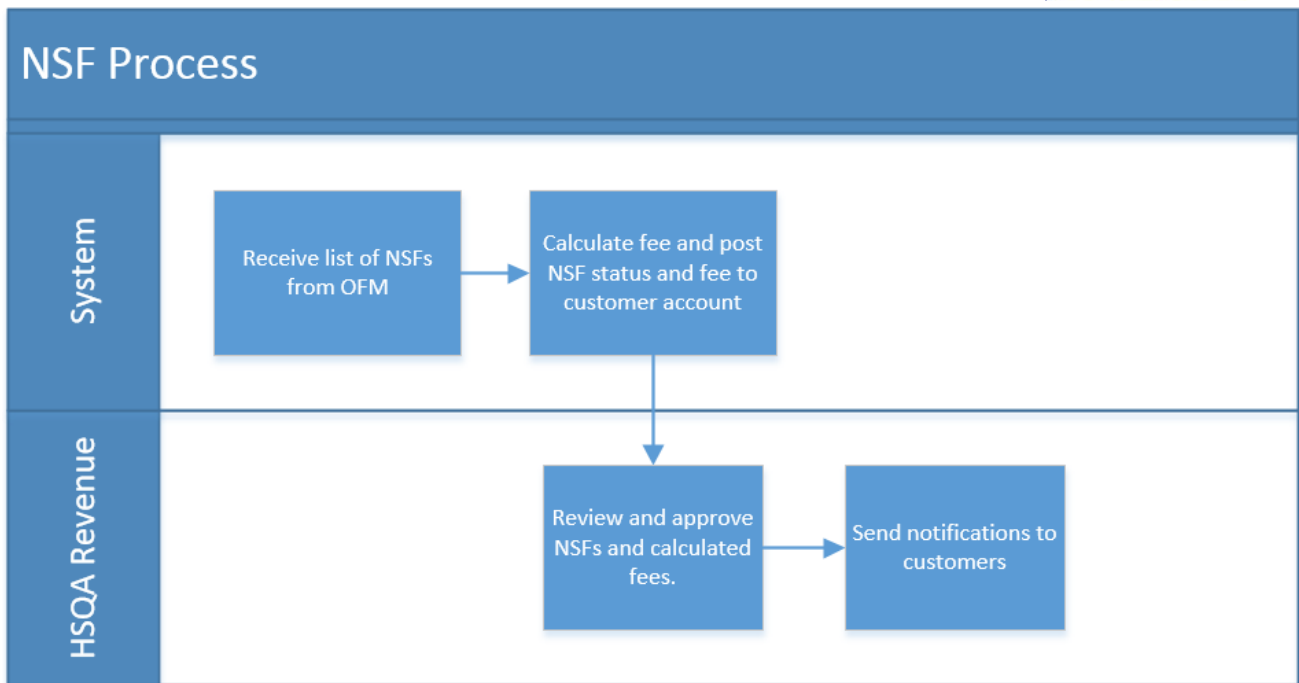
Purpose	To refund a payer that overpaid the amount due.
Owner	
Inputs	Payment record Amount that was due
Outputs	A19 sent to the Office of Financial Management.
Notes	

## Refund Process



### 7.1.4 Process: NSF Process

Purpose	To process returned payments and assess fees as needed.
Owner	
Inputs	
Outputs	
Notes	



## 7.2 Payment Process - Use Cases

### 7.2.1 Use Case: Auto Post Payment

Purpose	To automatically process a payment record received.
Description	<ul style="list-style-type: none"> <li>Payments made as part of an online process (application, renewal, etc.) are always associated with a transaction and a fee. When the payment record is received from the payment processor, the system has the information needed to properly post the payment to the appropriate account and transaction(s).</li> <li>When a check or other type of payment is received in the mail or front desk, it is associated with a customer (account) and a transaction (application, renewal, etc.). In most cases, the system will have the information needed to properly post a payment. If not, the system queues the payment for manual posting.</li> </ul>
User Roles	System (no user involvement)

### 7.2.2 Use Case: View Unposted Payments

Purpose	To view payments that were not posted automatically by the system so they be manually posted/resolved.
Description	
User Roles	Revenue



### 7.2.3 Use Case: Apply Payment

Purpose	To manually apply a payment to a transaction fee or amount due.
Description	<ul style="list-style-type: none"> <li>Shows the payment information.</li> <li>User selects the account (customer), if not already selected.</li> <li>User selects a transaction fee or amount due.</li> </ul>
User Roles	Revenue

### 7.2.4 Use Case: Split and Apply Payment

Purpose	To properly post a payment that applies to multiple fees.
Description	<ul style="list-style-type: none"> <li>Manually select the account (customer) that a payment applies to (if not already selected).</li> <li>User selects multiple fees that are due and selects to post. System creates the multiple payment records from the original payment record - keeping an appropriate audit trail. Details TBD.</li> </ul>
User Roles	Revenue

### 7.2.5 Use Case: View Out of Balance Accounts

Purpose	View list of accounts that are out of balance
Description	<ul style="list-style-type: none"> <li>View accounts where there is a payment issue (over or under).</li> <li>View accounts where payment has not been received.</li> </ul>
User Roles	Revenue, Credentialing

### 7.2.6 Use Case: Resolve Overpayment

Purpose	Resolve overpayment.
Description	<ul style="list-style-type: none"> <li>Three options, depending on rules:             <ol style="list-style-type: none"> <li>Overpaid amount applies to a different transaction.</li> <li>Refund (if over \$5 overpaid)</li> <li>Negative Adjustment (if under \$5 overpaid)</li> </ol> </li> <li>Issue refund from an overpaid application.</li> <li>System generates an A19 per standards. Details TBD.</li> <li>Status of application payment record is updated to <i>Full Payment Confirmed</i>.</li> </ul>
User Roles	Revenue

### 7.2.7 Use Case: Resolve Underpayment

Purpose	Send notification to applicant.
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Description	<ul style="list-style-type: none"> <li>• System generates a deficiency notification using a template.</li> <li>• If online application or applicant has email, the system sends the notification automatically.</li> <li>• Otherwise the user prints the notification and mails.</li> <li>• See the Deficiency Resolution process for more information.</li> </ul>
User Roles	Revenue

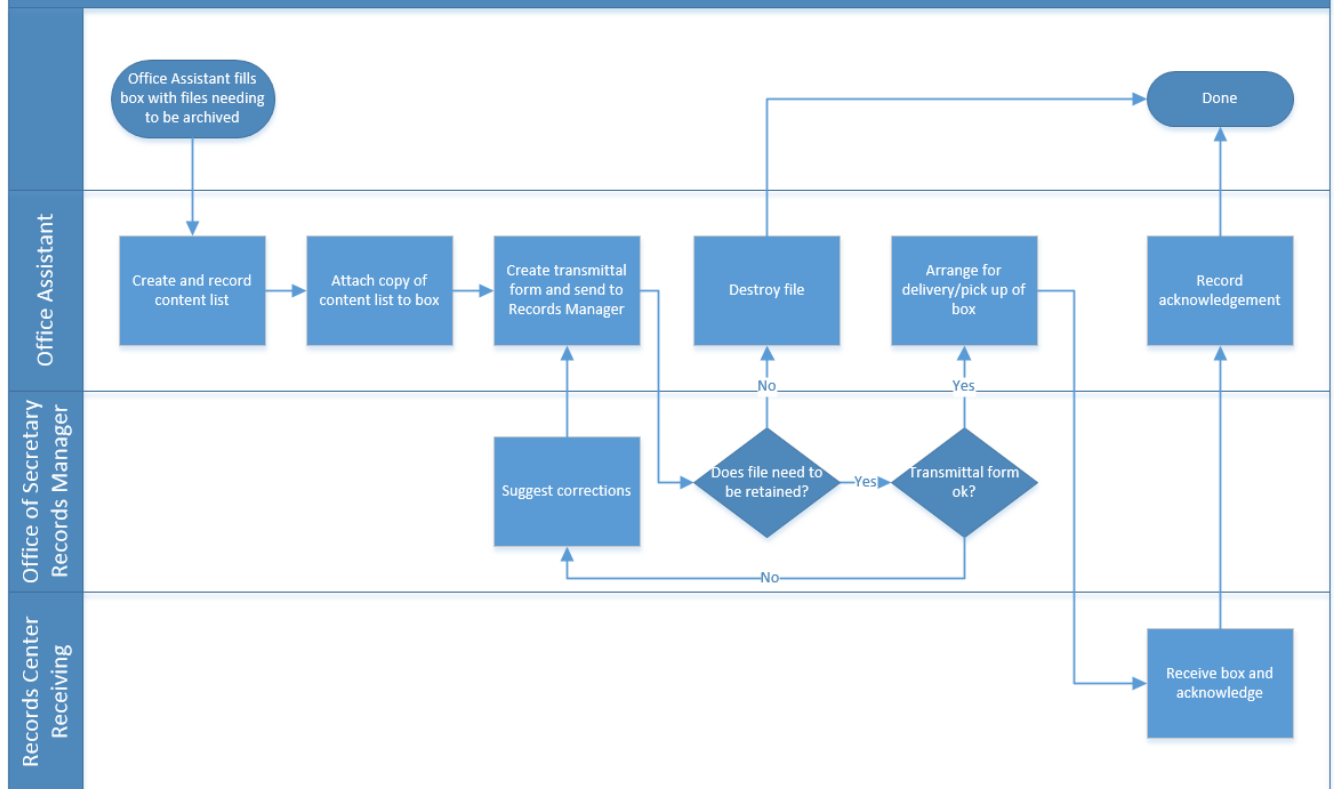
## 8 Archiving

### 8.1 Archiving Process

#### 8.1.1 Process: Archiving Process

Purpose	To retain paper documents that need to be retained after the related transactions are completed.
Owner	
Inputs	Paper document that needs to be archived.
Outputs	Transmittal log item Acknowledgement of receipt from the records center.
Notes	

## Archiving Process



## 8.2 Archiving Use Cases

### 8.2.1 Use Case: Add Case File to Archive Box

Purpose	To record that a case file is being added to a box.
Description	This is for paper files that need to be retained. Two ways: <ul style="list-style-type: none"> <li>From source record (application, enforcement case, etc.) be able identify which box (by bar code) will contain the document.</li> <li>From the Box Content List, be able to add reference to source record in system (Application Number, Case Number, etc.) to the content list. TBD: other information to be included.</li> </ul>
User Roles	Archive Admin

### 8.2.2 Use Case: Complete Box

Purpose	To mark that a box is ready to be sent to the Record Center.
---------	--

Description	System records that the box is complete and sends a list of contents to Office of the Secretary, Records Manager for approval. Content List is printed and placed in box. System retains record and allows many ways to search for and find a box based on Case Number, Respondent, and/or Disciplinary Authority.
User Roles	Archive Admin

### 8.2.3 Use Case: Review Archive Transmittal

Purpose	To review the contents of the archive box to ensure it needs to be archived.
Description	<ul style="list-style-type: none"> <li>Records Manager reviews the archive transmittal request (contents of the box).</li> <li>Option to provide feedback to sender, including recommendation that the box not be archived.</li> <li>Sender is notified.</li> </ul>
User Roles	Records Manager

### 8.2.4 Use Case: Receive Acknowledgment from Records Center

Purpose	To identify a box as received by Records Center.
Description	<p>After a box is received by the Records Center, they send a receipt back to the sender.</p> <ul style="list-style-type: none"> <li>Find box by bar code number.</li> <li>Record that it was received by the Records Center.</li> </ul>
User Roles	Archive Admin

### 8.2.5 Use Case: Search for an Archived Case

Purpose	To identify the box containing an archived case.
Description	<ul style="list-style-type: none"> <li>Search criteria includes Case Number, Respondent and/or Disciplinary Authority.</li> <li>System displays a list of boxes that meet the specified criteria.</li> <li>User can select a box and system displays the contents.</li> <li>User can then order the box from the Records Center.</li> </ul>
User Roles	Any enforcement role

## 9 Online Customer Services

Online services related to a specific program or process are documented in the appropriate section above. This section provides:

- General purpose use cases for online customer services.

- A list of use cases for online services that are provided with the appropriate section above.

### 9.1 Online Services by Customer Type

The following use cases have been documented elsewhere (generally with the relevant business process). They are listed here to provide a customer-centric view of the online services.

Customer Type	Service/Program	Use Case
All	General user services	<ul style="list-style-type: none"> <li>• Obtain user account</li> <li>• Register for DOH Online Customer Services</li> <li>• Maintain User Profile (includes contact info)</li> <li>• Request Help</li> <li>• Send and Receive Messages</li> </ul>
Applicant	Application	<ul style="list-style-type: none"> <li>• Start Application</li> <li>• Update Application</li> <li>• Submit Application (and pay fee)</li> <li>• View Status of Application</li> <li>• Submit SSN Waiver Request (professional credentials only)</li> <li>• Request Extension</li> <li>• View Deficiency Notice</li> <li>• Submit Additional Information/Document (in response to deficiency or additional records request)</li> <li>• Complete/update Initial Recognition (EMS Training only)</li> </ul>
Facility Applicant	Certification of Need and Construction Review	<ul style="list-style-type: none"> <li>• Submit letter of intent</li> <li>• Submit application</li> <li>• Resolve deficiencies</li> <li>• Upload documents/construction plans</li> <li>• Order site inspections</li> <li>• Notify when project is complete (pink card)</li> </ul>
Credential Holder	Credential Maintenance	<ul style="list-style-type: none"> <li>• Status Change Request</li> <li>• Request Copy of Credential (not all credential types offer this)</li> <li>• Request Wall Certificate (limited to certain credentials)</li> </ul>
	Renewal	<ul style="list-style-type: none"> <li>• Renew Credential</li> <li>• Submit SSN Waiver Request</li> </ul>

	Facility	<ul style="list-style-type: none"> <li>• Manage Facility Information</li> <li>• Report Self Audit</li> <li>• Submit Reportable Event</li> <li>• View Inspection Reports</li> <li>• Provide Plan of Corrections</li> <li>• Upload 3rd Party Survey Results</li> <li>• Request Waiver</li> <li>• Upload MTS Testing Results (Medical Test Sites only)</li> </ul>
	Nursing Education Program	<ul style="list-style-type: none"> <li>• Request Staffing Waiver</li> <li>• Submit Staffing Change</li> <li>• Request Substantive Change</li> <li>• Submit Innovation Application</li> <li>• Submit Incident Report</li> <li>• Submit Annual Survey</li> <li>• Provide Plan of Corrections</li> </ul>
	Response to an Audit	<ul style="list-style-type: none"> <li>• View Audit Notification</li> <li>• Submit Response to Audit (submit records requested)</li> </ul>
	Hospitals	<ul style="list-style-type: none"> <li>• Report adverse events</li> <li>• Complete root cause analysis</li> <li>• Submit corrective action plan</li> <li>• Submit Charity Care Policy</li> <li>• Submit Charity Care Policy Revisions</li> </ul>
	Hospital applying for Trauma or Cardiac Designation	<ul style="list-style-type: none"> <li>• Submit Letter of Intent</li> <li>• Submit Plan of Correction</li> </ul>
	Hospitals with Trauma Designation - applying for Trauma Care Funds	<ul style="list-style-type: none"> <li>• View contracts</li> <li>• Sign contracts</li> <li>• Submit A-19</li> </ul>
	All Professionals	<ul style="list-style-type: none"> <li>• Complete Survey (for purpose of Health Professions Shortage Area)</li> <li>• Request Exam</li> <li>• Take/submit Exam</li> </ul>
Complainant, Patient, Witness or Whistle blower	Enforcement	<ul style="list-style-type: none"> <li>• Submit and Track Complaint</li> <li>• Request Reconsideration</li> <li>• Submit Statement in Case</li> <li>• Submit Complaint (no tracking)</li> </ul>
Respondent <ul style="list-style-type: none"> <li>• Respondent (may or may not be a credential holder)</li> </ul>	Enforcement	<ul style="list-style-type: none"> <li>• View Cases</li> <li>• View Case Details (Respondent View)</li> <li>• View Complaint</li> <li>• View Investigation Report</li> <li>• View Initiating Document</li> <li>• Respond to Initiating Document</li> </ul>

<ul style="list-style-type: none"> <li>Respondent's Attorney</li> </ul>		<ul style="list-style-type: none"> <li>Identify Attorney Representation (for Respondent only)</li> <li>Accept Case (for Attorney only)</li> <li>Withdraw from Case (for Attorney only)</li> <li>View Administrative Record</li> <li>Submit Pleadings</li> <li>File a Motion</li> <li>Request Witnesses and Exhibits</li> <li>Request Interpreter</li> <li>View Hearing Schedule</li> <li>View Order</li> <li>Submit Compliance Requirement</li> </ul>
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## 9.2 Use Cases for All Online Customer Types

### 9.2.1 Use Case: Obtain SAW Account

Purpose	Obtain SAW account to access DOH online customer services.
Description	Users of Washington state's online services must have a SAW account. They may obtain this through the central registration process provided by Watech or they may use the Department of Health's future SAW registration process.
User Roles	New User

### 9.2.2 Use Case: Register for DOH Online Customer Services

Purpose	To register for the Department of Health online customer services.
Description	<ul style="list-style-type: none"> <li>The department requires additional information about its customers that is not required to obtain a SAW account.</li> <li>The additional information is used to determine if the customer has any department issued credentials and to associate those credentials with their user account.</li> </ul>
User Roles	SAW User

### 9.2.3 Use Case: Maintain Profile

Purpose	Provides user with the ability to view their profile and make changes, if needed.
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Description	<ul style="list-style-type: none"> <li>• User profile includes: <ul style="list-style-type: none"> <li>○ SAW user profile (name, email, and other optional fields).</li> <li>○ Additional information required by the department (for example SSN or an SSN Waiver).</li> </ul> </li> <li>• Some changes to contact info must be reviewed by the appropriate credentialing or customer service unit. See Contact Changes for more information.</li> </ul>
User Roles	Registered User

#### 9.2.4 Use Case: Request Help

Purpose	Request help related to the portal.
Description	
User Roles	Registered user

#### 9.2.5 Use Case: Send and Receive Messages and Documents

Purpose	To securely communicate with the department or specific program staff in relationship to a case, application or other transactions they are involved in.
Description	<ul style="list-style-type: none"> <li>• Provides a secure method of communicating with staff assigned to their case, application or other transaction.</li> <li>• Attach documents. When attaching a document, require identification of the type of document they are submitting.</li> <li>• System saves communications in relation to a case, and makes the communications log accessible from Case Details.</li> </ul>
User Roles	Registered User

### 9.3 Use Cases for the General Public

These are use cases that do not require user registration.

#### 9.3.1 Use Case: Provider Search

Purpose	Search for a licensed provider.
Description	<ul style="list-style-type: none"> <li>• Search options TBD</li> <li>• View list of results</li> <li>• Option to view details on a provider (see related use case).</li> </ul>
User Roles	Anyone (does not have to be a registered user)

#### 9.3.2 Use Case: View Provider Details (published information)

Purpose	To provide public information about a licensee.
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Description	Shows all public records on the licensee. <ul style="list-style-type: none"> <li>Complaints and Investigations against a health provider are not published unless they result in a Disciplinary Order.</li> </ul>
User Roles	Anyone (does not have to be a registered user).

### 9.3.3 Use Case: Public Records Request

Purpose	To request a public record
Description	<ul style="list-style-type: none"> <li>Members of the general public have a right to request public records.</li> <li>The status of a health credential or facility license is a public record but some related information is not. See related business rules for more information.</li> <li>Information about a Complainant or Whistle Blower is exempt from public disclosure.</li> </ul>
User Roles	Anyone

### 9.3.4 Use Case: Submit Complaint (non registered users)

Purpose	To provide anyone with the ability to submit a complaint about a health provider or facility.
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Description	<p>This is for users that are not logged-in for online services. If they initiate a complaint, they should be advised that if they want to track the status of their complaint, they should register or log-in. If they choose to continue without logging in:</p> <ul style="list-style-type: none"> <li>• Complainants can identify themselves or remain anonymous.</li> <li>• Required information for a complaint:             <ul style="list-style-type: none"> <li>○ Identify the Provider or Facility</li> <li>○ One or more allegations</li> </ul> </li> <li>• Additionally, the complainant should be able to provide information about themselves, the incident(s), and any supporting documentation/records they might want to include.</li> <li>• If the provider or facility have been positively identified, the system assigns the complaint to the appropriate Complaint Intake unit as follows:</li> </ul> <table border="1" data-bbox="438 735 1380 1260"> <thead> <tr> <th data-bbox="438 735 682 819">Complaint Intake Unit</th> <th data-bbox="682 735 1380 819">Scope of Complaint</th> </tr> </thead> <tbody> <tr> <td data-bbox="438 819 682 934">Nursing Commission</td> <td data-bbox="682 819 1380 934">Related to a licensed nurse or nursing assistant only. No other licenses or unlicensed practitioners involved in complaint.</td> </tr> <tr> <td data-bbox="438 934 682 1060">Medical Commission</td> <td data-bbox="682 934 1380 1060">Related to a licensed Medical Doctor or Physicians Assistant only. No other licenses or unlicensed practitioners involved in complaint.</td> </tr> <tr> <td data-bbox="438 1060 682 1144">Chiropractic Commission</td> <td data-bbox="682 1060 1380 1144">Related to a licensed Chiropractor only. No other licenses or unlicensed practitioners involved in complaint.</td> </tr> <tr> <td data-bbox="438 1144 682 1260">HSQA Office of Customer Service</td> <td data-bbox="682 1144 1380 1260">All other complaints, including complaints where the license of the practitioner is not yet identified.</td> </tr> </tbody> </table>	Complaint Intake Unit	Scope of Complaint	Nursing Commission	Related to a licensed nurse or nursing assistant only. No other licenses or unlicensed practitioners involved in complaint.	Medical Commission	Related to a licensed Medical Doctor or Physicians Assistant only. No other licenses or unlicensed practitioners involved in complaint.	Chiropractic Commission	Related to a licensed Chiropractor only. No other licenses or unlicensed practitioners involved in complaint.	HSQA Office of Customer Service	All other complaints, including complaints where the license of the practitioner is not yet identified.
Complaint Intake Unit	Scope of Complaint										
Nursing Commission	Related to a licensed nurse or nursing assistant only. No other licenses or unlicensed practitioners involved in complaint.										
Medical Commission	Related to a licensed Medical Doctor or Physicians Assistant only. No other licenses or unlicensed practitioners involved in complaint.										
Chiropractic Commission	Related to a licensed Chiropractor only. No other licenses or unlicensed practitioners involved in complaint.										
HSQA Office of Customer Service	All other complaints, including complaints where the license of the practitioner is not yet identified.										
User Roles	General public, non-registered users										

## 10 Other Customer Services

There are many customer service functions throughout the above processes. The functions below are a few customer service functions that have not been covered elsewhere.

### 10.1 Contact Change Processes

The contact record is used to identify and maintain contact with the following parties:

- Applicants
- Credential holders (whether professionals or facility license holders).
- Respondents - in particular unlicensed practitioners that are named in a complaint.

Ideally, there is one contact record per person that has applied for or holds a credential. The "record" retains the history of contact information and allows for multiple phone numbers and email addresses, if needed. Establishing a single, authoritative and up to date record, however, is an ongoing challenge. For one, there is no universal identifier that can definitively and uniquely identify every person that has ever applied for a credential.

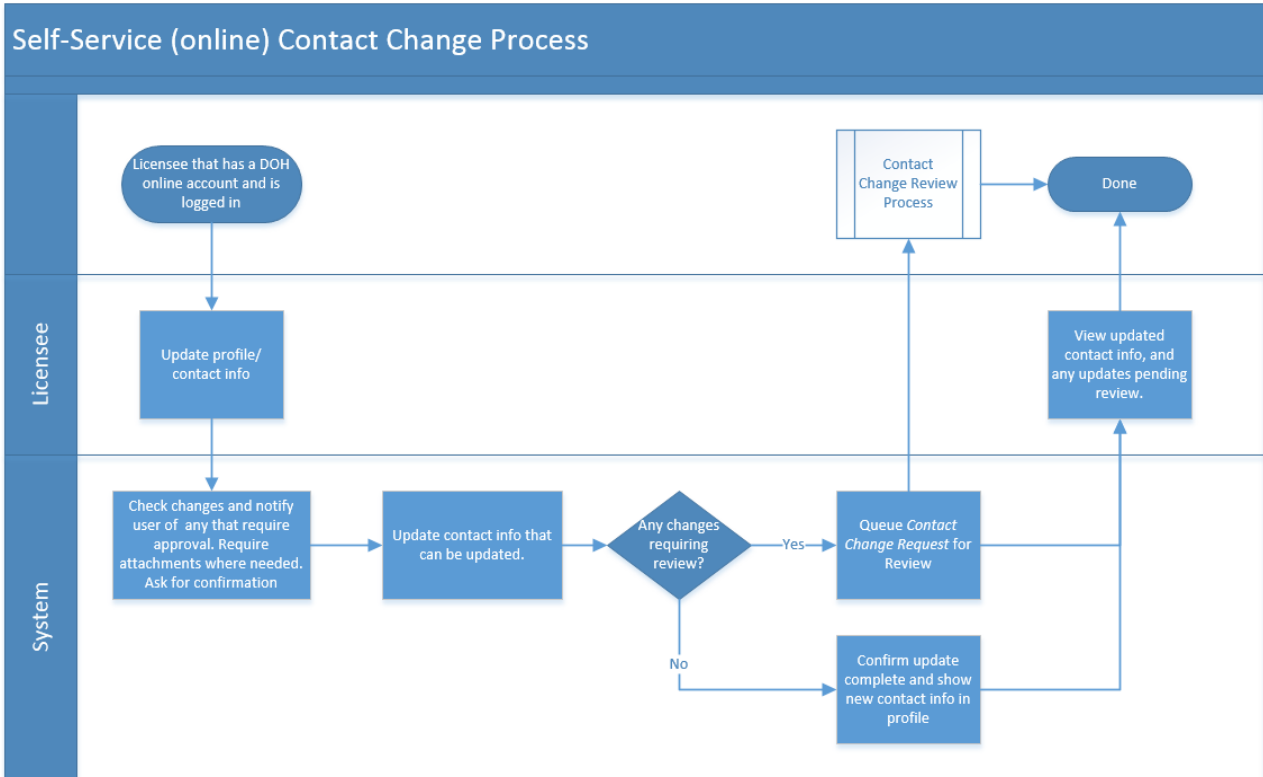
- Social Security Number (SSN):
  - Some applicants do not have SSN.
  - SSN can potentially change for a person.
  - There can be a typo in the SSN.
- Name:
  - Names change.
  - Multiple people have the same name.
- Email addresses:
  - Some people don't have an email address.
  - Some people have multiple email addresses.
  - At any time only one person can have a particular email address but at different times different people can have the same email address.
- Mailing or home address:
  - People move.
  - Different people have the same address (at different times or even at the same time).

For these reasons and more, staff need tools to help:

- Match an applicant to an existing contact record (due to a prior application or issued credential).
- Match other incoming records related to providers and credential holders with existing contact records.
- Identify multiple contact records for the same person and merge them into one record.

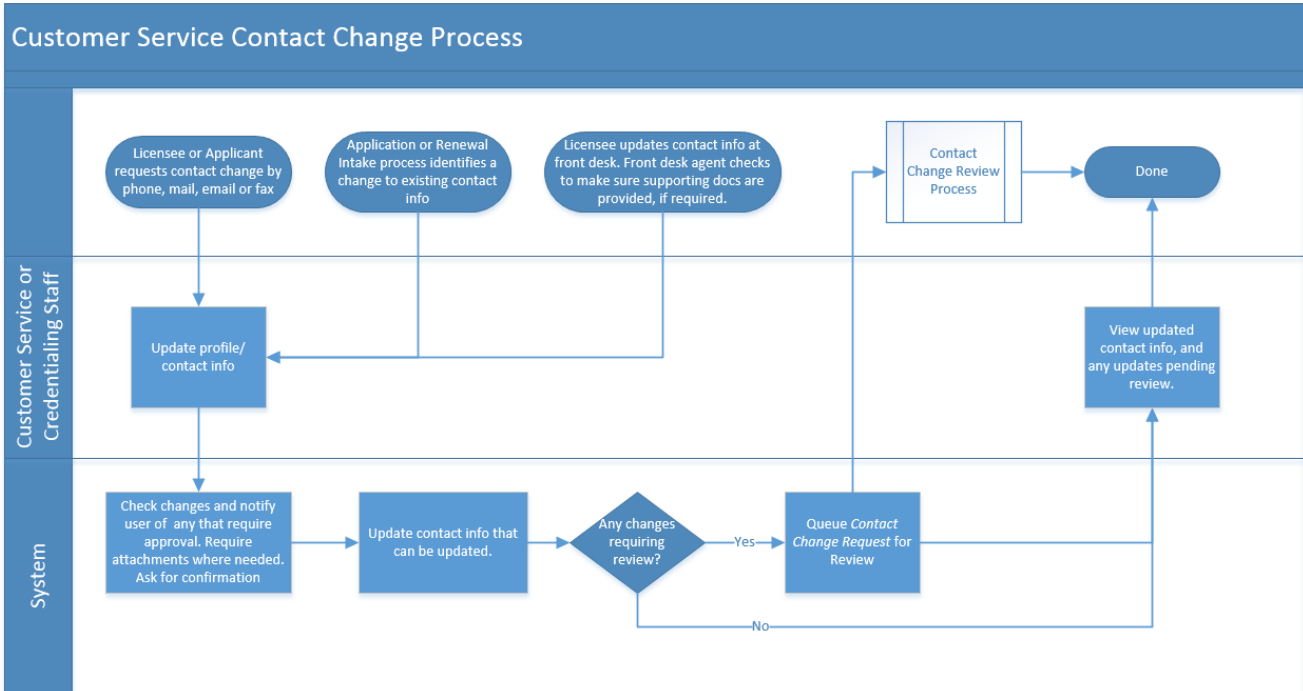
### 10.1.1 Process: Self-Service (online) Contact Change Process

Purpose	For Licensee's and Applicant's to change their contact info online.
Owner	
Inputs	New contact info provided by licensee or applicant
Outputs	<ul style="list-style-type: none"> <li>• Updated contact info, where possible.</li> <li>• Contact Change Request for items that require review.</li> </ul>
Notes	



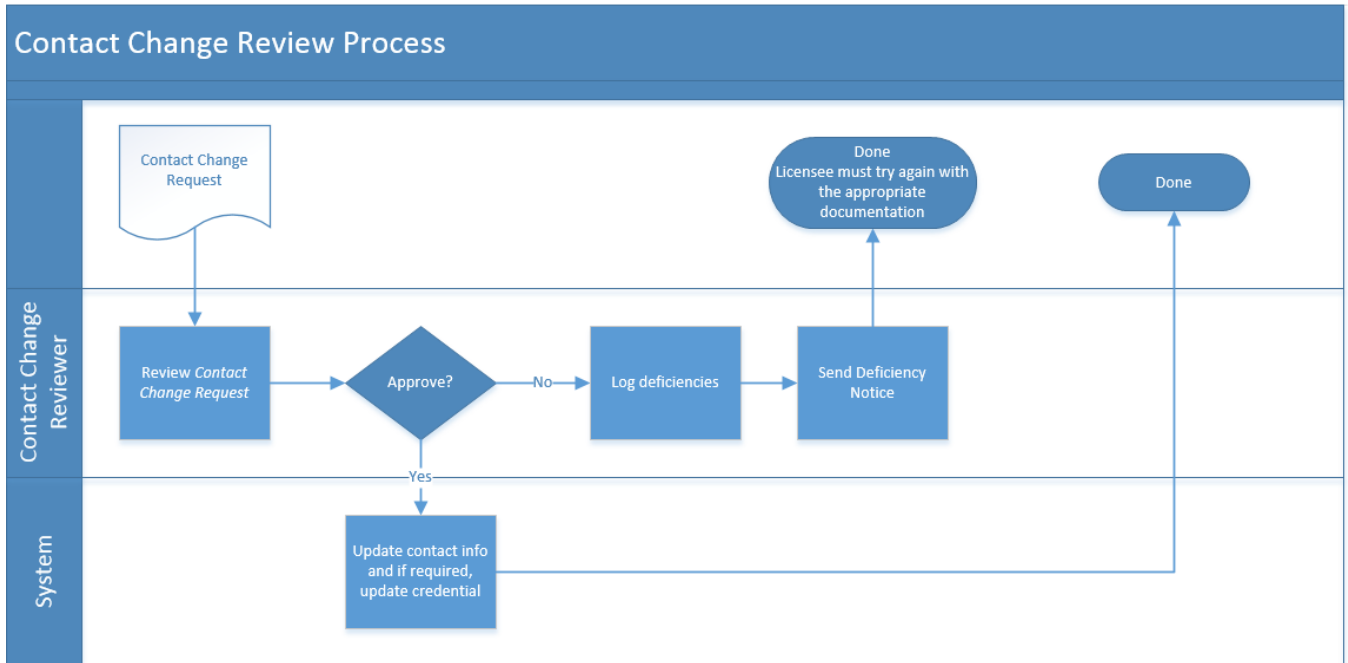
#### 10.1.2 Process: Customer Service Contact Change Process

Purpose	For staff to change a Licensee or Applicant's contact information.
Owner	
Inputs	<ul style="list-style-type: none"> <li>Contact information (the new contact info)</li> </ul>
Outputs	<ul style="list-style-type: none"> <li>Updated contact record, for changes that do not need to be reviewed.</li> <li>Contact Change Request, for changes that need to be reviewed.</li> </ul>
Notes	<p>This process is for contact changes initiated in one of the following ways:</p> <ul style="list-style-type: none"> <li>With credential application, if the applicant already has a contact record in the system. The existing contact record may be from a prior application or credential.</li> <li>With a renewal.</li> <li>License holder or applicant requests contact change in person at the front desk, by mail, email, fax or phone.</li> </ul>



### 10.1.3 Process: Contact Change Review Process

Purpose	To ensure contact changes are made properly and have the required supporting documents, if any.
Owner	
Inputs	Contact Change Request Supporting documents
Outputs	Updated contact info, if approved. Otherwise a deficiency notice is sent to the Licensee/Applicant.
Notes	



## 10.2 Contact Change Use Cases

### 10.2.1 Use Case: Update Contact Information

Purpose	Change a licensee or applicant's contact information.
Description	<ul style="list-style-type: none"> <li>User enters the contact changes and attaches any required supporting documents, if provided.</li> <li>System checks the changes and requests supporting documentation, where required.</li> <li>When contact change is confirmed, system:             <ul style="list-style-type: none"> <li>Updates the contact info that can be changed immediately.</li> <li>Creates a Contact Change Request for the items (if any) that need to be reviewed.</li> </ul> </li> <li>System presents the updated contact info and identifies any items that are pending review. System also provides information to user on when they can expect a response and how they would be notified.</li> </ul>
User Roles	Licensee, Applicant, Renewal Staff, Customer Service Staff, Credentialing Staff

### 10.2.2 Use Case: View Contact Change Requests

Purpose	To view contact change requests that need to be reviewed.
Description	
User Roles	Contact Change Reviewer

### 10.2.3 Use Case: Review Contact Change Request

Purpose	To review a contact change request
Description	<ul style="list-style-type: none"> <li>• Reviewer checks the contact change request and the supporting documentation.</li> <li>• Reviewer logs any deficiencies. <ul style="list-style-type: none"> <li>○ If no deficiencies, Reviewer may approve. System updates the contact record. If required, the system also updates the credential.</li> <li>○ If deficiencies, Reviewer generates and sends the deficiency notice.</li> </ul> </li> </ul>
User Roles	Contact Change Reviewer

### 10.2.4 Use Case: Send Deficiency Notices

Purpose	Send Deficiency Notices electronically.
Description	<ul style="list-style-type: none"> <li>• System uses the <i>Contact Change Deficiency Notice</i> template.</li> <li>• System sends Deficiency Notices electronically to credential holders that have opted to received electronic notices.</li> </ul>
User Roles	Contact Change Reviewer

### 10.2.5 Use Case: Print Deficiency Notice for Contact Change

Purpose	Print Deficiency Notices for credential holders that must receive them on paper.
Description	<ul style="list-style-type: none"> <li>• System uses the <i>Contact Change Deficiency Notice</i> template.</li> <li>• System prints paper notice for credential holders unless they specifically opt out of paper notices.</li> </ul>
User Roles	Contact Change Reviewer

## 10.3 Customer Support Use Cases

### 10.3.1 Use Case: View Customer Profile

Purpose	View a customer's profile to provide them with support.
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Description	<p>Customer support functions (front desk, call center or program staff) need to be able to easily view a customer's profile to be able to provide them with support.</p> <p>Details are TBD, but generally the customer profile will include any information on:</p> <ul style="list-style-type: none"> <li>• Contact information</li> <li>• Personal information</li> <li>• Background information</li> <li>• Applications in progress</li> <li>• Credentials held (whether active or not)</li> <li>• Enforcement activity in progress</li> </ul> <p>For call center users, it would be nice if the Call Center system could interface with the system so that when a call is answered, if the caller id is available, the system would look it up and automatically pull up the customer's account, if a match is found.</p>
User Roles	Customer Service (anybody in credentialing, enforcement or other function that has contact with customers)

### 10.3.2 Use Case: Emulate User

Purpose	For call center agents to support users of online customer services.
Description	<ul style="list-style-type: none"> <li>• Be able to enter a user id and view online services the exact way the customer sees them.</li> <li>• This is useful for call center support staff when they are providing support to a customer of online services who is having trouble.</li> </ul>
User Roles	Call Center Agent

## 11 Program Management

This package contains program management requirements for the Office Health Professionals (OHP).

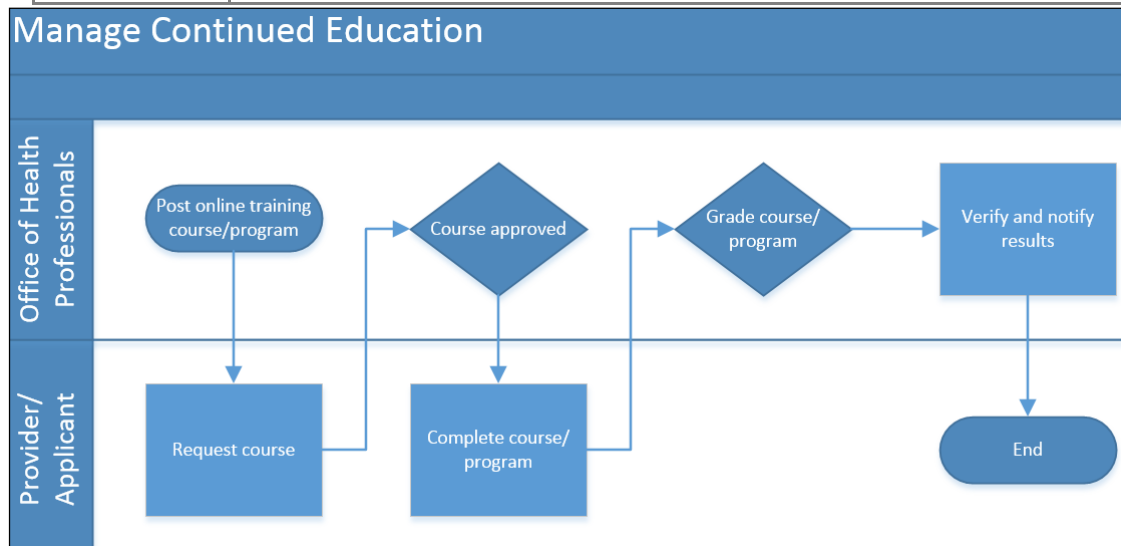
### 11.1 Processes

#### 11.1.1 Process: Manage Continued Education

Purpose	To manage the Continuing Education pathway from initiating the course, granting permissions and scoring the exam.
Owner	OHP
Inputs	<ul style="list-style-type: none"> <li>• Exam</li> <li>• Request to take exam.</li> </ul>



Outputs	<ul style="list-style-type: none"> <li>• Course approval/denial</li> <li>• Approval/denial letters</li> </ul>
Notes	This process entails creating an exam, posting online, granting permissions to take the exam, scoring the exam and notifying the provider of the results of the exam.



## 11.2 Use Cases

### 11.2.1 Contract Management

The Contract Management process itself is not in scope for the HELMS project but the contract information needs to be accessible. Users also need access to this same information as it relates to Subscriptions and Memberships.

- Be able to view details about each contract, subscription and membership (expiration date, services, specialty, etc.).
- Be able to filter the list by contract, subscription and service type. Be able to view details about each contract (expiration date, services, specialty, etc.)

#### 11.2.1.1 Use Case: Access Contract, Subscription and Membership Data

Purpose	To give OHP users view access to the contract, subscription and membership data.
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Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Allow user access to the contract data base (currently CMS) <ul style="list-style-type: none"> <li>○ Subscriptions and memberships must be tracked the same way using start dates, end dates, etc.</li> </ul> </li> <li>• Track end dates of contracts, subscription and memberships, notifying the user of the expiration X number of days before the end date.(X is configurable)</li> <li>• Send a notification when/if the contract, subscription or membership expires without a renewal in place.</li> <li>• Allow user access to the following information: <ul style="list-style-type: none"> <li>○ Contract/Subscription/Membership name</li> <li>○ Contract/Subscription/Membership number</li> <li>○ Contract Managers Name</li> <li>○ Vendor Name</li> <li>○ Vendor Number</li> <li>○ Address</li> <li>○ E-mail</li> <li>○ Phone number</li> <li>○ Primary contact</li> <li>○ Master Index Number (?)</li> <li>○ Description</li> <li>○ Start date/End date</li> <li>○ Dollar amount</li> <li>○ Contract file</li> <li>○ Amendment date and change</li> <li>○ Amendment file</li> <li>○ Link to the administrative policy that governs/goes with the contract.</li> </ul> </li> <li>• Provide the renewal and amendment history for each contract, subscription and membership (at a glance).</li> </ul>
User Roles	Office of Health Professions

**11.2.2 Workload Management/Notifications**

These use cases relate to the daily case management and the generation of notifications and alerts.

**11.2.2.1 Use Case: Create and Assign Notifications**

Purpose	To allow the user to set individual notifications other than a system generated one.
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Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Provide the ability to generate notifications as a result of actions taken or state changes to entities.</li> <li>• Allow notifications to be configurable as to content, trigger and target.</li> <li>• Provide users with the ability to subscribe to and control optional notifications.</li> <li>• Allow reminders (tickler) to be set when board members require follow up.</li> <li>• Provide notification to associations related to disciplinary decisions.</li> </ul>
User Roles	OHP User

**11.2.2.2 Use Case: Document Client Record Actions**

Purpose	To allow OHP users to document in the client record.
Description	<ul style="list-style-type: none"> <li>• This will be a user role based access.</li> <li>• Users are assigned roles which provide access to capabilities and information associated with those capabilities.</li> <li>• Many roles are program based.</li> <li>• The system must support assigning a set of Professions or Facility Types to these types of roles. Users in these roles can only work on assignments related to their Profession or Facility Type.</li> <li>• User roles will clearly define who has read and/or write access in client records. Based on the user role and responsibilities, users may have one, both or none of this access.</li> </ul>
User Roles	OHP

**11.2.2.3 Use Case: Search Providers and Facilities**

Purpose	To allow user easy access to search for provider and facility information across profession and facility types.
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Allow user to search for provider and facility information across profession, facility types, address, phone number, Email, etc (See Data Management)</li> <li>• Allow sorting and filtering of query and results.</li> </ul>
User Roles	OHP User

**11.2.3 Data Management**

These use cases relate to the management of data and report generation

**11.2.3.1 Use Case: Extract Reports**

Purpose	To allow the user to extract various types of reports, lists and directories
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Description	<p>The system must:</p> <ul style="list-style-type: none"> <li>• Have the ability to generate reports from all system data/sources e.g. directories, lists, business level reporting. <ul style="list-style-type: none"> <li>○ Business level reporting examples include numbers of applications pending/active/expired/processed/approve/denied etc. during a selected period of time. Trend analysis, Cube analysis, ad hoc reporting, client demographics, etc.</li> </ul> </li> <li>• Allow public access to select reports e.g. provider lookup by type, provider lookup by area, by address, phone number, email, etc.</li> <li>• Control access of reporting function (security flags).</li> <li>• Allow for scheduled runs of reports.</li> <li>• Allow user to save their report query.</li> <li>• Allow for print, export, email of results.</li> </ul>
User Roles	Various

#### 11.2.4 Manage Boards, Commissions and Committees

These User stories relate to the selection and management of board, commission and committee members.

##### 11.2.4.1 Use Case: Manage B/C/C Information

Purpose	To allow the user to input, and later reference contact information and other details for board and committee members.
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Compile rosters of all Board, Commission, Committee, lobbyists and association members, identifying their status (active/inactive), their term and if pro tem.</li> <li>• Allow the user to record and update individual members contact information</li> </ul>
User Roles	OHP User

##### 11.2.4.2 Use Case: Share Confidential Information With Board and Commission Members

Purpose	To maintain recordings and other files in the system (no CDs)
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Allow for storage of voice records, diagnostic imaging and other files other than using CDs.</li> <li>• Allow access to these records by the board member responsible for reviewing the case (security flags).</li> </ul>
User Roles	OHP Board User

### 11.2.4.3 Use Case: Manage Meetings

Purpose	To allow the system to generate agendas for business meetings
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Allow user to create agendas for b/c/c business meetings. <ul style="list-style-type: none"> <li>○ Agendas will be created based on work that is being queued for review.</li> <li>○ Track pending agenda items/actions items/assignments.</li> </ul> </li> <li>• Allow OHP to select the eligible panel members for hearings using current selection process/criteria.</li> <li>• Track meeting dates, panel calls and disciplinary hearings.</li> </ul>
User Roles	OHP Board User

### 11.2.4.4 Use Case: Record Decisions

Purpose	To allow users to have an easy reference to decisions made by B/C/C
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Record decisions made by B/C/C for reference. <ul style="list-style-type: none"> <li>○ Allow decisions to be searched by date, topic or outcome.</li> </ul> </li> <li>• Provide a single integrated system of record for Department of Health and the health boards and commissions licensing and enforcement activity.</li> <li>• Be the single authoritative source of records on licensed providers and facilities, their credentials, case history, transactions and communications.</li> </ul>
User Roles	OHP

### 11.2.5 Manage Approved Education Programs and JP Exams

Allows OHP to manage the development and taking of JP exams.

#### 11.2.5.1 Use Case: Create Course Directory

Purpose	To allow user to enter and maintain a roster of approved education programs
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Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Inventory approved education programs and schools.</li> <li>• Create master list from OCS and OHP approvals</li> <li>• Allow auto subsequent approvals once a course has been approved.</li> <li>• Allow user to add additional out of state courses/programs that meet the equivalency standard for the program. These courses/programs are considered approved programs.</li> <li>• Allow user to search for all approved courses offered by a provider.</li> <li>• Assign and track duration of course approvals, alerting user of any expiration.</li> <li>• Track versioning of updated courses</li> </ul> <p><i>Course approval criteria is in WAC. May support checklist type of approval.</i></p>
User Roles	OHP

**11.2.5.2 Use Case: Post Exam**

Purpose	Allow user to make current courses available online.
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Allow user to update/post/remove exams online.</li> <li>• System must version all updates (begin dates, end dates, etc.)</li> <li>• Give permissions to allow users to take an exam.</li> </ul>
User Roles	OHP

**11.2.5.3 Use Case: Request Exam**

Purpose	To allow the provider to request to take a course online.
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Allow user to search for an exam by either a search by Provider or Exam Type.</li> <li>• Allow user to request permission from OHP to take the specific exam.</li> <li>• Associate request to the provider.</li> <li>• Allow user only one request per exam at one time. If request is denied, the user will have the ability to request the course again.</li> <li>• Not allow access to exam until permission has been granted by OHP User</li> <li>• Send notification to OHP user that exam request is awaiting approval.</li> </ul>
User Roles	Provider

#### 11.2.5.4 Use Case: Approve/Deny Exam Request

Purpose	To allow the user to approve or deny permission to take a requested exam.
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>Alert OHP User that a request is pending determination</li> <li>Give the user the option to approve or deny the request.</li> </ul> <p><i>When the request is approved;</i></p> <ul style="list-style-type: none"> <li>Send notification to the user that the request has been approved.</li> <li>Give the user to the appropriate permissions to take the exam.</li> <li>Allow access for <u>X</u> days before the permission is revoked (X is configurable)</li> </ul> <p><i>When the request is denied;</i></p> <ul style="list-style-type: none"> <li>Require user documentation supporting why the request is denied.</li> <li>Send the user notification that the request has been denied and reasons why.</li> </ul>
User Roles	OHP OCS

#### 11.2.5.5 Use Case: Complete Exam

Purpose	Allow user to take the requested exam.
Description	<p>The System must:</p> <ul style="list-style-type: none"> <li>Notify user of the determination of the request.</li> </ul> <p>If approved –</p> <ul style="list-style-type: none"> <li>Associate the exam to the provider.</li> <li>Allow user access to the exam, saving any previous input, up until the time when the exam is submitted.</li> <li>Close any pending exams when; <ul style="list-style-type: none"> <li>The specified exam period has ended.</li> <li>A new revision to the existing exam has been published.</li> </ul> </li> <li>Not allow user update access once the exam has been submitted.</li> <li>Alert OHP user when exam has been completed or closed for other reasons.</li> </ul> <p>If denied –</p> <ul style="list-style-type: none"> <li>Provide user with correspondence explaining the denial of the request.</li> <li>Allow user to resubmit exam request.</li> </ul>
User Roles	Provider

#### 11.2.5.6 Use Case: Grade Submitted Course/ Exam

Purpose	To score and notify the provider of the exam results
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Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Grade the exam.</li> <li>• Allow OHP user to review results prior to finalization.</li> <li>• Allow OHP user to approve results.</li> <li>• Associate exam results with the Provider (applicant)</li> <li>• Notify the provider that course results are available for review.</li> <li>• Notify the appropriate HSQA user of the exam results (some go to credentialing and others to the program manager)</li> <li>• Track applicants course and exam history in chronological order.</li> </ul>
User Roles	OHP

### 11.2.6 Manage Pharmacy Services

Allow OHP staff to manage pharmacy services of satellite dispensaries

#### 11.2.6.1 Use Case: Create Pharmacy Relationships

Purpose	To define the relationship between parent pharmacies and child pharmacies/dispensaries
Description	<p>System must:</p> <ul style="list-style-type: none"> <li>• Allow user to associate "Parent" pharmacy with their related "Satellite" pharmacy or dispensary.</li> <li>• Clearly delineate parent pharmacy "supervising pharmacy" and Satellite pharmacy relationship.</li> <li>• Track when a "Parent" pharmacy has a sub-quality e.g. donate drugs, dispense sample drugs [must be approved by commission], compounding drugs, kiosks.</li> <li>• Track the following for satellite pharmacy. <ul style="list-style-type: none"> <li>○ Location</li> <li>○ Address</li> <li>○ Type of services</li> <li>○ License number</li> <li>○ License/credential type</li> <li>○ e-Profile number (Nat'l Assoc of Boards of Pharmacy)</li> </ul> </li> </ul>
User Roles	OHP

### 11.2.7 Manage Continuing Education (CE) Requirements

To allow OHP staff to maintain CE requirements and previously approved programs including out of state programs approved by the board.

#### 11.2.7.1 Use Case: Update Approved Education List

Purpose	To allow OHP to maintain a list of approved courses that will satisfy the continuing education requirements for a program.
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Description	<p>The system must:</p> <ul style="list-style-type: none"> <li>• Allow user to add approved continuing education courses.</li> <li>• Allow user to remove courses at any time</li> <li>• Require Board approval if a CE course is from out of state.</li> <li>• Assign course/program duration.</li> <li>• Link approved programs and courses to the education provider.</li> <li>• Allow user to search by provider, course/program, area, etc.</li> </ul>
User Roles	OHP

## 12 Configuration Management

A variety of features needed to manage users and configurations to meet changing needs.

### 12.1 Configuration Management Use Cases

#### 12.1.1 Use Case: Manage Users

Purpose	To add, remove or update users, their roles or their permissions.
Description	<p>This is for management of users from HSQA, NCQAC, MQAC and CQAC.</p> <ul style="list-style-type: none"> <li>• Add or remove (deactivate) users.</li> <li>• Assign roles to a user. Users may have one or more roles.</li> <li>• For roles that are program based (for example Case Managers, Surveyors, etc.), select the professions/facility types they are assigned to.</li> <li>• For roles that correspond directly with external entities, maintain their contact information. For example Investigators contact info needs to populate on letters they send to the Respondent, Witness, etc.</li> <li>• For roles that have regions (for example Surveyors are assigned to counties), select the region.</li> </ul>
User Roles	(Organization based) User Administrator

#### 12.1.1.1 Use Case: Manage Program Area Specialists

Purpose	To manage program area specialists.
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Description	<p>Program area specialists are users that have roles that are assigned to particular professions or facility types. For example Investigators, Case Managers, Inspectors, Staff Attorneys (and any of their supervisors) are all examples of roles that have specialized knowledge and are assigned to particular program areas.</p> <ul style="list-style-type: none"> <li>• Assign user to one or more:             <ul style="list-style-type: none"> <li>○ Professions or Facility Types.</li> <li>○ Regions - zip code and/or county.</li> </ul> </li> <li>• When removing a specialty or role from a user's profile, any relevant cases must be unassigned and presented to their supervisor for reassignment.</li> </ul>
User Roles	(Organization based) User Administrator

### 12.1.2 Use Case: Manage Professions

Purpose	Manage active professions.
Description	<ul style="list-style-type: none"> <li>• Add/remove professions.</li> <li>• Assign effective dates.</li> <li>• Maintain link to authorizing statute (RCW or WAC).</li> <li>• Manage credentials, certifications, registrations and endorsements associated with profession.</li> <li>• Manage rules associated with profession (or its credentials, registrations, etc.). Details TBD.</li> </ul>
User Roles	Professions Configuration Manager

### 12.1.3 Use Case: Manage Facility Types

Purpose	Manage configuration of Facility Types
Description	<ul style="list-style-type: none"> <li>• Add/remove Facility Types.</li> <li>• Assign effective dates. If a facility type is no longer effective, an applicant may no longer apply for a license for the facility type. Existing licenses, however, are not tied to the effective date of the Facility Type.</li> <li>• Define rules related to Facility Type, including:             <ul style="list-style-type: none"> <li>○ Inspection Review method (peer review or supervisor review, and if review is required before Inspection Report is sent to Facility).</li> <li>○ Etc.</li> </ul> </li> </ul>
User Roles	Facilities Configuration Manager

### 12.1.4 Use Case: Manage Letter and Document Templates

Purpose	To manage letter and document templates by program area (profession or facility type).
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Description	<ul style="list-style-type: none"> <li>• Select program area.</li> <li>• Add/remove/edit letter templates. Templates should allow for selection of case fields.</li> <li>• See current Investigation and Inspection related letters.</li> </ul>
User Roles	Facility Configuration Manager, Profession Configuration Manager

### 12.1.5 Use Case: Configure Assignment Process

Purpose	For supervisor to configure how assignments are given to their team members.
Description	<p>Options are:</p> <ul style="list-style-type: none"> <li>• Self-assign</li> <li>• Supervisor assigns</li> <li>• Admin assigns (supervisor delegates the assignment capability to an admin role)</li> <li>• System assigns automatically based on configurable rules.</li> </ul>
User Roles	Supervisor

## 13 Time, Expenses and Chargeback

### 13.1 Use Cases

#### 13.1.1 Use Case: Submit Time and Expenses on Case (HSQA)

Purpose	To record and report time and expenses on a case.
Description	<p>Most HSQA staff time and expenses related to specific program areas (profession, facility type, education program or community health service) needs to be billed back to those program areas. We would like to explore options for how best to record time and expense. Should it be at the case level or by task/activity? Only roles that involve specialization need to record time and expense (see user roles below).</p> <ul style="list-style-type: none"> <li>• Record time spent on case whether in office, on site, or in transit.</li> <li>• Record travel and other expenses on a case.</li> <li>• Nice to have: automatic update of Travel and Expense Management System (TEMS).</li> </ul>
User Roles	Investigator, Inspector, Staff Attorney, Paralegal, Reviewing B/C Member, Expert Reviewer

#### 13.1.2 Use Case: Generate Chargeback Report

Purpose	To bill certain types of work to the appropriate program area.
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Description	<ul style="list-style-type: none"> <li>• Report staff time and expenses by program area.</li> <li>• Detail format and contents TBD.</li> </ul>
User Roles	

## 14 Business Rules

### 14.1 Renewal Period

The Renewal Period is the period during which a credential can be renewed.

The Renewal Period starts 90 days prior to the Credential Expiration Date.

This should be a configurable number of days.

### 14.2 Rules related to Physicians

RCW 18.71 establishes rules governing the medical profession (physicians and physician assistants).

### 14.3 Rules related to Nursing Care

RCW 18.79 establishes state regulations on the Nursing Care profession.

WAC 246-840 establishes the administrative code for the Nursing Care Quality Assurance Commission.

## 14.4 Complaint Handling Rules

### 14.4.1 Disclosing of complaints before assessment

Complaints are exempt from public disclosure until the complaint has been initially assessed by the disciplinary authority and determined to warrant investigation.

### 14.4.2 Closing a Complaint Before Investigation

- Complaints determined to not warrant investigation by the Disciplinary Authority are considered closed complaints.
- The record must be retained, however.
- Information about complaints that did not warrant an investigation, including existence of the complaint, may be release only upon receipt of a written public disclosure request.

### 14.4.3 Complaint Resolution Time Periods

The following table defines the timelines allowed for different stages of the complaint resolution ("Enforcement") process:

Please note the days are business days (weekends and holidays are not counted).

Stage	Starts	Ends	Target	Statute
Intake and Assessment	When the report/complaint was first received by the department.	Disciplinary Authority makes decision to investigate (or not).	21 days	WAC 246-14-040
Investigation	Disciplinary Authority makes decision to investigate.	Investigation Report is approved.	170 days	WAC 246-14-050
Case Disposition	Investigation Report is approved.	Action required in Case Disposition Worksheet is initiated (either case is closed or charging document is issued).	140 days + 60 days if STID was rejected.	WAC 246-14-060
Adjudication of SOC	Respondent files Hearing Request	Final or Agreed Order is served	180 days	WAC 246-14-090
Resolution of Statement of Allegations	?	?	60 days	WAC 246-14-100

#### 14.4.4 Follow-up communication with a Complainant.

After a complaint is submitted, any follow up communication with the Complainant (other than standard notifications or status updates) must be done by staff with investigative training.

#### 14.4.5 Communication with Complainant regarding Respondent

Communication with Complainant shall not include the address or telephone number of the Respondent.

#### 14.4.6 Complaints closed after investigation

Complaints closed after investigation:

- Must include an explanation of the determination to close the complaint.
- Must be retained in the system.

### 14.5 Case Assessment and Disposition Rules

#### 14.5.1 Disciplinary Authority Decisions

Case Assessment and Case Disposition, decisions are made by representatives of the Disciplinary Authority.

For cases related to the independent commissions, NCQAC, MQAC and CQAC, the decisions are made by a panel of commission members. For all other cases, the decisions are made by the Case Management Team.

#### **14.5.2 Case Management Team (Secretary cases)**

When the Case Management Team reviews a case, the following actors will be pulled in to make the case decision:

- An Executive Director (or their designee) from the Office of Health Professions or Office of Community Services (for facilities)
- Supervising Investigator
- Case Manager
- Supervising Staff Attorney

#### **14.5.3 Medical Commission Panel Decisions**

At least three commission members must be present at a panel meeting to make a case decision (Case Assessment, Case Disposition, etc.):

- At least one must be a licensed member of the commission.
- At least one must be a public member of the commission.

The following may be involved in presenting the case to the panel

- The Investigator (sometimes).
- Staff Attorney, Supervising Staff Attorney and/or Paralegal (sometimes).
- Case Manager (required).
- Assistant Attorney General (in adjudicated cases).

#### **14.5.4 Nursing Commission Panel Decisions**

At least three commission members must be present at a panel meeting to make a case decision (Case Assessment, Case Disposition, etc.):

- At least one must be a licensed member of the commission.
- At least one must be a public member of the commission.

The following may be involved in presenting the case to the panel

- The Investigator (sometimes).
- Staff Attorney, Supervising Staff Attorney and/or Paralegal (always present cases for Case Disposition).
- Case Manager (required).
- Assistant Attorney General (in adjudicated cases).

#### **14.5.5 Case Assessment Reviewers**

- For Board/Commission cases there must be at least three reviewers for Case Assessment. They report on the case to the entire panel. Panel discusses and decides.
- For "Secretary" cases, the entire CMT reviews the case before discussing.

#### **14.5.6 Case Disposition Reviewers**

For Case Disposition there must be at least one reviewer - members that study the case. They must explain the case to the entire CMT/panel present at the meeting. The entire team makes the decision on the case.

#### **14.6 Documents and records to be made public.**

Records must be made available to the public per RCW 42.56.070.

#### **14.7 Criminal Activity**

If criminal activity is found in the course of an investigation, the case must be referred to the appropriate law enforcement agency. Such a case is placed on hold until the criminal case is resolved. Usually if criminal activity was substantiated, action on the Respondent's license must also be taken.

#### **14.8 Adjudication Related Rules**

##### **14.8.1 Administrative Record**

The Administrative Record is the official record of an adjudicative proceeding. It includes legal documents filed in the case (such as the Statement of Charges, Notice of Action or the Hearing Request), exhibits, testimony given under oath, and arguments of the parties.

##### **14.8.2 Records considered in Adjudicative Decision**

In making a decision after a hearing, the Decision Maker(s) is permitted to consider only the admitted exhibits, witness testimony and arguments at hearing as well as the laws applicable to the case.

##### **14.8.3 Administrative Record is generally a public record**

The Administrative Record is generally a public record and subject to Public Records Request, except for documents/records that have been sealed at the order of the Health Law Judge.

##### **14.8.4 Sealed Records**

Once a record is sealed, it cannot be viewed by anybody. Only an order from a Health Law Judge, or a judge from a higher court can unseal the record and make it available for use in an adjudicative proceeding.

##### **14.8.5 Board/Commission Hearing Decisions**

Board/commission hearings are decided by a panel of three members of the board/commission.

##### **14.8.6 Board/Commission Hearing Panel Members**

Board/commission cases that go to hearing must be decided by a panel of three board/commission members that were not involved in any of the case's prior decisions. This is so their decision is not biased with information they might have had from pre-hearing case reviews. Decisions in a hearing must be made using information that has been admitted to the hearing by the Health Law Judge.

For this reason, many boards/commissions have "Panel A" members and "Panel B" members. When assigning Case Reviewers, Case Managers will assign members from one of the panels for case decisions (case assessment, case disposition, etc.), and members of the other panel for the case hearing. Cases will alternate between Panel A and Panel B, in this fashion, to avoid this case participation rule.

## **14.9 Record Retention Rules**

### **14.9.1 Pharmacy**

#### **14.9.1.1 Firms License Applications**

Provides documentation of licensing pharmacies, manufacturers and wholesalers to ensure standards in the practice of pharmacy and patient safety. May include inventories of controlled substances and distribution of prescriptions.

Approved – Retain in-office 60 years after credentialed then Destroy.  
Incomplete and Closed – Retain in office for 6 years after received the Destroy.

#### **14.9.1.2 Preceptor Credential Applications**

Records relating to the credentialing of preceptors. A preceptor is pharmacist who provides practical training and experience to interns. May include application, exam and certificate of continuing education.

Retain in-office for 6 years after completed the Destroy.

#### **14.9.1.3 Technician Training Programs**

Records documenting the board approval process of programs that pharmacy technicians attend to obtain certification. May include a letter of approval.

Retain in-office for 6 years after approval the Destroy.

### **14.9.2 Community Health**

#### **14.9.2.1 Healthcare Facility - Adverse Event Root Cause Analysis/Corrective Action Plans**

1. Corrective action plans healthcare facilities are required to submit to the department, per RCW Chapter 70.56, within 45 days of notifying agency of an adverse event. These plans are designed to improve the level of services offered by healthcare facilities.

Retain for 15 years after received then Destroy.



2. The Forms used solely for data entry.

Retain until data input & necessary verification then Destroy.

#### **14.9.2.2 EMS Training**

1. Course Files – Approved

DOH approves all initial EMS training courses that are taught by EMS Training Programs. The EMS training course applications are reviewed to assure that education standards and instructional guidelines are followed for each course. Records to be maintained include the application, correspondence and course completion rosters.

Retain for 7 years after approval then Destroy.

2. Program Files - Approved

Training programs are DOH approved organizations that coordinate and conduct initial EMS training courses. A training program is responsible for how initial EMS training is provided to assure quality education. Records to include the application, supporting documents (e.g., student handbook, facility description, equipment), correspondence and performance reporting.

Retain for 15 years after approval then Destroy.

#### **14.9.2.3 EMS Facility Credentialing Files**

Documentation about licensing a facility where not covered by a more specific record series. File may include initial application and associated correspondence, waivers, exemptions, variances, change approval, change of ownership and final merger documents.

Retain for 10 years after credentialed then Destroy.

#### **14.9.2.4 Trauma Service Designation and Emergency Cardiac/Stroke Categorization**

Records designating hospitals and other health care facilities to provide trauma care and cardiac/stroke services. Includes various forms, various proposal and application documents, surveys, score sheets, reports, letters of award of designation status and letters of denial of designation.

Retain for 15 years after end of calendar year then Destroy.

#### **14.9.2.5 Volunteer Retired Healthcare Provider Files**

Documents license renewal payments for volunteer medical professionals. May include applications and renewal cards. Records used for budgetary and tracking purposes.

Retain for 1 year after end of fiscal year then Destroy.

#### **14.9.2.6 Rural Health and Healthcare Professional Shortage Area Recruitment Records**

Records and data used to match healthcare professionals with rural and underserved communities. Includes files for health professionals in the rural health program. These files may contain applications, employment contracts, attorney forms, J-1 visa waivers and correspondence.

Retain for 6 years after participant inactive then Destroy.

### **14.9.3 Certificate of Need**

#### **14.9.3.1 Application Files**

Applications of Certificate of Need regulated entities, providing services or facilities for provision of health care. Files may include Letter of Intent, initial application, screening questions/responses, correspondence, public hearing requests, public comments, decisions with written analysis, and adjudicative/judicial hearing filings, if appealed.

Retain for 25 years after decision then Destroy.

#### **14.9.3.2 Facility Files**

Files of certificate of need regulated entities containing historical information about the facility and significant certificate of need actions related to it.

Files may include:

- Determinations of Reviewability;
- Decisions with supporting written analysis;
- Certificate of Need, if application is approved;
- Final adjudicative/judicial decisions, if the agency's decision is appealed;
- Changes in ownership information;
- Approved service area(s);
- Approved bed/station counts and uses.

Retain for 75 years after final action then Destroy.

### **14.9.4 Facilities/Construction**

#### **14.9.4.1 Credentialing Files**

Documentation about licensing a facility where not covered by a more specific record series. File may include initial application and associated correspondence, waivers, exemptions, variances, change approval, change of ownership and final merger documents.

Retain for 10 years after credentialed then Destroy.

#### **14.9.4.2 Inspection Reports**

Records relating to the inspection of facilities, where not covered by a more specific record series. Facilities are inspected to enforce safety standards. May include inspection reports, supporting

documentation, plans of correction, directed plans of correction, progress reports, and any correspondence related to inspections.

Retain for 6 years then Destroy.

#### **14.9.4.3 Construction Review**

Records documenting the construction review process. Healthcare facility construction projects are reviewed to verify compliance with minimum standards and encourage best practices – ensuring facilities with safe and healthy physical environments. May include facility blue prints, specifications, completion reports, exemption requests, and plan reviews.

Retain for 50 years after end of calendar year then Destroy.

#### **14.9.5 Complaints**

##### **14.9.5.1 Facility Investigation Files – No Action Taken**

Documentation of an investigation where no valid complaint was found and no disciplinary order was issued.

Retain for 20 years after case closed then Destroy.

##### **14.9.5.2 Facility Compliance/Post-Order Files**

Provides a record of documentation related to requirements outlined in Orders, Disposition and Agreements until the credential conditions have been reinstated, terminated from conditions/probations, released, superseded or closed by the disciplining authority.

Retain for 25 years after case closed then Destroyed.

##### **14.9.5.3 Healthcare – Adjudicative Clerk Files**

The Adjudicative Clerk files include all original pleadings and orders filed in a particular case before the Department of Health. Orders can include prehearing, final (Finding of Fact, Conclusion of Law and Final Order), post-hearing and compliance orders.

Retain for 75 years after case closed then Destroy.

##### **14.9.5.4 Healthcare Complaints/Investigation Files**

Provides a record of original documents pertaining to investigations of complaints of unprofessional conduct or unregulated practice received.

Retain for 15 years after case closed then Destroy.

#### **14.9.5.5 Healthcare – Compliance/Post-Order Files**

Provides a record of documentation related to requirements outlined in Orders, Disposition and Agreements until the credential conditions have been reinstated, terminated from conditions/probations, released, superseded or closed by the disciplining authority.

Retain for 25 years after case closed then Destroy.

#### **14.9.5.6 Washington Recovery and Monitoring Program (WRAMP)/ Washington Health Professionals Service (WHPS) Compliance Monitoring Files**

A participant is a Health Care Professional with a substance abuse problem. Information retained documents compliance of participants to the programs monitored by law. Includes contract, lab reports, prescription forms, meeting attendance verification cards, work site monitoring monthly reports, yearly tracking system compliance screen, other participant information and graduation letter and/or referred back letter.

Retain for 30 years after case closed then Destroy.

### **14.9.6 Healthcare Professionals**

#### **14.9.6.1 Credential Applications**

##### **1. Credential Applications – Approved**

Provides a record of an application and supporting documents used to determine that credentialing standards have been met. May include academic transcripts, AIDS training, verification of national exams, reference forms, out-of-state verification and work experience documentation. Note: May contain personal medical information of the applicant.

Retain for 40 years after credentialed then Transfer to Washington State Archives for appraisal and selective retention.

##### **2. Credential Applications – Incomplete/Rejected/Failed**

Provides documentation of applicants who submitted incomplete applications, failed their examinations, or did not meet the minimum credentialing requirement.

Retain for 10 years after disapproval then Destroy.

#### **14.9.6.2 Name Change Documents**

Legal documents authorizing credential holders name changes. Must be kept as long as the original application for licensure.

Retain for 40 years after received then Destroy.

#### **14.9.6.3 Continuing Education Program Approval Records**

Records documenting that requirements have been met for qualifications as a continuing education course.

Retain for 2 years after received then Destroy.

#### **14.9.6.4 Education Provider Accreditation Records**

Documents site visits and accreditation reports. Per RCW 46.01.260

Retain for 6 years after site visit or report completed then Destroy.

#### **14.9.6.5 Professional Examinations**

Provides a record of a professional competency examination completed by an applicant. Examination may be given by the Department of Health.

Retain for 25 years after examination taken then Destroy.

#### **14.9.6.6 Credential Renewal Files Notices**

1. Scanned Images –  
Documentation of licensees renewing expiring credentials. May include audits of continuing education experience reported by the applicant.

Retain 2 years then Destroy.

2. Paper Copies that have been Scanned –  
Paper Credential Renewal Files Notices that have been scanned provided that:  
HSQA continues to employ scanning processes that meet Washington State Archives' Requirements for the Destruction of Non-Archival Paper Records after Imaging. Note: Enterprise Records Management and HTS determined that HSQA's scanners and scanning process met State Archives standards in May 2016.

Retain until verification of successful conversion then Destroy.

### **14.9.7 Public Records**

#### **14.9.7.1 Scanned Images**

Scanned images of records relating to requests from the general public for access to the agency's public records.

Retain 2 years then Destroy.

#### **14.9.7.2 Paper Copies that have been Scanned**

Paper Public Disclosure/Records Requests that have been scanned provided that:  
HSQA continues to employ scanning processes that meet Washington State Archives' Requirements for the Destruction of Non-Archival Paper Records after Imaging.

Note: Enterprise Records Management and HTS determined that HSQA's scanners and scanning process met State Archives standards in May 2016.

Retain one week to ensure verification of successful conversion then Destroy.

#### **14.9.7.3 Requests for Basic/Routine Agency Information**

Internal and external requests for, and provision of, routine information about the operations of the agency, such as:

- Business hours, locations/directions, web/email addresses;
- Meeting dates/times.

Retain in-office until no longer needed then Destroy.

### **14.9.8 Financial Transactions**

#### **14.9.8.1 General**

Financial Transactions – General

Records documenting all resources received and expended by the agency provided the receipts and expenditures are not for bond or grant projects.

Includes, but is not limited to:

- Accounts payable/receivable

Retain in-office for 1 year after date of document then Send to State Records Center using GS 01001 Financial Transactions – General.

#### **14.9.8.2 Banking**

Banking – Accounts and Transactions

- Purchase and sales (purchase/field orders, bills of sale, receipts, petty cash, cash books, remittance advices, vouchers, vendor rebates, fiscal purchasing/receiving documents, etc.);
- Billing statements, billing summaries (registers/ledgers), adjustments to accounts (error corrections, overpayment refunds, conservation rebates, etc.), delinquent account lists;
- Financial statements and reports required to be retained as evidence of the agency's financial status at a specific point in time (such as reports that need to be approved/signed or reports that cannot be regenerated at a later date);
- Registers and journals for all funds and functions;
- Reconciliations;
- Check/warrant registers.

Retain in-office for 1 year after date of document then Send to State Records Center using GS 01001 Financial Transactions – General.