





**TO:** The Professional Practice Committee

**FROM:** Douglas E. Lentivech 

**SUBJECT:** Discussion of the Professional Assistance Program

**DATE:** February 16, 2016

**AUTHORIZATION(S):**   
**SUMMARY**

**Issue for Discussion**

The Office of the Professions provides regular updates to the Board of Regents with respect to various important programs that impact the responsibility of the Board. At the February meeting, the Office will provide an overview and update of the activities and functions of the Professional Assistance Program.

The New York State Board of Regents, through the New York State Education Department's Office of the Professions, operates a program for licensed professionals who have addictive illness. The Professional Assistance Program (PAP) was established by the New York State Legislature in 1985 as a confidential, treatment-based alternative to disciplinary proceedings. Professionals whose actions have not resulted in patient harm may voluntarily surrender their licenses while seeking substance abuse treatment. Those who are admitted to the PAP are granted immunity from Education Department charges of practicing while impaired and being a habitual user of alcohol or other drugs. The program is available to professionals licensed under Title VIII of the Education Law except for physicians, physician assistants, and specialist assistants.

The statute that created the PAP also established a committee on drug and alcohol abuse to advise the Board of Regents on matters relating to practice by professional licensees who have drug or alcohol abuse problems. Later named the Committee for Professional Assistance, it consists of 31 members who are either experts in addictive illness or individuals with an interest in this field, one of whom serves as the Committee Chair. The committee works with the program staff on policies

and procedures and keeps the Department informed of the major issues and innovations in the field. Committee members also serve on panels to determine admission, license reinstatement, and discharge of participants as well as to develop treatment plans and monitoring requirements.

Professionals who enter the program agree to participate in acceptable substance abuse treatment and to be monitored for a minimum of two years after their license has been reinstated. Monitoring includes treatment reports, work-site reports, and random observed drug screens at specified frequencies. Other conditions may apply as appropriate to the individual situation and the recommendations of the treatment provider. When the professional and his or her treatment provider believe that he or she is ready to return to professional practice, the participant petitions the Committee to have the license reinstated. Depending on the participant's substance abuse history, the participant's license may be restored with certain practice restrictions imposed in order to protect the health, safety, and welfare of the public. For example, a professional in a medical setting may not be allowed to have access to narcotics or be prohibited from working unsupervised. Discharge from the PAP is not automatic after the minimum two years of monitoring. Documentation supporting discharge must be provided to the PAP and the program staff evaluates the evidence and makes a determination.

At the February meeting of the Professional Practice Committee, staff from the Office will present on the Professional Assistance Program, highlighting the goals and achievements as well as the challenges. Staff will also be available to answer any questions that the Committee may have.