
IMPORTANT

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AN EXPLANATION OF SAFE HAVEN and the COLORADO PHYSICIAN HEALTH PROGRAM's (CPHP) RESPONSIBILITY

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Physicians and physician assistants (PAs) of Colorado are fortunate to receive the benefits of confidentiality with respect to their health status and medical licensure in several unique and significant ways. Specifically, confidentiality is provided through applying or reapplying for licensure and with regard to their health status.

The Colorado Board of Medical Examiners (BME) has structured the Medical License Application and Reapplication in such a way to provide applicants confidentiality regarding their health status and to protect the public. The Colorado medical license application contains several questions (20-22) that request information on mental, physical or cognitive health problems and on the use of substances. These questions have incorporated a "safe haven" provision in that they can be answered negatively if the applicant is "known to CPHP". In order to obtain this privilege in Colorado, one must be "known to CPHP". **"Known to CPHP" means you have informed CPHP of your behavior or condition and you are complying with all of CPHP's requirements for evaluation, treatment and/or monitoring.** This also means that you are expected to contact CPHP in the future if you experience a reoccurrence (or increase) in symptoms or experience any significant change in your medical or psychological health.

This "safe haven" is a significant benefit to Colorado applicants. This provision encourages individuals to proactively seek and receive the healthcare they need while receiving enough oversight from CPHP that the licensing agency (BME) can be comfortable in the absence of knowing the applicant's personal healthcare information. Due to CPHP's national reputation and experience as a leader in the physician health field, the BME is assured of CPHP's role in providing confidential assessment, treatment referral and monitoring services to the degree needed by its clients while ensuring that health status would not affect a physician/PA's ability to practice safely.

CPHP is governed by federal confidentiality statute, 42 CFR, which demands the strictest confidentiality in all of medicine. While CPHP maintains confidentiality in respect to this statute, CPHP's Medical Director and Associate Medical Directors must also follow the standards of practice outlined in the Medical Practice Act. Specifically, under certain circumstances, a physician who knows of an impaired physician practicing medicine has a duty to report that physician to the BME.

At CPHP, participants often fear that having a health condition such as a psychiatric disorder or substance use disorder would necessitate CPHP to report his condition to the BME. This is untrue. Participants are provided confidentiality with limits to assure protection of public health, safety and welfare (per the Medical Practice Act) and in fact a CPHP report to the BME without a participant's consent is extremely rare.

A report to the BME would occur only if a determination is made by CPHP clinical staff that a participant presents a danger to himself or others; or that a participant presents a significant risk in medical practice. The majority of health issues do not affect the ability to practice medicine safely. If a participant does present with a health condition that renders him unsafe to practice, but ceases practice to appropriately address his health issue through CPHP recommendations, then no report to the BME is necessary. The participant is then able to return safely to the practice of medicine when his or her health condition is managed adequately and CPHP clears the participant to return to work.

Due to the liberal confidentiality afforded Colorado physicians and PAs, CPHP hopes that medical professionals with health conditions will have the confidence to address their issues through CPHP without fear of BME knowledge of one's private health status and ultimately receive the assistance they need.