

653—14.7(272C) Terms of participation. A licensee or an applicant shall agree to comply with the terms for participation in the IPHP established in the initial agreement and contract. Terms of participation specified in the contract shall include, but are not limited to:

14.7(1) Duration. The length of time an applicant or a licensee may participate in the program shall be determined by the committee in accordance with the following:

a. Participation in the program for applicants or licensees impaired as a result of alcohol or drug abuse, dependency, or addiction is set at a minimum of five years. The committee may offer a contract with a shorter duration to an applicant or licensee who can demonstrate successful participation in another state's physician health program, who can document similar experience, or who, as a board referral, has successfully completed a portion of the monitoring period established in the board order.

b. Length of participation in the program for applicants or licensees with impairments resulting from mental or physical disorders or disabilities will vary depending upon the recommendations provided by an approved evaluator and the determination of the IPHP following review of all relevant information.

14.7(2) Noncompliance. A licensee or an applicant participating in the program is responsible for notifying the committee of any instance of noncompliance including, but not limited to, a relapse. Notification of noncompliance made to the IPHP by the applicant or licensee, any person responsible for providing or monitoring treatment, or another party shall result in the following:

a. First instance. Upon receiving notification of a first instance of noncompliance including, but not limited to, a relapse, the IPHP shall make a report to the board which identifies the applicant or licensee, describes the relevant terms of the applicant's or licensee's contract and the nature of the noncompliance and includes recommendations as to whether the applicant or licensee should be allowed to remain in the program or whether formal disciplinary charges should be filed by the board.

b. Second instance. Upon receiving notification of a second instance of noncompliance including, but not limited to, a relapse, the IPHP shall nullify the contract and refer the case to the board for the filing of formal charges or other appropriate action.

14.7(3) Practice restrictions. The IPHP may impose restrictions on the license to practice the applicable profession as a term of the initial agreement or contract until such time as it receives a report from an approved evaluator and the IPHC determines, based on all relevant information, that the licensee is capable of practicing with reasonable skill and safety. As a condition of participation in the program, a licensee is required to agree to restrict practice in accordance with the terms specified in the initial agreement or contract. In the event that the licensee or applicant refuses to agree to or comply with the restrictions established in the initial agreement or contract, the committee shall refer the applicant or licensee to the board for appropriate action.