Transparency and Accountability: Essential Elements to Achieving Regulatory Excellence

Brent Knowles, Kevin McCarthy, Karen Puckrin

Agenda

- Introduction
- Background and Methodology
- Reports Results
- Complaints Results
- Next Steps

Transparency

In order for information to be helpful to the public, it must:

- Be timely, easy to find and understand
- Include context and explanation
Accountability

- Any information provided should enhance the public’s ability to make decisions or hold the regulator accountable. This information needs to be relevant, credible and accurate.

Background and Methodology

Reports vs. Complaints

- Reports:
  - Source: Employers, nurses
  - Issues: Nursing conduct, practice and health
  - Process: Discretion with College to determine appropriate action

- Complaints:
  - Source: Public
  - Issues: Nursing conduct and practice
  - Process: No discretion; must be addressed
Objectives

- Obtain feedback regarding experience of individuals involved in the complaints and reports programs
- Ongoing measurement of the programs’ performance and evaluation of change
- Identify areas of strength and opportunities for improvement

Customer Experience Surveys

- Measure a customer’s experience with a company
- Provide insight into how a customer interacts with a company
- Identify areas of improvement related to customer experience
- Determine if changes had desired effect on customer experience

Methodology

- 4 unique anonymous online customer experience surveys
  - Reports - Nurses
  - Reports - Employers
  - Complaints - Nurses
  - Complaints - Complainants
- Monthly survey invitations sent once someone exits the process
Reports - Employer Topics

- Awareness and experience of reporting obligation
- Experience of filing a report
- College follow-up after report is made
- Overall satisfaction with reports process

Reports - Nurse Topics

- Prior awareness of reports process
- Experience of being notified of a report
- Experience of investigation process
- Experience of meeting with College Staff
- Overall satisfaction with reports process
- Changes to practice

Complaints - Nurse Topics

- Experience of receiving a complaint
- The investigation process
- The resolution process
- Changes to practice
- Overall satisfaction with complaints process
Complaints - Complainant Topics

- Experience of making a complaint
- The investigation process
- The resolution process
- Overall satisfaction with complaints process

Response Rate

<table>
<thead>
<tr>
<th>Complaints – Nurses</th>
<th>Responses</th>
<th>Response Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints – Complainants</td>
<td>53</td>
<td>25%</td>
</tr>
<tr>
<td>Reports – Nurses</td>
<td>158</td>
<td>29%</td>
</tr>
<tr>
<td>Reports – Employers</td>
<td>175</td>
<td>54%</td>
</tr>
</tbody>
</table>

The Reports Process
The Reports Intake Process - I

- What are reports?
- Reports by the numbers
- Report is received
- Risk and nurse history analyzed

The Reports Intake Process - II

- Executive Director makes final decision
- Options for remediation
- Nurse receives notice of report and information CNO assessed
- All information is retained for future reference

Research Findings

Employers
Mandatory Reports Policy

Does your organization have a policy for handling mandatory reports?

- Yes: 73%
- No: 27%

Familiarity with Reporting Process

Prior to filing the report, how familiar were you with the College’s reports process?

- Very: 31%
- Somewhat: 40%
- Not very: 15%
- Not at all: 9%

Information on cno.org was:

- Used by 78% of employers

- Comprehensive: 28% (Strongly agree), 60% (Agree), 13% (Neither agree nor disagree), 9% (Disagree), 0% (Strongly disagree)
- Easy to understand: 27% (Strongly agree), 62% (Agree), 9% (Neither agree nor disagree), 0% (Disagree), 0% (Strongly disagree)
- Helpful: 30% (Strongly agree), 62% (Agree), 7% (Neither agree nor disagree), 0% (Disagree), 0% (Strongly disagree)
- Easy to find: 27% (Strongly agree), 60% (Agree), 8% (Neither agree nor disagree), 0% (Disagree), 0% (Strongly disagree)
The Reporting Guide was:

- Used by 70% of employers

<table>
<thead>
<tr>
<th>Comprehensive</th>
<th>Easy to understand</th>
<th>Helpful</th>
</tr>
</thead>
<tbody>
<tr>
<td>33%</td>
<td>30%</td>
<td>34%</td>
</tr>
<tr>
<td>Strongly agree</td>
<td>Agree</td>
<td>Neither agree nor disagree</td>
</tr>
</tbody>
</table>

Opinions on Mandatory Reports

I understand my organization's mandatory reporting obligations.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Mandatory reports process:

- Protects the public
- Is straightforward

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Intake Investigator:

- Treated me with respect
- Clearly explained:
  - The process
  - The timeline
  - The possible outcomes

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Council on Licensure, Enforcement & Regulation
Summary

- Better idea of timelines
- Reporting guide
  - More examples of scenarios that require reporting
  - More information about the level of detail required

Research Findings

Nurses

Awareness of Reports Process

| I was aware of the reports process prior to receiving a letter from the CNO. | 67% |
| My employer informed me that they were making a report | 39% |
The Notification Letter was:

- Read by 90% of nurses
  - Comprehensive: 27% strongly agree, 66% agree, 7% disagree
  - Easy to understand: 28% strongly agree, 63% agree, 9% disagree
  - Helpful: 30% strongly agree, 56% agree, 11% disagree

“How the College Responds to Reports” was:

- Read by 80% of nurses
  - Comprehensive: 27% strongly agree, 66% agree, 9% disagree
  - Easy to understand: 29% strongly agree, 63% agree, 8% disagree
  - Helpful: 29% strongly agree, 63% agree, 8% disagree

Reviewed Practice Standards as Recommended

- Yes: 89%
- No: 7%
- Don’t remember: 5%
The Meeting:

Allowed me to give my perspective on the issues: 22% Strongly agree, 50% Agree, 16% Disagree, 12% Strongly disagree.

Helped me reflect on my practice: 36% Strongly agree, 48% Agree, 13% Disagree, 3% Strongly disagree.

Helped me understand the College’s expectations: 41% Strongly agree, 44% Agree, 16% Disagree, 9% Strongly disagree.

Was worthwhile: 33% Strongly agree, 33% Agree, 30% Disagree, 4% Strongly disagree.

Impressions of the Investigation Process:

The report was adequately investigated: 4% Strongly agree, 8% Agree, 2% Disagree, 2% Strongly disagree.

The process was clearly explained: 4% Strongly agree, 6% Agree, 3% Disagree, 4% Strongly disagree.

The nursing issues were clearly identified: 2% Strongly agree, 8% Agree, 3% Disagree, 3% Strongly disagree.

I was informed of investigation progress: 3% Strongly agree, 6% Agree, 3% Disagree, 2% Strongly disagree.

The investigation timeline was reasonable: 5% Strongly agree, 3% Agree, 3% Disagree, 4% Strongly disagree.

The Written Decision:

The reasons were easy to understand: 5% Strongly agree, 9% Agree, 1% Disagree, 1% Strongly disagree.

The reasons were clear: 5% Strongly agree, 9% Agree, 1% Disagree, 1% Strongly disagree.

The decision was reasonable: 7% Strongly agree, 7% Agree, 1% Disagree, 1% Strongly disagree.
Summary

- Nurses are generally satisfied with
  - The information in the notification letter
  - The materials available online
  - The impact of the process on their nursing practice
- Nurses would like a better idea of timelines for process

Transparency + Accountability:

Top 2 Opportunities

1. Improve timelines for follow-up
2. Reporting guide
   - More examples of scenarios
   - More information about the level of detail required in report

Two Opportunities - Employers
Two Opportunities - Nurses

1. Shorter timelines for processes
2. Facilitate engagement in guided reflection meetings

Public Complaints Process

Complaints Program: A Primer

- Investigation
  - Less engagement
  - Longer timelines
  - Decision made by Committee

- Resolution
  - More engagement
  - Faster timelines
  - Outcome known by parties
Research Findings
Public Complaints Process

Survey Results

- Results that excite: Reflective Nurses
- Results that concern: Dissatisfied Public
- Board’s Opportunity: Enhance accountability + transparency

Addressing Complaints
Early Stage
CLEAR Annual Educational Conference
Transparency and Accountability:
Essential Elements to Achieving
Regulatory Excellence

New Orleans, Louisiana
Sept. 11-13, 2014

Guide was Comprehensive

<table>
<thead>
<tr>
<th></th>
<th>Nurses</th>
<th>Complainants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Agree</td>
<td>27%</td>
<td>14%</td>
</tr>
<tr>
<td>Agree</td>
<td>64%</td>
<td>83%</td>
</tr>
<tr>
<td>Disagree</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>Strongly Disagree</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Guide was Easy to Understand

<table>
<thead>
<tr>
<th></th>
<th>Nurses</th>
<th>Complainants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Agree</td>
<td>22%</td>
<td>20%</td>
</tr>
<tr>
<td>Agree</td>
<td>61%</td>
<td>80%</td>
</tr>
<tr>
<td>Disagree</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strongly Disagree</td>
<td>15%</td>
<td></td>
</tr>
</tbody>
</table>

Guide was Helpful

<table>
<thead>
<tr>
<th></th>
<th>Nurses</th>
<th>Complainants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly Agree</td>
<td>22%</td>
<td>20%</td>
</tr>
<tr>
<td>Agree</td>
<td>61%</td>
<td>80%</td>
</tr>
<tr>
<td>Disagree</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strongly Disagree</td>
<td>15%</td>
<td></td>
</tr>
</tbody>
</table>
Making a Complaint

Web Info was Helpful

- Nurses
  - Strongly Agree: 19%
  - Agree: 67%
  - Disagree: 15%

- Complainants
  - Strongly Agree: 19%
  - Agree: 72%
  - Disagree: 9%

Web Info was Easy to Find

- Nurses
  - Strongly Agree: 17%
  - Agree: 71%
  - Disagree: 10%

- Complainants
  - Strongly Agree: 17%
  - Agree: 67%
  - Disagree: 14%
CLEAR Annual Educational Conference
Transparency and Accountability:
Essential Elements to Achieving
Regulatory Excellence

New Orleans, Louisiana
Sept. 11-13, 2014

Treated with Respect

<table>
<thead>
<tr>
<th></th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nurses</td>
<td>47%</td>
<td>47%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complainants</td>
<td>43%</td>
<td>42%</td>
<td>11%</td>
<td></td>
</tr>
</tbody>
</table>

College Explained Process

<table>
<thead>
<tr>
<th></th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nurses</td>
<td>39%</td>
<td>47%</td>
<td>11%</td>
<td></td>
</tr>
<tr>
<td>Complainants</td>
<td>42%</td>
<td>40%</td>
<td>15%</td>
<td></td>
</tr>
</tbody>
</table>

College Explained Options

<table>
<thead>
<tr>
<th></th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nurses</td>
<td>38%</td>
<td>41%</td>
<td>16%</td>
<td></td>
</tr>
<tr>
<td>Complainants</td>
<td>40%</td>
<td>44%</td>
<td>8%</td>
<td>2%</td>
</tr>
</tbody>
</table>
Explained Possible Outcomes

<table>
<thead>
<tr>
<th></th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nurses - Inv</td>
<td>37%</td>
<td>39%</td>
<td>17%</td>
<td>7%</td>
</tr>
<tr>
<td>Nurses - Res</td>
<td>36%</td>
<td>29%</td>
<td>29%</td>
<td>7%</td>
</tr>
<tr>
<td>Complainants - Inv</td>
<td>9%</td>
<td>22%</td>
<td>30%</td>
<td>30%</td>
</tr>
<tr>
<td>Complainants - Res</td>
<td>48%</td>
<td>45%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Outcomes

Later Stage

Decision/Terms Reasonable

<table>
<thead>
<tr>
<th></th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nurses - Inv</td>
<td>60%</td>
<td>31%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nurses - Res</td>
<td>11%</td>
<td>55%</td>
<td>16%</td>
<td>19%</td>
</tr>
<tr>
<td>Complainants - Inv</td>
<td>26%</td>
<td>17%</td>
<td>61%</td>
<td></td>
</tr>
<tr>
<td>Complainants - Res</td>
<td>33%</td>
<td>33%</td>
<td>23%</td>
<td>15%</td>
</tr>
</tbody>
</table>
CLEAR Annual Educational Conference
Transparency and Accountability: Essential Elements to Achieving Regulatory Excellence

New Orleans, Louisiana
Sept. 11-13, 2014

Is Process Fair?

- Nurses - Inv: 27% Strongly Agree, 49% Agree, 15% Disagree, 9% Strongly Disagree
- Nurses - Res: 13% Strongly Agree, 51% Agree, 18% Disagree, 18% Strongly Disagree
- Complainants - Inv: 25% Strongly Agree, 17% Agree, 58% Disagree, 10% Strongly Disagree
- Complainants - Res: 34% Strongly Agree, 38% Agree, 17% Disagree, 10% Strongly Disagree

Does Process Protect the Public?

- Nurses - Inv: 50% Strongly Agree, 42% Agree, 7% Disagree, 7% Strongly Disagree
- Nurses - Res: 38% Strongly Agree, 47% Agree, 9% Disagree, 7% Strongly Disagree
- Complainants - Inv: 25% Strongly Agree, 21% Agree, 54% Disagree, 10% Strongly Disagree
- Complainants - Res: 41% Strongly Agree, 28% Agree, 24% Disagree, 7% Strongly Disagree

Does it Hold Nurses Accountable?

- Nurses - Inv: 45% Strongly Agree, 48% Agree, 7% Disagree, 1% Strongly Disagree
- Nurses - Res: 36% Strongly Agree, 47% Agree, 9% Disagree, 7% Strongly Disagree
- Complainants - Inv: 12% Strongly Agree, 20% Agree, 58% Disagree, 10% Strongly Disagree
- Complainants - Res: 45% Strongly Agree, 34% Agree, 7% Disagree, 14% Strongly Disagree
Overall Satisfaction

<table>
<thead>
<tr>
<th></th>
<th>Very Satisfied</th>
<th>Somewhat Satisfied</th>
<th>Somewhat Dissatisfied</th>
<th>Very Dissatisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nurses - Inv</td>
<td>30%</td>
<td>42%</td>
<td>20%</td>
<td>8%</td>
</tr>
<tr>
<td>Nurses - Res</td>
<td>46%</td>
<td>33%</td>
<td>16%</td>
<td>11%</td>
</tr>
<tr>
<td>Complainants - Inv</td>
<td>17%</td>
<td>25%</td>
<td>58%</td>
<td>10%</td>
</tr>
<tr>
<td>Complainants - Res</td>
<td>52%</td>
<td>24%</td>
<td>14%</td>
<td>0%</td>
</tr>
</tbody>
</table>

Satisfaction with Time Taken

<table>
<thead>
<tr>
<th></th>
<th>Very Satisfied</th>
<th>Somewhat Satisfied</th>
<th>Somewhat Dissatisfied</th>
<th>Very Dissatisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nurses - Inv</td>
<td>9%</td>
<td>24%</td>
<td>31%</td>
<td>36%</td>
</tr>
<tr>
<td>Nurses - Res</td>
<td>20%</td>
<td>33%</td>
<td>18%</td>
<td>20%</td>
</tr>
<tr>
<td>Complainants - Inv</td>
<td>17%</td>
<td>9%</td>
<td>75%</td>
<td>10%</td>
</tr>
<tr>
<td>Complainants - Res</td>
<td>41%</td>
<td>24%</td>
<td>17%</td>
<td>17%</td>
</tr>
</tbody>
</table>

Changes to Nurse Behaviour
CLEAR Annual Educational Conference
Transparency and Accountability:
Essential Elements to Achieving
Regulatory Excellence

New Orleans, Louisiana
Sept. 11-13, 2014

Process Contributed to Prof Dev

Investigation

Resolution

0% 20% 40% 60% 80% 100%

Strongly Agree Agree Disagree Strongly Disagree

Better Understanding of Standards

Investigation

Resolution

0% 20% 40% 60% 80% 100%

Strongly agree Agree Disagree Strongly disagree

Has Practice Changed?

Investigation

Resolution

0% 20% 40% 60% 80% 100%

For the better No For the worse

Council on Licensure, Enforcement and Regulation
www.cleshq.org
**Transparency + Accountability:**

Top 3 Opportunities

1. **Improve Timelines**
   - No one likes waiting - undermines confidence
   - Quick win: Decision writing for Investigations
   - Provide specific information on timelines

2. **Show, Don’t Tell**
   - Less text
   - More images
   - Quotations from stakeholders
   - Clear language
   - REAL numbers (outcomes, percentages, timelines)
3. ADR is Better

- Appropriate in most matters
- Increased Participation / Guaranteed Outcome
- Public and Registrant satisfied (engaged)
- Improves Practice
- Timelines, Timelines, Timelines
- Public Engagement + Confidence

Next Steps

- Refine survey questions
- Evaluate impact of changes
- Apply methodology to other College processes