



APPENDIX F: "SURVEY OF ORGANIZATIONAL EXCELLENCE & SURVEY OF EMPLOYEE ENGAGEMENT"

Formerly for the "FY 2009 – FY 2013 Strategic Planning" process, in Fall 2007 (FY 2008), the Texas State Board of Podiatric Medical Examiners contracted with the Organizational Excellence Group at the University of Texas for an online customer satisfaction survey (<http://www.orgexcel.net/survey/index.php?&sc=51201>). All 904 "Actively" licensed podiatric physicians from December 10, 2007 – December 30, 2007 were surveyed upon e-mail notification. The Annual License Renewal period culminated with a November 1, 2007 deadline with the expectation to have all licensees renewed by the end of December 2007. This time period was the best opportunity to capture a licensee's input because licensees would have completed at least one year (annually; 11/1) of interacting with Board staff. There were a total of 84 respondents.

ANALYSIS OF FINDINGS

Overall, respondents appeared to be satisfied with the Board's services. Of interest, 32.14% of respondents have been licensed "0-5" years and 40.48% of respondents have been licensed "20+" years. The survey captured a range of new and veteran licensed podiatric physicians (72.62%) which represented a modern-day and historical view of the practice of podiatric medicine which has evolved over the years.

In addition to the numeric data, substantive interest was also given to respondent "Comments" as follows:

Respondent Comment 1: "The online renewal process would be easier if the previous year's information would be already in the answer boxes, only to be changed if there are changes. Also, the payment with credit card hasn't worked for the past two years when I tried it. I ended up having to call in the payment. Thanks and sorry if this survey is too late to be helpful." **Staff Response:** We recognized that the pre-population of previous years' renewal data would have saved licensees the time and effort of redundant actions. While the Board has no control over that "TexasOnline.com" function, we have made this issue known to the vendor (i.e. Bearing Point; then) and to the Texas Department of Information Resources via quarterly working group meetings. As for payment card issues, we have not seen mass-scale "TexasOnline.com" payment failures and therefore could only conclude that there may have been user errors or intermittent transmission failures. Nevertheless, the respondent was able to complete his/her transaction by calling the listed telephone assistance number.

Respondent Comment 2: “I do not practice in the state.” **Staff Response:** None.

Respondent Comment 3: “I recently had a question about a copy of a certificate, and the nice woman emailed me back AND called me within a few minutes. She was very courteous and helpful.” **Staff Response:** We appreciated this comment and strive on a daily basis to be as responsive as possible to customer needs.

Respondent Comment 4: “Decrease cost, licensing fees are excessive!” **Staff Response:** This is a common complaint regarding license fees. The fees set by the Board and collected by the Board must be sufficient to meet the expenses of administering the Podiatric Medical Practice Act, subsequent amendments, and the applicable rules and regulations as directed by the Texas Legislature (License Renewals – Permanent = \$455.00; present). Pursuant to acts of the 80th Legislature, the FY 2008/2009 renewal fee had been increased \$5.00. This increase was necessary to ensure the Board's mandates were fully funded. Pursuant to acts of the 81st Legislature, the FY 2010/2011 renewal fee had been increased \$10.00. This increase was necessary to ensure the Board's mandates continue to be fully funded.

Respondent Comment 5: “Everyone is always very professional, friendly, and helpful.” **Staff Response:** We appreciate this comment and strive on a daily basis to be as responsive as possible to customer needs.

Respondent Comment 6: “I appreciated the concern for my personal welfare. If we did not have to spend as much time on billing issues, I believe we could provide better care. Any suggestions?” **Staff Response:** This “billing” issue is in reference to both private and governmental health insurance which have become more restrictive over the years due in part to increased health care costs and loss related to “healthcare fraud.” The variety of medical professional associations are addressing these issues at the local, state and federal levels. The Board does not set billing/claim submission restrictions other than to ensure that claims filed are for services within the standard of care, scope of practice and supported by patient medical records.

Respondent Comment 7: “Most recently myself and others in our profession have had trouble with insurance company(s) requesting refunds without identifying in some cases the reason and not being professional enough to listen to honest responses of explanations and will not accept the responsibility that they made the mistake and find a way to force it upon us. Do we not have a committee that can oversee these type of problems that can find some means of support and can intervene legally or are we going to continue to be the under dogs?” **Staff Response:** This too appears to be a common complaint, but not an issue under the Board's jurisdiction. Again, the various medical professional associations are responding to these issues with the insurance industry. In several incidents where podiatric physicians have filed “insurance company” complaints with the Board, we have forwarded and referred those complaints to the Texas Department of Insurance who has jurisdiction over those matters.

Respondent Comment 8: “The online registration was voted poor secondary to prior year information is not carried over to be changed or modified. For instance all insurances that are accepted have to be retyped to update the information and then again when completing the application.” **Staff Response:** This is similar to “Respondent Comment 1” and we have brought this to the attention of “TexasOnline.com” via quarterly working group meetings.

Respondent Comment 9: “I do not see the need to make it mandatory to force the podiatrists to pay an added 500 dollars for the scope of practice preservation just to maintain current APMA and TPMA dues. It should be voluntary. If I wanted to send money that way then it should be my option after regular dues. I don't believe 500 dollars from all of us is needed to preserve something other states (like Louisiana - much less podiatry friendly) don't need, to not only preserve but gain, in their fight for scope of practice. I know some voted for this but, I didn't (I wasn't even here in the state) and that money could preserve me staying on top of expenses in my own practice much less a scope which probably was never in as much jeopardy as others made it. I know there is the option to give you all my personal information to declare a waiver of payment, but we're not in public school asking for free lunch - and I bet the hoops to jump through aren't even worth the trouble. Thanks for your attention. I am glad to be back in Texas - just ranting on the never-ending fees a bit.” **Staff Response:** The respondent's “added \$500.00...APMA and TPMA dues” complaint is in reference to fees charged by the Texas Podiatric Medical Association (i.e. the professional association). This is not a fee charged by the Texas State Board of Podiatric Medical Examiners (i.e. the state agency). We often find that licensees are confused between the TPMA and the TSBPME. As for the scope of practice reference, this was with regard to the then continuing/pending litigation (“05/23/2008 Texas 3rd Court of Appeals Ruling - No. 03-05-00620-CV / Texas Orthopaedic Association, Texas Medical Association and Andrew M. Kant, M.D., Appellants v. Texas State Board of Podiatric Medical Examiners, Texas Podiatric Medical Association and Bruce A. Scudday, D.P.M., Appellees) on Board Rule §375.1(2) “Foot.” The matter remained before the Texas 3rd Court of Appeals in Austin, TX for which the Board continued to discuss litigation status at all subsequent/future Board Meetings. On 06/18/2010 it is noted that the Texas Supreme Court issued a decision denying the Board's “Petition For Review.”

Respondent Comment 10: “The staff at the TBPME have been nothing short of excellent from my needs pre-residency to post-graduation. They are a credit to the citizens of Texas, Podiatric Medicine, the great State of Texas, and should be commended for their hard work.” **Staff Response:** We appreciate this comment and strive on a daily basis to be as responsive as possible to customer needs.

Respondent Comment 11: “I feel that the board is not near strong enough in limiting those who are really not trained. In regulating the quality of patient care those without proper training should be restricted in what they do. Our board should set more stringent rules on those that should be doing complicate/new procedures. An example of this is common peroneal nerve release. I understand it is within our scope but unless a doctor is credentialed by their hospital to do ankle related surgery they should not be allowed to do this procedure. This has been a major source of concern at several of the hospitals I am on staff at from the credentialing committees.” **Staff Response:** As for the scope of practice reference, this was with regard to the then continuing/pending litigation (“05/23/2008 Texas 3rd Court of Appeals Ruling - No. 03-05-00620-CV / Texas Orthopaedic Association, Texas Medical Association and Andrew M. Kant, M.D., Appellants v. Texas State Board of Podiatric Medical Examiners, Texas Podiatric Medical Association and Bruce A. Scudday, D.P.M., Appellees) on Board Rule §375.1(2) “Foot.” The matter remained before the Texas 3rd Court of Appeals in Austin, TX for which the Board continued to discuss litigation status at all subsequent/future Board Meetings. On 06/18/2010 it is noted that the Texas Supreme Court issued a decision denying the Board's “Petition For Review.”

Respondent Comment 12: “I have been practicing in Texas for 30 years. I could not answer most of the questions because I really had no contact with the board or the staff. My only real complaint

would be the fee for the license-I believe it is extremely excessive, especially compared to what is used to be. I would also like to say that I am upset about the number of newer practitioners who call their offices "clinics"-it used to be that you were required to have 3 separate podiatrists each with his own podiatric specialty to be a clinic. Now, everyone opens their solo office has a clinic. This should change. However, I realize that I am a dinosaur and things do change. Have a merry christmas." **Staff Response:** This is a common complaint regarding license fees. The fees set by the Board and collected by the Board must be sufficient to meet the expenses of administering the Podiatric Medical Practice Act, subsequent amendments, and the applicable rules and regulations as directed by the Texas Legislature (License Renewals – Permanent = \$455.00). Pursuant to acts of the 80th Legislature, the FY 2008/2009 renewal fee had been increased \$5.00. This increase was necessary to ensure the Board's mandates were fully funded. Pursuant to acts of the 81st Legislature, the FY 2010/2011 renewal fee had been increased \$10.00. This increase was necessary to ensure the Board's mandates continue to be fully funded. As for the use of the term "Clinic," business/practitioner identifications are approved in accordance with Board Rule Chapter 373. Any deceptive or misleading acts are investigated on a case-by-case basis through the Board's complaint process. The Board does take action on "Advertising" violations within case priority.

Respondent Comment 13: "I have asked the board in the past why it is necessary to resubmit new fingerprints every year and I was told it is because it is necessary to resubmit anything that might have changed. I find it hard to believe that fingerprints change. I have had to pay for and submit 4 sets of fingerprints thus far. I find this rather costly and unnecessary." **Staff Response:** This issue was in reference to the annual renewal of "Temporary" licenses which are given to "Residents." This complaint was a common one amongst "Residents" and "Residency Programs" beginning in early calendar year 2007. In response to these issues, the Board amended Board Rule §371.25 "Residency Program Responsibilities and Temporary Licensure" effective March 4, 2008 to do away with this legitimate issue. As a result, the Board has streamlined the renewal process for "Residents."

Respondent Comment 14: "I have practiced medicine for 30+ years but only been licensed in Texas for 1 year, obtaining a license in Texas was difficult to say the least for me, but I am very impressed by the caliber and concern of those who are in the leadership. I am proud to now practice in Texas with this group." **Staff Response:** We appreciate this comment and strive on a daily basis to be as responsive as possible to customer needs. All license applications undergo a thorough background check and verification of credentials which, at times, cause certain processing delays.

TSBPME Plans To Improve Customer Service: The Board continually strives to improve its services to the public and licensees on a day-to-day basis given the small size of the agency and within limited resources. We appreciate all respondent comments to allow us to see ourselves from an "outside" perspective. The most important issue affecting the regulation and practice of podiatric medicine is continuing/pending scope of practice contest ("05/23/2008 Texas 3rd Court of Appeals Ruling - No. 03-05-00620-CV / Texas Orthopaedic Association, Texas Medical Association and Andrew M. Kant, M.D., Appellants v. Texas State Board of Podiatric Medical Examiners, Texas Podiatric Medical Association and Bruce A. Scudday, D.P.M., Appellees"). The Board will continue to utilize the services of the Organizational Excellence Group at the University of Texas at Austin to include future surveys of a variety of customers served beyond licensed podiatric physicians. For example, given the present scope of practice litigation and its affect on Texas hospitals, seeking input from those healthcare facilities could allow the Board to assess the impact its rulemaking authority has on the healthcare industry. A running survey on the

Board's website for hospitals to access would capture professional issues they face during their internal medical staff privileging cycles.

It was stated that the Board will continue to address the scope of practice issue through the Courts and during subsequent/future Legislative Sessions to seek clarification.

To view the entire former survey reported on June 4, 2008 to the Office of the Governor and the Legislative Budget Board, please visit our website at: <http://www.foot.state.tx.us/links.htm>

For the present "FY 2011 – FY 2015 Strategic Planning" process, the Board did not participate in the Survey of Organizational Excellence nor the Survey of Employee Engagement. All workforce, customer service and operational/administration issues have been discussed exhaustively throughout this present document. Due to the Board's focus from January 15, 2010 to March 15, 2010 (to present; on-going) in implementing the mandatory State of Texas 5% Budget Reduction and agency reorganization with a workforce reduction, we did not have the opportunity to complete these requisite surveys for the present period.

Nevertheless, in an endeavor more principal to the on-going "Foot" scope of practice contest (involving the Texas Medical Association, the Texas Orthopaedic Association and the Texas Podiatric Medical Association) which has had and is having the most (negative) impact on the agency's operations, in an effort to seek an end to this 10 ½ year contest draining the agency's resources/time, the Board (via its Secretary; J. Michael Lunsford, DPM) subsequent to the April 5, 2010 Board Meeting conducted a survey of the licensed Texas Podiatrist population to ascertain certain credentialing information for purposes of an eventual legislative remedy for the 82nd Texas Legislature/2011.

Survey summary is as follows:

"In continued study of podiatry scope of practice and licensee education/training attainments ... subsequent to the Board's 04/05/2010 Meeting and TPMA's 04/28/2010 "Scope of Practice Update" e-mail (which you may or may not have received dependent upon whether or not you are a TPMA member), please assist the Board in responding to the attached questions. The purpose of this survey is to further ascertain podiatry credentialing/privileging as the Texas State Board of Podiatric Medical Examiners moves forward with efforts in clarifying podiatry scope of practice amongst the Texas Medical Association, Texas Orthopaedic Association and the Texas Podiatric Medical Association as it relates to the 10-year definition of "Foot" litigation. – J. Michael Lunsford, DPM-Board Secretary (<http://www.foot.state.tx.us/info.members.htm>)"

Survey copy is as follows (next page):

IMMEDIATE RESPONSE REQUESTED**Texas State Board of Podiatric Medical Examiners**

J. Michael Lunsford, DPM

Physician Name: _____

County: _____

Please answer the following questions to the best of your ability:

- | | |
|--|----------|
| 1) Are you board certified by ABPS? | Yes / No |
| 2) If No, are you board certified by another board? | Yes / No |
| 3) Are you ABPS Foot certified only? | Yes / No |
| 4) Are you ABPS Foot and Ankle certified? | Yes / No |
| 5) Are you ABPS Foot and RRA certified? | Yes / No |
| 6) Did you have ankle privileges in place before 2001? | Yes / No |
| 7) If so can you document that? | Yes / No |

Please fax the completed form to: 281-463-1035 by May 6th, 2010.

Thank you for your time.

Sincerely,

J. Michael Lunsford, DPM-Secretary

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TEXAS PODIATRIC
MEDICAL EXAMINERS

Due to the volume and substance of responses, as of the date of submission of this "FY 2011 – 2015 Strategic Plan," the survey results are not available but are expected to be available when the Board meets next in Austin, TX on August 2, 2010 (regularly scheduled Board Meeting). It was determined that submission of this survey for "Foot" scope of practice purposes (Board's #1 priority; "Mission" driven), as a follow-up of responses contained within the "FY 2009 – FY 2013 Strategic Planning" process Survey of Organizational Excellence was a more prudent use of the Board's/agency's time/resources as that endeavor seeks to end a very costly/resource-draining 10 ½ year scope of practice battle directly related to the Board's "Mission."

Nevertheless, for future Customer Service Surveys, in consideration of the negative impact the mandatory State of Texas FY 2010-2011 5% Budget Reduction is having on the agency's operations, on May 22, 2010 agency staff submitted a "Help Desk" request to HPC-ITSS to ~~develop a survey tool on our website that would allow us the function and ability to conduct surveys on a more immediate, issue-driven basis.~~ We understand that this survey function will also collect/house/tabulate survey data in a file as a web based tool. We will continue pursuit of this agency-based survey process for the next Strategic Planning cycle subsequent to the 82nd Legislative Session/2011.