

Safe Haven Legislation Physician Wellness Programs



By Lindsey Hanlon, M.S., CPH
LifeBridge Nebraska

The recent COVID-19 pandemic has exasperated adverse behavioral health outcomes in the physician population. Physicians were experiencing career fatigue and symptoms of burnout prior to the onset of the pandemic but are now facing increased pressures due to a decreased workforce, increased job expectations, and societal stigma. Various studies have indicated increased rates of burnout of up to 60% among physicians. Additionally, increased rates of depression, general anxiety disorder, post-traumatic stress disorder, and alcohol use disorder. The need has increased not only for wellness and social supports for this population but statutory regulation of confidentiality in seeking services for the individual. Physicians face stigma and professional obstacles to seeking appropriate solutions for behavioral and mental health concerns. In a growing trend to protect the confidentiality of and access to wellness programs for physicians, the American Medical Association (AMA) is partnering with states in advocating for these support systems for physicians. Strategies include:

- Ensuring your state's licensing, credentialing, employment, and related applications focus on "current impairment" rather than stigmatizing language that inappropriately asks about past diagnoses.
- Enact state legislation that provides for safe haven reporting systems and wellness programs for physicians, medical students, and other healthcare professionals to seek care for burnout and other stressors, as well as mental health issues.

- Review state's Physician Health Program laws and policies.

Safe Haven legislation would provide a level of protection with civil immunity for physicians seeking confidential and voluntary support for career fatigue and wellness through a designated wellness program. These physicians may otherwise avoid seeking help for fear of negative repercussions with licensing, credentialing, malpractice insurance carriers, and employers. This protection is specific to physician wellness programs which differs from services that might be required when there is concern for impairment.



Wellness programs, such as LifeBridge Nebraska, vary in design and services offered but, overall, provide a confidential, non-clinical option for help with managing situations such as workplace conflicts, stress, relationships, communication, and career fatigue. An issue brief published by the AMA states that it is important to distinguish the difference between seeking assistance for wellness and seeking treatment for impairment. In states with Physician Health Programs (PHPs), physicians are treated and monitored for impairment. By participating in a PHP, an individual may avoid mandatory reporting to the regulatory board. This provides a level of confidential support. This is a critical component of a PHP as stigma continues to be an ongoing barrier that discourages physicians in seeking support.

However, Nebraska currently does not have a PHP, therefore needs a support system for physicians looking to address their mental health and wellness. This presents an additional concern of confidentiality for physicians seeking wellness supports. The stigma is still an incredible barrier for physicians to address

concerns of stress and burnout. The fear of being reported to the Board of Medicine and Surgery or to their employer is the most reported reason for not engaging in preventative support services such as professional coaching, peer support, or employee assistance programs. In a population that is already under an incredible amount of stress caring for the health of our communities, it is imperative that they have ensured confidentiality in accessing wellness services so that issues do not progress to more severe situations causing regulatory intervention.

LifeBridge is a statewide physician wellness program developed by the Nebraska Medical Foundation. Adaptations to a national model were made including the use of peer physician coaches. Any Nebraska-licensed physician or resident can call the free and confidential line and get paired with a Nebraska physician coach. Topics include, but are not limited to:

- Feelings of stressed and burned out
- Understanding communication styles
- Fostering joy and passions outside of work
- Work/life balance
- Leadership and growth opportunities
- Dealing with medical malpractice
- EHR difficulties
- Transitions in roles in career

Professional coaching has been found to be an effective tool in decreasing emotional exhaustion and increasing engagement and professional fulfillment. These can be protective factors in developing more serious issues leading to impairment. For more information, please contact Lindsey Hanlon at (402) 413-2060. To get connected with a coach, physicians can call the confidential line at 1-888-569-2036. □

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