

BOARD PRESIDENT'S REPORT

DATE REPORT ISSUED: July 12, 2016
ATTENTION: Members, Medical Board of California (Board)
SUBJECT: President's Report – Thank you!

Dear Members,

As my term as Board President comes to a close, this report is an opportunity to reflect on the good work we have done, my priorities, and to share a few thoughts on the work ahead.

First, I want to thank each of you for allowing me to serve as President and Vice President. It has been an honor. Our state is fortunate to have this Board at this moment, comprised of citizens with the highest degree of talent, ethics, dedication to its consumer protection mission, and respect for the public.

Notable Accomplishments

We have done much to be proud of, but I want to highlight a few accomplishments:

- Implementing the Uniform Standards for Substance-Abusing Licensees.
- Drafting the Board's *Guidelines for Prescribing Controlled Substances for Pain* to guide physicians on the prescribing of opioids; it is a model used by others.
- Sponsoring pro-consumer legislation, such as:
 - Public disclosure laws so that disciplinary documents with significant discipline remain on the Board's website as long as the documents are public, rather than ten years as previously required.
 - Enhancing the laws for outpatient surgery settings, including requiring peer review of all physicians in these settings.
- "Legislative Days" in Sacramento. For two years, Board members and staff have met directly with key Legislators to hear their concerns, discuss the Board's function, and to answer questions. It has been a great success.
- Taking a proactive (and judicious) role in the complaint process, moving from a purely complaint driven stance, especially as it relates to opioid prescribing.
- Investigating unnecessary psychotropic medication prescribing to foster care children by executing a data use agreement with the Department of Health Care Services and the California Department of Social Services to obtain physicians' prescribing information, an action noted by the Legislature.

Priorities

As Board President, I sought to focus on three items. And, through the hard work of the Board and staff, we have made positive progress.

Interim Suspension Orders (ISO)

The length of time to issue an ISO is too long and there are too few ISOs being granted. We heard about this issue at a Board meeting. It is my understanding that a forthcoming report will indicate that the number of ISOs has more than doubled in the past fiscal year and that the length of time from the receipt of the complaint to the issuance of the ISO has significantly decreased.

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Physician Health Program

Over the years, numerous bills on this issue have been introduced and failed. In my view, something needed to be done.

After meetings with interested parties, the Board adopted a set of guiding principles that such a program would have to meet to gain the Board's support. The Board provided the guidance to the public and the Legislature for a physician health program.

Public Outreach

The final area that I really felt needed to be discussed and developed was the Board's outreach program to increase awareness of the Board and its website.

The Board's Public Outreach, Education, and Wellness Committee has done a great job and we made great progress. I know the Members will be proud of the work done to date.

On a related issue, while Board President, the important issue of patient notification by a physician on probation was brought to the Board's attention.

Although the Board denied the petition regarding this issue, I established a Patient Notification Task Force (Task Force) to look into the issues. After the Task Force's first meeting, Senate Bill 1033 (Hill), which would have required physicians to notify their patients that they were on probation, was introduced. The Task Force did not meet while the issue was being addressed through the legislative process. However, this bill did not proceed.

During discussions at the Task Force and during the Board meetings, several alternatives and ideas originating from this proposal were brought forward. Clearly, the work of the Task Force is not complete.

Because this is such an important issue to the Board and the public, I have assigned (in consultation with Ms. Kirchmeyer) those issues to the appropriate Board Committees, rather than continue with a separate Task Force. By doing so, we will get more input from the Members. Mrs. Kirchmeyer will discuss Committee assignments under her report.

I wish the Board and staff the best and continued success.

Sincerely,

David Serrano Sewell
Board President