

MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: January 5, 2016
 ATTENTION: Members, Medical Board of California
 SUBJECT: Administrative Summary
 STAFF CONTACT: Kimberly Kirchmeyer, Executive Director

REQUESTED ACTION:

This report is intended to provide the Members with an update on the staffing, budget, and other administrative functions/projects occurring at the Medical Board of California (Board). No action is needed at this time.

Administrative Updates:

Board staff has had several meetings with interested parties regarding the Board.

- Regular meetings were held with Chief Deputy Director Tracy Rhine and Deputy Director Christine Lally of the Department of Consumer Affairs (DCA) and other DCA Executive staff.
- Regular meetings continue to be held with Gloria Castro, Senior Assistant Attorney General.
- Board staff continue to meet with DCA and the Department of Justice (DOJ) to discuss the implementation of the new Controlled Substance Utilization Review and Evaluation System (CURES) database.
- Board staff met with the California Medical Association (CMA) on issues of interest to both parties.
- Board staff provided a presentation and update on the Board to the California Hospital Association (CHA).
- Board staff met with Consumer's Union to discuss the Board's enforcement and outreach processes.
- Board staff attended webinars and teleconferences with staff from the Federation of State Medical Boards and the International Association of Medical Regulatory Authorities.
- Board staff met with Legislative staff providing updates on the Board, its actions, and issues of interest.
- Board staff met with staff from the Health Quality Investigative Unit (HQIU) and the Attorney General's (AG) Office on the vertical enforcement report.
- Board staff met with Dr. Yip to review the Board's Probation Unit and its processes and procedures.
- Board staff met with HQIU, AG's Office, and DCA staff to discuss a parallel policy for investigations.
- Board staff met with staff from the Bureau of State Audits to discuss the audit they are performing related to the issue of psychotropic medication for foster children.
- Board staff attended a meeting with other State Executive Directors and discussed several issues of interest, including physician health programs and telemedicine.
- Board staff attended a two-day California Prescription Drug Abuse Summit.
- Board staff met with the California Association of Midwives and the American College of Obstetricians and Gynecologists to discuss regulations to implement Assembly Bill 1308.
- Board staff met with the Office of Statewide Health Planning and Development on possible changes to the licensed midwife annual report.
- Board staff met with a representative from the Food and Drug Administration to open lines of communication and discuss common interests.
- Board staff met numerous times with the State Board of Optometry and DCA on the transition of the Registered Dispensing Optician Program.
- Board staff met with the accreditation agencies to discuss implementation of Senate Bill 396.
- Board staff attended meetings held by the CMA on the corporate practice of medicine.
- Board staff continue to meet with representatives from the California Department of Public Health, the Board of Pharmacy, Dental Board, the Department of Health Care Services (DHCS), the DOJ, the Emergency Medical Services Authority, and the DCA regarding prescription opioid misuse and overdose. The group is identifying ways all the entities can work together to educate prescribers, dispensers, and patients regarding this issue of serious concern.

Staffing Update:

The Board has 160.1 permanent full-time positions (in addition to temporary staff). The Board is at a 7.5% vacancy rate which equates to 12 vacant positions. This is higher than the vacancy rate that was provided in the last Administrative Summary, which was 6%. Of those 12 vacant positions, the Board has 5 individuals pending a start date or verification of eligibility. However, each of the individuals pending a start date or eligibility are within the Board and therefore, the vacancy rate remains at 7.5%.

Budget Update:

The Board's budget documents are attached, beginning on page BRD 6A-4 and continuing to page BRD 6A-15. The Board's fund condition on page BRD 6A-4 identifies the Board's fund reserve was at 3.7 months at the end of FY 15-16. The Board was notified that the planned general fund loan repayment planned for FYs 15-16, 16-17, and 17-18 has been changed to a partial repayment of \$6 million in FY 16-17 and \$2 million in FY 17-18. With the partial repayment of the outstanding loans and taking into consideration future anticipated costs, the Board's fund reserve will be below its mandated level in FY 17-18. The Board staff will be closely monitoring the Board's budget to determine whether future changes are needed. The second fund condition on page BRD 6A-5 does not include the repayment of the general fund loans. As indicated by both fund conditions, it would not be prudent at this time to consider any reduction in licensing fees as previously recommended by the Bureau of State Audits because the Board anticipates to be within its mandatory level at the end of FY 15-16. In addition, the Board has future costs that could impact the Board's budget should they be approved.

The Board's overall actual expenditures for FY 15-16 through November 30, 2015 can be found on page BRD 6A-6. Pages BRD 6A-7 to 6A-11 show the budget report specifically for licensing, enforcement, the HQIU, and the AG expenditures. Page BRD 6A-15 provides the Board Members' expenditure report as of December 14, 2015.

BreEZe Update:

A report will be provided at the January Board Meeting on specific updates and the status of pending requests. The Board continues to develop the reports necessary to identify the Board's workload and processing timeframes.

Board staff continues to submit requests for changes/fixes to DCA for the BreEZe system. Release 2 is scheduled to occur in January 19, 2016, and therefore no maintenance releases for Release 1 boards will be performed until after the roll out of Release 2. The Board has been performing regression testing on all of its processes and functions during the Release 2 board user acceptance testing. This testing is intended to ensure that the Release 2 roll out will not impact the Board or its functions.

Controlled Substance Utilization Review and Evaluation System (CURES) Update

On January 8, 2016, the DOJ released its new streamlined application process. All physicians will have to use a compliant browser to register for CURES using the streamlined process. However, after they are registered into the system, they will not need to use a compliant browser to access CURES. If the physician uses an older browser to access CURES, they will be redirected to CURES 1.0 for querying purposes and will not benefit from the improvements of CURES 2.0. The DOJ has stated that CURES 1.0 will be phased out in mid-2016, thereby requiring all physicians to have a compliant browser to access CURES 2.0 at this time. For more information please see Agenda Item 6D.

Federation of State Medical Board

Board staff continue to participate in webinars held by the FSMB and communicate on common issues. Board staff and Members also attend Committee and Task Force Meetings when possible.

The Annual Meeting of the FSMB will be held April 28-30, 2016 in San Diego. The title of this year's meeting is *New Horizons in Medical Regulation: Successful Strategies for a Changing Health Care Environment*. Although the agenda is not finalized, some of the scheduled sessions include discussions on patient safety and errors; medical marijuana; medical error, transparency, and accountability; innovations in medical and graduate education; physician workforce; telemedicine; communication and the use of social media in a regulatory environment; and team based care and regulation.

Interstate Medical Licensure Compact

The second meeting of the Interstate Medical Licensure Compact (Compact) Commission was held December 18, 2015 in Salt Lake City, Utah. To date, 12 states have formally adopted the Compact and six states have legislation pending. The draft minutes from this second meeting can be found at 6A-16. As previously reported, the Board has not been notified that there is a Legislative member interested in introducing the Compact in California.

**0758 - Medical Board
Analysis of Fund Condition**

(Dollars in Thousands)

Fund Condition with General Fund Loan Repayments

	ACTUAL 2014-15	CY 2015-16	BY 2016-17	BY+1 2017-18	BY+2 2018-19
BEGINNING BALANCE	\$ 28,410	\$ 28,350	\$ 19,460	\$ 15,482	\$ 6,279
Prior Year Adjustment	\$ 515	\$ (1)	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 28,925	\$ 28,349	\$ 19,460	\$ 15,482	\$ 6,279
REVENUES AND TRANSFERS					
Revenues:					
125600 Other regulatory fees	\$ 345	\$ 195	\$ 205	\$ 205	\$ 205
125700 Other regulatory licenses and permits	\$ 6,727	\$ 6,369	\$ 6,370	\$ 6,370	\$ 6,370
125800 Renewal fees	\$ 47,253	\$ 46,477	\$ 46,516	\$ 46,516	\$ 46,516
125900 Delinquent fees	\$ 130	\$ 106	\$ 106	\$ 106	\$ 106
141200 Sales of documents	\$ 7	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ 30	\$ 30	\$ 30	\$ 30
150300 Income from surplus money investments	\$ 76	\$ 69	\$ 52	\$ 14	\$ 14
160400 Sale of fixed assets	\$ 3	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ 14	\$ 15	\$ 15	\$ 15	\$ 15
161400 Miscellaneous revenues	\$ 8	\$ 21	\$ 21	\$ 21	\$ 21
Totals, Revenues	\$ 54,563	\$ 53,282	\$ 53,315	\$ 53,277	\$ 53,277
Transfers:					
Proposed GF Loan Repayment (Budget Act of 2008)	\$ -	\$ -	\$ 3,000	\$ -	\$ -
Proposed GF Loan Repayment (Budget Act of 2011)	\$ -	\$ -	\$ 3,000	\$ 2,000	\$ -
TOTALS, REVENUES AND TRANSFERS	\$ 54,563	\$ 53,282	\$ 59,315	\$ 55,277	\$ 53,277
TOTAL RESOURCES	\$ 83,488	\$ 81,631	\$ 78,775	\$ 70,759	\$ 59,556
EXPENDITURES					
Disbursements:					
0840 State Controller (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -
8880 Financial Information System for California (State Operations)	\$ 48	\$ 107	\$ 77	\$ -	\$ -
1110 Program Expenditures (State Operations)	\$ 55,090	\$ 59,661	\$ 60,403	\$ 61,670	\$ 61,670
<u>2015-16 and ongoing Approved Costs</u>					
BreEZe Costs	\$ -	\$ 2,403	\$ 2,494	\$ -	\$ -
<u>Anticipated Future Costs</u>					
BreEZe Costs	\$ -	\$ -	\$ -	\$ 2,499	\$ 2,499
Change in Business Process	\$ -	\$ -	\$ 113	\$ 105	\$ 105
Expert Reviewer	\$ -	\$ -	\$ 206	\$ 206	\$ 206
Total Disbursements	\$ 55,138	\$ 62,171	\$ 63,293	\$ 64,480	\$ 64,480
1110 Reimbursement/Cost Recovery		\$ 1,817	\$ 1,817	\$ 1,817	\$ 1,817
FUND BALANCE					
Reserve for economic uncertainties	\$ 28,350	\$ 19,460	\$ 15,482	\$ 6,279	\$ (4,924)
Months In Reserve	5.5	3.7	2.9	1.2	1.0

NOTES:

- A. Assumes workload and revenue projections are realized for FY 15/16 and beyond.
- B. Interest on fund estimated at .361%.
- C. \$9 million was loaned to the General Fund by the Board in FY 11/12 and \$6 million was loaned to the General Fund in FY 08/09. \$6 million will be repaid in FY 16/17 and \$2 million in FY 17/18. The remainder will be paid when the fund is nearing its minimum mandated level.
- D. FY 14/15 miscellaneous revenues included the Unclaimed Property and the Attorney General Settlements and Judgements revenues.
- E. FY 15/16 Year-to-Date reimbursement/cost recovery is a net reduction in expenditures and is reflected for display purposes only.
- F. The Financial Information System for California is a direct assessment which reduces the fund balance but is not reflected in the Medical Board of California's state operational budget.

**0758 - Medical Board
Analysis of Fund Condition**

(Dollars in Thousands)

Fund Condition without General Fund Loan Repayments

	ACTUAL 2014-15	CY 2015-16	BY 2016-17	BY+1 2017-18	BY+2 2018-19
BEGINNING BALANCE	\$ 28,410	\$ 28,350	\$ 19,460	\$ 9,482	\$ (1,721)
Prior Year Adjustment	\$ 515	\$ (1)	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 28,925	\$ 28,349	\$ 19,460	\$ 9,482	\$ (1,721)
REVENUES AND TRANSFERS					
Revenues:					
125600 Other regulatory fees	\$ 345	\$ 195	\$ 205	\$ 205	\$ 205
125700 Other regulatory licenses and permits	\$ 6,727	\$ 6,369	\$ 6,370	\$ 6,370	\$ 6,370
125800 Renewal fees	\$ 47,253	\$ 46,477	\$ 46,516	\$ 46,516	\$ 46,516
125900 Delinquent fees	\$ 130	\$ 106	\$ 106	\$ 106	\$ 106
141200 Sales of documents	\$ 7	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ 30	\$ 30	\$ 30	\$ 30
150300 Income from surplus money investments	\$ 76	\$ 69	\$ 52	\$ 14	\$ 14
160400 Sale of fixed assets	\$ 3	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ 14	\$ 15	\$ 15	\$ 15	\$ 15
161400 Miscellaneous revenues	\$ 8	\$ 21	\$ 21	\$ 21	\$ 21
Totals, Revenues	\$ 54,563	\$ 53,282	\$ 53,315	\$ 53,277	\$ 53,277
Transfers:					
Proposed GF Loan Repayment (Budget Act of 2008)	\$ -	\$ -	\$ -	\$ -	\$ -
Proposed GF Loan Repayment (Budget Act of 2011)	\$ -	\$ -	\$ -	\$ -	\$ -
TOTALS, REVENUES AND TRANSFERS	\$ 54,563	\$ 53,282	\$ 53,315	\$ 53,277	\$ 53,277
TOTAL RESOURCES	\$ 83,488	\$ 81,631	\$ 72,775	\$ 62,759	\$ 51,556
EXPENDITURES					
Disbursements:					
0840 State Controller (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -
8880 Financial Information System for California (State Operations)	\$ 48	\$ 107	\$ 77	\$ -	\$ -
1110 Program Expenditures (State Operations)	\$ 55,090	\$ 59,661	\$ 60,403	\$ 61,670	\$ 61,670
<u>2015-16 and ongoing Approved Costs</u> BreEZe Costs	\$ -	\$ 2,403	\$ 2,494	\$ -	\$ -
<u>Anticipated Future Costs</u> BreEZe Costs	\$ -	\$ -	\$ -	\$ 2,499	\$ 2,499
Change in Business Process	\$ -	\$ -	\$ 113	\$ 105	\$ 105
Expert Reviewer	\$ -	\$ -	\$ 206	\$ 206	\$ 206
Total Disbursements	\$ 55,138	\$ 62,171	\$ 63,293	\$ 64,480	\$ 64,480
1110 Reimbursement/Cost Recovery		\$ 1,817	\$ 1,817	\$ 1,817	\$ 1,817
FUND BALANCE					
Reserve for economic uncertainties	\$ 28,350	\$ 19,460	\$ 9,482	\$ (1,721)	\$ (12,924)
Months In Reserve	5.5	3.7	1.8	-0.3	-2.5

NOTES:

- A. Assumes workload and revenue projections are realized for FY 15/16 and beyond.
- B. Interest on fund estimated at .361%.
- C. \$9 million was loaned to the General Fund by the Board in FY 11/12 and \$6 million was loaned to the General Fund in FY 08/09. These loans will be repaid when the fund is nearing its minimum mandated level.
- D. FY 14/15 miscellaneous revenues included the Unclaimed Property and the Attorney General Settlements and Judgements revenues.
- E. FY 15/16 Year-to-Date reimbursement/cost recovery is a net reduction in expenditures and is reflected for display purposes only.
- F. The Financial Information System for California is a direct assessment which reduces the fund balance but is not reflected in the Medical Board of California's state operational budget.

Medical Board of California
Fiscal Year 2015-16
Budget Expenditure Report
(As of November 30, 2015)
(42% of fiscal year completed)

OBJECT DESCRIPTION	BUDGET ALLOTMENT	EXPENDITURES / ENCUMBRANCES	PERCENT OF BUDGET EXPEND / ENCUMB	UNENCUMBERED BALANCE
PERSONAL SERVICES				
Salary & Wages (Staff & Exec Director)	9,446,564	3,583,283	37.9	5,863,281
Board Members	31,500	19,600	62.2	11,900
Temp Help	755,880	57,212	7.6	698,668
BL 12-03 Blanket	0	211,951	0.0	(211,951)
Overtime	44,441	32,324	72.7	12,117
Staff Benefits	5,213,036	1,928,696	37.0	5,213,036
TOTALS, PERS SERVICES	15,491,421	5,833,066	37.7	11,587,051
OPERATING EXP & EQUIP				
General Expense	204,206	168,336	82.4	35,870
Fingerprint Reports	333,448	132,277	39.7	201,171
Printing	194,755	107,341	55.1	87,414
Communications	106,190	33,695	31.7	72,495
Postage	149,511	36,191	24.2	113,320
Insurance	2,053	11,507	560.5	(9,454)
Travel In-State	130,298	55,545	42.6	74,753
Travel Out-of-State	0	0	0.0	0
Training	54,895	3,904	7.1	50,991
Facilities Operation (Rent)	928,140	1,084,675	116.9	(156,535)
Consult/Prof Services	1,317,088	1,401,094	106.4	(84,006)
Departmental Prorata	6,533,991	3,207,508	49.1	5,077,849
HQIU	16,871,000	4,915,002	29.1	11,955,998
Consolidated Data Center	650,230	35,140	5.4	615,090
Data Processing	117,492	79,392	67.6	38,100
Central Admin Svcs (Statewide Prorata)	2,851,858	1,456,142	51.1	1,395,716
Major Equipment	8,500	0	0.0	8,500
Other Items of Expense	0	0	0.0	0
Vehicle Operations	31,925	7,411	23.2	24,514
Attorney General Services	13,347,280	4,354,388	32.6	8,992,892
Office of Administrative Hearings	1,750,080	282,653	16.2	1,467,427
Evidence/Witness	1,893,439	206,603	10.9	1,686,836
Court Reporter Services	225,000	122,709	54.5	102,291
Minor Equipment	35,200	39,171	111.3	(3,971)
Special Items of Expense	0	0	0.0	0
TOTALS, OE&E	47,736,579	17,740,684	37.2	31,747,261
TOTALS, EXPENDITURES	63,228,000	23,573,750	37.3	39,654,250
Scheduled Reimbursements	(384,000)	(169,312)	44.1	(214,688)
Distributed Costs	(780,000)	(158,976)	20.4	(621,024)
TOTAL, STATE OPERATIONS	62,064,000	23,245,462	37.5	38,818,538
Unscheduled Reimbursements*		(430,715)		
		22,814,748		

* no authority to spend

Medical Board of California
Fiscal Year 2015-16
Budget Expenditure Report - Licensing
(As of November 30, 2015)
(42% of fiscal year completed)

OBJECT DESCRIPTION	BUDGET ALLOTMENT	EXPENDITURES / ENCUMBRANCES	PERCENT OF BUDGET EXPEND / ENCUMB	UNENCUMBERED BALANCE
PERSONAL SERVICES				
Salary & Wages (Staff & Exec Director)	2,698,175	1,069,808	39.6	1,628,367
Board Members	0	0	0.0	0
Temp Help	48,396	10,236	21.2	38,160
BL 12-03 Blanket	0	2,834	0.0	(2,834)
Overtime	21,716	16,952	78.1	4,764
Staff Benefits	1,404,032	599,585	42.7	1,404,032
TOTALS, PERS SERVICES	4,172,319	1,699,415	40.7	3,072,489
OPERATING EXP & EQUIP				
General Expense	22,381	14,382	64.3	7,999
Fingerprint Reports	333,448	131,957	39.6	201,491
Printing	92,627	54,489	58.8	38,138
Communications	19,647	5,419	27.6	14,228
Postage	72,495	18,667	25.7	53,828
Insurance	0	0	0.0	0
Travel In-State	17,179	5,665	33.0	11,514
Travel Out-of-State	0	0	0.0	0
Training	18,207	0	0.0	18,207
Facilities Operation (Rent)	269,758	351,157	130.2	(81,399)
Consult/Prof Services	794,091	1,021,755	128.7	(227,664)
Departmental Prorata	2,167,114	1,063,827	49.1	1,103,287
HQIU	0	0	0.0	0
Consolidated Data Center	0	0	0.0	0
Data Processing	8,664	3,357	38.7	5,307
Central Admin Svcs (Statewide Prorata)	945,869	482,955	51.1	462,914
Major Equipment	0	0	0.0	0
Other Items of Expense	0	0	0.0	0
Vehicle Operations	0	0	0.0	0
Attorney General Services	29,189	9,568	32.8	19,621
Office of Administrative Hearings	0	0	0.0	0
Evidence/Witness	0	0	0.0	0
Court Reporter Services	250	0	0.0	250
Minor Equipment	2,964	0	0.0	2,964
Special Items of Expense	0	0	0.0	0
TOTALS, OE&E	4,793,883	3,163,198	66.0	1,630,685
TOTALS, EXPENDITURES	8,966,202	4,862,613	54.2	4,103,589
Scheduled Reimbursements	(384,000)	(169,312)	44.1	(214,688)
Distributed Costs	(31,131)	(7,348)	23.6	(23,783)
NET TOTAL, EXPENDITURES	8,551,071	4,685,953	54.8	3,865,118
Unscheduled Reimbursements*		(124,938)		
		4,561,015		

* no authority to spend

Medical Board of California
Fiscal Year 2015-16
Budget Expenditure Report - Enforcement
(As of November 30, 2015)
(42% of fiscal year completed)

OBJECT DESCRIPTION	BUDGET ALLOTMENT	EXPENDITURES / ENCUMBRANCES	PERCENT OF BUDGET EXPEND / ENCUMB	UNENCUMBERED BALANCE
PERSONAL SERVICES				
Salary & Wages (Staff & Exec Director)	2,574,107	985,683	38.3	1,588,424
Board Members	0	0	0.0	0
Temp Help	608,589	0	0.0	608,589
BL 12-03 Blanket	0	198,572	0.0	(198,572)
Overtime	10,281	6,136	59.7	4,145
Staff Benefits	1,619,426	566,756	35.0	1,619,426
TOTALS, PERS SERVICES	4,812,403	1,757,147	36.5	3,622,012
OPERATING EXP & EQUIP				
General Expense	69,470	69,427	99.9	43
Fingerprint Reports	0	320	0.0	(320)
Printing	43,898	29,391	67.0	14,507
Communications	40,015	11,910	29.8	28,105
Postage	74,371	16,459	22.1	57,912
Insurance	0	0	0.0	0
Travel In-State	39,017	15,195	38.9	23,822
Travel Out-of-State	0	0	0.0	0
Training	15,087	2,104	13.9	12,983
Facilities Operation (Rent)	294,072	354,706	120.6	(60,634)
Consult/Prof Services	479,560	316,389	66.0	163,171
Departmental Prorata	1,795,726	881,514	49.1	914,212
HQIU	16,871,000	4,915,002	29.1	11,955,998
Consolidated Data Center	0	60	0.0	(60)
Data Processing	15,045	21,945	145.9	(6,900)
Central Admin Svcs (Statewide Prorata)	783,771	400,189	51.1	383,582
Major Equipment	0	0	0.0	0
Other Items of Expense	0	0	0.0	0
Vehicle Operations	0	0	0.0	0
Attorney General Services	13,318,091	4,344,820	32.6	8,973,271
Office of Administrative Hearings	1,750,080	282,653	16.2	1,467,427
Evidence/Witness	1,736,958	206,453	11.9	1,530,505
Court Reporter Services	224,750	122,709	54.6	102,041
Minor Equipment	4,863	720	14.8	4,143
Special Items of Expense	0	0	0.0	0
TOTALS, OE&E	37,555,774	11,991,966	31.9	25,563,808
TOTALS, EXPENDITURES	42,368,177	13,749,113	32.5	28,619,064
Scheduled Reimbursements	0	0	0.0	0
Distributed Costs	(744,054)	(149,717)	20.1	(594,337)
NET TOTAL, EXPENDITURES	41,624,123	13,599,396	32.7	28,024,727
Unscheduled Reimbursements*		(66,298)		
		13,533,098		

* no authority to spend

Health Quality Investigation Unit (HQIU)
Fiscal Year 2015-16
Budget Expenditure Report
(As of November 30, 2015)
 (42% of fiscal year completed)

OBJECT DESCRIPTION	BUDGET ALLOTMENT	EXPENDITURES / ENCUMBRANCES	PERCENT OF BUDGET EXPEND / ENCUMB	UNENCUMBERED BALANCE
PERSONAL SERVICES				
Salary & Wages	8,275,240	2,900,784	35.1	5,374,456
Temp Help	1,073,743	525,128	48.9	548,615
Overtime	5,559	8,072	145.2	(2,513)
Staff Benefits	4,351,289	1,663,981	38.2	2,687,308
BL 12-03 Blanket	0	7,397	0.0	(7,397)
TOTALS, PERS SERVICES	<hr/>	<hr/>	<hr/>	<hr/>
	13,705,831	5,105,361	37.2	8,600,470
OPERATING EXP & EQUIP				
General Expense	108,734	162,056	149.0	(53,322)
Printing	59,000	52,339	88.7	6,661
Communications	100,000	47,530	47.5	52,470
Postage	21,000	36	0.2	20,964
Insurance	14,000	44,881	320.6	(30,881)
Travel In-State	222,000	46,976	21.2	175,024
Travel Out-of-State	7,000	0	0.0	7,000
Training	22,000	5,039	22.9	16,961
Facilities Operation (Rent)	1,574,000	1,405,970	89.3	168,030
Consult/Prof Services	91,000	81,930	90.0	9,070
Departmental Prorata	0	0	0.0	0
Consolidated Data Center	15,000	0	0.0	15,000
Data Processing	0	35,587	0.0	(35,587)
Central Admin Svcs (Statewide Prorata)	0	0	0.0	0
Major Equipment	199,085	0	0.0	199,085
Other Items of Expense	28,000	30,916	110.4	(64,461)
Vehicle Operations	166,000	92,461	55.7	166,000
Attorney General Services	0	0	0.0	0
Office of Administrative Hearings	0	0	0.0	0
Evidence/Witness	0	2,404	0.0	(2,404)
Court Reporter Services	0	276,824	0.0	(276,824)
Minor Equipment	8,350	17,697	211.9	(9,347)
Special Items of Expense	0	0	0.0	0
TOTALS, OE&E	<hr/>	<hr/>	<hr/>	<hr/>
	2,635,169	2,302,648	87.4	363,437
TOTALS, EXPENDITURES	16,341,000	7,408,009	45.3	8,932,991
Scheduled Reimbursements				0
Distributed Costs				0
NET TOTAL, EXPENDITURES				
Unscheduled Reimbursements*	<hr/>	<hr/>	<hr/>	<hr/>
	16,341,000	7,408,009	45.3	8,932,991
		0		
		<hr/>		
		7,408,009		

* no authority to spend

**MEDICAL BOARD OF CALIFORNIA
 ATTORNEY GENERAL EXPENDITURES - FY 2015-16
 DOJ AGENCY CODE 003573 - ENFORCEMENT (6303)**

Page 1 of 2

		<u>Number of Hours</u>	<u>Rate</u>	<u>Amount</u>
July	Attorney Services	6188.50	\$170.00	\$1,052,045.00
	Paralegal Services	338.25	\$120.00	\$40,590.00
	Auditor/Analyst Services	279.50	\$99.00	\$27,670.50
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			\$0.00
				<hr/>
				\$1,120,305.50
August	Attorney Services	5763.50	\$170.00	\$979,795.00
	Paralegal Services	354.50	\$120.00	\$42,540.00
	Auditor/Analyst Services	255.50	\$99.00	\$25,294.50
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			\$2,773.85
				<hr/>
				\$1,050,403.35
September	Attorney Services	5945.75	\$170.00	\$1,010,777.50
	Paralegal Services	348.00	\$120.00	\$41,760.00
	Auditor/Analyst Services	277.75	\$99.00	\$27,497.25
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			\$3,566.45
				<hr/>
				\$1,083,601.20
October	Attorney Services	6074.50	\$170.00	\$1,032,665.00
	Paralegal Services	352.50	\$120.00	\$42,300.00
	Auditor/Analyst Services	155.00	\$99.00	\$15,345.00
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			\$199.97
				<hr/>
				\$1,090,509.97
November	Attorney Services	0.00	\$170.00	\$0.00
	Paralegal Services	0.00	\$120.00	\$0.00
	Auditor/Analyst Services	0.00	\$99.00	\$0.00
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			\$0.00
				<hr/>
				\$0.00
December	Attorney Services	0.00	\$170.00	\$0.00
	Paralegal Services	0.00	\$120.00	\$0.00
	Auditor/Analyst Services	0.00	\$99.00	\$0.00
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			\$0.00
				<hr/>
				\$0.00

Total July-Dec = \$4,344,820.02
FY 2015-16 Budget = \$13,318,091.00

MEDICAL BOARD OF CALIFORNIA
ATTORNEY GENERAL EXPENDITURES - FY 2015-16
DOJ AGENCY CODE 003573 - ENFORCEMENT (6303)
 page 2 of 2

		<u>Number of Hours</u>	<u>Rate</u>	<u>Amount</u>
January	Attorney Services	0.00	\$170.00	\$0.00
	Paralegal Services	0.00	\$120.00	\$0.00
	Auditor/Analyst Services	0.00	\$99.00	\$0.00
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			<u>\$0.00</u>
				\$0.00
February	Attorney Services	0.00	\$170.00	\$0.00
	Paralegal Services	0.00	\$120.00	\$0.00
	Auditor/Analyst Services	0.00	\$99.00	\$0.00
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			<u>\$0.00</u>
				\$0.00
March	Attorney Services	0.00	\$170.00	\$0.00
	Paralegal Services	0.00	\$120.00	\$0.00
	Auditor/Analyst Services	0.00	\$99.00	\$0.00
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			<u>\$0.00</u>
				\$0.00
April	Attorney Services	0.00	\$170.00	\$0.00
	Paralegal Services	0.00	\$120.00	\$0.00
	Auditor/Analyst Services	0.00	\$99.00	\$0.00
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			<u>\$0.00</u>
				\$0.00
May	Attorney Services	0.00	\$170.00	\$0.00
	Paralegal Services	0.00	\$120.00	\$0.00
	Auditor/Analyst Services	0.00	\$99.00	\$0.00
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			<u>\$0.00</u>
				\$0.00
June	Attorney Services	0.00	\$170.00	\$0.00
	Paralegal Services	0.00	\$120.00	\$0.00
	Auditor/Analyst Services	0.00	\$99.00	\$0.00
	Special Agent	0.00	\$120.00	\$0.00
	Cost of Suit			<u>\$0.00</u>
				\$0.00

FYTD Total = \$4,344,820.02
FY 2015-16 Budget = \$1,318,091.00
 BRD 6A - 11

ENFORCEMENT/PROBATION RECEIPTS													
MONTHLY PROFILE: JULY 2013 - JUNE 2016													
	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	FYTD Total
Invest Cost Recovery	650	550	550	0	0	50	1,050	50	0	100	50	50	3,100
Criminal Cost Recovery	499	698	1,050	3,127	8,857	204	2,824	9,707	100	7,352	1,235	2,677	38,330
Probation Monitoring	69,560	54,598	28,303	0	100,901	115,137	439,694	161,273	109,197	136,412	63,742	65,414	1,344,231
Exam	7,232	6,164	4,537	0	5,568	1,500	7,328	3,075	4,929	5,784	3,953	9,338	59,408
Cite/Fine	2,850	5,450	2,000	4,925	2,975	2,850	1,100	1,100	0	750	1,850	5,500	31,350
MONTHLY TOTAL	80,791	67,460	36,440	8,052	118,301	119,741	451,996	175,205	114,226	150,398	70,830	82,979	1,476,418
FYTD TOTAL	80,791	148,251	184,691	192,743	311,044	430,784	882,780	1,057,985	1,172,211	1,322,609	1,393,439	1,476,418	
	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	FYTD Total
Invest Cost Recovery	0	50	50	850	0	850	800	500	100	50	1,963	600	5,813
Criminal Cost Recovery	844	29,175	4,060	13,683	15,041	1,185	1,133	6,184	1,499	7,009	1,194	3,284	84,291
Probation Monitoring	64,316	41,643	52,840	73,499	56,938	146,603	414,557	227,809	117,226	60,897	46,859	47,974	1,351,161
Exam	9,061	3,048	7,438	13,718	26,715	8,551	13,313	7,060	6,755	8,796	3,273	600	108,328
Cite/Fine	3,000	3,000	1,000	5,000	0	0	0	0	2,500	0	0	2,500	17,000
MONTHLY TOTAL	77,221	76,916	65,388	106,750	98,694	157,189	429,803	241,553	128,080	76,752	53,289	54,958	1,566,593
FYTD TOTAL	77,221	154,137	219,525	326,275	424,969	582,158	1,011,961	1,253,514	1,381,594	1,458,346	1,511,635	1,566,593	
	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	FYTD Total
Invest Cost Recovery	50	50	50	50	0								200
Criminal Cost Recovery	451	4,851	7,581	1,100	1,400								15,383
Probation Monitoring	74,221	54,139	42,860	44,930	62,069								278,219
Exam	9,593	5,778	1,922	16,948	5,721								39,962
Cite/Fine	0	0	0	0	0								0
MONTHLY TOTAL	84,315	64,818	52,413	63,028	69,190	0	0	0	0	0	0	0	333,764
FYTD TOTAL	84,315	149,133	201,546	264,574	333,764	333,764	333,764	333,764	333,764	333,764	333,764	333,764	

excel:enfreceiptsmonthlyprofile.xls.revised 12/14/2015

NOTE: Beginning with October 2013, payment amounts reflect payments made directly to MBC; they do not include payments made through BreEZe online system. Online payment information is unavailable.

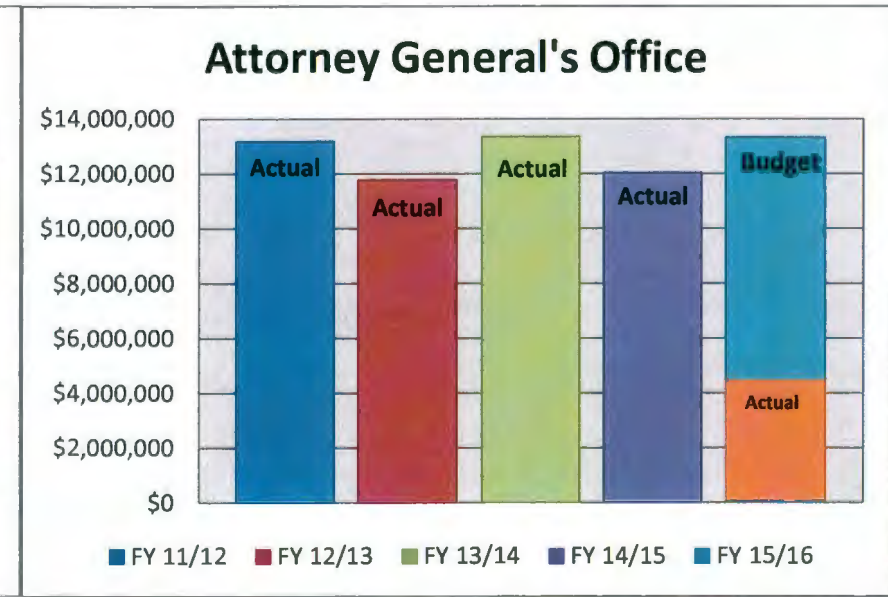
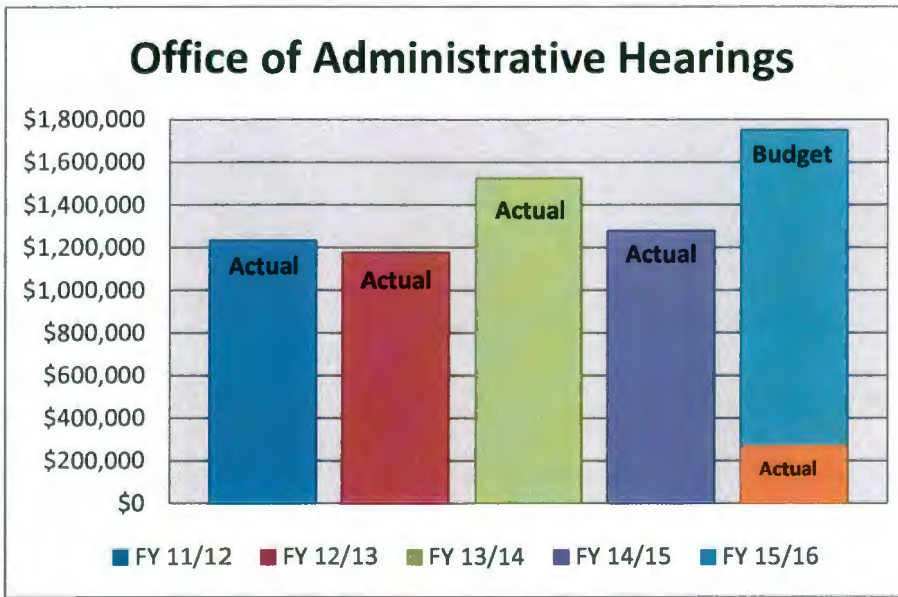
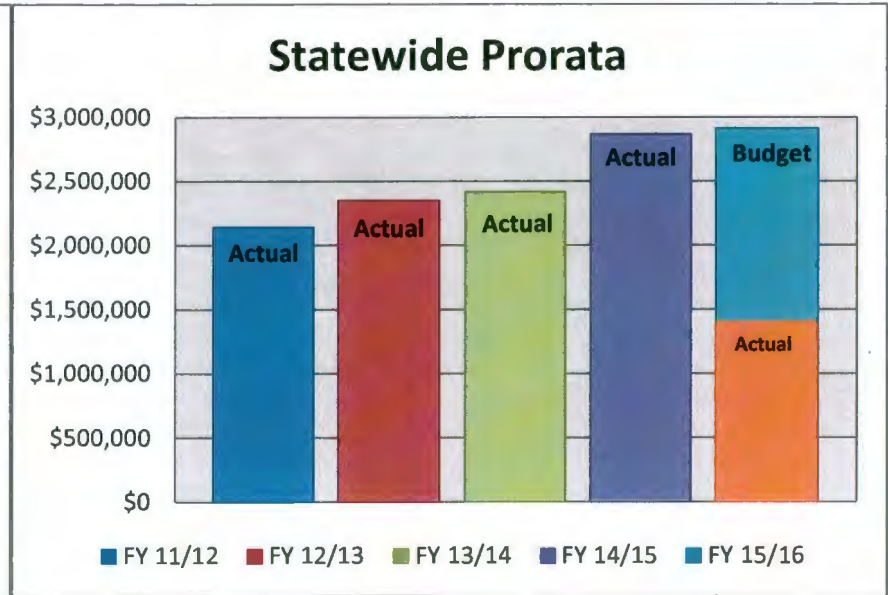
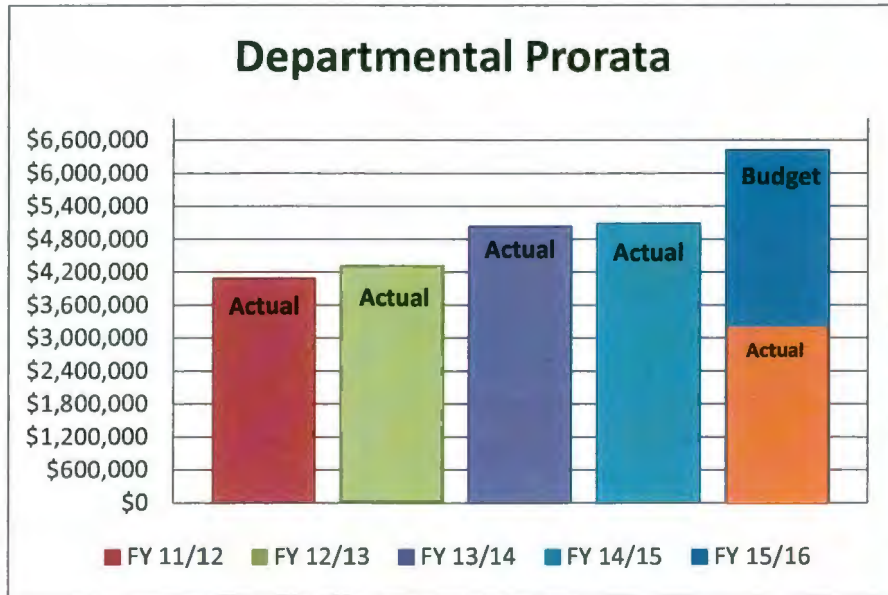
MEDICAL BOARD OF CALIFORNIA BUDGET OVERVIEW BY BOARD COMPONENT

	EXEC	ENFORCE	OPERATION SAFE MEDICINE	LICENSING	ADMIN SERVICES	INFO SYSTEMS	PROBATION MONITORING	BOARD TOTAL
FY 12/13								
\$ Budgeted	2,132,008	39,300,606	525,515	6,399,247	1,570,587	3,754,162	2,239,391	55,921,516
\$ Spent *	1,762,058	37,058,493	672,700	5,770,689	1,671,010	3,001,574	720,484	50,657,008 *
Positions Authorized	8.8	147.0	6.0	53.3	14.0	17.0	25.0	271.1
FY 13/14								
\$ Budgeted	2,304,466	40,127,776	716,147	8,386,914	1,833,855	3,363,720	2,281,227	59,014,105
\$ Spent*	1,427,599	40,148,898	879,418	6,023,718	1,650,434	3,166,541	1,424,973	54,721,581 *
Positions Authorized	8.8	147.0	6.0	53.3	14.0	17.0	25.0	271.1
FY 14/15								
\$ Budgeted	1,909,018	45,230,270		6,502,878	1,576,586	3,154,922	2,065,009	60,438,683
\$ Spent*	1,517,922	40,108,425		8,845,645	1,413,056	2,745,722	2,276,725	56,907,495 *
Positions Authorized	8.0	44.0		53.1	14.0	17.0	24.0	160.1
FY 15/16								
\$ Budgeted **	2,000,070	41,624,123		8,551,071	2,312,598	3,969,970	3,606,168	62,064,000
\$ Spent thru 11/30*	924,720	13,599,396		4,685,953	1,080,017	1,435,506	1,519,870	23,245,462 *
Positions Authorized	8.0	44.0		53.1	14.0	17.0	24.0	160.1

* net expenditures (excludes unscheduled reimbursements)

** Budgeted does not include pending current year budget adjustments.

External Agencies' Spending



FY 15/16 actual expenditures through 8/31/15

Board Members' Expenditures - Per Diem/Travel
July 1, 2015 - June 30, 2016

Agenda Item 6 A

NAMES	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APRIL	MAY	JUNE	YTD
DR BHOLAT - Per diem													\$ -
Travel													\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DR. BISHOP - Per diem	\$ 800.00	\$ 600.00											\$ 1,400.00
Travel	\$ 880.03												\$ 880.03
	\$ 1,680.03	\$ 600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,280.03
DR GNANADEV - Per diem	\$ 1,000.00	\$1,000.00	\$1,000.00	\$ 1,200.00									\$ 4,200.00
Travel	\$ 961.79			\$ 610.09									\$ 1,571.88
	\$ 1,961.79	\$1,000.00	\$1,000.00	\$ 1,810.09	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,771.88
DR HAWKINS - Per diem													\$ -
Travel													\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DR. KRAUSS - Per diem	\$ 500.00			\$ 1,300.00									\$ 1,800.00
Travel													\$ -
	\$ 500.00	\$ -	\$ -	\$ 1,300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,800.00
MS. LAWSON - Per diem													\$ -
Travel													\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DR. LEVINE - Per diem													\$ -
Travel	\$ 479.05												\$ 479.05
	\$ 479.05	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 479.05
DR. LEWIS - Per diem	\$ 1,000.00	\$ 700.00	\$ 800.00	\$ 1,100.00									\$ 3,600.00
Travel	\$ 750.90			\$ 657.24									\$ 1,408.14
	\$ 1,750.90	\$ 700.00	\$ 800.00	\$ 1,757.24	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,008.14
MS. PINES - Per diem	\$ 1,300.00	\$1,100.00	\$1,100.00	\$ 1,400.00									\$ 4,900.00
Travel	\$ 728.51			\$ 615.27									\$ 1,343.78
	\$ 2,028.51	\$1,100.00	\$1,100.00	\$ 2,015.27	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,243.78
MS.SCHIPSKE - Per diem	\$ 1,000.00	\$ 500.00	\$ 700.00	\$ 1,100.00									\$ 3,300.00
Travel				\$ 578.59									\$ 578.59
	\$ 1,000.00	\$ 500.00	\$ 700.00	\$ 1,678.59	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,878.59
MR. SERRANO SWELL- Per diem	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00									\$ 2,400.00
Travel													\$ -
	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,400.00
MS.WRIGHT - Per diem	\$ 1,500.00	\$1,300.00	\$1,600.00	\$ 1,300.00									\$ 5,700.00
Travel	\$ 921.54			\$ 541.34									\$ 1,462.88
	\$ 2,421.54	\$1,300.00	\$1,600.00	\$ 1,841.34	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,162.88
MS. YAROSLAVSKY - Per diem		\$1,300.00	\$1,000.00	\$ 1,400.00									\$ 3,700.00
Travel	\$ 924.49			\$ 607.79									\$ 1,532.28
	\$ 924.49	\$1,300.00	\$1,000.00	\$ 2,007.79	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,232.28
DR. YIP - Per diem													\$ -
Travel													\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

As of: 12/14/15

TOTAL PER DIEM \$ 31,000.00
TOTAL PER DIEM BUDGETED \$ 31,500.00
TOTAL TRAVEL \$ 9,256.63
TOTAL \$ 40,256.63

**INTERSTATE MEDICAL LICENSURE COMPACT
COMMISSION
Salt Lake City, UT
December 18, 2015**

The second meeting of the Interstate Medical Licensure Compact Commission convened at 8:05 AM with a call to order by Chairman Ian Marquand (MT).

Roll Call was completed by Secretary Shepard (WV) with 100% attendance of the eleven (11) member states. Karen Silas was named by Commissioner Smith (AL) to serve in his absence today and Commissioner McGill (WY) joined by teleconference.

Invited guests included: Rick Masters from The Council of State Governments and Colmon Elridge from The Council of State Governments National Center for Interstate Compacts. The public audience consisted of representatives from the AOA, AMA, the states of Utah, Illinois and Georgia and Kay Taylor from the FSMB who has been serving as the Commission's on-site coordinator. Also joining by teleconference was Lisa Robin, Jonathan Jagoda and Humayun J. Chaudhry, D.O., from the FSMB; Randall Manning from the FSMB Foundation and Mark Lane from the Federation of State Boards of Physical Therapy.

Agenda:

The draft agenda was presented for review. On a motion by Commissioner Bohnenblust (WY) and seconded by Commissioner Martinez (MN) the agenda was approved by voice vote as presented.

Minutes:

The minutes from the inaugural meeting of October 27, 2015 were presented with recommended revisions received by the Secretary after the posting of the draft minutes. On a motion by Commissioner Feist (MT) and seconded by Vice Chairman Thomas (MN), the minutes were unanimously approved by voice vote with all recommended revisions included.

The inaugural minutes were very specific and detailed for clear understanding of the discussions held and decisions made. Future recording of minutes will only reflect motions and decisions made and how those votes were taken. Details of discussion will be made available via the digital recording of the meetings. The Communications Committee will establish a consistent style for all Commission communications.

Committee Reports:

The following committee reports were made by their respective chairs. Unless noted below, reports were received as information only but Commissioners and the public were allowed comments on each report.

- | | |
|-------------------------|--|
| Coordinating Committee: | Chairman Marquand (MT) shared the report of the Coordinating Committee. The majority of the report dealt with the planning for the December meeting of the Commission, including the request for Kay Taylor from FSMB to serve as the coordinator. The committee also addressed the following: |
| | 1) Seating of any new member states within the public gallery, not at the Commissioners' table. Upon official appointment to the Commission, those new Commissioners will take their seat at the table. |
| | 2) The Chairman of the Commission should be the face and voice for the Commission for those outside communications requiring an immediate response from the Commission. |

Interstate Medical Licensure Compact Commission
Meeting Minutes
December 18, 2015

- 3) No recommendations were made by the Coordinating Committee regarding more complex communications as the Communications Committee was scheduled to meet the following day.

Bylaws/Rules Committee:

The Bylaws/Rules Committee met three times since the first meeting of the Commission and was led by Chairman Bowden (IA). Commissioner Martinez (MN) presented the following recommended changes:

- 1) Grammatical and language changes:
- 2) Establishment of an Executive Committee in Article VII, Section 1:
- 3) Establishment of Advisory Committees as sub-committees of the Commission, therefore, not requiring public meeting notices;
- 4) Prohibit Commission voting by ballot with approval of four (4) forms of voting:
 - a) Voice Vote
 - b) Roll Call Vote
 - c) Non-Audible Vote
 - d) Consensus Vote

Following much discussion regarding “advisory” committees and a roll call vote on secret balloting and several motions and motion withdrawals, a motion was made by Commissioner Schneider (IL) and seconded by Commissioner Goetter (AL) recommending the following:

Acceptance of the report and recommendations of the Bylaws/Rules Committee with the following specific changes:

- 1) *Delete all “advisory” references.*
- 2) *Article VI, Section 4 – Delete “Ballot votes are prohibited” and replace with “Ballots are allowed only for the election of officers.”*
- 3) *Article VII, Section 2 – Revise first sentence to read as follows: “The Commission may establish such Committees as it deems necessary to advise it concerning the fulfillment of its objectives, which may include, but not be limited to, …..”*
- 4) *Article VII, Section 2 - Delete “No officer of the Commission or immediate past chairperson of the Commission shall concurrently serve as a chairperson on a Committee.”*
- 5) *Article VII, Section 2 – Revise last sentence to read, “Committees created under this Article VII, Section 2 are not subject to the requirements of Article VI under these bylaws.”*

The motion was approved unanimously by roll call vote.

A motion was made by Commissioner Schneider (IL) and seconded by Vice Chair Thomas (MN) to request the Bylaws/Rules Committee look into the development of a process for dissolution of the Compact and how assessments, if assessed, would be disseminated. This should be reported back to the full Commission. Motion passed by voice vote.

Chairman Marquand called for a 20 minute recess at 9:40 AM. The Commission re-convened at 10 AM.

The Bylaws/Rules Committee continues to work on the promulgation of rules and, at this time, presented a Conflict of Interest Policy, an amendment to the adoption of rules and a procedure for the Commission's acceptance of gifts. Chairman Bowden (IA) asked Commissioner McGill (WY) to walk the Commission through the recommendations.

Motion made by Chairman Bowden (IA) for the adoption of the Conflict of Interest Policy and seconded by Commissioner Clark (IA).

With discussion about definition of "tangential" and "deminimis" gifts, the motion to adopt the Conflict of Interest Policy was withdrawn and the policy sent back to the Bylaws/Rules Committee for more in depth study and reflection.

The Committee was asked to review rules for parliamentary procedures and whether Roberts Rules of Order, which is currently required by the Commission Bylaws, is the best rule to follow. Discussion ensued on whether the Commission should appoint a Parliamentarian to assist in clarifying parliamentary procedures or obtain legal counsel on the same.

No further action was taken on the Bylaws/Rules Committee report.

Budget Committee:

Chairman Zachariah (IL) presented two policies for review and approval. Motion was made by Chairman Zachariah (IL) to establish a checking account at a national bank which shall have a local branch in at least one member state and to give authority to the Commission Treasurer to deposit funds on behalf of the IMLCC and to disperse funds on behalf of the IMLCC up to one thousand (1,000) dollars on his sole authorization. Any deposit greater than one thousand (1,000) dollars would require authorization of both the Treasurer and the Chairperson of the Interstate Medical Licensure Compact Commission. The motion was seconded by Commissioner Thomas (MN).

The motion carried unanimously by voice vote.

Chairman Zachariah (IL) presented a proposed six month budget with an income of \$1,000 from a donation made to the Commission and an expense budget of \$176,926.05. The proposed budget was presented for informational purposes only. No action needed.

Until a home office has been established for the Commission with the hiring of an Executive Director, the Commission Secretary, along with the office of Central State Governments, will maintain all policies approved by the Commission.

Funding Committee:

Chairman Thomas (MN) presented two (2) action items to the Commission.

- 1) Permission to explore incorporating the IMLCC as a 501 (c) 3 to benefit directly from possible grant funding while also looking at other options available for government agencies.

- 2) Recommend that the IMLCC work with FSMB in applying for the HRSA License Portability Grant equaling \$250,000 a year for a three year duration. This application could be done three different ways but has a deadline of 01-19-16.
 - A) As a block grant;
 - B) The IMLCC could ask FSMB to assist in the application process for the IMLCC;
 - C) The FSMB could apply for the HRSA grant as a pass through for the IMLCC.

Motion was made by Chairman Thomas (MN) and seconded by Commissioner Cousineau (NV) to ask FSMB to work with the Commission on the most prudent process to apply for the HRSA grant.

Motion was unanimously passed with voice vote.

Commissioner Schneider (IL) moved to appoint the Funding Committee to work with FSMB in the drafting of the application for the HRSA grant. Motion seconded by Commissioner Longo (NV).

Motion was unanimously passed with voice vote.

Commissioner Schneider (IL) moved to request Chairman Marquand (MT) to write a letter on behalf of the Commission for the grant. Motion was seconded by Commissioner Goetter (AL).

Motion unanimously passed with voice vote.

Chairman Marquand (MT) recognized Randall Manning in attendance via telephone from the FSMB Foundation. Mr. Manning announced that grants are available, upon request, to any states for IMLC start up monies. Letters requesting grant monies should be sent directly to the Foundation.

Motion was made by Commissioner Hansen (SD) to ask the Commission Chairman to write a letter to the Foundation requesting a grant for the IMLCC. When asked by the Chairman if the motion contained a dollar amount, Commissioner Hansen requested the motion ask for funds to support the Commission. Motion was seconded by Commissioner Feist (MT).

A voice vote was taken with indecisive results. The Chairman asked for a show of hands with the results showing 13 Yes and 8 No. Chairman Marquand abstained. The motion carried.

Mr. Masters has to leave the meeting early today and Chairman Marquand requested permission to allow Mr. Masters to present his portion of the report from The Council of State Governments Conflict Waiver Agreement with disclosures. The agreement has been signed by the President and CEO of the Federation of State Medical Boards, Humayun J. Chaudhry, D.O.

Motion was made by Commissioner Martinez (MN) and seconded by Vice Chairman Thomas (MN) to authorize the Commission Chairman to sign the Conflict Waiver Agreement presented by Mr. Masters.

The motion was unanimously passed by voice vote.

Personnel Committee: The committee recommends a change to the Bylaws, Article IV, Section 2, "Duties of the Executive Director." A sub-section "k" is requested to , "seek and assist in acquisition of financial grants."

Motion was made by Vice Chair Thomas (MN) and seconded by Commissioner Schaecher (UT) to approve the Bylaws change to add sub-section "k" to Article IV, Section 2.

Original motion was withdrawn and a motion to refer this change to the Bylaws/Rules Committee for consideration was made by Commissioner Knittle (WV) and seconded by Commissioner Goetter (AL).

Motion unanimously passed with voice vote.

Chairman Marquand (MT) requested a brief recess and asked the Commission to reconvene for a working lunch with Lisa Robin's report from Federation of State Medical Boards. Ms. Robin provided an update on the status of the current HRSA grant monies. To date, the Commission has operated under budget as established with the HRSA grant.

Technology Committee:

The Technology Committee approached their job by surveying all member states to identify a required minimal data set for each member state's licensing process. Great consistency was found between the member states and was determined to be the initial starting point in the development of a minimal data set. It was also determined the initial licensing process and data flow should be given priority over the renewal process.

As the process moves forward, the Technology Committee, as well as all Commission appointed committees, should work closely with the Bylaws/Rules Committee to insure rules are developed to assist with the objectives as each committee does its work. The Commission requested Mr. Masters, from CSG, to work with the Technology Committee as they continue their work.

While the Federation of State Medical Boards already has a compilation of state boards data, Commissioners felt additional information would be needed from FSMB before our technology needs are more definitively identified. It was the consensus of the Commission to invite Michael Dugan, Chief Information Officer of the FSMB, to the next meeting of the IMLCC to discuss this further.

Communications Committee:

The first two objectives of the committee were to:

- 1) Provide consistent, uniform communication to and from the IMLCC through all communication mediums;
- 2) Development of a dedicated IMLC website.

To meet their objectives, the committee presented a Communications Policy to address and prioritize outside requests for information and to report back to the Commission. They also designed a letterhead format for IMLCC correspondence and a power point presentation with talking points for presentations on the IMLCC. A request was made to move all contact information from the top of the letterhead to the bottom, until a Commission office has been identified.

The committee will continue to work on the development/management of a dedicated website for the IMLC.

The Commission Chairman was invited and participated in a roundtable discussion on the IMLC sponsored by the FSMB. There were over 40 participants from across the United States who participated.

Chairman Marquand (MT) called for a 15 minute recess and reconvened to vote on a recommendation from the Communications Committee.

Motion was made by Vice Chair Thomas (MN) and seconded by Commissioner Schaecher (UT) to accept the Communications Committee's "triage" process to prioritize incoming requests. Motion passed by unanimous voice vote.

Correspondence Requests:

The following communication requests were reviewed:

- 1) AMA – Requested clarification on the Maintenance of Certification requirement for renewal of license within the compact. Motion was made by Commissioner Hansen (SD) and seconded by Commissioner Lawlor (ID) to answer by stating the IMLC currently has no requirement for board certification upon renewal. That issue is deferred to individual state requirements at time of renewal. Board certification is currently required at time of initial licensure only.

The motion unanimously passed by voice vote. The AOA requested the same written response be sent to their organization recognizing Osteopathic Continued Certification as only being required at initial licensure.

- 2) A letter has been received from the Nurse Licensure Compact Administrators offering congratulations and offering their assistance. The Chair will acknowledge the letter on behalf of the IMLCC.
- 3) An invitation to participate in a research study on medical licensing has been received from Licentiam, Inc. A motion was made by Commissioner Schaecher (UT) and seconded by Vice Chair Thomas (MN) to decline the invitation.
- 4) An invitation to speak at their annual meeting in Kissimmee, Florida, has been received from the National Association of Locum Tenens Organizations and the National Association of Physician Recruiters at their expense.

Motion was made by Treasurer Zachariah (IL) and seconded by Commissioner Carpenter (SD) to authorize Chairman Marquand (MT) to speak at the national meeting in March 2016 using the current power point presentation. The motion unanimously passed by voice vote.

Public Comments: The meeting was opened for public comments. The AMA representative acknowledged that they are interested in the sharing of data whether it be through RFP or other means.

Report of Council of State Governments: Report from Council of State Governments was received from Colmon Elridge. He acknowledged the work of the Commission is being closely watched on a national level and he applauded the progress made by the Commission to date. He spoke to the work ethic of Mr. Masters and expressed his appreciation to the Commission for the signing of the Conflict of Interest Waiver. Mr. Elridge presented the work plan as it was submitted for the current HRSA grant and offered it to the Commission for their consideration.

The Commission expressed their thanks to Mr. Elridge, from CSG and Kay Taylor from the FSMB for their assistance in handling the administrative functions for these Commission meetings. Secretary Shepard requested guidance on where the digital recordings of each Commission meeting should be made available. Motion was made by Commissioner Hansen (SD) and seconded by Commissioner Feist (MT) to upload the digital recordings to the "Knowledge" section of the CSG website with a link to all member state websites until such time as the Commission has a dedicated website. The motion unanimously passed by voice vote.

Work Plan and Time Line Development: Chairman Marquand (MT) noted that Commissioner Schaecher (UT) had left the first Commission meeting prior to the committee assignments being made. He was asked if he wished to serve on a committee and he agreed to be added to the Bylaws/Rules Committee.

The Commission was asked by its Chair to establish what they wanted to accomplish over the next 60 days. The list was set as follows:

- 1) The Technology Committee should meet with Michael Dugan from the FSMB prior to the next Commission meeting to outline a strategic plan for information technology;
- 2) Remote conferencing will be made available for all committees;
- 3) Budget and Funding Committees will work on the HRSA Grant for submission by the January 19, 2016 deadline;
- 4) Bylaws/Rules Committee will work and report on the following issues by the next Commission meeting;
 - a) Conflict of Interest
 - b) Gifts
 - c) Rulemaking
 - d) Add "k" duty for Executive Director Position
 - e) Rules on Policies and Policy Making
- 5) Chairman Marquand (MT) will draft a letter to the FSMB Foundation for presentation at the next Commission meeting;
- 6) For the telehealth community in support of the IMLC, the Commission Chair will reach out for cooperation and dialogue;
- 7) Communication Committee was requested to provide a pilot presentation at the next Commission meeting just for the Commissioners;
- 8) The Commission Chair will contact the FSMB about making a presentation at the Annual FSMB meeting;

- 9) The tabled motion on establishing a July 1, 2016 licensing deadline was withdrawn by Commissioner Steinagle (UT);
- 10) An orientation program will be developed by the Communication Committee with the assistance of CSG, for new commissioners;
- 11) Commission Secretary will contact any new commissioners with a letter of welcome and request a copy of their appointment letter;

A motion was made by Commissioner Hansen (SD) and seconded by Commissioner Steinagle (UT) to ask the Executive Committee to prepare a work plan for submission with the HRSA Grant and present it to the Commission as a working document at the next Commission meeting. The motion carried with voice vote.

Because an Executive Committee has been created at this meeting of the IMLCC, a motion was made by Vice Chair Thomas (MN) and seconded by Commissioner Goetter (AL) to dissolve the Coordinating Committee. However, Commissioner Lawler (ID) reminded members of the 30 day notice required prior to the Executive Committee meeting. Vice Chair Thomas (MN) withdrew his motion.

Next Meeting: The next meeting of the Commission will be held on March 31, 2016, beginning at 1:00 PM and through April 1, 2016, until 1:00 PM. The State of Minnesota has agreed to host the March 31st meeting with a possible gathering time for new commissioners prior to the 1:00 PM meeting.

Public Comments: Opportunity was given for those in the audience to make comments on the work of the Commission, but none were made.

Press Release: Communications Committee was asked to prepare a press release following this meeting. Commission Secretary will work with Communications Committee to develop a summary to member boards, CSG and FSMB for public consumption.

Adjournment: Chairman Marquand declared the meeting adjourned at 4:05 PM.

Respectfully submitted,

Diana Shepard, CMBE
Commission Secretary



2014 - 2015 ANNUAL REPORT Medical Board of California

2005 Evergreen Street, Suite 1200, Sacramento, CA 95815 • (916) 263-2389 • www.mbc.ca.gov

Executive Summary

The Medical Board of California (Board) continued its focus on the issues of prescription drug abuse and inappropriate prescribing by concentrating on educational opportunities for physicians. In September 2014, the Board hosted a free continuing medical education (CME) course in Los Angeles on Extended-Release and Long-Acting Opioid Analgesics Risk Evaluation and Mitigation Strategy (ER/LA Analgesics REMS) that was developed by the U.S. Food and Drug Administration. The course was well attended and physicians were able to obtain three CME credits for the three-hour course. In addition, in November 2014, after numerous Prescribing Task Force meetings with interested parties, significant public comment, and discussions with experts in the field of pain management, the Board approved a new document entitled **Guidelines for Prescribing Controlled Substances for Pain** (Guidelines). These Guidelines are intended to educate physicians on effective pain management in California by avoiding undertreatment, overtreatment, or other inappropriate treatment of a patient’s pain. The Guidelines’ primary

objective is improved patient outcomes and reduction of prescription overdose deaths. The new Guidelines contain a significant amount of information and are supplemented with as many resources as practical via the appendices and links to websites that further assist a physician when prescribing controlled substances for pain. Lastly, in May 2015, the Board won State Information Officers Council (SIOC) Awards for both of its public service announcements (PSA), which address the issue of prescription drug abuse and misuse. The **PSA** directed to physicians, featuring Board Member Michael Bishop, M.D., won the SIOC Silver Award. The **PSA** featuring Olympic gold medalist Natalie Coughlin, directed to consumers, won the SIOC Gold Award.

The Board also continued its goal of transparency for all consumers by sponsoring **Assembly Bill 1886** (Eggman, Chapter 285, Statutes of 2014), which changed the requirements for information available on the Board’s website regarding physicians. Prior to the passage of this

Executive Summary (continued on page ii)

Current Physician and Surgeon Licenses by County

Data is for physicians with a renewed and current license excluding those in an inactive, retired, or disabled license status. The breakdown of those license statuses is: California - 2,106, Out of State – 4,265, Total – 6,371.

Alameda	5,037	Inyo	43	Monterey	898	San Luis Obispo	795	Trinity	8
Alpine	3	Kern	1,098	Napa	487	San Mateo	2,903	Tulare	506
Amador	63	Kings	127	Nevada	244	Santa Barbara	1,250	Tuolumne	121
Butte	490	Lake	69	Orange	9,856	Santa Clara	7,830	Ventura	1,792
Calaveras	46	Lassen	43	Placer	1,180	Santa Cruz	716	Yolo	526
Colusa	8	Los Angeles	29,118	Plumas	22	Shasta	420	Yuba	44
Contra Costa	3,296	Madera	214	Riverside	3,054	Sierra	0	Unidentified	
Del Norte	31	Marin	1,516	Sacramento	4,704	Siskiyou	72	California county*	1,590
El Dorado	311	Mariposa	13	San Benito	43	Solano	940	California	
Fresno	1,978	Mendocino	198	San Bernardino	3,905	Sonoma	1,438	total	108,594
Glenn	11	Merced	249	San Diego	10,308	Stanislaus	996	Out-of-State total	23,776
Humboldt	270	Modoc	6	San Francisco	6,202	Sutter	191	Current licenses	
Imperial	144	Mono	32	San Joaquin	1,094	Tehama	45	total	132,370

*Due to the location listed in the address of record, the county cannot be identified.

The Mission of the Medical Board of California

The mission of the Medical Board of California is to protect health care consumers through the proper licensing and regulation of physicians and surgeons and certain allied health care professions and through the vigorous, objective enforcement of the Medical Practice Act, and to promote access to quality medical care through the Board’s licensing and regulatory functions.

Executive Summary *(continued from page i)*

bill, most public disciplinary information for physicians could only be posted on the Board’s website for 10 years. This Board-sponsored bill allows the Board to post the most serious disciplinary information on the Board’s website for as long as it remains public.

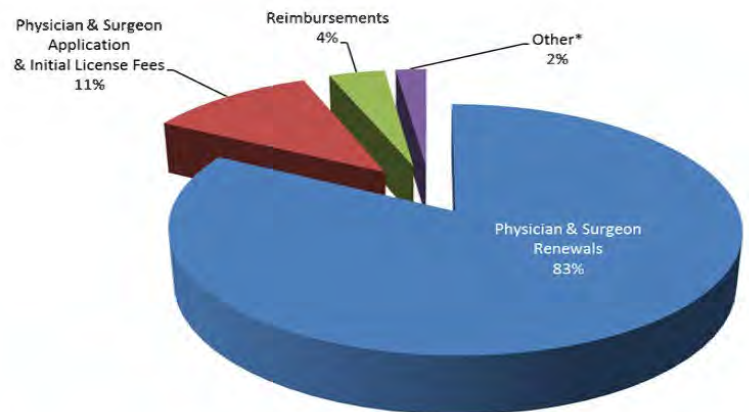
In January 2015, the Board launched a Twitter account to educate consumers and physicians by providing information on the Board’s roles, laws, and regulations, as well as providing information on Board events and meetings. Twitter provides outreach on the Board’s consumer protection mission to the public and encourages public engagement in the activities of the Board.

Board Members and Board staff participated in the Board’s first annual Legislative Day on February 26, 2015. Board Members and staff visited legislative offices to provide Legislative Members with information on the Board and its roles and duties. The Board Members met with the Chairs of the Senate and Assembly Business and Professions Committees, as well as other Legislators and legislative staff.

Medical Board of California 2014–2015 Fiscal Year

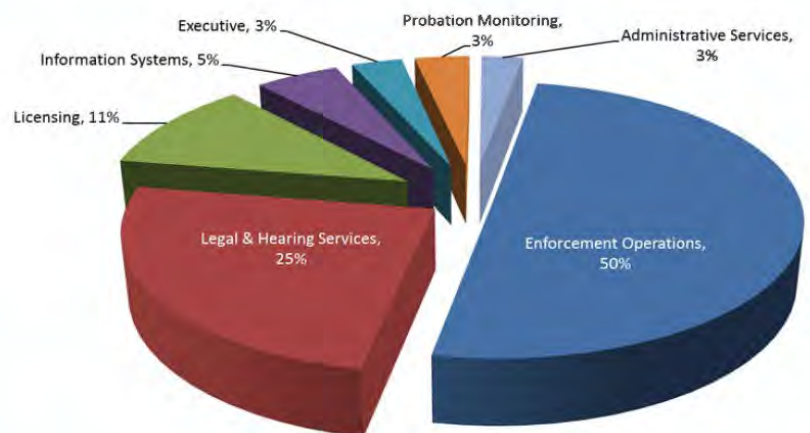
Revenues & Reimbursements

Physician & Surgeon Renewals	\$46,962,000	83%
Physician & Surgeon Application & Initial License Fees	\$6,420,000	11%
Reimbursements	\$2,171,000	4%
Other Regulatory Fees, Delinquency/Penalty/ Reinstatement Fees, Interest on Fund, Miscellaneous*	\$1,180,000	2%
Total Receipts	\$56,733,000	100%



Budget Distribution

Enforcement Operations	\$30,323,000	50%
Legal & Hearing Services	\$14,907,000	25%
Licensing	\$6,503,000	11%
Information Systems	\$3,155,000	5%
Executive	\$1,909,000	3%
Probation Monitoring	\$2,065,000	3%
Administrative Services	\$1,577,000	3%
Total	\$60,439,000	100%



Licensing Summary

The Board's Licensing Program continues to achieve its mission of protecting the health care of consumers through the proper licensing of physicians and surgeons and certain allied health care professionals. The Licensing Program also issues fictitious

name permits, and licenses non-nurse midwives, research psychoanalysts, spectacle and contact lens dispensers, registered dispensing optician businesses, and polysomnographic trainees, technicians and technologists. The Licensing Program also approves

Licensing Summary (continued on page iii)

Licensing Summary *(continued from page ii)*

accreditation agencies that accredit outpatient surgical settings in which general anesthesia is being used.

The Licensing Program issued 5,882 new physician’s and surgeon’s licenses. This was an increase of 360 (6.5%) more new licenses than the previous fiscal year. The Licensing Program recognized 54 international medical schools pursuant to California Code of Regulations, Title 16, Division 13, (CCR) Section 1314.1(a)(1). The Licensing Program was able to perform the initial application review of all physician’s and surgeon’s applications within the 60 working days regulatory time frame. Staff continues to identify opportunities to streamline and improve the application process and improve the Licensing Program’s outreach efforts.

Prior to January 1, 2015, Business and Professions Code (BPC) section 30 required all applicants, prior to being licensed, to have a U.S. Social Security Number (SSN)

that allowed the individual to work in the U.S. The passage of Senate Bill 1159 (Lara, Chapter 752), which became effective January 1, 2015, amended BPC section 30 to allow applicants to use a valid U.S. Individual Taxpayer Identification Number (ITIN) instead of an SSN. Individual applicants who have either a valid SSN or ITIN are now eligible to apply for a license.

On July 1, 2015, the BreEZe system was updated to allow physician’s and surgeon’s applicants to check certain deficiencies of their application. The information is only for date-forward applications. Applications that were filed prior to July 1, 2015 will be updated to reflect certain deficiencies when additional documents are received and reviewed by staff. This will allow applicants to identify some of the deficient items needed to complete their application without contacting the Board.

Licensing Program Activity

	FY 13-14	FY 14-15
Physician Applications Received	6,308	6,850
Physician Licenses Issued		
FLEX/USMLE ¹	4,571	4,808
NBME ¹	284	268
Reciprocity with other states (B&P Code §2135)	667	806
Total new licenses issued	5,522	5,882
Renewal licenses issued – with fee	59,963	61,130
Renewal licenses issued – fee exempt ²	4,751	5,181
Total licenses renewed	64,714	66,311
Physician Licenses in Effect³		
California address	106,284	108,594
Out-of-state address	24, 442	23,776
Total	130,726 ⁴	132,370⁵
Fictitious Name Permits		
Issued	1,130 ⁶	1,229⁷
Renewed	3,833	6,434
Total number of permits in effect	10,835	12,242

- ¹ FLEX: Federation Licensing Exam.
USMLE: United States Medical Licensing Exam.
NBME: National Board Medical Exam.
- ² Includes physicians with disabled, retired, military, or voluntary services license status.
- ³ Excludes physicians with an inactive, retired, or disabled license status.
- ⁴ Total Physician Licenses in Effect including inactive, retired or disabled license status – 137,320.
- ⁵ Total Physician Licenses in Effect including inactive, retired or disabled license status – 138,741.
- ⁶ Includes 26 Fictitious Name Permits issued on behalf of the Board of Podiatric Medicine.
- ⁷ Includes 27 Fictitious Name Permits issued on behalf of the Board of Podiatric Medicine.

	FY 13-14	FY 14-15
Special Faculty Permits		
Permits issued	1	3
Permits renewed	2	13
Total active permits	19	22
Licensing Enforcement Activity		
Licenses Issued with Public Letter of Reprimand	0	0
Probationary license granted	15	10
License denied (no hearing requested)	0	6
Statement of Issues to deny license filed	4	6
Statement of Issues granted (license denied)	3	2
Statement of Issues denied (license granted)	0	1
Statement of Issues withdrawn	0	1

Allied Health Care Professions Licenses/Registrations

	Issued	Current
Licensed Midwife	42	361
Dispensing Optician	63	991
Contact Lens Dispenser	81	993
Non-Resident Contact Lens Seller	0	7
Spectacle Lens Dispenser	245	2,143
Research Psychoanalyst	7	90
Polysomnographic Trainee	25	45
Polysomnographic Technician	19	78
Polysomnographic Technologist	46	512
Accreditation Agencies for Outpatient Settings	0	5

Verification & Reporting Activity Summary

	FY 13-14	FY 14-15
License Status Verifications		
Telephone verifications	13,788	9,763
Non-verification telephone calls	67,366 ¹	59,880²
Authorized Licensing Verification System (LVS) Internet users	534	388
Web license look-up	1,560,289	1,463,837³
Certification Letters and Letters of Good Standing	8,413	10,936
Reporting Activities		
Disciplinary reports mailed to health facilities upon written request pursuant to B&P Code §805.5	323	144
Adverse Actions reported to the National Practitioner Data Bank (NPDB)	640 ⁴	557⁵
B&P Code §805 & §805.1 reports of health facility discipline received	105/ ⁶	96/⁷

¹ Does not include the 8,005 listed under Consumer Inquiries on page v.

² Does not include the 8,775 listed under Consumer Inquiries on page v.

³ Statistics from Medical Board's 'BreEZe Online License Verification' page.

⁴ Includes 607 MDs, 13 Doctors of Podiatric Medicine, 15 Physician Assistants, 2 Denials by the Physician Assistant Board, 3 Registered Dispensing Opticians Program, 0 Licensed Midwives and 0 Denials by Licensing Program.

⁵ Includes 551 MDs, 3 Registered Dispensing Opticians Program, 0 Licensed Midwives and 3 Denials by Licensing Program.

⁶ Includes 98 805 Reports against MDs, 3 Doctors of Podiatric Medicine and 4 Physician Assistants; 2 805.01 Reports Against MDs.

⁷ Includes 96 805 Reports and 4 805.01 Reports against MDs.

2014 Licensed Midwife Annual Report Summary¹

	2013	2014
Clients served as primary caregiver at the onset of care	5,052	5,386
Clients served with collaborative care available through or given by a licensed physician and surgeon	2,720	2,763
Clients served under the supervision of a licensed physician and surgeon	444	161
Planned out-of-hospital births at the onset of labor	3,028	3,397
Planned out-of-hospital births completed in an out-of-hospital setting:	2,559	2,833
Twin Births	6	1
Multiple Births (other than Twin Births)	0	1
Breech Births	20	12
VBAC (vaginal births after the performance of a Cesarean section)	109	150
Complications - Resulting in the mortality of the mother prior to transfer	0	0
Complications - Resulting in the mortality of the mother after transfer	0	0
Complications - Resulting in the mortality of the infant prior to transfer	3	2
Complications - Resulting in the mortality of the infant after transfer	10	2
Antepartum - Primary care transferred to another health care practitioner (elective)	308	401
Antepartum - Urgent or emergency transport of expectant mother	89	113
Intrapartum - Elective hospital transfer	398	492
Intrapartum - Urgent or emergency transfer of an infant or mother	58	69
Postpartum - Elective hospital transfer of mother	41	57
Postpartum - Elective hospital transfer of infant	37	31
Postpartum - Urgent or emergency transfer of a mother	42	37
Postpartum - Urgent or emergency transfer of an infant	32	39

¹ Conclusions should not be drawn from this summary as data does not specify whether the death is fetal, intrapartum or neonatal; whether the affected perinate had congenital anomalies incompatible with life; or whether the perinate was born in or out of a hospital. Births are attended by the licensed midwife as the primary caregiver.

Enforcement Summary

On July 1, 2014, the Board established its Complaint Investigation Office (CIO). This unit, comprised of six Special Investigators (non-sworn) and a Supervising Special Investigator I, is tasked with investigating quality of care investigations following a medical malpractice settlement or judgement, cases against physicians charged with or convicted of a criminal offense, and physicians petitioning for reinstatement of a license following revocation or surrender of his or her license. During FY 2014-2015 the Special Investigators in the CIO investigated and closed 296 cases and referred 26 to the Attorney General's (AG's) Office to take disciplinary action against the licensee's physician's and surgeon's license. The 26 referrals accepted by the AG's Office consisted of 12 convictions, 13 Petitions for Reinstatement and one medical malpractice case.

Also on July 1, 2014, in compliance with Senate Bill (SB) 304 (Lieu, Chapter 515, Statutes of 2013), the Board transferred its investigative staff to the new unit within the Department of Consumer Affairs entitled the Health Quality Investigation Unit (HQIU). Therefore, all complaints that require investigation by a sworn investigator are now transmitted to the HQIU for investigation. This law did not change the requirements for these cases to be investigated through the vertical enforcement model and therefore both an investigator

and a Deputy Attorney General from the AG's Office are assigned to investigate the violations in the complaint. The Board is responsible for reviewing the outcome of the

Enforcement Summary (continued on page vi)

Enforcement Program Action Summary Physicians & Surgeons

	FY 13-14	FY 14-15
Complaints/Investigations¹		
Complaints received	8,329	8,267
Complaints closed by Complaint Unit	5,341	7,578
Investigations¹		
Cases opened	1,562	1,381
Cases closed	1,331	1,469
Cases referred to the Attorney General (AG)	491	471
Cases referred for criminal action	67	76
Number of probation violation reports referred to the AG	27	20
Consumer Inquiries		
Consumer inquiries	8,005	8,775
Jurisdictional inquiries	4,403	4,826

¹ Some cases closed were opened in a prior fiscal year.

Physicians & Surgeons Complaints Received by Type & Source	Fraud	Health & Safety ¹	Non-Jurisdictional ²	Gross Negligence/ Incompetence ³	Other Category	Personal Conduct ⁴	Unprofessional Conduct ⁵	Unlicensed/ Unregistered	Total
	Public	60	46	369	3,260	22	27	1,549	155
B&P Code⁶	0	8	3	659	112	101	19	0	902
Licensee/ Prof. Group⁷	9	14	21	66	11	25	98	24	268
Government Agency⁸	6	21	3	106	77	217	374	84	888
Misc./Anonymous	16	36	100	210	8	38	213	100	721
Totals	91	125	496	4,301	230	408	2,253	363	8,267

¹ Health and Safety complaints, e.g., excessive prescribing, sale of dangerous drugs, etc.

² Non-jurisdictional complaints are not under the authority of the Board and are referred to other agencies such as the Department of Health Care Services, Department of Managed Health Care, etc.

³ Gross Negligence/Incompetence complaints are related to the quality of care provided by licensees.

⁴ Personal Conduct complaints, e.g., licensee self-abuse of drugs/alcohol, conviction of a crime, etc.

⁵ Unprofessional Conduct complaints include sexual misconduct with patients, discipline by another state, failure to release medical records, etc.

⁶ Reference is to B&P Code §800 and §2240(a) and includes complaints initiated based upon reports submitted to the Board by hospitals, insurance companies and others, as required by law, regarding instances of health facility discipline, malpractice judgments/settlements, or other reportable activities.

⁷ Licensee/Professional Group includes the following complaint sources: other Licensee, Society/Trade Organization, and Industry.

⁸ Governmental Agency includes the following complaint sources: Internal, Law Enforcement Agency, other California State Agency, other State, other Unit of Consumer Affairs, and Federal or other Governmental Agency.

Enforcement Summary *(continued from page v)*

investigation for approval, but the investigation is now performed outside of the Board’s auspices.

When SB 304 became operative on January 1, 2014, it also mandated accredited outpatient surgery settings to submit adverse events to the Board within specified time limits. These reports have to be submitted no later than five days after the adverse event has been detected, or, if that event is an ongoing threat to the health, welfare, or safety of patients, medical personnel or the public, the event must be reported to the Board no later than 24 hours upon discovery. During FY 2014-2015, 104 adverse events were reported including surgical mishaps or deaths, improper use of surgery products or devices, case management errors resulting in poor quality of patient care, environmental circumstances resulting in patient death or disability, or criminal wrongdoings by medical personnel inflicted upon a patient. The Board reviews each adverse event report and takes appropriate action either with the assistance of an approved accreditation agency or through the Board’s Enforcement Program.

On January 1, 2015, Assembly Bill 1886 became effective. This bill restructured the statute related to public disclosure information, requiring the Board to restore documents previously removed from its website. Staff in the Board’s Discipline Coordination Unit (DCU) identified over 7,000 disciplinary records requiring the posting of public disclosure information to the website. DCU staff worked to scan the related public disciplinary documents and make them available on the Board’s website. This

legislation provides transparency to the public in requiring the cases with significant disciplinary action to remain on the Board’s website as long as they are public, thereby furthering the Board’s mission of consumer protection.

Malpractice Settlement Reports Received Per Business and Professions Code Section 801.01 by Specialty Practice

Specialty/Subspecialty	No. of Reports ¹	No. of Physicians ²
Allergy and Immunology	1	651
Anesthesiology	24	6,006
Cardiology	13	3,390
Colon and Rectal	6	197
Critical Care	2	1,418
Dermatology	4	2,177
Emergency Medicine	23	4,532
Facial, Plastic, Reconstructive Surgery	1	1,010
Gastroenterology	10	1,725
General/Family Practice	63	10,115
General Surgery	42	4,000
Gynecology	20	6,019
Hematology	2	1,131
Internal Medicine	55	28,415
Neonatal/Perinatal	2	683
Nephrology	15	1,222
Neurological Surgery	20	559
Neurology	3	2,130
Obstetrics	45	6,019
Ophthalmology	13	2,868
Orthopedic Surgery	47	3,420
Otolaryngology	14	1,649
Pain Medicine	4	634
Pathology	4	4,010
Pediatrics	14	10,985
Physical Medicine & Rehabilitation	1	1,199
Plastic Surgery	21	952
Preventive Medicine	1	1,043
Psychiatry	16	7,458
Pulmonology	1	1,567
Radiology	43	6,399
Rheumatology	2	706
Thoracic Surgery	11	487
Urology	14	1,256
Vascular Surgery	4	311

Reports Received Based Upon Legal Requirements

	FY 13-14	FY 14-15
Medical Malpractice		
Insurers: B&P Code §801.01	570	476
Attorneys or Self-Reported or Employers: B&P Code §801.01	145	125
Courts: B&P Code §803	6	2
Total Malpractice Reports	721	603
Coroners’ Reports: B&P Code §802.5	2	5
Criminal Charges & Convictions: B&P Code §802.1 & §803.5	41	95
Health Facility Discipline Reports Medical Cause or Reason: B&P Code §805	98	96
Health Facility Reports: B&P Code §805.01	2	4
Outpatient Surgery Settings Reports Patient Death: B&P Code §2240(a)	12	9

¹ The procedure was performed in the practice specialty/subspecialty; however, the physician may or may not have been certified in the specialty/subspecialty area.

² California physicians certified in specialty according to the 2013-2014 American Board of Medical Specialties Certification Statistics Report.

Enforcement Program Action Summary

Physicians & Surgeons		FY 13-14	FY 14-15
Administrative Actions			
Accusation		273	310
Petition to Revoke Probation/Accusation and Petition to Revoke		30	21
Amended Accusation/Petition to Revoke		60	70
Number of completed investigations referred to the AG awaiting the filing of an Accusation as of June 30, 2015		112	104
Number of cases over 6 months old that resulted in the filing of an Accusation		229	254
Administrative Outcomes			
Revocation		51	45
Surrender (in lieu of Accusation or with Accusation pending)		77	85
Suspension		1	0
Probation with Suspension		16	14
Probation		121	122
Probationary License Issued		15	10
Public Reprimand		90	86
Other Actions (e.g., exam required, educational course, etc.)		4	3
Accusation Withdrawn ¹		17	14
Accusation Dismissed		0	10
Dispositions of Probation Filings			
Probation Revoked or License Surrendered		12	10
Additional Suspension and Probation		1	1
Additional Suspension or Probation		12	12
Public Reprimand		1	0
Petition Withdrawn/Dismissed		3	2
Referral and Compliance Actions			
Citation and Administrative Fines Issued		45	5 ²
Petition Activity			
Petition for Reinstatement of License Filed		14	7
Petition for Reinstatement of License Granted		8	11
Petition for Reinstatement of License Denied		7	8
Petition for Penalty Relief Granted ³		35	28
Petition for Penalty Relief Denied ³		11	9
Petition to Compel Exam Filed		12	12
Petition to Compel Exam Granted		12	12
Petition to Compel Exam Denied		0	0
License Restrictions/Suspensions Imposed While Administrative Action Pending			
Interim Suspension Orders		21	14 ⁴
Temporary Restraining Orders		0	0 ⁴
Other Suspension Orders		53	38 ⁵
License Restrictions/Suspensions/Temporary Restraining Orders Sought and Granted by Case Type			
NOTE: Some orders granted were sought in prior FY.		Sought	Granted
Gross Negligence/Incompetence		2	3
Inappropriate Prescribing		9	8
Unlicensed Activity		0	0
Sexual Misconduct		6	5
Mental/Physical Illness		12	6
Self-Abuse of Drugs or Alcohol		12	11
Fraud		7	5
Criminal Charges/Conviction of a Crime		5	1
Unprofessional Conduct		14	13
Total		67	52

¹ Accusations withdrawn for the following reasons: physician passed a competency exam; physician met stipulated terms and conditions; physician was issued a citation/fine instead; physician died, etc.

² Effective 7/1/14, the Board's sworn staff within the Enforcement Program transferred to the Division of Investigation's Health Quality Investigation Unit. The authority to issue a citation by the Enforcement Program was lost due to this transition. The statistic reflects citations issued by the Board's Chief of Licensing only.

³ Penalty Relief includes Petitions for Modification of Penalty and Petitions for Termination of Probation.

⁴ Pursuant to B&P Code §2220.05 (c), ISOs and TROs were granted in the following priority categories: 0-gross negligence/incompetence resulting in death or serious bodily injury, 0-drug or alcohol abuse involving death or serious bodily injury, 1-excessive prescribing, 1-sexual misconduct with a patient, and 1-practicing under the influence of drugs/alcohol.

⁵ Includes 4-Automatic Suspension Orders per B&P Code §2236, 7-license restrictions per Penal Code §23, 7-license restrictions pursuant to court order, 11-out-of-state suspension orders per B&P Code §2310, 0-stipulated agreement to suspend or restrict the practice of medicine, and 9-suspension/cease practice orders issued for violation of probation condition.

Enforcement Program Action Summary Agenda Item 6 A

Physicians & Surgeons

Reports Per Business and Professions Code Sections 805 & 805.01

	805	805.01
Total Reports Received	96	4
Peer Review Body Type		
Health Care Facility/Clinic	53	4
Surgical Center	1	0
Health Care Service Plan	24	0
Professional Society	0	0
Medical Group/Employer	18	0
Outcomes of Reports Received		
Accusation Filed	0	0
Pending Disposition	30	4
Cases Closed	66	0

Enforcement Processing Time Frames

Average and median time (calendar days) in processing complaints during the fiscal year, for all cases, from date of original receipt of the complaint, for each stage of discipline, through completion of judicial review:

	FY 13-14 ¹		FY 14-15	
	AVG	MED	AVG	MED
Complaint Process	67	43	141	113
Investigation Process (Non-Sworn & Sworn)	245	205	N/A	N/A
Investigation Process (Non-Sworn)	N/A	N/A	91	57
Investigation Process (Sworn)	N/A	N/A	310	292
AG Process (time to file accusation)	110	86	92	66
Other stages of the legal process (e.g., after charges filed)	443	402	417	382

¹ The report used to obtain this information does not accurately exclude the days between any closed and reopened activities, resulting in the number of days being greater than the actual number of days to complete these processes.

Enforcement Field Operations Caseload	FY 14-15 ¹	
Health Quality Investigation Unit Caseload²	Statewide	Per Investigator
Active investigations	1,087	14
AG assigned cases ³	465	6
Probation Unit Caseload⁴	Statewide	Per Inspector
Monitoring Cases ⁵	614	36

¹ Average is determined by using the total number of authorized positions, including vacant positions.

² Includes physicians and surgeons, licensed midwives, research psychoanalysts, dispensing opticians program, outpatient surgery settings, polysomnographic program, doctors of podiatric medicine, physician assistants, psychologists, and osteopathic physicians and surgeons.

³ These cases are at various stages of AG processing and may require supplemental investigative work, such as subpoena services, interviewing new victims or witnesses, testifying at hearings, etc.

⁴ Includes physicians and surgeons, licensed midwives, research psychoanalysts, and dispensing opticians program.

⁵ 89 additional monitoring cases were inactive because the probationer was out of state as of June 30, 2015.

Administrative Outcomes by Case Type¹

	Revocation	Surrender	Suspension Only	Probation with Suspension	Probation	Probationary License Issued	Public Reprimand	Other Action	Total Actions
Gross Negligence/Incompetence	6	16	0	1	40	0	53	2	118
Inappropriate Prescribing	9	15	0	2	18	0	2	1	47
Unlicensed Activity	1	3	0	1	4	0	3	0	12
Sexual Misconduct	4	2	0	3	2	0	0	0	11
Mental/Physical Illness	6	19	0	0	11	0	0	0	36
Self-Abuse of Drugs/Alcohol	5	12	0	4	26	0	0	0	47
Fraud	3	5	0	2	1	0	0	0	11
Conviction of a Crime	1	2	0	1	2	0	6	0	12
Unprofessional Conduct	10	11	0	0	18	10	22	0	71
Miscellaneous Violations	0	0	0	0	0	0	0	0	0
Totals by Discipline Type	45	85	0	14	122	10	86	3	365

¹ Pursuant to B&P Code §2220.05(c), disciplinary actions were taken in the following priority categories: 26 - gross negligence/incompetence resulting in death or serious bodily injury, 0 - practicing under the influence resulting in death or serious bodily injury, 26 - excessive prescribing, 7 - sexual misconduct with a patient, and 10 - practicing under the influence of drugs/alcohol.

Enforcement Action Summary Allied Health Care Professions¹

	FY 13-14 ¹	FY 14-15 ²
Complaints/Investigations		
Complaints received	126	216
Complaints closed by Complaint Unit	58	184
Investigations		
Cases opened	54	34
Cases closed	46	55
Cases referred to the AG	5	6
Cases referred for criminal action	2	0
Number of Probation Violation Reports referred to AG	0	0
License Restrictions/Suspensions Imposed While Administrative Action is Pending		
Interim Suspension Orders	0	0
Other Suspension Orders ²	0	1
Administrative Actions		
Accusation	7	4
Petition to Revoke Probation	0	0
Amended Accusation/Petition to Revoke Probation	0	0
Statement of Issues to deny application	0	0
Number of completed investigations referred to AG's Office awaiting the filing of an Accusation as of June 30, 2015	0	1

¹ Allied Health Care Professionals include information for the programs under the Board only – licensed midwives, research psychoanalysts, dispensing opticians program, outpatient surgery settings, and polysomnographic program.

² Includes 1 license restriction per Penal Code §23 for the dispensing opticians program.

³ Penalty Relief includes Petitions for Modification of Penalty and Petitions for Termination of Probation.

	FY 13-14 ¹	FY 14-15 ²
Administrative Outcomes		
Revocation	2	3
Surrender (in lieu of Accusation or with Accusation pending)	1	1
Probation with Suspension	0	0
Probation	0	1
Probationary License Issued	0	0
Public Reprimand	0	2
Other Actions (e.g., exam required, Education course, etc.)	0	0
Statement of Issues Granted (License Denied)	0	0
Statement of Issues Denied (License Granted)	0	0
Accusation/Statement of Issues Withdrawn	0	0
Accusation Dismissed	0	0
Dispositions of Probation Filings		
Additional Probation or Suspension	0	0
Probation Revoked or License Surrendered	0	0
Petition Withdrawn or Dismissed	0	0
Referral and Compliance Actions		
Citation and Administrative Fines Issued	0	0
Office Conferences Conducted	0	0
Petition Activity		
Petition for Reinstatement of License filed	0	0
Petition for Reinstatement of License granted	0	1
Petition for Reinstatement of License denied	0	0
Petition for Penalty Relief granted ³	0	0
Petition for Penalty Relief denied ³	0	0
Petition to Compel Exam granted	0	0
Petition to Compel Exam denied	0	0

Medical Board of California

Fiscal Year 2014 - 2015 Board Members

Michelle Anne Bholat, M.D.
Michael Bishop, M.D.
Dev GnanaDev, M.D.
Randy W. Hawkins, M.D.
Howard Krauss, M.D.
Sharon Levine, M.D.
Ronald H. Lewis, M.D.

Elwood Lui
Denise Pines
David Serrano Sewell, J.D.
Gerrie Schipske, R.N.P., J.D.
Jamie Wright, Esq.
Barbara Yaroslavsky
Felix Yip, M.D.