

## MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: January 6, 2015  
 ATTENTION: Members, Medical Board of California  
 SUBJECT: Enforcement Program Summary  
 STAFF CONTACT: Christina Delp, Chief of Enforcement

### Requested Action:

This report is intended to provide the Members with an update on the Enforcement Program at the Medical Board of California (Board). No action is needed at this time.

### Expert Reviewer Program Update:

There are currently 1065 experts in the Board's expert database. 293 experts were utilized to review 555 cases between January and December 2015. **Attachment A** provides the Expert Reviewer Program statistics. Additional experts are needed in the following specialties:

- Addiction Medicine with additional certification in Family or Internal Medicine, or Psychiatry
- Dermatology
- Family Medicine
- Midwife Reviewer
- Neurological Surgery
- Neurology
- OB/Gyn
- Pathology
- Pain Medicine
- Plastic Surgery
- Psychiatry
- Surgery *(Although the numbers show that we have more experts than total cases in this field, we still need to expand our list because it is difficult to find actively practicing surgeons readily available to perform reviews at time of request.)*
- Urology

In Mid-November, one of the analyst positions in the Expert Reviewer Program became vacant. Recruitment efforts to fill this position were initiated and interviews are scheduled to be conducted at the end of January. The vacancy caused some delay in moving forward with the Board's recruitment plan to expand the number of experts within the aforementioned specialty fields of medicine. However, staff will resume efforts to implement the plan after the new employee is hired. Meanwhile, the Board continues to advertise in its quarterly Newsletter, encouraging physicians to become participants of the Expert Reviewer Program.

The Expert Reviewer training is tentatively scheduled for March 19, 2016 at UC San Diego School of Medicine. As soon as the contract for services is finalized, invitations to participate in the training will be sent out to the experts. Additionally, the Program is looking into the possibility of conducting a second training session this summer in Southern California at the UCLA School of Medicine.

### Staffing Update:

The Board recently received approval for the establishment of an additional Staff Services Manager II position within the Enforcement Program. Ms. Romero will remain the Staff Services Manager II responsible for overseeing the Central Complaint Unit's (CCU) Quality of Care, Physician Conduct and

Data Integrity Sections. The new manager will be responsible for oversight of the Complaint Investigation Office (CIO), the Discipline Coordination Unit (DCU), and the Probation Unit. Interviews for this position are expected to be conducted by February 2016.

I am pleased to report that the CCU, the CIO, and the DCU are all fully staffed as of January 2016. The new employees hired in the CCU and the CIO in the last quarter of 2015 are contributing greatly to their respective units as they each continue with their training.

In the Probation Unit, the LA Metro office filled their vacant Inspector I position and the new employee reported to work on November 2, 2015. The Northern California office has one vacant Inspector I position and one vacant Associate Governmental Program Analyst position. Interviews for these vacancies are expected to be conducted in February 2016. In addition, Staff Services Manager I Catherine Hayes retired from state service effective December 30, 2015. Ms. Hayes came to the Board in 2008 and played an integral part in the creation of the Probation Unit. The vast knowledge and insight she brought to the Probation Unit will be greatly missed. Interviews to fill this vacant Staff Services Manager I position will also be conducted in February 2016.

Finally, as previously stated, there is one vacant Associate Governmental Program Analyst position within the Board's Expert Reviewer Program.

Central Complaint Unit:

The number of days it takes to initiate a complaint during the second quarter of fiscal year 2015/2016 has increased to an average of seventeen (17) days. Staff continues to work on reducing this timeframe to ten (10) days to ensure compliance with Business and Professions Code Section 129 but it is evident further assistance is needed. As such, management is currently drafting a justification, for department approval, to hire one additional Management Services Technician to perform this function.

Case reviews for all CCU analysts were completed in November 2015 and staff is now using the instruction and guidance provided by management to aid in their efforts to reduce the number of days needed to complete the processing of complaints.

Complaint Investigation Office:

Petitions for Modification and/or Early Termination of Probation were temporarily redirected from the Probation Unit to the CIO. The vacant Probation Unit analyst position is assigned this workload, however to mitigate an increasing backlog and to address the request timely, the workload was redirected. This has resulted in the Special Investigators (non-sworn) seeing a slight increase in their caseload. Each Special Investigator is now assigned, approximately, 40-45 cases. Since the last summary report in October 2015, the unit has closed fifty-eight (58) cases and has transmitted three (3) cases to the Attorney General's Office; one (1) Petition for Reinstatement and two (2) medical malpractice cases.

Discipline Coordination Unit:

Staff in the DCU continues to focus their efforts on restoring public disciplinary documents to the Board's website to ensure compliance with Assembly Bill 1886. Staff has worked overtime in an attempt to complete the project and also follows a daily schedule to guarantee time is spent on the project, however, additional attention is still needed. As such, the Enforcement Program has received approval to hire two Student Assistants to aid in finalizing this project. Interviews for the two students are expected to occur at the beginning of February 2016.

Probation Unit:

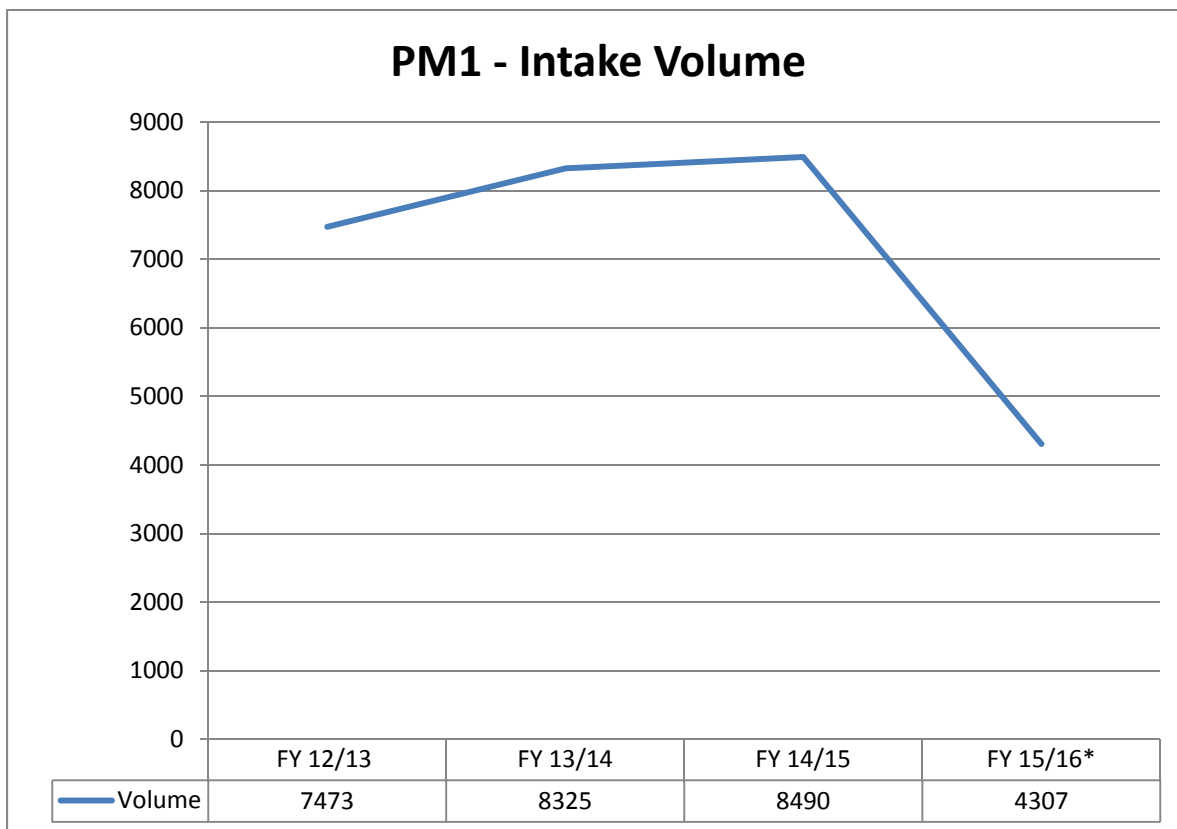
With the retirement of Ms. Hayes, coupled with the approval to hire a new Manager II position, the meeting to discuss and develop a comprehensive training plan for the unit’s inspectors was placed on hold until the two new managers are hired. It is crucial to afford the new managers the opportunity to participate in the development of the unit’s training plan.

On January 5, 2015, Enforcement Committee Chair Dr. Yip spent the entire day with management and Probation North staff discussing how the Probation Unit operates. Dr. Yip reviewed the daily functions performed by staff and the methods used by staff to monitor the terms and conditions for a licensee on probation to ensure compliance. The meeting was very productive and some new policies and procedures to streamline and improve the process will be implemented based upon the meeting.

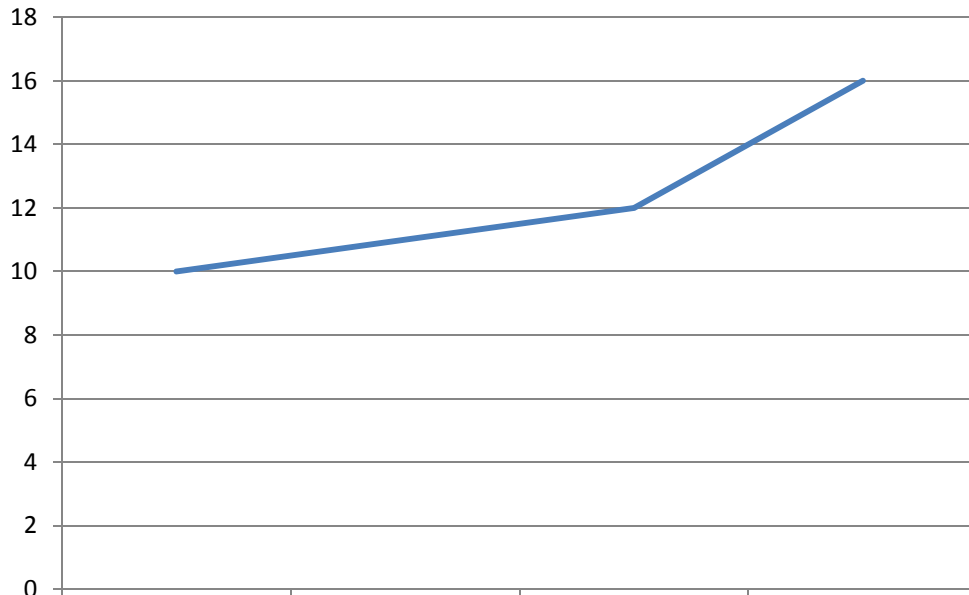
Enforcement Performance Measures:

The charts below depict workload statistics regarding the number of complaints received (PM 1; includes complaints and arrest notifications), processing times to initiate a complaint and assign it to a desk analyst (PM 2), complete an investigation (for both sworn, non-sworn, and desk investigations) (PM 3), and the average number of days it takes to complete a case that has been transmitted to the Attorney General for disciplinary action (PM 4).

\*The FY 15/16 numbers represented are for the time period July 1 to December 31, 2015.

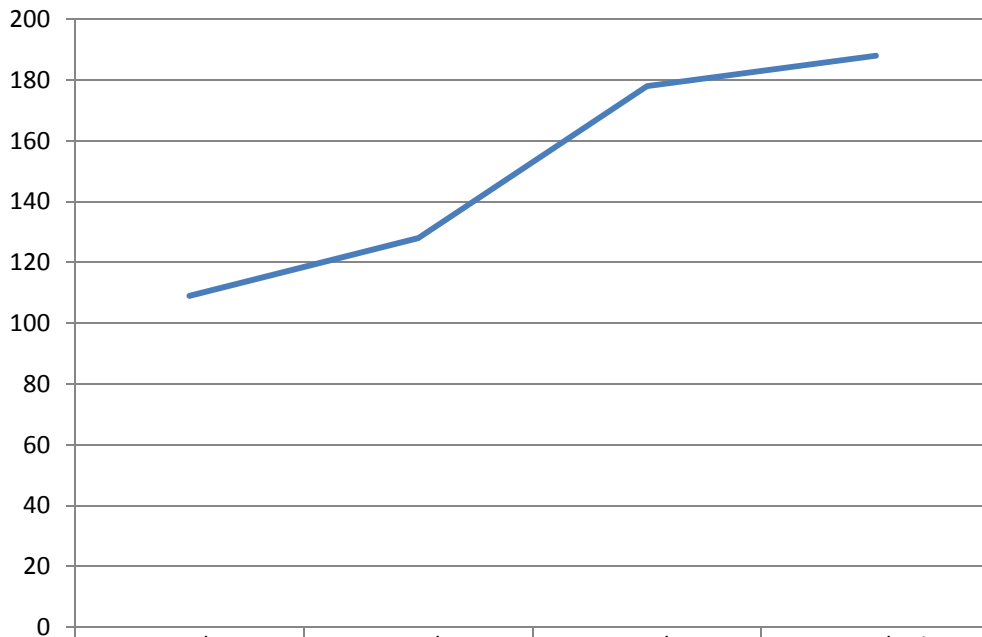


### PM2 - Intake Cycle Time

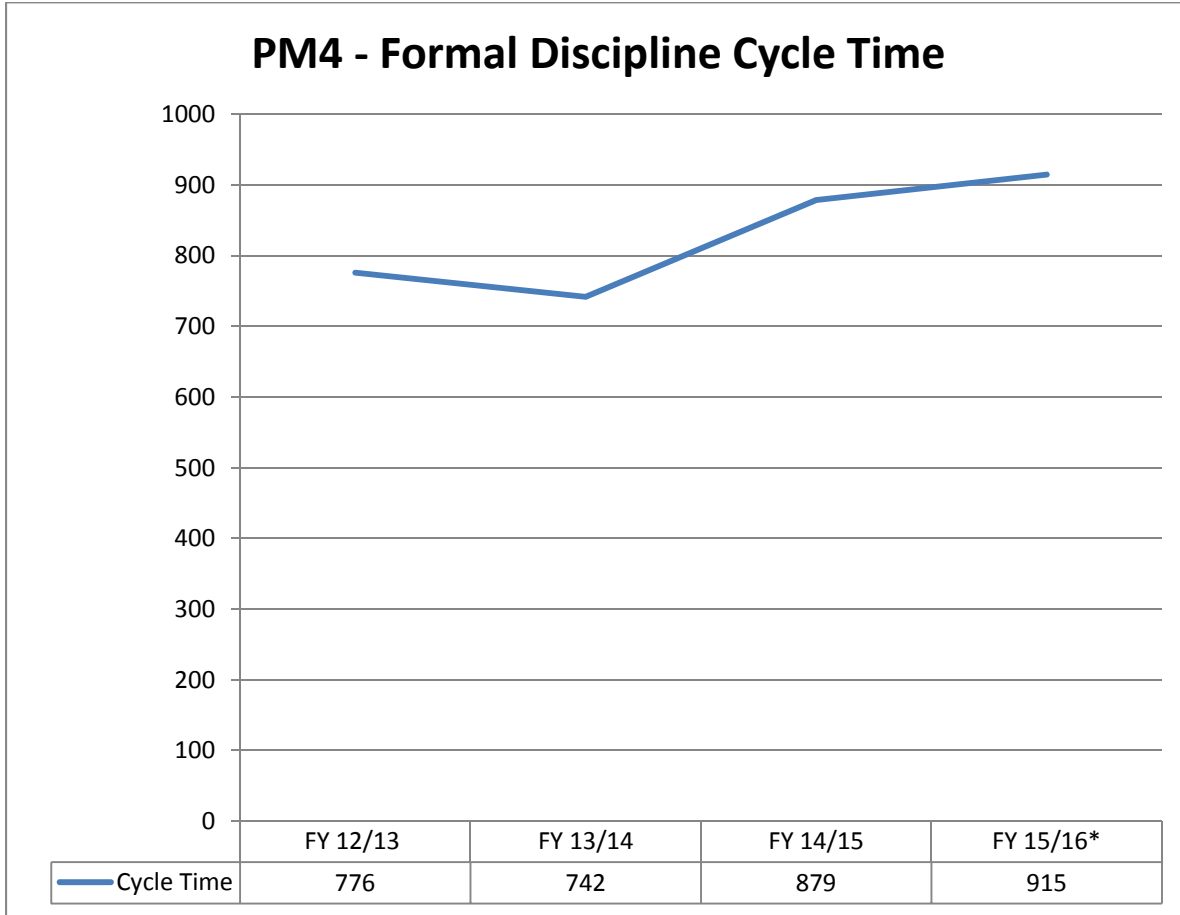


	FY 12/13	FY 13/14	FY 14/15	FY 15/16*
Cycle Time	10	11	12	16

### PM3 - Intake and Investigation Cycle Time



	FY 12/13	FY 13/14	FY 14/15	FY 15/16*
Cycle Time	109	128	178	188



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Expert Reviewer Program Report**

**December 31, 2015**

<b>SPECIALTY</b>	<b>Number of cases reviewed by Experts January 1 through December 31, 2015</b>	<b>Number of Experts and how often utilized from January 1 through December 31, 2015</b>	<b>Active List Experts 1,065↑</b>
<i>ADDICTION</i>	2	2 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE EA	9 ↓
ALLERGY & IMMUNOLOGY (A&I)			3
ANESTHESIOLOGY (Anes)	11	6 EXPERTS 5 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 7 CASES	79 ↑
COLON & RECTAL SURGERY (CRS)			3
<i>COMPLEMENTARY/ALTERNATIVE MEDICINE</i>	6	2 EXPERTS 1 LIST EXPERT REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 4 CASES	18 ↑
DERMATOLOGY (D)	5	3 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 3 CASES	12
EMERGENCY (EM)	16	8 EXPERTS 5 LIST EXPERTS REVIEWED 1 CASE EA 2 LIST EXPERTS REVIEWED 2 CASES EA 1 LIST EXPERT REVIEWED 8 CASES	45 ↑
FAMILY (FM)	83	33 EXPERTS 17 LIST EXPERTS REVIEWED 1 CASE EA 6 LIST EXPERTS REVIEWED 2 CASES EA 2 LIST EXPERTS REVIEWED 3 CASES EA 2 LIST EXPERTS REVIEWED 4 CASES EA 2 LIST EXPERTS REVIEWED 5 CASES EA 1 LIST EXPERT REVIEWED 6 CASES 1 LIST EXPERT REVIEWED 7 CASES 1 LIST EXPERT REVIEWED 9 CASES 1 LIST EXPERT REVIEWED 13 CASES	63 ↓
<i>HAND SURGERY</i>	1	1 EXPERT 1 LIST EXPERT	11 ↓
<i>HOSPICE &amp; PALLIATIVE MEDICINE</i>	1	1 EXPERT 1 LIST EXPERT	15
INTERNAL (General Internal Med)	67	42 EXPERTS 27 LIST EXPERTS REVIEWED 1 CASE EA 5 LIST EXPERTS REVIEWED 2 CASES EA 5 LIST EXPERTS REVIEWED 3 CASES EA 2 LIST EXPERTS REVIEWED 4 CASES EA 3 LIST EXPERTS REVIEWED 5 CASES EA	151 ↓
Cardiovascular Disease (Cv)	10	6 EXPERTS 4 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 3 CASES EA 1 LIST EXPERT REVIEWED 4 CASES EA	33 ↑

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Endocrinology (EDM)	2	2 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE EA	6 ↑
Gastroenterology (Ge)	10	6 EXPERTS 4 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 4 CASES	20 ↓
Nephrology (Nep)			11
Pulmonary Disease (Pul)	1	1 EXPERT 1 LIST EXPERT	16
Rheumatology (Rhu)			5
MIDWIFE REVIEWER	2	3 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 2 CASES	4 ↓
NEUROLOGICAL SURGERY (NS)	8	6 EXPERTS 1 OFF LIST EXPERT REVIEWED 1 CASE 3 LIST EXPERTS REVIEWED 1 CASE EA 2 LIST EXPERTS REVIEWED 2 CASES EA	10
NEUROLOGY (N)	19	9 EXPERTS 1 OFF LIST EXPERT REVIEWED 1 CASE 3 LIST EXPERTS REVIEWED 1 CASE EA 2 LIST EXPERTS REVIEWED 2 CASES EA 1 LIST EXPERT REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 4 CASES 1 LIST EXPERT REVIEWED 5 CASES	21 ↓
NEUROLOGY with Special Qualifications in Child Neurology (N/ChiN)			3
NUCLEAR MEDICINE (NuM)			4
OBSTETRICS & GYNECOLOGY (ObG)	40	23 EXPERTS 11 LIST EXPERTS REVIEWED 1 CASE EA 7 LIST EXPERTS REVIEWED 2 CASES EA 2 LIST EXPERTS REVIEWED 3 CASES EA 2 LIST EXPERTS REVIEWED 4 CASES EA 1 LIST EXPERT REVIEWED 7 CASES	62
OCCUPATIONAL MEDICINE	2	2 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE EA	6

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OPHTHALMOLOGY (Oph)	13	<b>8 EXPERTS</b> 4 LIST EXPERTS REVIEWED 1 CASE EA 2 LIST EXPERTS REVIEWED 2 CASES EA 1 LIST EXPERT REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 4 CASES	26
ORTHOPAEDIC SURGERY (OrS)	10	<b>8 EXPERTS</b> 7 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 3 CASES	30
OTOLARYNGOLOGY (Oto)	1	<b>1 EXPERT</b> 1 LIST EXPERT	17 ↑
PAIN MEDICINE (PM)	30	<b>15 EXPERTS</b> 9 LIST EXPERTS REVIEWED 1 CASE EA 2 LIST EXPERTS REVIEWED 2 CASES EA 1 LIST EXPERT REVIEWED 3 CASES 3 LIST EXPERTS REVIEWED 5 CASES EA	28 ↓
PATHOLOGY (Path)	6	<b>5 EXPERTS</b> 1 OFF LIST EXPERT REVIEWED 1 CASE 3 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 2 CASES	12 ↑
PEDIATRICS (Ped)	8	<b>6 EXPERTS</b> 4 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES	47 ↓
Pediatric Cardiology (Cd)	2	<b>2 EXPERTS</b> 2 LIST EXPERTS REVIEWED 1 CASE	4 ↓
PHYSICAL MEDICINE & REHABILITATION (PMR)			10
PLASTIC SURGERY (PIS)	43	<b>16 EXPERTS</b> 4 LIST EXPERTS REVIEWED 1 CASE EA 3 LIST EXPERTS REVIEWED 2 CASES EA 4 LIST EXPERTS REVIEWED 3 CASES EA 1 LIST EXPERT REVIEWED 4 CASES 1 LIST EXPERT REVIEWED 5 CASES 2 LIST EXPERTS REVIEWED 6 CASES EA 1 LIST EXPERT REVIEWED 7 CASES	36 ↓



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PSYCHIATRY (Psyc)	141	<b>53 EXPERTS</b> 2 OFF LIST EXPERTS REVIEWED 1 CASE EA 25 LIST EXPERTS REVIEWED 1 CASE EA 7 LIST EXPERTS REVIEWED 2 CASES EA 5 LIST EXPERTS REVIEWED 3 CASES EA 5 LIST EXPERTS REVIEWED 4 CASES EA 2 LIST EXPERTS REVIEWED 5 CASES EA 2 LIST EXPERTS REVIEWED 6 CASES EA* 1 LIST EXPERT PERFORMED 7 EVALUATIONS 1 LIST EXPERT PERFORMED 8 EVALUATIONS 1 LIST EXPERT REVIEWED 3 CASES AND PERFORMED 6 EVALUATIONS 1 LIST EXPERT REVIEWED 5 CASES AND PERFORMED 9 EVALUATIONS 1 LIST EXPERT REVIEWED 6 CASES, PREP. FOR HEARING 1 CASE, ADMINISTERED PROBATION PCE-1 CASE AND PERFORMED 16 EVALUATIONS	69 ↓
RADIOLOGY (Rad)	9	<b>6 EXPERTS</b> 5 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 5 CASES*	29 ↑
*COMPANION CASES (5 CASES/2 SUBJECTS)			
Radiation Oncology (Rad RO)			5
SLEEP MEDICINE (S)	2	<b>2 EXPERTS</b> 1 OFF LIST EXPERT REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES	7
SURGERY (S)	21	<b>15 EXPERTS</b> 1 OFF LIST EXPERT REVIEWED 1 CASE 10 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERTS REVIEWED 2 CASES 2 LIST EXPERTS REVIEWED 3 CASES EA 1 LIST EXPERT REVIEWED 4 CASES	29
Pediatric Surgery (PdS)			2
VASCULAR SURGERY (VASCS)	2	<b>3 EXPERTS</b> 3 LIST EXPERTS REVIEWED 1 CASE EA	7

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THORACIC SURGERY (TS)	1	1 EXPERT 1 LIST EXPERT	10 ↓
<i>TOXICOLOGY</i>	1	1 EXPERT 1 LIST EXPERT	7
UROLOGY (U)	11	8 EXPERTS 7 LIST EXPERTS REVIEWED 1 CASE EA 1 LIST EXPERT REVIEWED 6 CASES	12 ↓

TOTAL CASES REVIEWED (Calendar Year 2015)	<b>555</b>
TOTAL EXPERTS UTILIZED (Calendar Year 2015)	<b>293</b>
TOTAL ACTIVE LIST EXPERTS (Dec 31, 2015)	<b>1,065</b>

↓↑ Numbers fluctuate based on availability of experts, new experts added and experts removed from the program.