

## MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: July 31, 2015  
 ATTENTION: Members, Medical Board of California  
 SUBJECT: Enforcement Program Summary  
 STAFF CONTACT: Kimberly Kirchmeyer, Executive Director

### 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 1074 experts in the Board's expert database. 186 experts were utilized to review 307 cases between January and June 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
- Neurological Surgery
- Neurology
- OB/Gyn
- Pain Medicine (Active Private Practice)
- Pathology

### Staffing Update:

The Enforcement Program presently has nine vacancies throughout its various units. The Central Complaint Unit (CCU) is currently experiencing a high vacancy rate due to two disability retirements in two months and one employee separating from state service, in addition to two other vacancies that resulted from internal promotions. CCU management has filled one part-time Staff Services Analyst (SSA) position and this individual will report to work on August 10, 2015. Interviews for three of the remaining vacancies have been scheduled, and interviews to fill the final vacancy are expected to be scheduled for the beginning of August. The Complaint Investigation Office filled the Special Investigator (non-sworn) position that was reported vacant in May but now has another vacancy. This position has been advertised and interviews are expected to be scheduled the beginning of August. The Probation Unit is currently recruiting for one Inspector I position and one Associate Governmental Program Analyst (AGPA) in Northern California, and one Inspector II position in the LA Metro area. A candidate for the Inspector I position in Northern California is in the final stages of recruitment and the two remaining positions have been advertised. The Discipline Coordination Unit is fully staffed.

### Central Complaint Unit (CCU):

CCU has maintained an acceptable timeframe for the number of days elapsed between receipt of a complaint and the date of initiation, and is continuing its efforts to reduce the number of days needed for the completion of complaint processing. This has proven difficult with the increase in the number of vacancies in the unit but staff is working together to accomplish this goal, including working overtime to assist with the backlog of cases for the positions which are currently vacant.

Complaint Investigation Office (CIO):

The Special Investigators (non-sworn) in CIO continue to each carry a caseload of, approximately, 30-35 cases. Since the last report in May 2015 the unit has transmitted six (6) cases to the AG's Office; three (3) convictions, two (2) Petitions for Reinstatement and one (1) Medical Malpractice case. Staff also completed fourteen (14) face-to-face subject interviews and closed forty-nine (49) cases.

Discipline Coordination Unit (DCU):

DCU staff has continued to focus their efforts on restoring public disciplinary documents on the MBC website to ensure compliance with AB 1886. This assignment was near completion when another component related to Breeze was identified. Staff is working diligently on this task and hopes to have it completed in the near future.

Third Party Review of Disciplinary Action Demographic Data:

Staff is finalizing a Memorandum of Understanding (MOU) with the California Research Bureau (CRB) to review and analyze the Board's disciplinary action demographic data and issue a report on their findings. The draft MOU was submitted to the CRB in May 2015, however, there was a change in the administration at CRB and Board staff needed to wait until the new administration reviewed the MOU. Board staff met with CRB staff July 9 and discussed the CRB's suggested amendments. A revised MOU has been provided to CRB. The Board plans to have the MOU completed and finalized the week of July 20, 2015. Once the MOU has been signed by the CRB and the Board, work will begin on this project.

Statistics:

Unfortunately the Board still does not have access to reports that identify timeframes for the processing of complaints, investigations, or disciplinary actions. At this time, the primary focus is on obtaining reports related to the investigative process.

**Medical Board of California  
Expert Reviewer Program Report**

**CASES BY SPECIALTY SENT FOR REVIEW  
USE OF EXPERTS BY SPECIALTY  
ACTIVE LIST EXPERTS BY SPECIALTY  
July 1, 2015**

<b>SPECIALTY</b>	<b>Number of cases reviewed/sent to Experts (Jan-June 30, 2015)</b>	<b>Number of Experts used and how often utilized (Jan-June 30, 2015)</b>	<b>Active List Experts 1,074</b>
<i>ADDICTION</i>			12 ↑
ALLERGY & IMMUNOLOGY (A&I)			3
ANESTHESIOLOGY (Anes)	8	6 EXPERTS 5 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 4 CASES	70 ↓
COLON & RECTAL SURGERY (CRS)			3
<i>COMPLEMENTARY/ALTERNATIVE MEDICINE</i>	2	1 EXPERT 1 LIST EXPERT REVIEWED 2 CASES	18 ↓
DERMATOLOGY (D)	3	1 EXPERT 1 LIST EXPERT REVIEWED 3 CASES	10 ↑
EMERGENCY (EM) *INVOLVED 6 COMPANION CASES	12	6 EXPERTS 4 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 7 CASES*	45 ↓
FAMILY (FM)  *VERY RELIABLE EXPERT AND INCLUDED PREPARATION FOR HEARING	50	22 EXPERTS 11 LIST EXPERTS REVIEWED 1 CASE 4 LIST EXPERTS REVIEWED 2 CASES 4 LIST EXPERTS REVIEWED 3 CASES 2 LIST EXPERTS REVIEWED 4 CASES 1 LIST EXPERT REVIEWED 12 CASES*	65 ↑
<i>HAND SURGERY</i>			15
<i>HOSPICE &amp; PALLIATIVE MEDICINE</i>	1	1 EXPERT 1 LIST EXPERT	14
INTERNAL (General Internal Med)	35	29 EXPERTS 23 LIST EXPERTS REVIEWED 1 CASE 4 LIST EXPERTS REVIEWED 2 CASES 2 LIST EXPERTS REVIEWED 3 CASES	159 ↑
Cardiovascular Disease (Cv)	5	5 EXPERTS 5 LIST EXPERTS REVIEWED 1 CASE	33 ↑
Gastroenterology (Ge)	5	4 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES	20 ↑

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Nephrology (Nep)			13 ↑
Pulmonary Disease (Pul)	1	1 EXPERT 1 LIST EXPERT	16
Rheumatology (Rhu)			6
MIDWIFE REVIEWER	1	3 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE	5↓
NEUROLOGICAL SURGERY (NS)	5	4 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES	8
NEUROLOGY (N)  *INVOLVED COMPANION CASES	15	8 EXPERTS 4 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 5 CASES*	23 ↑
NEUROLOGY with Special Qualifications in Child Neurology (N/ChiN)			3
NUCLEAR MEDICINE (NuM)			4
OBSTETRICS & GYNECOLOGY (ObG)	18	13 EXPERTS 7 LIST EXPERTS REVIEWED 1 CASE 4 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 5 CASES	65↑
OPHTHALMOLOGY (Oph)	10	8 EXPERTS 6 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 3 CASES	26 ↑
ORTHOPAEDIC SURGERY (OrS)	3	3 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE	32 ↑
OTOLARYNGOLOGY (Oto)	1	1 EXPERT 1 LIST EXPERT	17 ↓

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PAIN MEDICINE (PM)	18	13 EXPERTS	31 ↑
PATHOLOGY (Path)			9
PEDIATRICS (Ped)	5	5 EXPERTS 5 LIST EXPERTS REVIEWED 1 CASE	49 ↑
Pediatric Cardiology (Cd)	2	2 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE	5
PHYSICAL MEDICINE & REHABILITATION (PMR)			9 ↑
PLASTIC SURGERY (PIS)	29	10 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES 2 LIST EXPERTS REVIEWED 4 CASES 2 LIST EXPERTS REVIEWED 6 CASES	41 ↓
OCCUPATIONAL MEDICINE	2	2 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE	7
PSYCHIATRY (Psyc)  *INVOLVED EVALUATIONS AND CASE REVIEWS **INVOLVED COMBINATION OF EVALUATIONS, CASE REVIEWS AND PREPARATION/ TESTIMONY	75	32 EXPERTS 15 EXPERTS REVIEWED 1 CASE 6 EXPERTS REVIEWED 2 CASES 6 EXPERTS REVIEWED 3 CASES 1 EXPERT REVIEWED 5 CASES 3 EXPERTS REVIEWED 6 CASES* 1 LIST EXPERT REVIEWED 9 CASES**	70 ↓
RADIOLOGY (Rad)  *COMPANION CASES	7	3 EXPERTS 2 EXPERTS REVIEWED 1 CASE 1 EXPERT REVIEWED 5 CASES*	30 ↓
Radiation Oncology (Rad RO)			4
SLEEP MEDICINE (S)	1	1 EXPERT 1 LIST EXPERT	8 ↑

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SURGERY (S)	9	6 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE 3 LIST EXPERTS REVIEWED 2 CASES	32 ↓
Pediatric Surgery (PdS)			3
Vascular Surgery (VascS)	1	2 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE	7 ↓
THORACIC SURGERY (TS)			11 ↓
(MEDICAL) TOXICOLOGY	1	1 EXPERT 1 LIST EXPERT	7
UROLOGY (U)	6	3 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 4 CASES	14 ↓

TOTAL CASES REVIEWED (Jan-Jun 30, 2015)	<b>307</b>
TOTAL LIST EXPERTS UTILIZED (Jan-Jun 30, 2015)	<b>186</b>
TOTAL ACTIVE LIST EXPERTS (as of June 30, 2015)	<b>1,074</b>

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