

MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: May 7, 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. 97 experts were utilized to review 127 cases in the first quarter of 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
- Allergy/Immunology
- Colon/Rectal Surgery
- Dermatology
- Nephrology
- Neurology
- Neurological Surgery
- Ophthalmology (Specializing in Vitreoretinal Surgery and Diseases)
- Pain Medicine
- Pathology (statewide)
- Pediatric Cardiology
- Pediatric Surgery
- Radiology (Interventional)
- Toxicology
- Thoracic Surgery
- Transplant Surgery
- Urology

Staffing Update:

The State Personnel Board (SPB) approved a Career Executive Assignment (CEA) position to establish an Enforcement Program Chief and the hiring process has begun. The Enforcement Program presently has five vacancies throughout its various units. Since the last staffing update, the four vacancies previously reported for the Central Complaint Unit (CCU) have been filled. In addition, CCU management has advertised and filled one part-time Associate Governmental Program Analyst (AGPA) position and one full-time AGPA position. The two individuals hired to fill these AGPA vacancies were current staff members who received promotions. As such CCU now has two vacant Staff Services Analyst positions. Also, one CCU AGPA requested a Leave of Absence. The advertisement of a Limited-Term position has been requested. Interviews to fill these vacancies are expected to be scheduled for the beginning of June. The Complaint Investigation Office currently has one vacant Special Investigator (non-sworn) position. Interviews have been conducted and a candidate is in the final stages of eligibility determination.

The Probation Unit has filled one Inspector I position in Southern California and one clerical position in Northern California, and is currently recruiting for one Inspector I position in Northern California. The Discipline Coordination Unit is fully staffed.

Central Complaint Unit (CCU):

With all Management Services Technician positions filled, CCU has seen an improvement in the number of days elapsed between receipt of a complaint and the date of initiation. However, the unit continues to see excessive timeframes for the completion of complaint processing. This appears to be due, in part, to an increase in the number of complaints received, and the number of vacancies in the unit. While multiple analyst positions have been filled, these recently hired individuals are currently undergoing training in their new duties. Additionally, CCU managers conducted case reviews for all analysts and have identified areas requiring assistance in reducing case aging. Some staff members have dedicated time to these caseloads to aid in this reduction. Enforcement has also recently received approval to offer overtime to employees as an additional measure to decrease timeframes.

Complaint Investigation Office (CIO):

The Special Investigators (non-sworn) in CIO continue to each carry a caseload of, approximately, 30-35 cases. Since January 2015 the unit has transmitted five (5) cases to the AG's Office, three (3) convictions including one (1) resulting in an automatic suspension order due to the physician being incarcerated, and two (2) Petitions for Reinstatement. Staff also completed fifteen (15) face-to-face subject interviews and closed fifty-five (55) cases. Additionally, case reviews for all CIO staff have recently been completed.

Discipline Coordination Unit (DCU):

During this first quarter of 2015 DCU staff continued to focus on restoring public disciplinary documents on the MBC website to ensure compliance with AB 1886. For the most part, this task has been completed. Some clean-up is still needed as cases are identified. In March 2015 DCU began including a direct link to public documents on the subscriber notifications. This modification provided consumers with a more efficient method to review these documents as there is now only one click needed to access them. DCU has received positive feedback regarding this recent change.

Probation Unit:

Management within the Probation Unit met with representatives from the UCSD PACE Program in April 2015 to receive an update on new aspects of the PACE Program, and discuss any questions/concerns from MBC staff.

Third Party Review of Disciplinary Action Demographic Data:

Staff is currently working on a Memorandum of Understanding with the California Research Bureau to review and analyze the Board's disciplinary action demographic data and issue a report on their findings.

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**

April 1, 2015

SPECIALTY	Number of cases reviewed (Jan-Mar, 2015)	Number of Experts Utilized (Jan-Mar, 2015)	Active List Experts 1,074
<i>ADDICTION</i>			10↓
ALLERGY & IMMUNOLOGY (A&I)			3
ANESTHESIOLOGY (Anes)	5	4 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 3 CASES	71
COLON & RECTAL SURGERY (CRS)			3
<i>COMPLEMENTARY/ALTERNATIVE MEDICINE</i>	1	1 EXPERT 1 LIST EXPERT	19 ↓
DERMATOLOGY (D)	3	1 EXPERT 1 LIST EXPERT REVIEWED 3 CASES	8
EMERGENCY (EM) *companion cases	7	4 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 5 CASES*	46 ↓
FAMILY (FM)	28	15 EXPERTS 8 LIST EXPERTS REVIEWED 1 CASE 5 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 7 CASES	63 ↓
INTERNAL (General Internal Med)	12	13 EXPERTS 12 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES	157 ↓
Cardiovascular Disease (Cv)	1	1 EXPERT 1 LIST EXPERT	29 ↓
Gastroenterology (Ge)	2	2 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE	21
Pulmonary Disease (Pul)	1	1 EXPERT 1 LIST EXPERT	16
MIDWIFE REVIEWER	1	1 EXPERT 1 LIST EXPERT	6
NEUROLOGICAL SURGERY (NS)	2	2 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE	7 ↓

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NEUROLOGY (N)	4	4 EXPERTS 4 LIST EXPERTS REVIEWED 1 CASE	22 ↓
NEUROLOGY with Special Qualifications in Child Neurology (N/ChiN)			3 ↓
NUCLEAR MEDICINE (NuM)			4 ↓
OBSTETRICS & GYNECOLOGY (ObG)	8	9 EXPERTS 7 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES	64 ↓
OPHTHALMOLOGY (Oph)	1	1 EXPERT 1 LIST EXPERT	24 ↓
ORTHOPAEDIC SURGERY (OrS)	1	1 EXPERT 1 LIST EXPERT	32 ↑
OCCUPATIONAL MEDICINE	1	1 EXPERT 1 LIST EXPERT	7 ↓
OTOLARYNGOLOGY (Oto)	1	1 EXPERT 1 LIST EXPERT	18 ↓
PAIN MEDICINE (PM)	7	6 EXPERTS 5 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES	29 ↓
PATHOLOGY (Path)			9 ↓
PEDIATRICS (Ped)	2	2 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE	45 ↓
PHYSICAL MEDICINE & REHABILITATION (PMR)			8

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PLASTIC SURGERY (PIS) *companion cases	18	10 EXPERTS 6 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 4 CASES* 1 LIST EXPERT REVIEWED 6 CASES*	42 ↓
PSYCHIATRY (Psyc)	21	15 EXPERTS 10 LIST EXPERTS REVIEWED 1 CASE 4 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES	66
RADIOLOGY (Rad) *companion cases	4	1 EXPERT 1 LIST EXPERT REVIEWED 4 CASES*	31 ↓
SLEEP MEDICINE (S)			7
SURGERY (S)	3	3 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE	31
Vascular Surgery (VascS)	1	1 EXPERT 1 LIST EXPERT	8
THORACIC SURGERY (TS)			12
<i>(MEDICAL) TOXICOLOGY</i>			4
UROLOGY (U)	1	1 EXPERT 1 LIST EXPERT	14

TOTAL CASES REVIEWED (1 ST QUARTER, 2015)	127
TOTAL LIST EXPERTS UTILIZED (1 ST QUARTER, 2015)	97
TOTAL ACTIVE LIST EXPERTS (4/1/2015)	1,074

/expert program (4/1/15)