

MEDICAL BOARD OF CALIFORNIA

EXPERT REVIEWER TRAINING - 8 HOURS

COURSE OUTLINE

0830-0900 WELCOME BY **LINDA WHITNEY**, EXECUTIVE DIRECTOR OF MEDICAL BOARD, WHO **INTRODUCES REGINALD LOW, M.D.**, MEDICAL BOARD MEMBER AND CHAIR OF ENFORCMENT COMMITTEE

0900-1000 **SWEET**

- I. WHY ARE WE HERE?
 - a. Experts an integral part of our program
 - b. Consequences of good and bad opinions
 - c. Medical consumers are protected as a result of our experts

- II. GOALS OF TRAINING
 - a. Legal requirements
 - b. Immunity
 - c. Report format and essential components
 - d. What to expect after opinion is rendered
 - e. Testifying

- III. MEMBERS OF THE ENFORCEMENT TEAM
 - a. Investigator
 - b. Medical Consultant
 - c. Deputy Attorney General
 - d. Expert

- IV. WHAT HAPPENS BEFORE EXPERT GETS THE CASE
 - a. Components of the investigation
 - b. What you should expect from us

1000-1100 **MEDICAL CONSULTANT (TBD)**

- V. WHAT KIND OF CASES AN EXPERT REVIEWS
 - a. Quality of care
 - b. Drugs
 - i. Overprescribing
 - ii. Prescribing to an addict
 - iii. Under-prescribing

- iv. Self-prescribing
- v. Intractable pain treatment act
- c. Sexual misconduct
- d. General unprofessional conduct

VI. DRUG VIOLATIONS

- a. Intractable pain

VII. SEXUAL MISCONDUCT

- a. Judge is the assessor of credibility

VIII. OTHER EXPERT ROLES

- a. Physical exam
- b. Mental exam
- c. Oral competency panel member

1100-1200 ROBERT MCKIM BELL, DEPUTY ATTORNEY GENERAL

IX. QUALITY OF CARE DEFINITIONS

- a. No Departure
- b. Simple departure
- c. Extreme Departure
- d. Lack of Knowledge
- e. No other words are allowed ... ever!

X. LEGAL DESCRIPTIONS

- a. Extreme departure (gross negligence)
- b. Simple departure (negligence)
- c. Lack of knowledge (incompetence)
- d. Standard of care
- e. Scenarios

XI. AESTHETICS

- a. Letterhead
- b. Typed
- c. Signed and Dated
- d. Pages numbered
- e. No drafts are allowed (WHY)
- f. Don't e-mail report (WHY)

1200-1230 LUNCH
1230-1330 MC/SWEET/BELL

XII. SCENARIOS OF NO DEPARTURE, SIMPLE DEPARTURE, EXTREME DEPARTURE

XIII. THINGS THAT DRIVE DEPUTY ATTORNEYS GENERAL TO JOY AND FRUSTRATION

1330-1500 ALJ (TBD) /SWEET

XIV. TESTIFYING

- a. What makes an impression on an Administrative Law Judge
- b. Video of poor testimony; we lost
- c. Video of good testimony; we won

1500-1700 SWEET/MC

XV. EXPERT PACKAGE REVIEW

- a. Participants are provided with an actual expert package for review

XVI. QUESTIONS ON BOARD REGARDING THE EXPERT PACKAGE

- a. Using the report format, participants will vote on the correct answer as to the appropriate materials listed, summary, medical issues, standard of care, analysis and conclusion.