

State of California

Department of Consumer Affairs  
Medical Board of California**MEMORANDUM****To:** Medical Board of California  
Diversion Committee**Date:** April 11, 2007**From:** Frank L. Valine   
Diversion Program Administrator**Subject:** Quality Review Report – 3<sup>rd</sup> Quarter of FY 2006/2007

Attached are the quarterly reports of Quality Review issues requested by the Diversion Committee. They include a review of Intakes, Relapses and Releases during the period of January 1, 2007 through March 31, 2007.

**INTAKES**

A total of 20 physicians contacted the Program during the 3<sup>rd</sup> Quarter. The following charts reflect the outcomes of contact with these physicians as of March 31, 2007, as well as, other categories of information.

Status at Intake	3 <sup>rd</sup> Qtr	1 <sup>st</sup> – 3 <sup>rd</sup> Qtr Total
Active:		1
Accepted; Waiting for Signature:	1	4
Intake Complete; Awaiting DEC:	14	29
Contacted Program/Telephone Intake:	3	16
Ineligible:		4
Not interested in Program:	1	10
Terminated	1	1
Out-of-State:		1
Total Contacts	20	66

Other information	3 <sup>rd</sup> Qtr	1 <sup>st</sup> – 3 <sup>rd</sup> Qtr Total
<u>In Treatment</u> ; At intake:	3	19
Currently:	8	17
<u>Referral Type</u> ; Board Action:	7	25
Self-Referral:	13	41
<u>Impairment</u> <sup>1</sup> ; Chemical:	14	43
Dual Disorder:	6	17
Mental Only:		6
<u>Practicing</u> ; Yes:	9	29
No:	11	37

<sup>1</sup> The determination of a participant's status as Chemically Dependent, Dual Disorder, or Mentally Ill frequently changes as additional information is gathered. Initially, the Program receives self-reported information during the intake process. Additional information, resulting in a change of status, may be received during either the evaluative or formal participation periods from evaluation reports and treatment records.

**Table 1: Program Response Times**

Table #1 shows the average response times for intakes (excluding physicians in treatment and those delayed in entry into the Program) during this period, as well as the Program's target timeframes, from the date the physician initially contacted the Program to the completion of the major steps of the evaluation process. These steps include the first face-to-face contact with Program staff; the intake interview; the initial urine test; and attendance at the first DEC meeting.

	<b>Process</b>	<b>Physicians</b>	<b>Average # of Days</b>	<b>Program Target</b>	<b>Time Periods</b>	<b>Physicians</b>	<b>Percentage</b>
<b>A</b>	<u>From initial contact to Intake Interview</u> (5 of the 20 intakes did not have an intake interview during this reporting period: 1:Terminated, 1:Not interested, 1:Entered treatment, 2:Entered Program at end of quarter (3/23 and 3/30).)	<b>15</b>	<b>9</b>	<b>ASAP</b>	0-7 DAYS 8-14 DAYS 15-21 DAYS 22+ DAYS	8 3 4	53 % 20 % 27 %
<b>B</b>	<u>From initial contact to 1<sup>st</sup> urine test</u> [3 of the 20 intakes did not have an initial UA during this reporting period: 2:In treatment at intake, 1:Entered Program at end of quarter (3/30); 1 entered treatment 1 day after contacting the program and was tested (44 days later) upon release.]	<b>16</b>	<b>5.5</b>	<b>ASAP</b>	0-7 DAYS 8-14 DAYS 15-21 DAYS 22+ DAYS	12 4	75 % 25 %
<b>C</b>	<u>From initial contact to attendance at 1<sup>st</sup> DEC Meeting</u> <b>(No Enforcement Activity)</b> 9 intakes completed and awaiting DEC	<b>1</b>	<b>22</b>	<b>90</b>	0-60 DAYS 61-90 DAYS 91+ DAYS	<b>1</b>	<b>100 %</b>
<b>D</b>	<u>From initial contact to attendance at 1<sup>st</sup> DEC Meeting</u> <b>(With Enforcement Activity)</b> 4 intakes completed and awaiting DEC	<b>0</b>			0-60 DAYS 61-90 DAYS 91+ DAYS		

The data in A & B total intakes often misses program target because the process is delayed when the physician is in treatment and unavailable for an intake interview or UDS's.

The number of total intakes shown in C & D does not match the actual number of intakes during the reporting quarter because it takes 60-90 days to schedule the DEC meetings and this report does not include updates from the previous quarter.

# Physician Diversion Program – Table 2 - Intake Cases (20)

3<sup>rd</sup> Qtr FY 2006/2007 January - March 2007

CASE	Status as of March 31, 2007	Enforcement Action	Contacted Program/ Telephone Intake	Intake Interview	1 <sup>st</sup> UDS	DEC Meeting (Scheduled)	COMMENTS
2426	Intake Complete; Awaiting DEC	No	1/3/07	1/5/07	1/13/07		Currently practicing. Currently in treatment (since 2/5/07). Missed UDS on 1/7 due to illness.
2427	Intake Complete; Awaiting DEC	No	1/8/07	1/10/07	1/13/07		Currently practicing. Currently in treatment (since 2/12/07).
2428	Terminated	Probation	1/16/07	N/A	1/24/07		Currently practicing. Wouldn't follow treatment recommendation. Unexcused/Missed UDS on 1/18.
2429	Intake Complete; Awaiting DEC	Probation	1/22/07	2/8/07	2/5/07		Currently practicing. Unexcused/Missed (out of town) UDS on 1/24 and 1/28.
2430	Not interested in Program	No	1/23/07	N/A	1/31/07		Currently practicing.
2431	Intake Complete; Awaiting DEC	No	1/25/07	1/26/07	3/10/07		Currently practicing (Resident). Entered treatment on 1/26/07.
2432	Intake Complete; Awaiting DEC	No	1/30/07	2/6/07	2/6/07		Not currently practicing. Prior participant (6 months). Terminated 11/06.
2433	Accepted; waiting for signature	No	1/31/07	2/21/07	2/2/07	3/14/07	Not currently practicing.
2434	Intake Complete; Awaiting DEC	No	2/2/07	2/6/07	2/8/07		Currently practicing.
2435	Intake Complete; Awaiting DEC	No	2/15/07	2/20/07	N/A		Not currently practicing. Currently in treatment (at intake).
2436	Intake Complete; Awaiting DEC	Probation	2/23/07	3/2/07	2/28/07		Not currently practicing. Currently in treatment (since 3/22/07).

**EVALUATION PERIOD:** The period between the Participant signing the Interim Agreement and his or her appearance before the DEC is an evaluation period. During this initial assessment period, information from a variety of sources is gathered and reviewed as follows:

- Case Manager's Intake Interview
- Participation at Diversion Group meeting
- Evaluation by an addictionologist and/or a psychiatrist
- Treatment program records
- Lab testing results
- Worksite Monitor reports

## INTAKES – Case Details

# Physician Diversion Program – Table 2 - Intake Case (20)

3<sup>rd</sup> Qtr FY 2006/2007 January - March 2007

<b>CASE</b>	<b>Status as of March 31, 2007</b>	<b>Enforcement Action</b>	<b>Contacted Program/ Telephone Intake</b>	<b>Intake Interview</b>	<b>1<sup>st</sup> UDS</b>	<b>DEC Meeting (Scheduled)</b>	<b>COMMENTS</b>
<b>2437</b>	Intake completed; awaiting DEC	Probation	2/28/07	3/16/07	3/2/07	(5/2/07)	Not currently practicing. Prior participant (7 years); terminated 11/06.
<b>2438</b>	Intake completed; awaiting DEC	Interim Order	3/5/07	3/13/07	N/A		Not currently practicing. Currently in treatment (at intake).
<b>2439</b>	Intake completed; awaiting DEC	No	3/8/07	3/29/07	3/14/07		Currently practicing (Resident). Was in treatment at intake.
<b>2440</b>	Contacted Program/ Telephone Intake	No	3/9/07	N/A	3/14		Not currently practicing. Currently in treatment (since 3/17/07). Prior participant (7 months); terminated 2/07.
<b>2441</b>	Intake completed; awaiting DEC	No	3/13/07	3/22/07	3/15/07		Not currently practicing. Currently in treatment (since 3/30).
<b>2442</b>	Intake completed; awaiting DEC	No	3/19/07	3/26/07	3/21/07		Not currently practicing. Currently in treatment (since 4/2/07).
<b>2443</b>	Intake completed; awaiting DEC	SOU	3/21/07	3/27/07	3/26/07	(5/4/07)	Currently practicing.
<b>2444</b>	Contacted Program/ Telephone Intake	No	3/23/07	N/A	3/24/07		Currently practicing.
<b>2445</b>	Contacted Program/ Telephone Intake	SOU	3/30/07	N/A	N/A		Currently practicing.

**EVALUATION PERIOD:** The period between the Participant signing the Interim Agreement and his or her appearance before the DEC is an evaluation period. During this initial assessment period, information from a variety of sources is gathered and reviewed as follows:

- Case Manager's Intake Interview
- Participation at Diversion Group meeting
- Evaluation by an addictionologist and/or a psychiatrist
- Treatment program records
- Lab testing results
- Worksite Monitor reports

## INTAKES – Case Details

**RELAPSES**

The table below shows the case details for the 4 participant relapses during the time period reported.

		<u>3<sup>rd</sup> Qtr</u>	<u>1<sup>st</sup> – 3<sup>rd</sup> Qtr Total</u>
Type of Referral:	Board Action:	2	11
	Self- Referral:	2	5
Participant Impairment:	Chemical Dependency:	2	10
	Dual Disorder:	2	6
Length of Time in Program at Relapse:	0-1 year		4
	1-2 years		3
	2-3 years	2	4
	3-4 years	1	3
	4-5 years	1	1
	7-8 years		1
Total with Prior Relapses:		3	7
Method of Detection:	Random UDS:	3	14
	Collector Detection:		
	DUI:		
	Self Report:	1	2
	Fellow employee reported:		
Practice Restrictions in Response to Relapse:	Stop Practice Initiated:	1	10
	Stop Practice Continued:	3	4
Clinical Response to Relapse:	Inpatient treatment:	2	3
	Increase group/urine tests:		4
	Retesting:		1
	Outpatient Treatment:		3
	DEC further review:		6
	Termination:	2	3
Withdrew from Program:			1

KEY TO CASE REVIEW TERMS	
DEC	Diversion Evaluation Committee
GF	Group Facilitator
CM	Diversion Program Case Manager
CC	DEC Case Consultant
PM	Diversion Program Manager
UDS	Urine Drug Screen
PCP	Primary Care Physician
Etg*	Ethyl Glucuronide Lab Screen

\* (Special lab screen for Alcohol; detects Alcohol in the urine for up to 80 hours prior to the date a specimen is collected.)

# Physician Diversion Program – Relapses (4)

3<sup>rd</sup> Qtr FY 2006/2007 January - March 2007

Case	Current Status	Prior Relapses	Referral	Enforcement Activity	Primary Drug(s)	Mental Health Disorder	Date of Relapse	How Detected
2024	Terminated	Yes	Board	Yes	Alcohol, Vicodin, Nitrous Oxide	Yes	1/31/07	Random UDS Test
<b>Drugs) of Relapse</b>		<b>Time in Program at Relapse</b>		<b>Program Response to Relapse:</b>				
Fentanyl		4 years, 11 months		Stop practice initiated on 2/7/07 (when results were received) and referred to in-patient treatment immediately. Terminated 3/8/07 for failure to enter treatment program.				

Case	Current Status	Prior Relapses	Referral	Enforcement Activity	Primary Drug(s)	Mental Health Disorder	Date of Relapse	How Detected
2119	Terminated	Yes	Self	No	Fentanyl	No	2/22/07	Self-report
<b>Drugs) of Relapse</b>		<b>Time in Program at Relapse</b>		<b>Program Response to Relapse:</b>				
Vicodin		3 years, 10 months		Stop practiced continued on 2/22/07 as participant was recovering from surgery. Terminated on 3/8/07 at participants request.				

Case	Current Status	Prior Relapses	Referral	Enforcement Activity	Primary Drug(s)	Mental Health Disorder	Date of Relapse	How Detected
2175	Active	No	Self	No	Opiates	Yes	2/1/07	Random UDS Test
<b>Drugs) of Relapse</b>		<b>Time in Program at Relapse</b>		<b>Program Response to Relapse:</b>				
Tramadol		2 years, 11 months		Stop practiced continued on 2/10/07 as the participant was off work due to illness. Ordered inpatient treatment.				

Case	Current Status	Prior Relapses	Referral	Enforcement Activity	Primary Drug(s)	Mental Health Disorder	Date of Relapse	How Detected
2188	Active	Yes	Board	SOU	Alcohol and Cocaine	No	3/2/07	Random UDS Test
<b>Drugs) of Relapse</b>		<b>Time in Program at Relapse</b>		<b>Program Response to Relapse:</b>				
Methamphetamine		2 years, 9 months		Stop practice continued. Ordered inpatient treatment. Recent prior relapse on 12/27/06 information: because of suspicious behavior, stop practice initiated on 12/27/06. Participant reported "Crystal Meth" use on 12/28/06. Received results of random UDS's on 1/5/07 and stop practice continued. Discussed with DEC consultant; 90 meetings in 90 days.				

**RELEASES**

The table below shows the case details for the 23 participants who were released from the program, 12 successfully and 11 unsuccessfully.

		<u>3<sup>rd</sup> Qtr</u>	<u>1<sup>st</sup> – 3<sup>rd</sup> Qtr Total</u>
Type of Referral:	Board Action:	11	24
	Self-Referral:	12	33
Participant Impairment:	Chemical Dependency:	17	32
	Dual Disorder:	6	24
	Mental Only:		1
Successful/Unsuccessful:	Successful:	12	30
	Unsuccessful	11	27
Successful Release Time in Program:	5-6 years in program:	10	24
	6+ years in program:	2	6
Treatment prior to program:		6	29
Treatment while in program:		5	15
Relapses while in program:		6	18



# Physician Diversion Program – Releases (23)

3<sup>rd</sup> Qtr FY 2006/2007 January - March 2007

Case	Release Status	Type of Referral	Enforcement Activity	Drug (s) of Abuse	Mental Health Disorder	Time in Program at Release	Treatment prior to Diversion	Relapses(s)	Treatment during Diversion	Practice Status at Release
2013	Completed	Self	No	Alcohol	No	5 years	No	Yes	No	Practicing
2014	Completed	Board	SOU	Fentanyl	No	5 years	No	No	No	Practicing
1701	Completed	Self	No	Alcohol Fentanyl	No	8 years, 5 months	Yes	Yes	Yes	Practicing
2005	Completed	Self	No	Alcohol Cocaine	No	5 years, 1 month	No	No	No	Practicing
2020	Completed	Self	No	Alcohol	Yes	5 years, 1 month	Yes	Yes	Yes	Practicing
2022	Completed	Board	Probation	Cocaine, Opiates	Yes	5 years, 1 month	No	No	No	Practicing
2010	Completed	Self	No	Meth	Yes	5 years, 1 month	Yes	No	No	Practicing
1931	Completed	Self	No	Opiates	No	5 years, 11 months	Yes	No	No	Not Practicing
1997	Completed	Self	No	Demerol Valium	No	5 years, 1 month	No	No	No	Practicing
2004	Completed	Self	No	Alcohol	No	5 years, 2 months	No	No	No	Practicing
2007	Completed	Board	SOU	Marijuana, Meth	No	5 years, 2 months	Yes	No	No	Practicing
2034	Completed	Self	No	Alcohol	No	5 years	No	No	No	Practicing

# Physician Diversion Program – Releases (23)

3<sup>rd</sup> Qtr FY 2006/2007 January - March 2007

Case	Release Status	Type of Referral	Enforcement Activity	Drug (s) of Abuse	Mental Health Disorder	Time in Program at Release	Treatment prior to Diversion	Relapses(s)	Treatment during Diversion	Practice Status at Release
2394	Ineligible	Board	SOU	Alcohol	No	7 months	No	No	No	Practicing
2284	Ineligible	Board	Licensed revoked	Alcohol Opiates	Yes	2 years	No	No	Yes	Not practicing. License revoked.
2422	Not interested in Program	Self	No	Alcohol	No	2 months	No	No	No	Practicing
2352	Not interested in Program	Board	SOU	Alcohol	Yes	1 year	No	No	Yes	Not practicing. Retired.
2421	Not interested in Program	Board	Probation	Alcohol	No	1 month	No	No	No	Not practicing. Out of the Country.
2430	Not interested in Program	Self	No	Alcohol	No	2 weeks	No	No	No	Practicing
2428	Terminated	Board	Probation	Alcohol	No	2 months	No	No	No	Practicing
2119	Terminated	Self	No	Fentanyl	No	3 years, 11 months	No	Yes	No	Practicing
2024	Terminated	Board	SOU	Alcohol Vicodin	Yes	5 years, 1 month	No	Yes	Yes	Practicing
2382	Terminated	Board	SOU	Alcohol	No	7 months	No	No	No	Practicing
2392	Terminated	Board	SOU	Meth	No	6 months	Yes	Yes	No	Not practicing