

MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: January 29, 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 904 experts in the Board's expert database. 391 experts were utilized to review 633 cases in calendar year 2014. **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
- Addiction Psychiatry
- Dermatology
- Hematology/Oncology
- Hematology/Oncology with experience in stem cell transplantation
- Medical Toxicology
- Neurology
- Neurosurgery
- Pain Medicine
- Pathology (statewide)
- Pediatric Surgery
- Spine Surgery
- Surgery
- Thoracic Surgery
- Transplant Surgery
- Urology
- Vascular Surgery (Board Certified in Vascular Surgery)

Staffing Update:

The Enforcement Program presently has seven vacancies throughout its various units. A State Personnel Board (SPB) hearing for the Career Executive Assignment (CEA) position to establish an Enforcement Program Manager (Chief) has been rescheduled to February due to SPB requiring additional clarification regarding the position. The Central Complaint Unit (CCU) has recently seen an increase in its number of vacancies due to multiple staff members receiving promotions. As such CCU currently has four vacancies, one Management Services Technician (MST), two Staff Services Analysts, and one Staff Services Manager I. A candidate has been selected to fill the MST position and will report to work February 2, 2015. The three remaining vacancies have been advertised and interviews will be scheduled for the beginning of February. The Probation Unit is currently recruiting for one Inspector I position and one clerical position, both in Northern California. The Discipline Coordination Unit and the Complaint Investigation Office are both fully staffed.

Central Complaint Unit (CCU):

As a result of the vacant MST position in CCU, Enforcement staff was asked to assist with the initiation of all 2014 complaints received. Staff was successful in completing this task by December 31, 2014, before the BreEZe system automatically updated to 2015. Again faced with a shortage of analytical and managerial staff, CCU continues to make every effort to ensure complaint processing is done in a timely manner.

Complaint Investigation Office (CIO):

The Special Investigators (non-sworn) in the Complaint Investigation Office (CIO) have completed all scheduled training courses and are now applying their acquired knowledge to their daily tasks. Since October 2014, the caseload for each Special Investigator has increased to 30-35 cases. At the same time they have worked diligently to transmit ten (10) cases to the Attorney General's Office, four (4) convictions and six (6) Petitions for Reinstatement, and closed 50 cases. In addition, CIO recently sent their first medical malpractice case to a medical expert for review.

Discipline Coordination Unit (DCU):

The primary focus for DCU during the last months of 2014 has been to ensure compliance with Assembly Bill 1886, which went into effect January 1, 2015. This bill restructured the statute related to public disclosure information. Staff identified over 4,600 cases affected by this legislative change and has updated public disclosure for 3,432 records in BreEZe. DCU continues to update the remaining 1,209 records in BreEZe, and is also working to restore the public disclosure documents on the Board's website.

Probation Unit:

Supervisory staff for the Probation Unit is currently conducting case reviews for all Inspectors in the three Probation Unit offices. Case reviews for Inspectors in the San Dimas and Cerritos offices have been completed, and reviews for staff located in Northern California will be scheduled in the near future.

Statistics:

Unfortunately the Board still does not have access to reports that accurately 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**

Attachment A

**CASES BY SPECIALTY SENT FOR REVIEW
UTILIZATION OF EXPERTS BY SPECIALTY
ACTIVE LIST EXPERTS BY SPECIALTY
December 2014**

SPECIALTY	Number of cases sent to Experts / reviewed (January-December)	Number of Experts Utilized (January-December)	Active List Experts 12/2014 904 ↓
<i>ADDICTION</i>	9	3 EXPERTS 1 LIST EXPERT REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 4 CASES	11 ↑
ALLERGY & IMMUNOLOGY (A&I)			3
ANESTHESIOLOGY (Anes)	17	15 EXPERTS 11 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES 2 LIST EXPERTS REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 4 CASES	71 ↓
COLON & RECTAL SURGERY (CRS)	1	1 EXPERT 1 LIST EXPERT	3
<i>COMPLEMENTARY/ALTERNATIVE MEDICINE</i> * COMPANION CASES	12	5 EXPERTS 1 LIST EXPERT REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 6 CASES*	21
<i>CORRECTIONAL MEDICINE</i>			24
DERMATOLOGY (D) * COMPANION CASES	15	6 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 6 CASES*	8
EMERGENCY (EM)	15	10 EXPERTS 4 LIST EXPERTS REVIEWED 1 CASE 5 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES	48 ↓
FAMILY (FM) *COMPANION CASES *PREPARATIONS/TESTIMONIES OF CASES PREVIOUSLY REVIEWED	74	30 EXPERTS 14 LIST EXPERTS REVIEWED 1 CASE 3 LIST EXPERTS REVIEWED 2 CASES 4 LIST EXPERTS REVIEWED 3 CASES 5 LIST EXPERTS REVIEWED 4 CASES 2 LIST EXPERTS REVIEWED 6 CASES* 1 LIST EXPERT REVIEWED 7 CASES * 1 LIST EXPERT REVIEWED 15 CASES*	66 ↓

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INTERNAL (General Internal Med) <i>*INVOLVED COMPANIONS CASES; SUPPLEMENTAL WORK AND PREPARATION FOR HEARING</i>	70	45 EXPERTS 28 LIST EXPERTS REVIEWED 1 CASE 8 LIST EXPERTS REVIEWED 2 CASES 5 LIST EXPERTS REVIEWED 3 CASES 3 LIST EXPERT REVIEWED 4 CASES 1 LIST EXPERT REVIEWED 8 CASES*	166 ↓
Cardiovascular Disease (Cv)	15	12 EXPERTS 9 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 8 CASES	32 ↓
Endocrinology, Diabetes and Metabolism (EDM)	4	2 EXPERTS 1 LIST EXPERT REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES	5 ↓
Gastroenterology (Ge)	6	6 EXPERTS 6 LIST EXPERTS REVIEWED 1 CASE	21 ↑
Infectious Disease (Inf)	3	3 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE	11
Medical Oncology (Onc)			9 ↓
Nephrology (Nep)	1	2 EXPERTS 2 LIST EXPERTS REVIEWED 1 CASE	8 ↓
Rheumatology (Rhu)			7
MIDWIFE REVIEWER	3	2 EXPERTS 1 LIST EXPERT REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES	6
NEUROLOGICAL SURGERY (NS) <i>* COMPANION CASES AND SHORT LIST OF REVIEWERS</i>	16	7 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE 1 OFF LIST EXPERT REVIEWED 2 CASES 2 LIST EXPERTS REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 5 CASES*	9
NEUROLOGY (N)	19	11 EXPERTS 1 OFF LIST EXPERT REVIEWED 1 CASE 6 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 3 CASES 2 LIST EXPERTS REVIEWED 4 CASES	23

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NEUROLOGY with Special Qualifications in Child Neurology (N/ChiN)			4
NUCLEAR MEDICINE (NuM)			5
OBSTETRICS & GYNECOLOGY (ObG) <i>*INVOLVED COMPANION CASES & PREPARATION FOR HEARING</i>	66	40 EXPERTS 22 LIST EXPERTS REVIEWED 1 CASE 7 LIST EXPERTS REVIEWED 2 CASES 5 LIST EXPERTS REVIEWED 3 CASES 2 LIST EXPERT REVIEWED 4 CASES 3 LIST EXPERTS REVIEWED 5 CASES* 1 LIST EXPERT REVIEWED 8 CASES**	73 ↓
<i>OCCUPATIONAL MEDICINE</i>	1	1 EXPERT 1 LIST EXPERT	8
OPHTHALMOLOGY (Oph)	10	8 EXPERTS 1 OFF LIST EXPERT REVIEWED 1 CASE 5 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES	27 ↓
<i>ORAL & MAXILLOFACIAL SURGERY</i>			1
ORTHOPAEDIC SURGERY (OrS)	15	12 EXPERTS 8 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 2 LIST EXPERTS REVIEWED 3 CASES	31 ↑
OTOLARYNGOLOGY (Oto)	6	3 EXPERTS 1 LIST EXPERT REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES	17
PAIN MEDICINE (PM) <i>* COMPANION CASES AND SHORT LIST OF REVIEWERS</i>	64	24 EXPERTS 9 LIST EXPERTS REVIEWED 1 CASE 5 LIST EXPERTS REVIEWED 2 CASES 2 LIST EXPERTS REVIEWED 3 CASES 2 LIST EXPERTS REVIEWED 4 CASES 2 LIST EXPERTS REVIEWED 5 CASES* 2 LIST EXPERTS REVIEWED 6 CASES* 2 LIST EXPERTS REVIEWED 8 CASES*	30

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PATHOLOGY (Path)	5	5 EXPERTS 4 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES	8 ↓
PEDIATRICS (Ped)	5	5 EXPERTS 5 LIST EXPERTS REVIEWED 1 CASE	50
PHYSICAL MEDICINE & REHABILITATION (PMR)	3	3 EXPERTS 3 LIST EXPERTS REVIEWED 1 CASE	8 ↓
PLASTIC SURGERY (PIS) <i>*COMPANION CASES</i>	32	15 EXPERTS 8 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 2 LIST EXPERTS REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 4 CASES 1 LIST EXPERT REVIEWED 5 CASES 1 LIST EXPERT REVIEWED 9 CASES*	46 ↓
PSYCHIATRY (Psyc) <i>*INCLUDED FITNESS FOR DUTY EVALUATIONS AND REVIEW OF COMPANION CASES</i>	122	65 EXPERTS 4 OFF LIST EXPERTS REVIEWED 1 CASE 25 LIST EXPERTS REVIEWED 1 CASE 21 LIST EXPERTS REVIEWED 2 CASES 6 LIST EXPERTS REVIEWED 3 CASES 3 LIST EXPERTS REVIEWED 4 CASES 2 LIST EXPERTS REVIEWED 5 CASES 2 LIST EXPERTS REVIEWED 6 CASES* 1 LIST EXPERT REVIEWED 9 CASES* 1 LIST EXPERT REVIEWED 10 CASES*	69 ↓
RADIOLOGY (Rad)	13	9 EXPERTS 6 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 4 CASES	32 ↓
<i>RADIATION ONCOLOGY</i>			4
SLEEP MEDICINE (S)			7

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SURGERY (S)	31	20 EXPERTS 12 LIST EXPERTS REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 4 LIST EXPERTS REVIEWED 3 CASES 2 LIST EXPERTS REVIEWED 4 CASES	33 ↓
Vascular Surgery (VascS)	8	4 EXPERTS 1 LIST EXPERT REVIEWED 1 CASE 2 LIST EXPERTS REVIEWED 2 CASES 1 LIST EXPERT REVIEWED 3 CASES	8 ↓
THORACIC SURGERY (TS) <i>*COMPANION CASES</i>	12	6 EXPERTS 4 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 3 CASES 1 LIST EXPERT REVIEWED 6 CASES*	11 ↓
<i>(MEDICAL) TOXICOLOGY</i>	3	3 EXPERTS 2 OFF LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 1 CASE	4
UROLOGY (U)	10	9 EXPERTS 8 LIST EXPERTS REVIEWED 1 CASE 1 LIST EXPERT REVIEWED 2 CASES	14 ↓

TOTAL CASES SENT: CALENDAR YEAR 2014	633
TOTAL EXPERTS UTILIZED: CALENDAR YEAR 2014	391
TOTAL ACTIVE LIST EXPERTS	904

Expert Program/sg (12/2014)