

Complaint Tracking System Public Comments

| Number | Requestor Suggestion | Board Response |
|--------|--|--|
| 1 | Similar Portal/Access for Complaint Respondents to track the status of complaints against them. Greater transparency and more readily accessible information would assist all parties invovled. | This request is out of scope for the original intent of the system to allow patients/patient representatives to track the status of their complaints. This would be a separate effort. |
| 2 | Visual charts that illustrate the process and indicate if there is a delay in the complaint due to necessary action from the complainant for those that absorb information visually. | Individual items requiring the patient's possible action could be highlighted in red and an alert could display at the top of the complaint details screen to further indicate attention is needed. Additionally, a link to the Board's enforcement process overview will be accessible through the system. |
| 3 | Provide information in aggregate similar to the Office of the Patient Advocate. Try and compare data to other sources by gathering similar data and providing complainants more options than specifically free text. | This is outside of the scope of this project. The intent of the complaint tracking system is to provide individual patients/patient representatives with the status of their complaint. No new data elements will be collected through this portal. Therefore, no data will be aggregated using this system. |
| 4 | Update the complaint submission form online including removing irrelevant questions and allowing for unlimited characters on complaint summary submissions. | This is outside of the scope of the complaint tracking system. BreEZe enhancements have been requested to streamline the online complaint form and are pending implementation. Currently, the online complaint form allows for attachments to be uploaded at the conclusion of the complaint submission process. After original complaint submission, the Board allows complainants to submit additional information and attachments (including voicemails, videos, photos, etc.) using a dedicated email address. |
| 5 | Provide the public the ability to view all complaints against licensees. Include historical complaints against doctors that are closed. Provide information on anonymous complaints to the public. | This is outside of the scope of the complaint tracking system. The scope of the system is to relay individual complaint information to the patient/patient representative who filed the complaint. Sharing complaints filed by others is prohibited by BPC section 800(c). Additionally, records of complaints are exempt from production pursuant to Public Records Act requests under Government Code section 7923.600. |
| 6 | When possible provide any legally or internally required response times related to milestone activities along with definitions and links to additional information. | The Board will provide general information regarding required or internally developed response times related to the activities displayed in the portal when possible. Definitions of activities and links to additional information regarding the process will be displayed for each activity. |
| 7 | Give the complainant information about the scheduling and completion of the respondent interview. | The respondent interview is considered an investigative activity and is therefore exempt under Government Code section 7923.600. |
| 8 | Monthly updates sent by email to the complainant with milestones in summary format (ex. Physician interview, AG referral, etc.). If there is no update still give a summary of the current complaint status. | Periodic reminders will be sent to the patient/patient representative to let them know that their complaint is still open and that they may check the status. |
| 9 | QA Supervisor to review the accuracy of the data. | The current enforcement business process includes a qualtity assurance process for all Breeze complaints. Patients who believe there is an error are encouraged to contact the analyst to request a correction or explanation. |
| 10 | Email notifications when there has been a change to data in the complaint tracking system. | BreEZe can be configured to send the patient/patient representative an email when configured elements are updated. This functionality is available in BreEZe now, but configuration will have to be completed through BreEZe enhancements. |
| 11 | Related to Item 5: If complaint information can be made public, include patient type who filed the complaint example: was it the patient or the family member who filed the complaint. | This is outside of the scope of the complaint tracking system. The scope of the system is to relay individual complaint information to the patient/patient representative who filed the complaint. Sharing complaints filed by others is prohibited by BPC section 800(c). Additionally, records of complaints are exempt from production pursuant to Public Records Act requests under Government Code section 7923.600. |
| 12 | The complainant should be able to upload files relative to the complaint. | File uploads is a planned future enhancement. Will require Web Services to add files into BreEze securely (scanning for virus' and other threats). |
| 13 | The complainant should be able to view documents related to the investigation from any source (respondent, investigative documents, etc.). | Future enhancements include the ability for the patient/patient representative to review certain correspondence between the Board and patient/patient representative. However, investigative documents that are non-disclosable will not be available for review. Records of investigation are exempt under Government Code section 7923.600. |
| 14 | Statute of limitations should be displayed in the system with definitions and links to relative information. | The portal will include links to the Board's website for information related to Business and Professions Code 2230.5 and the statute of limitations. The statute of limitations for a specific case is subject to change throughout the process based on an investigation and AGO determination, and will not be displayed. |
| 15 | Recordings and voicemails, etc. being able to be uploaded through the new system. | File uploads is a planned future enhancement. Will require Web Services to add files into BreEze securely (scanning for virus' and other threats). The same File Size limitations in BreEze will still apply. |

| 16 Allow involved party that is not the complaint and the soft excomplaint and the soft excomplaint and the soft excomplaint system (ex. Government agency forwards a complaint and the Board resches out to the patient to provide additional information and wants to follow up on the status of the ground the status of the provides additional information and wants to follow up on the status of the ground and whether they would have received and whether they would have complaint reading to a complaint related to a finish the complaint related to a finish to the complaint them the status and makes of an 950 complaint of the status and makes of an 950 complaint related to the soundard to the soundard them the status and makes of an 950 complaint related to the soundard them the status and makes of an 950 complaint related to the soundard the status and makes of an 950 complaint related to the soundard them the status and makes of an 950 complaint related to the soundard the status and makes of an 950 complaint related to the soundard them the status and makes of an 950 complaint related to the soundard the status and makes of the soundard them the status and makes of an 950 complaint related to the soundard them the status and makes of an 950 complaint related to the soundard them the status and makes of an 950 complaint related to the soundard them the soundard them the status and makes of the soundard them thands the soundard them the soundard them the soundard them the so | | | |
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| the Board. There will be no access available through this portal to complaints submitted by involving the patient through a finite in the consumer submitted complaint (refer to term 16). Include the statute of limitations in the monthly update email requested in Item 8. Include the statute of limitations in the monthly update email requested in Item 8. If a patient to review the status and materials of an 805 complaint of related to the incident indicated in the 805 complaint of related to the incident indicated in the 805 complaint of the submitted consumer complaints. If a patient is complaint sagainst the subject while loged into the submitted consumer complaints. See total open complaints against the subject while loged into the submitted consumer complaint. If he sopped into the submitted complaint in the soft provide in the submitted consumer complaint. If he sopped into the submitted consumer complaint statistically submitted complaint in the submitted consumer complaint. If he sopped into the submitted complaint is the subject while loged into the submitted consumer complaint. If he sopped into the submitted consumer complaint tracking spotal. If he sopped into the submitted consumer complaint tracking spotal is a planning to the submitted consumer complaint. If he sopped into the submitted consumer complaint tracking spotal is a planning to the submitted consumer complaint. If he sopped into the submitted consumer complaint tracking spotal is a planning to the submitted consumer complaint tracking spotal is a planning to the submitted spotal sp | 16 | complainant to access the complaint tracking system (ex. Government agency forwards a complaint and the Board reaches out to the patient to provide additional information and wants to follow up on the status of the government agency complaint). Include in the response different sources of complaints | the Board. There will be no access available through this portal to complaints submitted by other government agencies or by other entities submitting information pursuant to |
| Professions Code 2230.5 and the statute of limitations. The statute of limitations for a specific case is subject to change throughout the prosess based on an investigation and AGO determination, and will not be displayed. 805 reports and related information are confidential exceptions applies, the required summary of the hospital disciplinary action to the one plant in formation to the submitted consumer complaint. 20 See total open complaints against the subject while logged into the submitted consumer complaint. 21 See 805 complaints filed against a license complaint specific parts. 22 See 805 complaints filed against a license complaint specific process of the system is to relay individual complaint information to the patient/patient representative who filed the complaint. The number of per complaint spatials greated to Item 5 whether opened or closed within the last 3 years (relative to the Board's current retention schedule for 805's). 22 Show the analyst or investigator assigned to the case and if there is a change provide email notification to the complainant with contact information of the staff member of the complaint tracking system to log in and find the contact information of the staff member of the complaint tracking system to log in and find the contact information of the staff member of the status for medical consultant reviews. 23 Have the ability to send a "request for contact" notification to the analyst. Possibly find a way to track and elevate a complaint to a manager if an analyst was not responsive including in providing the status for medical consultant reviews. 24 Include common turnaround times with the definitions when possible to complainant should be sent if reinstatement or early termination of probation. Additional notification to the application for reinstatement or early termination of probation. Additional notification should be sent if reinstatement or early termination of probation. Additional notification is to the analyst. Possibly find a way to track and elevate a c | 17 | complaint related to a consumer complaint involving the patient through a link in the consumer submitted complaint (refer to item 16). | the Board. There will be no access available through this portal to complaints submitted by other government agencies or by other entities submitting information pursuant to mandatory reporting requirements. |
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| | | members to have access to a complaint through the system rather than sharing the | representative who filed the complaint. The Board could create functionality to allow an approved person to access the portal to review all complaint information. The patient/patient representative would be provided a warning that the additional person would have access to the patient's private information to the same degree as the patient/patient representative until they terminate the additional person's access to the portal. |
| | 27 | Analytics of complainant usage of the system. | |

Medical Board of California

Complaint Tracking System Update



Sean Eichelkraut Information Systems Branch December 1, 2023

Interested Parties Meetings

- Held on March 6, 2023, and June 21, 2023
- Discussions were productive and aided in further clarifying the objectives for the proposed system
- 27 suggestions documented in total
- All suggestions were reviewed for technical and legal feasibility
- Suggestion tracking document was published under this agenda item.



Objectives

- Increase visibility for a patient and/or authorized representative on the progression of complaints they have submitted to the Board
- Provide status of complaints faster than traditional paper letters sent through postal mail
- Provide information outside of traditional business hours
- Reduce enforcement staff time spent on routine case update inquiries so time can be more efficiently spent on complaint processing

Privacy and Security

- Complaint information will only be available to the patient or authorized representative who submitted the complaint
 - Name and email address will need to be submitted with the complaint
 - Users will need to attest they are the complainant before accessing the system
 - Individual Use Access Codes will be sent to the complainant email address to prove user has ownership of that email account
 - Authorized representatives will have the same access to information in the portal as the patient. No separate access levels will be created.



Complaint Information Header

- Complaint Number
- Status (Open/Closed)
- Complainant Information
 - Address and Phone Number
- Respondent Information
 - Name and License Link to DCA Search Profile
- Summary Information for Complaint as Submitted Online



Sample of Complaint Information Header

Respondent Name

Respondent License

Physician's and Surgeon's: A 231201

Eichelkraut, Sean

Complaint 800-2023-231201

OPEN

Complainant Name

Kraemer, Nicole

Complainant Address

2005 Evergreen Street Sacramento, CA 95815

Complainant Phone Number

(800) 633-2322

Complainant Email

nicole@kraemer.com

Summary

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Sample of Complaint Information Header

Complaint 800-2023-231201

CLOSED

Complainant Name

Kraemer, Nicole

Complainant Address

2005 Evergreen Street Sacramento, CA 95815

Complainant Phone Number

(800) 633-2322

Complainant Email

nicole@kraemer.com

Summary

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Respondent Name

Eichelkraut, Sean

Respondent License

Physician's and Surgeon's: A 231201

Sample of Complaint Information Header



Enforcement Process Phases

- Date Received by the Board
- Central Complaint Unit (CCU)
- Investigative Stage (Health Quality Investigative Unit (HQIU)/Complaint Investigation Office (CIO))
- Office of the Attorney General (OAG)
- Office of Administrative Hearings (OAH)
- Discipline Coordination Unit (DCU)
- Disposition (Closure)



"Point-In-Time" vs "Start->End" Activities

"Point-In-Time" Activities

- An activity that happened on a specific date and the activity itself indicates the disposition
- Only one date listed with the activity name and description. (Light Blue)*
- "Start->End" Activities
 - An activity that started on a specific date and either has not yet ended or ended on a specific date
 - One date listed with the activity name and description and either no end date/disposition (Yellow) or a corresponding date/disposition name and description (Gray/Green/Red)*

^{*} Colors will be configurable and are only shown here for sample wireframe mockup illustration..

"Point-In-Time" Activity Sample

Complaint Received

October 31, 2023 (21 days ago)

The complaint was received by the Board and entered into the Breeze system.



"Start->End" Activity Sample

Request for Medical Release from Patient or Authorized Representative

December 20, 2021 (709 days ago)

The Board has requested a signed release for records from the patient or authorized representative.

→ Pending

Review or complete the required forms.



"Start->End" Activity Sample

Request for Medical Release from Patient or Authorized Representative

December 20, 2021 (709 days ago)

The Board has requested a signed release for records from the patient or authorized representative.

March 14, 2022 (625 days ago)

The Board did not receive a response regarding the request for medical release from the patient or authorized representative. If you believe this update to be in error, please check your address included in the complaint and contact the Board for more information.

Review or complete the required forms.



"Start->End" Activity Sample

Request for Medical Release from Patient or Authorized Representative

The Board has requested a signed release for records from the patient or authorized representative.

→ Request for Medical Release Patient or Authorized Representative Received

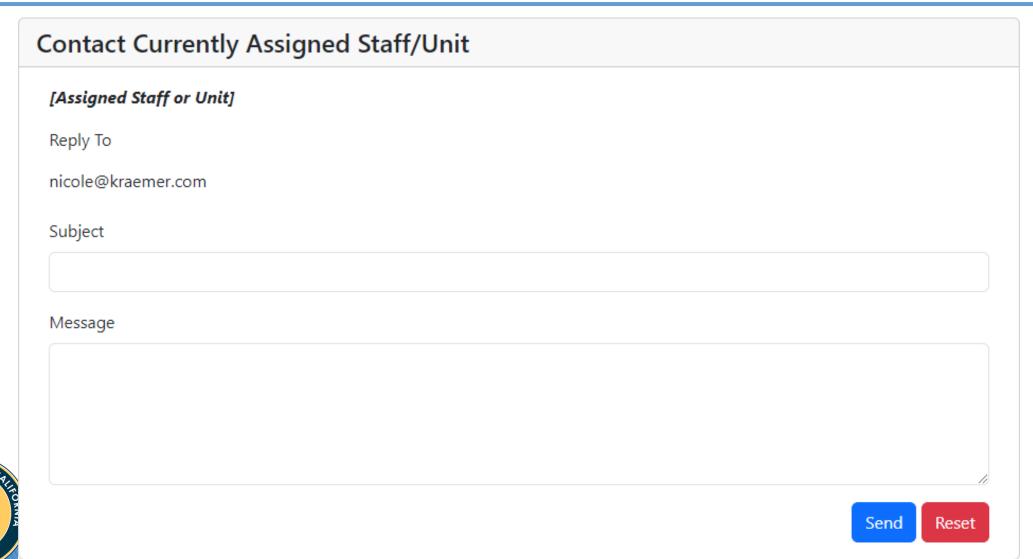
The Board has received the patient's medical release and it is pending review.

December 20, 2021 (709 days ago)

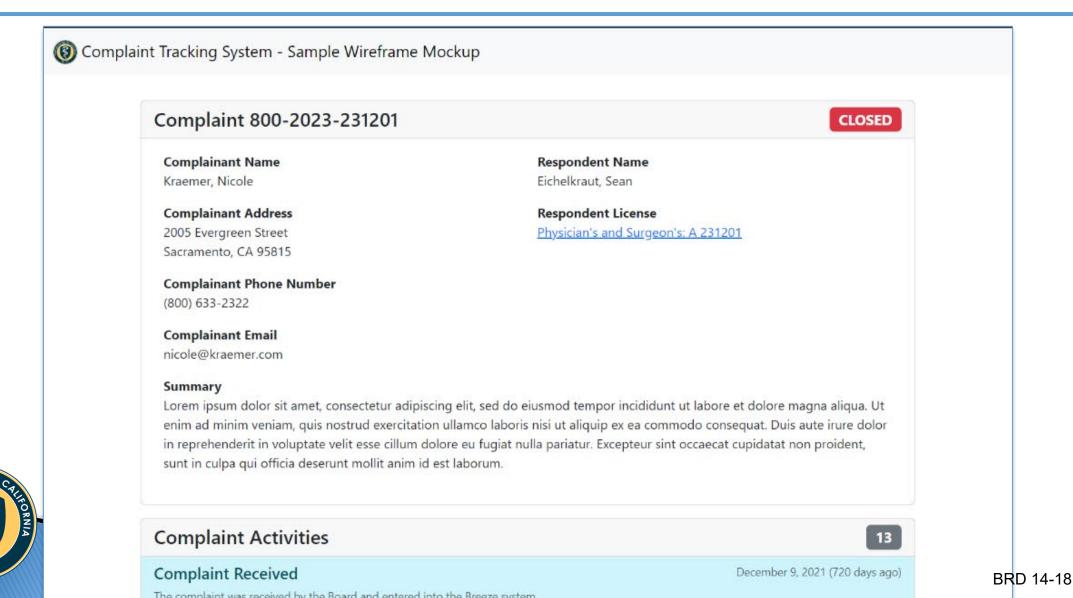
March 14, 2022 (625 days ago)



Contact Currently Assigned Staff/Unit



Full Length Sample Wireframe Mockup 1





Complaint Activities

13

Complaint Received

December 9, 2021 (720 days ago)

The complaint was received by the Board and entered into the Breeze system.

Assigned to Central Complaint Unit (CCU) Analyst

December 10, 2021 (719 days ago)

A Central Complaint Analyst is reviewing the case and may request additional information from the complainant or licensee.

Read more about the Central Complaint Unit (CCU).

→ Central Complaint Unit (CCU) Review Complete

September 11, 2023 (79 days ago)

The Central Complaint Unit Analyst has completed the review of the case and will determine next steps.

Read more about the Enforcement Process.

Request for Medical Release from Patient or Authorized Representative

December 20, 2021 (709 days ago)

The Board has requested a signed release for records from the patient or authorized representative.

 \hookrightarrow Request for Medical Release Patient or Authorized Representative Received

March 14, 2022 (625 days ago)

The Board has received the patient's medical release and it is pending review.

Records Requested from the Subject of the Complaint

March 16, 2022 (623 days ago)

The Board has requested medical records from the subject of the complaint.

→ Received Records from the Subject of the Complaint

April 4, 2022 (604 days ago)

The Board has received patient records from the subject of the complaint and they are pending review.

Medical Consultant Program Review

May 26, 2022 (552 days ago)

The Board is required by Business and Professions Code 2220.08 to contract with independent medical consultants to review quality of care cases to determine if sufficient evidence exists to refer the case to the field for further investigation.

→ Medical Consultant Review Complete

August 29, 2022 (457 days ago)

The Medical Consultant has completed a review of the case.

Records Requested from the Subject of the Complaint

October 25, 2022 (400 days ago)

The Board has requested medical records from the subject of the complaint.

 \hookrightarrow No Response for Request of Records from the Subject of the Complaint

January 20, 2023 (313 days ago)

The Board has received no response from the subject of the complaint regarding the request for records.



Agenda Item 14

Full





The Board is required by Business and Professions Code 2220.08 to contract with independent medical consultants to review quality of care cases to determine if sufficient evidence exists to refer the case to the field for further investigation.

→ Medical Consultant Review Complete

September 11, 2023 (79 days ago)

The Medical Consultant has completed a review of the case.

Full

Requested Records from the Hospital The Board has requested patient records from the hospital, September 5, 2023 (85 days ago) → Received Records from the Hospital The Board has received patient records from the hospital and they are pending review. September 5, 2023 (85 days ago) Medical Consultant Program Review The Board is required by Business and Professions Code 2220.08 to contract with independent medical consultants to review quality of care cases to

determine if sufficient evidence exists to refer the case to the field for further investigation.

→ Medical Consultant Review Complete

September 11, 2023 (79 days ago)

The Medical Consultant has completed a review of the case.

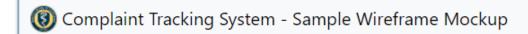
Case Closed - Insufficient Evidence

September 11, 2023 (79 days ago)

The complaint is closed but retained for five years because insufficient evidence is found to take action against the licensee.

Contact Currently Assigned Staff/Unit [Assigned Staff or Unit] Reply To nicole@kraemer.com Subject Message

Full Length Sample Wireframe Mockup 2



Complaint 800-2023-231201

CLOSED

Complainant Name

Kraemer, Nicole

Complainant Address

2005 Evergreen Street Sacramento, CA 95815

Complainant Phone Number

(800) 633-2322

Complainant Email

nicole@kraemer.com

Summary

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Respondent Name

Respondent License

Physician's and Surgeon's: A 231201

Eichelkraut, Sean



Full

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Complaint Activities

11

Complaint Received

June 11, 2015 (3086 days ago)

The complaint was received by the Board and entered into the Breeze system.

Assigned to Central Complaint Unit (CCU) Analyst

July 1, 2015 (3066 days ago)

A Central Complaint Analyst is reviewing the case and may request additional information from the complainant or licensee.

Read more about the Central Complaint Unit (CCU).

July 20, 2015 (3047 days ago)

The Central Complaint Unit Analyst has completed the review of the case and will determine suggest referral to the field or closure.

Read more about the Enforcement Process.

Request for Medical Release from Patient or Authorized Representative July 2, 2015 (3065 days ago)

The Board has requested a signed release for records from the patient or authorized representative.

 \hookrightarrow Request for Medical Release Patient or Authorized Representative Received

July 19, 2015 (3048 days ago)

The Board has received the patient's medical release but may not have been reviewed.

Referred to Investigation

July 20, 2015 (3047 days ago)

The Central Complaint Unit reviewed the information submitted and believes a formal investigation is warranted.

Read more about investigations.

→ Assigned to Investigator

July 28, 2015 (3039 days ago)

The respective investigative unit has assigned an Investigator to work the complaint.

Assigned to Investigator (HQIU)

July 28, 2015 (3039 days ago)

The complaint has been assigned to an investigator in the Health Quality Investigation Unit (HQIU) for further investigation.



The Central Complaint Onlt Analyst has completed the review of the case and will determine suggest referral to the field of

closure.

Read more about the Enforcement Process.

Request for Medical Release from Patient or Authorized Representative July 2, 2015 (3065 days ago)

The Board has requested a signed release for records from the patient or authorized representative.

→ Request for Medical Release Patient or Authorized Representative Received

July 19, 2015 (3048 days ago)

July 19, 2015 (3048 days ago)

Authorized Representative Received

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Authorized Representative Received

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Assigned to Investigator (HQIU)

July 28, 2015 (3039 days ago)

The complaint has been assigned to an investigator in the Health Quality Investigation Unit (HQIU) for further investigation.

Read more about investigations.

November 23, 2017 (2189 days ago)

The Health Quality Investigation Unit has completed its investigation.

Case Closed December 4, 2017 (2178 days ago)

The case is closed and may be reopened at a later date.

Case Reopened May 14, 2018 (2018 days ago)

This case was previously closed and has been re-opened for further review of the complaint allegations.

Assigned to Investigator (HQIU)

May 14, 2018 (2018 days ago)

The complaint has been assigned to an investigator in the Health Quality Investigation Unit (HQIU) for further investigation.

Read more about investigations.

→ Investigation (HQIU) Complete May 21, 2018 (2011 days ago)

The Health Quality Investigation Unit has completed its investigation.

Referred to the AG for Accusation

May 21, 2018 (2011 days ago)

BRD 14-24

Agenda Item 14



Assigned to Investigator (HQIU)

July 28, 2015 (3039 days ago)

The complaint has been assigned to an investigator in the Health Quality Investigation Unit (HQIU) for further investigation.

Read more about investigations.

November 23, 2017 (2189 days ago)

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May 14, 2018 (2018 days ago)

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Read more about investigations.

May 21, 2018 (2011 days ago)

The Health Quality Investigation Unit has completed its investigation.

Referred to the AG for Accusation

May 21, 2018 (2011 days ago)

The Board has referred the case to the Office of the Attorney General for review for the possible filing of an accusation.

Read more about the disciplinary process.

→ Accepted by the AG in the Matter of Filing an Accusation

May 21, 2018 (2011 days ago)

The Board has referred the case to the Office of the Attorney General who has accepted and will represent the Board in the matter of the filing of an accusation.

Accusation Filed

June 6, 2018 (1995 days ago)

The Board has filed an accusation against the licensee.

Read more about the disciplinary process.

Case Closed - Revocation

November 16, 2023 (5 days ago)

The license has been revoked as a result of disciplinary action rendered by the Board. No practice is permitted.

View The physician's profile and the related documents



BRD 14-25

Agenda Item 14

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Accusation Filed

June 6, 2018 (1995 days ago)

The Board has referred the case to the Office of the Attorney General who has accepted and will represent the Board in the matter

The Board has filed an accusation against the licensee.

Read more about the disciplinary process.

Case Closed - Revocation

of the filing of an accusation.

November 16, 2023 (5 days ago)

The license has been revoked as a result of disciplinary action rendered by the Board. No practice is permitted.

View The physician's profile and the related documents

Contact Currently Assigned Staff/Unit

[Assigned Staff or Unit] Reply To nicole@kraemer.com Subject Message



Send Reset

Next Steps

- Request Board's Approval of the functionality presented today for Minimum Viable Product (MVP) requirements
- Develop and Submit Stage 1 Business Analysis for California Department of Technology (CDT) and Department of Consumer Affairs (DCA) Approval/ Oversight (3-6 months)
- Development (6 months)
- Testing (6 months)
- MVP Release (~Mid 2025)



Potential Post-MVP Enhancements

- Automatic email notification when a complaint is initiated or configured element is updated (triggered)
- Viewable electronic copy of the original complaint form when submitted via paper form
- Viewable electronic copies of letters sent to complainant
- Logging messages from users directly in Breeze for most efficient processing and history
- File uploading capabilities to submit forms



Questions?

