

INTERESTED PARTIES MEETING

January 11, 2017

Purpose: To discuss a proposed amendment to the Manual of Model Disciplinary Orders and Disciplinary Guidelines to include an optional condition of probation requiring patient notification of the physician's probationary status.

Option 1: Require Posting of a Sign – Modelled after the California State Board of Optometry's Disciplinary Guidelines, Optional Condition No. 20

Notice to Patients

During the period of probation, Respondent shall post a notice in a prominent place in his/her office that is conspicuous and readable to the public. The notice shall state the Respondent's license is on probation and shall contain the telephone number and web address of the Medical Board of California. Respondent shall also post a notice containing this information prominently on any website advertising his or her services as a physician and surgeon. The notices described above shall be submitted for approval by the Board within 15 calendar days of the effective date of this decision, and shall be posted within 10 calendar days of notification of approval.

Option 2: Require Physician Notification to Patient in Writing

Notice to Patients

During the period of probation, Respondent shall provide a written notice to each patient for his or her retention containing the following information: 1) a statement that the Medical Board of California has placed Respondent's physician's and surgeon's license on probation; 2) the period of probation; 3) a description of any practice limitations imposed; 4) the telephone number and web address of the Medical Board of California; 5) a statement that a copy of the disciplinary order is available upon request to the Respondent or his or her designee, or by contacting the Board. The notice described above shall be submitted for approval by the Board within 15 calendar days of the effective date of this decision, and shall be provided to each patient at the time of the initial appointment within 10 calendar days following notification of approval.

After the effective date of this decision, verbal notice of the probation status, and the phone number and web address of the Medical Board of California shall additionally be provided to all new patients at the time the first appointment is made.

Each patient shall be asked to sign an acknowledgement of receipt of the notice(s), which shall be kept in the patient's chart.

Respondent shall maintain a log of all patients to whom the required notice(s) was provided. The log shall contain the: 1) patient's name, address and phone number; patient's medical record number, if available; 3) the date the notice was provided; and 4) the date the notice was acknowledged. Respondent shall keep this log in a separate file or ledger, in chronological order, shall make the log available for immediate inspection and copying on the premises at all times during business hours by the Board or its designee, and shall retain the log for the entire term of probation.