

# Health Quality Enforcement Section

Program and Statistics



# Vertical Enforcement Program

- ▶ Upon referral to the district office, each complaint is jointly assigned to an investigator and DAG who is ultimately responsible for prosecuting the case if warranted by the evidence.
- ▶ Early identification of urgent cases requiring emergency action.
- ▶ Joint assignment of investigator and DAG shall exist for the duration of the disciplinary matter.
- ▶ During joint assignment, the DAG is responsible for directing, but not supervising, the investigator who, in turn, is responsible for gathering evidence necessary for the DAG to evaluate the case.
- ▶ DAG participation in physician interviews, and also in other witness interviews where appropriate.
- ▶ DAG review of expert packages and expert opinion reports.
- ▶ DAG review and approval of proposed closure of investigations.
- ▶ DAG review and approval of subpoenas and, where necessary, handling of subpoena enforcement actions in superior court.

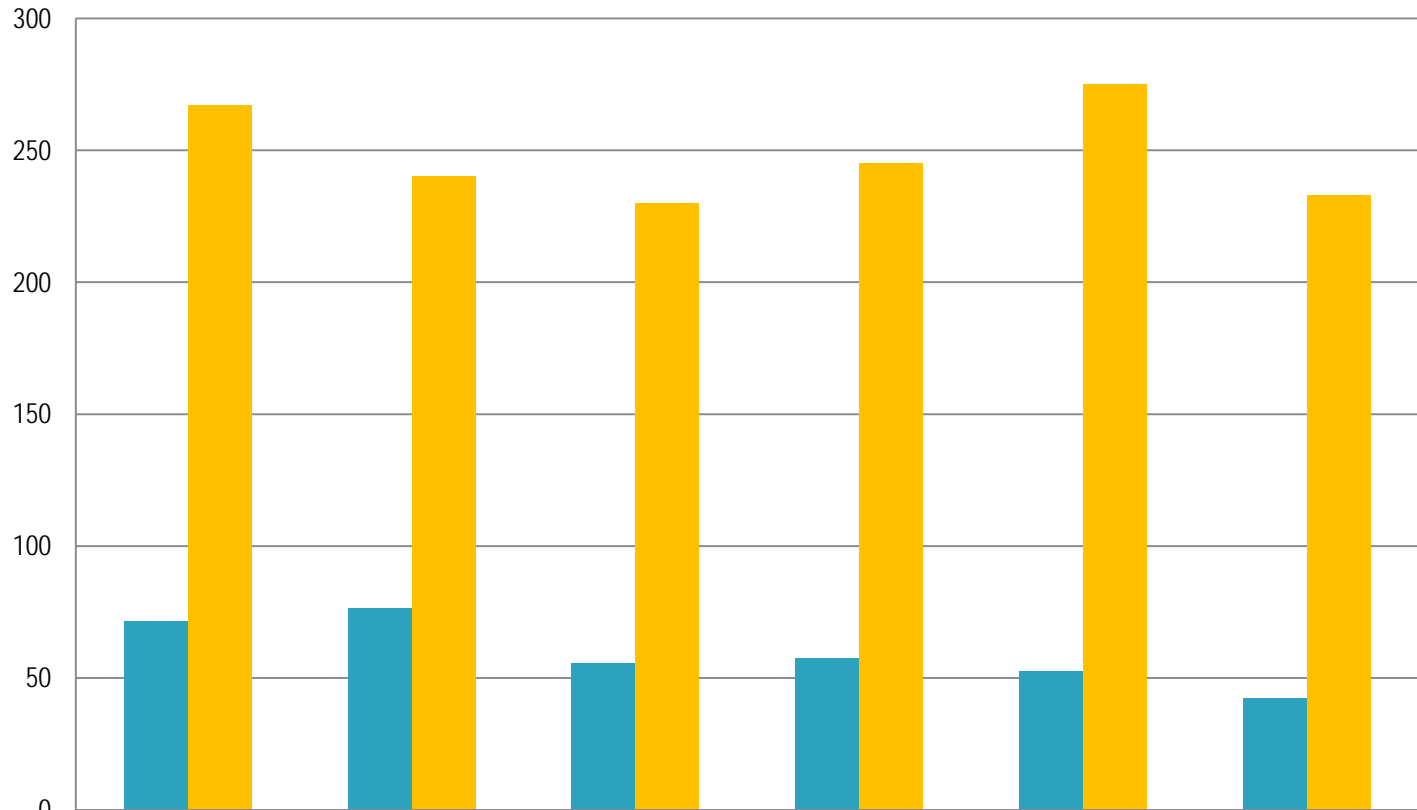
# Fiscal Challenges

- ▶ Hiring Freezes – thus freezing investigator vacancies.
- ▶ Executive Orders prohibiting contracting with experts to evaluate cases or court reporter services by OAH.
- ▶ Furloughs of investigators and administrative law judges which contribute to both investigation and prosecution completion delays.
- ▶ Transfer of pending investigations from one district office to another which cause delays in investigations.

# Impact of Fiscal Challenges

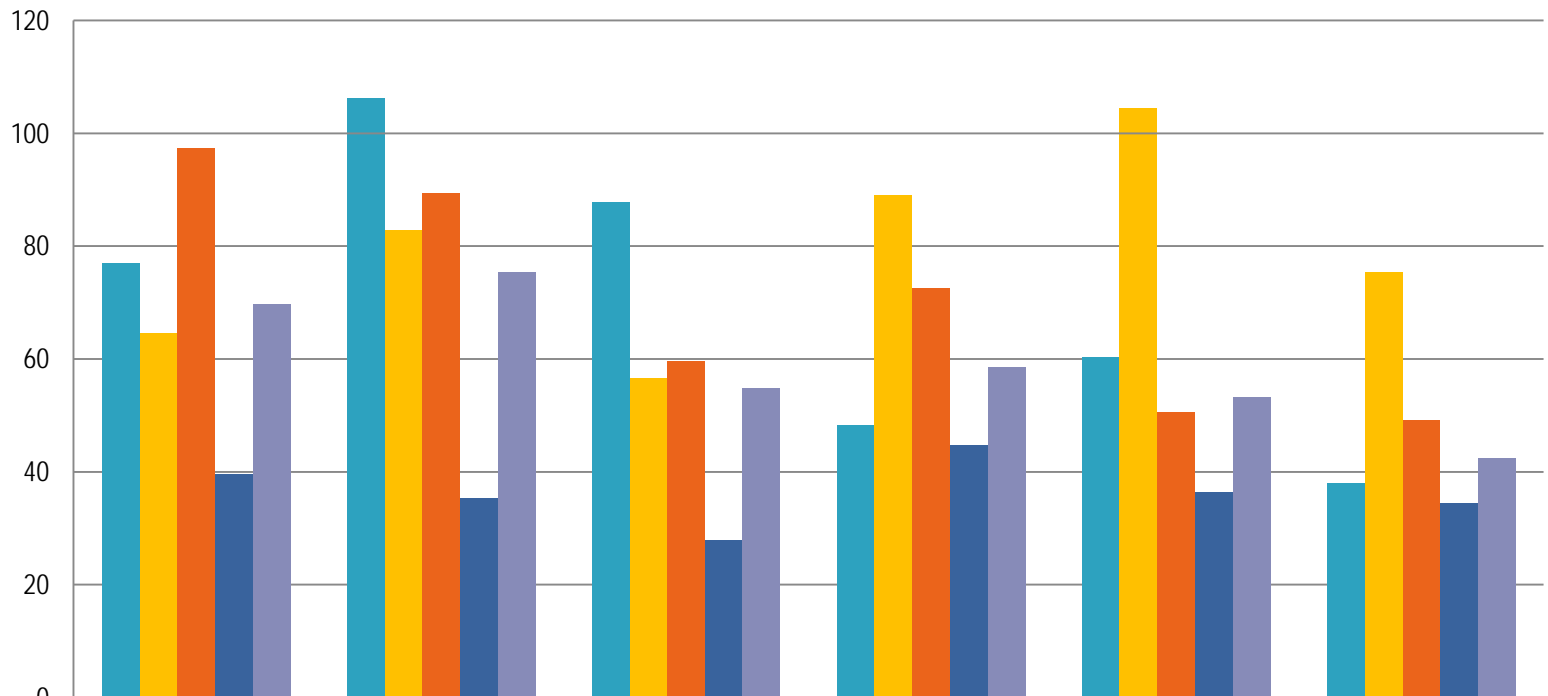
- ▶ Continuing high investigator vacancy rates throughout the state.
- ▶ “Revolving door” as experienced, trained investigators are recruited by other agencies and newly-hired replacement investigators begin their training.
- ▶ Some investigations stalled.
- ▶ Unavailability of medical consultants in the district offices which, in turn, contributes to investigation completion delays.

# Statewide Average Number of Days from Case “Accepted for Prosecution” to “Pleading Sent” to MBC for filing (Accusations and Accusations/Petitions to Revoke Probation Combined)<sup>1</sup>



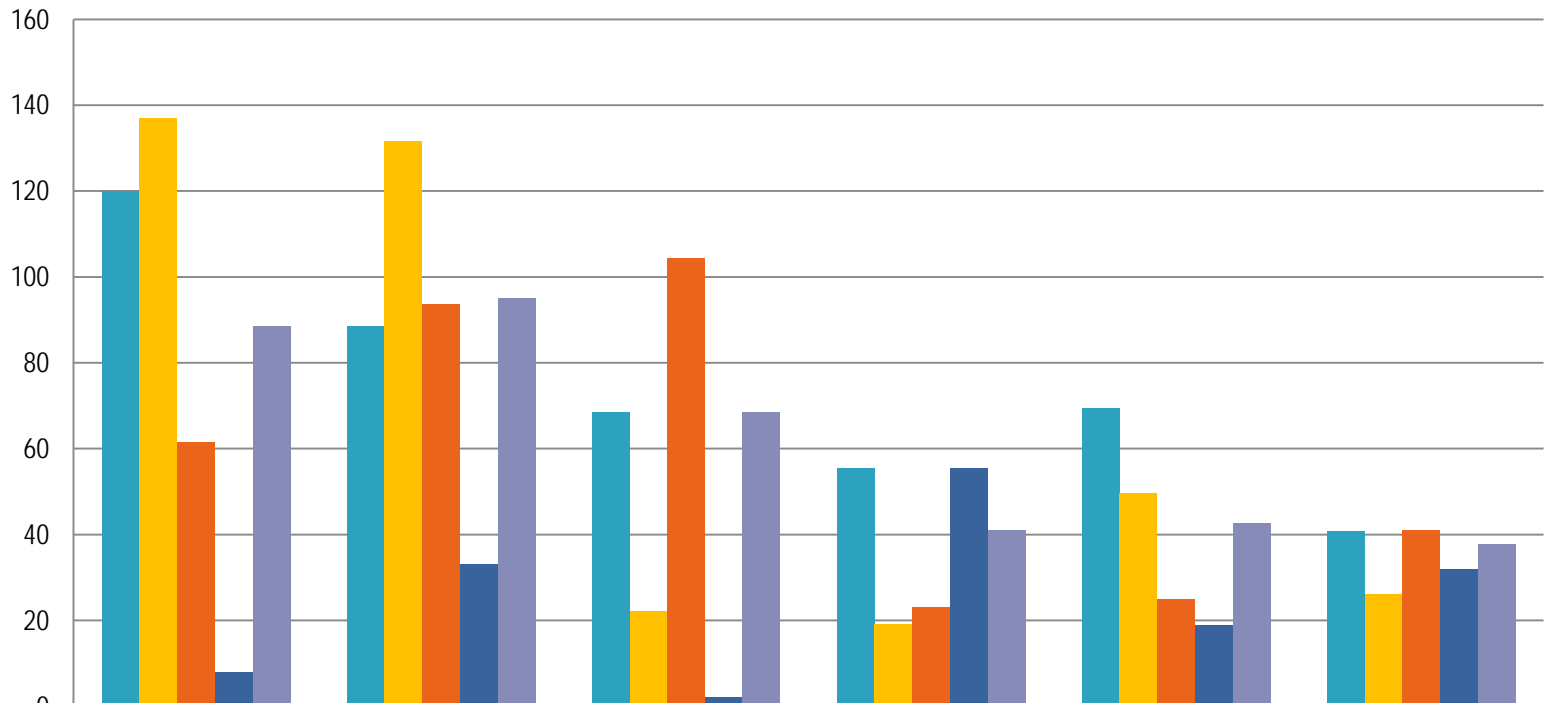
	2005	2006	2007	2008	2009	2010
■ Statewide Average	71.54	76.51	55.47	57.5	52.45	42.26
■ No. of Acc & Acc/PRP	267	240	230	245	275	233

## Average Number of Days from “Accepted for Prosecution” to “Pleading Sent” to MBC for Filing (Accusations Only)<sup>1</sup>



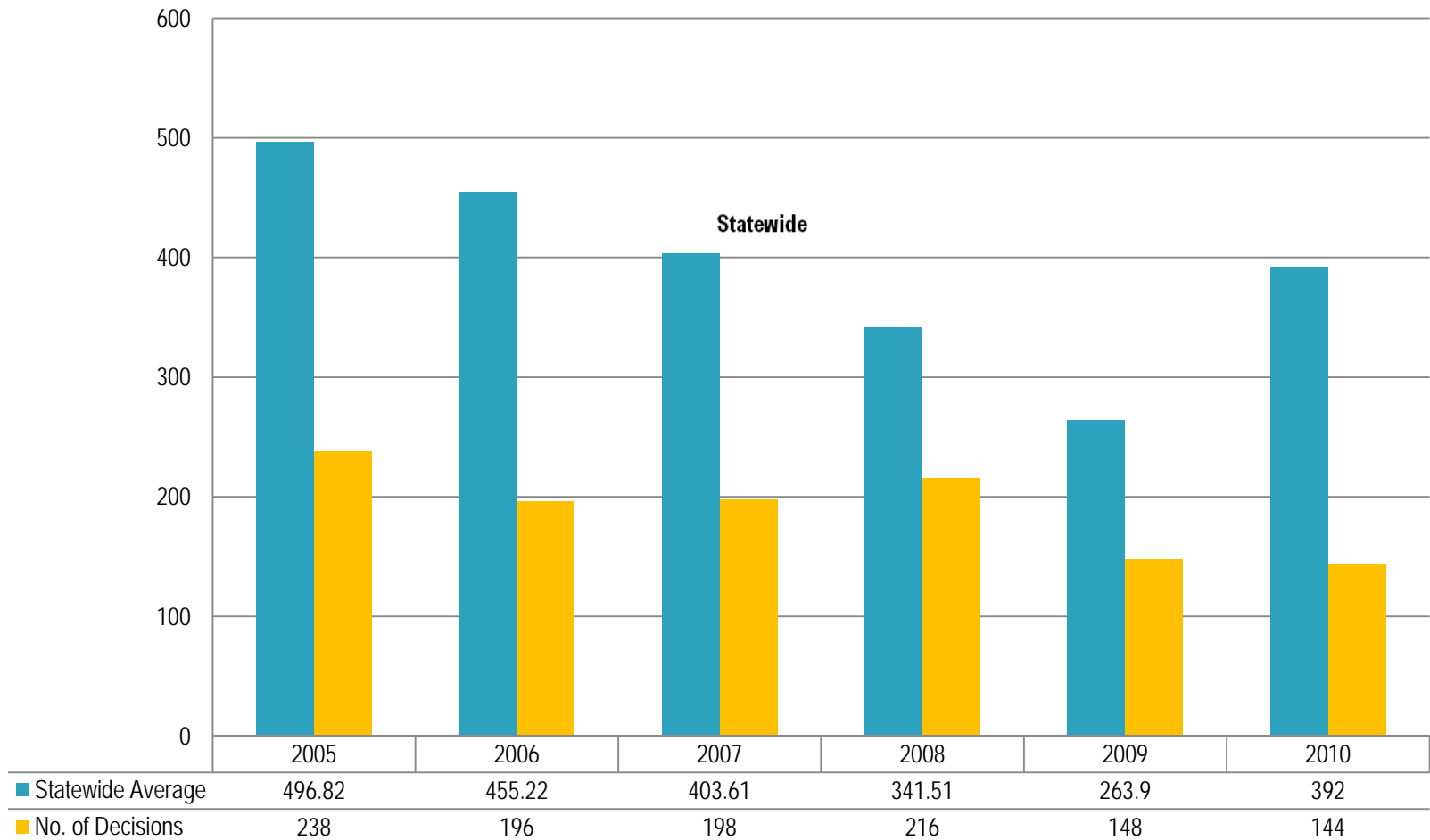
	2005	2006	2007	2008	2009	2010
Los Angeles	76.98	106.2	87.74	48.28	60.42	37.93
Sacramento	64.53	82.77	56.64	89	104.5	75.35
San Diego	97.3	89.4	59.67	72.63	50.55	49.15
San Francisco	39.53	35.44	27.91	44.71	36.48	34.4
Statewide	69.79	75.36	54.87	58.5	53.19	42.54
	242	226	220	231	256	220

# Average Number of Days from “Accepted for Prosecution” to “Pleading Sent” to MBC for Filing (Accusations/Petitions to Revoke Probation Only)<sup>1</sup>



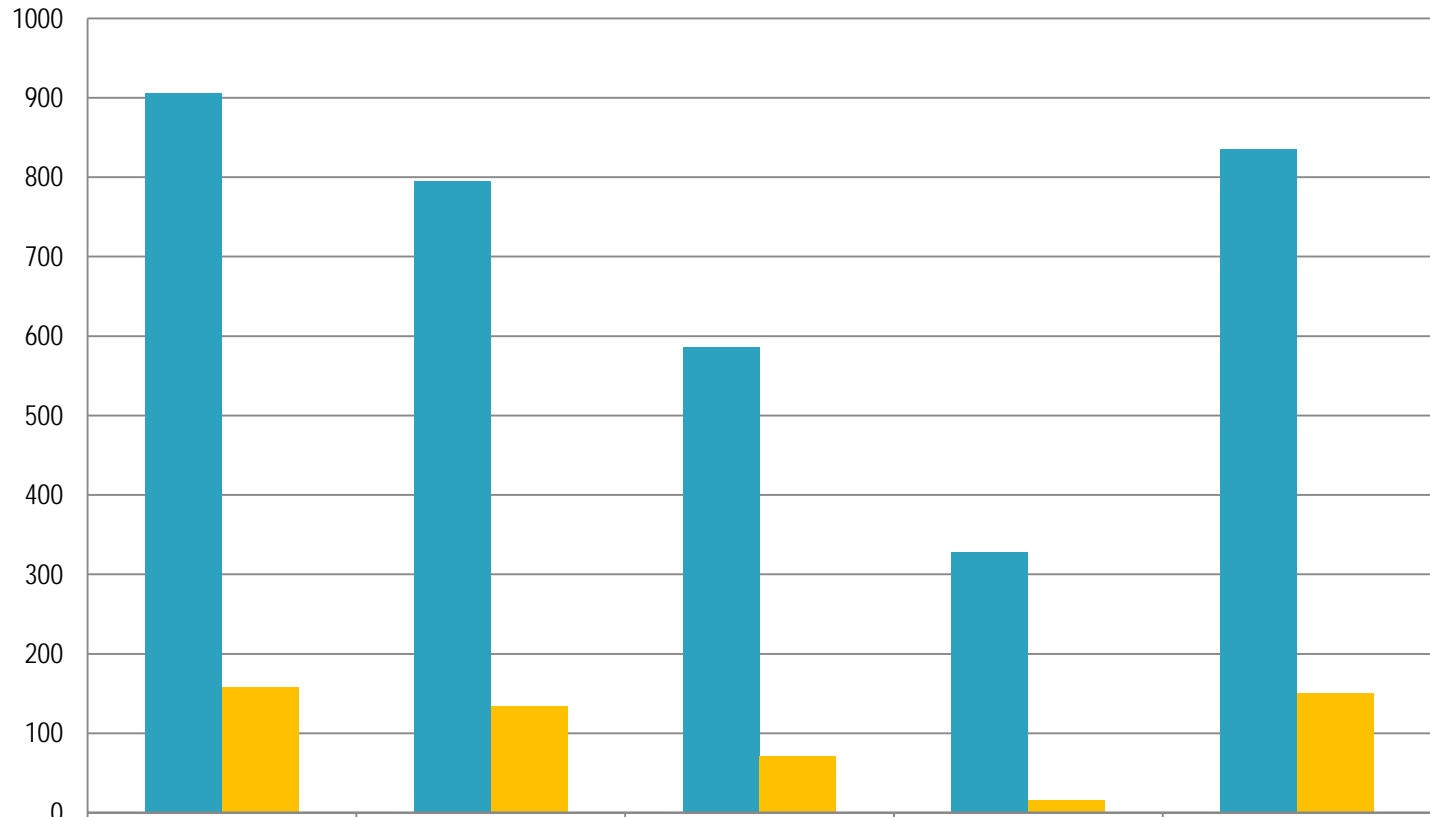
	2005	2006	2007	2008	2009	2010
Los Angeles	120	88.5	68.5	55.33	69.43	40.8
Sacramento	137	131.5	22	19	49.5	26
San Diego	61.54	93.67	104.4	23	25	41
San Francisco	8	33	2	55.4	18.75	32
Statewide	88.44	95.07	68.5	40.93	42.63	37.69
No. of Acc/PRP & PRP	25	14	10	14	19	13

# Statewide Average Number of Days from “Accepted for Prosecution” to “Decision Signed by MBC” (Accusations and Accusations/Petitions to Revoke Probation Combined)<sup>2</sup>



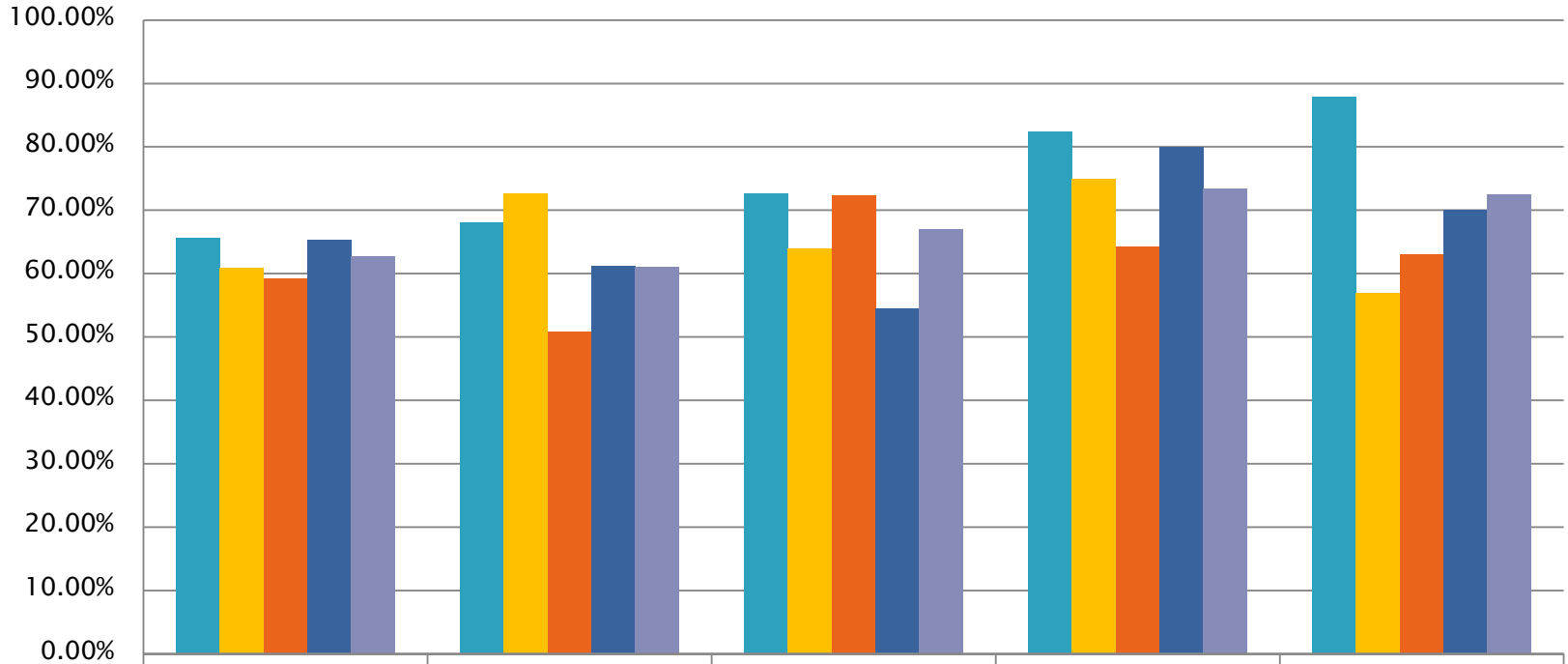


# Statewide Average Number of Days from “Received at District Office” to “Decision Signed by MBC” (Accusations and Accusations/Petitions to Revoke Probation Combined)<sup>3</sup>



■ Statewide Average	2006	2007	2008	2009	2010
	906.57	795.47	586.64	327.38	836
■ No. of Decisions	158	134	71	16	151

## Accusations Resulting in “Serious Discipline” 4



■ Los Angeles	65.60%	68.10%	72.70%	82.40%	88.00%
■ Sacramento	61.00%	72.70%	64.00%	75.00%	57.00%
■ San Diego	59.30%	50.90%	72.30%	64.30%	63.00%
■ San Francisco	65.40%	61.30%	54.50%	80.00%	70.00%
■ Statewide	62.70%	61.10%	67.10%	73.50%	72.50%

No. of Decisions	231	219	201	98	152
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