

MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: January 28, 2025
ATTENTION: Members, Medical Board of California
SUBJECT: Enforcement Program Summary
STAFF CONTACT: Jenna Jones, Chief of Enforcement

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.

Central Complaint Unit:

The average number of days to initiate a complaint in the Central Complaint Unit (CCU) is 8 for the second quarter of FY 2024-2025, which is within the timeframe mandated by Business and Professions Code section 129(b). The average days to complete the processing of a complaint in CCU is 158 days. CCU staff and management continue to work to ensure communication with consumers is sent at various milestones throughout the complaint process, review new complaints and send out requests for necessary information in a timely manner, and reduce the overall aging of all complaint types.

CCU currently has two (2) Associate Governmental Program Analyst (AGPA) vacancies due to the employee's accepting positions with other agencies. All AGPA vacancies were advertised, management reviewed applications for the vacant positions and scheduled interviews. A conditional offer was extended to fill one of the vacant AGPA positions and is pending fingerprinting and final hiring clearances. CCU also has two vacant Staff Services Analyst (SSA) positions, both are due to internal promotions. Management is preparing paperwork to advertise the vacancies, review applications and conduct interviews.

CCU management continues to work with the Board's Information Systems Branch (ISB) to implement necessary codes for the BreEZe database. ISB provided training on creating electronic complaint files and some staff have begun piloting this process and testing for functionality. The goal is to identify any roadblocks, resolve the issues, and have all staff transition to the electronic file process by end of March.

Complainant Liaison Unit:

Six of the eight AGPA positions were filled and the Staff Services Manager I will start the end of February. The remaining two AGPA positions are in the recruitment process.

The new CLU staff received extensive training on the various board units and enforcement programs, how to conduct complainant interviews, and complainant customer services processes. DCA's Strategic Organizational Leadership and Individual Development Office conducted training on communication strategies to promote positive and effective encounters with complainants.

In accordance with BPC section 2220.1, CLU and CCU management worked with the Board's Information Systems Branch (ISB) to create letters relevant to CLU processing, including requests for interviews. CLU management also worked with ISB to implement necessary codes for the BreEZe database.

Expert Reviewer Program:

There are currently 760 active experts in the Board's expert database. The Expert Program continued to utilize an updated report, designed to streamline the identification and renewal of expiring contracts, resulting in an increased number of renewals. Over the last 90 days, 21 renewal reminders have been sent out and 9 experts have renewed, to continue work as active reviewers.

Expert Program staff finalized development of the new distance learning training platform and replaced the quarterly Webex format. A group of expert reviewers have been assigned the new training and beta testing is in progress.

Advertisement in the Board's newsletters continued with a focus on the need for the following specialties in addition to midwifery reviewers:

- Addiction medicine with added certification in Family, Internal, or Psychiatry
- Family Medicine
- General Surgery
- Pain Medicine
- Plastic Surgery

The following specialties were also included in the most recent Newsletter advertisement:

- Cardiology
- Clinical Genetics
- Colon/Rectal Surgery
- Dermatology
- Gastroenterology
- Hematology
- Interventional Cardiology
- Midwife Reviewer
- Neurological Surgery

- Neurology
- Obstetrics and Gynecology (with added expertise in Gynecologic Oncology)
- Orthopedic Surgery
- Pediatric Endocrinology
- Pathology (preferably from the following counties: Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, and Ventura)
- Pediatric Gastroenterology
- Pediatric Surgery
- Pediatric Cardiac Surgery
- Pediatric Critical Care
- Pediatric Pulmonology
- Psychiatry (Forensic and Addiction)
- Radiation Oncology
- Thoracic and Cardiac Surgery
- Urology (General and Gender Reassignment)

Discipline Coordination Unit:

The new DCU staff members are continuing with their training and are progressing well. Management and staff continue to meet regularly to identify and implement needed process improvements and procedure manual updates, while simultaneously ensuring timely processing of disciplinary actions and posting of public disclosure.

Probation Unit:

The Probation Unit currently has four vacant probation monitoring positions; one in Sacramento, one in Cerritos, and two in San Dimas. The second position in San Dimas which was previously reported as eliminated in the 2024 Budget Act was not eliminated and recruitment efforts are underway.

Management continues to work with DCA regarding the reclassification of the Inspectors to Associate Governmental Program Analysts or Staff Services Analysts, therefore, no vacant positions have been filled.

During the 2nd quarter of FY 2024-2025, 33 licensees were placed on probation and two probationary licenses were issued. There were no licensees placed on probation with suspension. Seventeen licensees successfully completed probation, and six probationers surrendered their license while on probation. As of January 6, 2025, there are 573 licensees currently on probation, both in and out of state. There were no Citations issued for violations of probation. Two Cease Practice Orders were issued for a violation of probation. One Petition to Revoke Probation and one Accusation/Petition to Revoke Probation were transmitted to the Attorney General's Office. One Petition to Revoke Probation was filed and three Accusations/Petitions to Revoke Probation were filed.

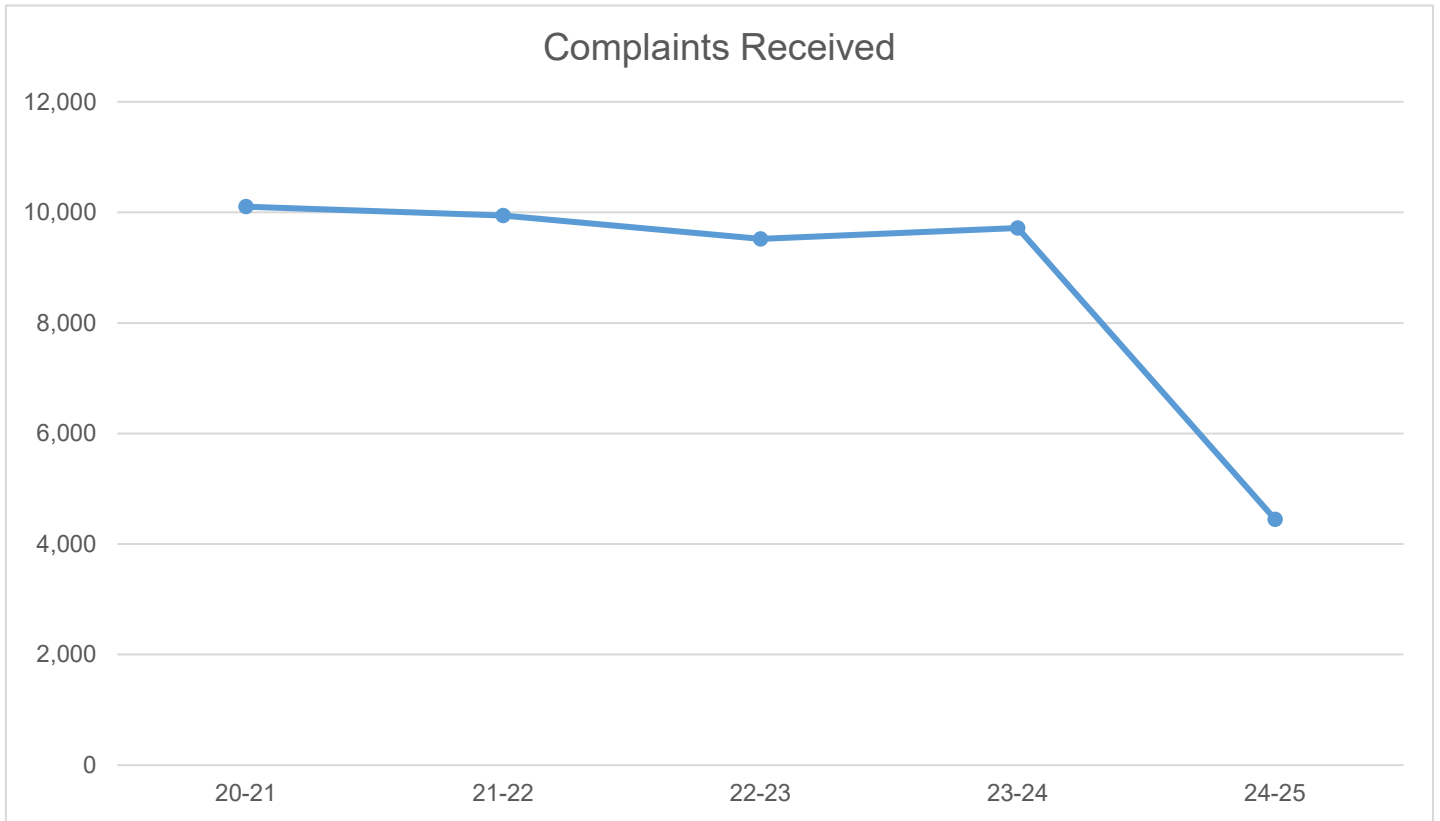
Complaint Investigation Office

As of January 6, 2025, the Complaint Investigation Office (CIO) non-sworn special investigators have a unit caseload of 274 cases which breaks down into approximately 45 cases each.

For physician and surgeon cases for the date range of October 1, 2024, through December 31, 2024, CIO has closed 38 cases and transmitted 25 cases to the Attorney General's Office – 16 criminal conviction cases, 6 malpractice cases, and 3 vaccination exemption cases.

**Medical Board of California Enforcement Program
Physician and Surgeon Complaints Received**

	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Volume	10,103	9,943	9,521	9,715	4,449

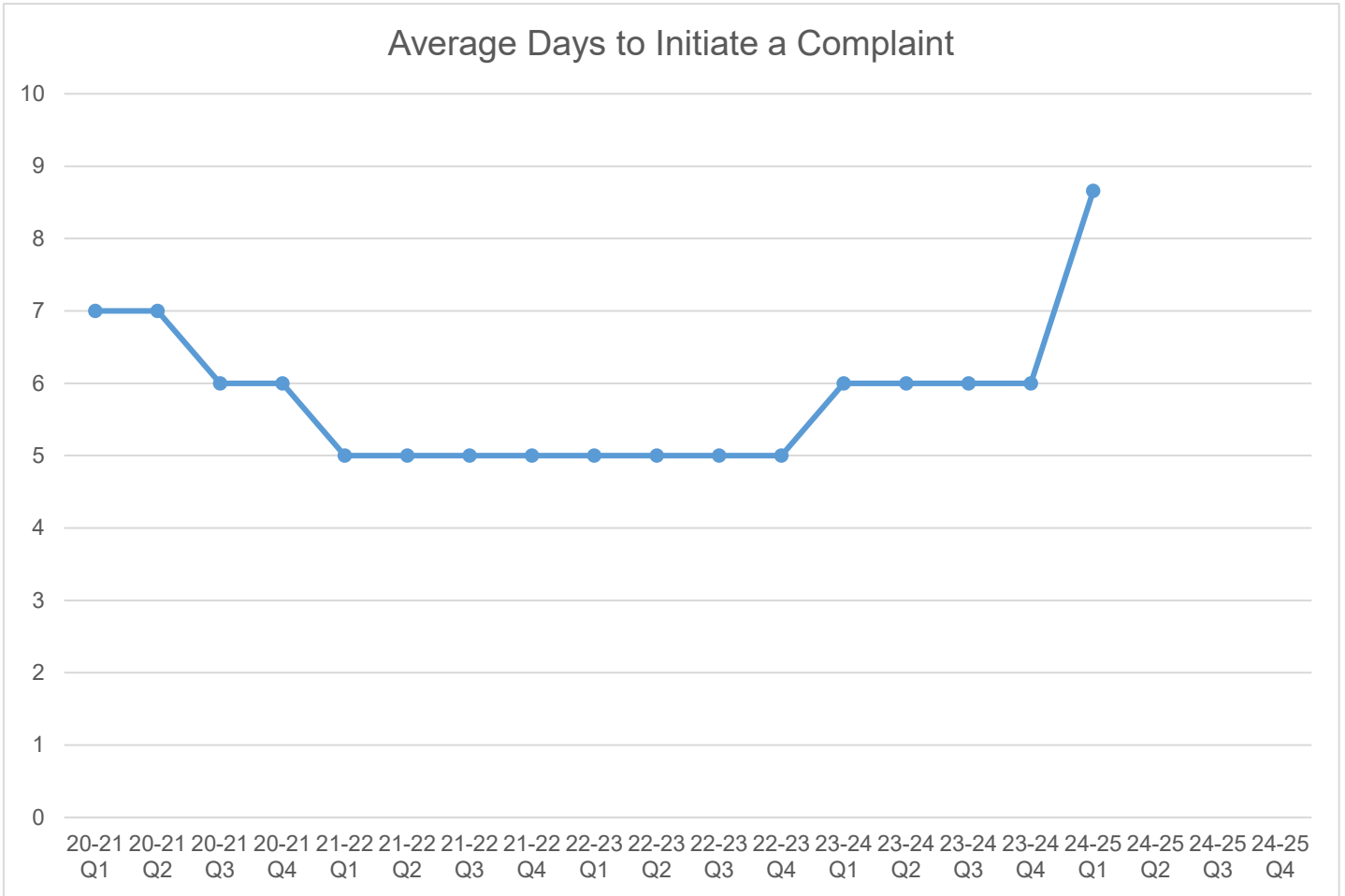


Complaints received by the Board through December, 2024.
Includes physician and surgeon data only.

**Medical Board of California Enforcement Program
Physician and Surgeon Complaints Received**

**Medical Board of California Enforcement Program
Average Days to Initiate a Complaint in the Central Complaint Unit**

Quarter	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Quarter 1	7	5	5	6	9
Quarter 2	7	5	5	6	8
Quarter 3	6	5	5	6	
Quarter 4	6	5	5	6	

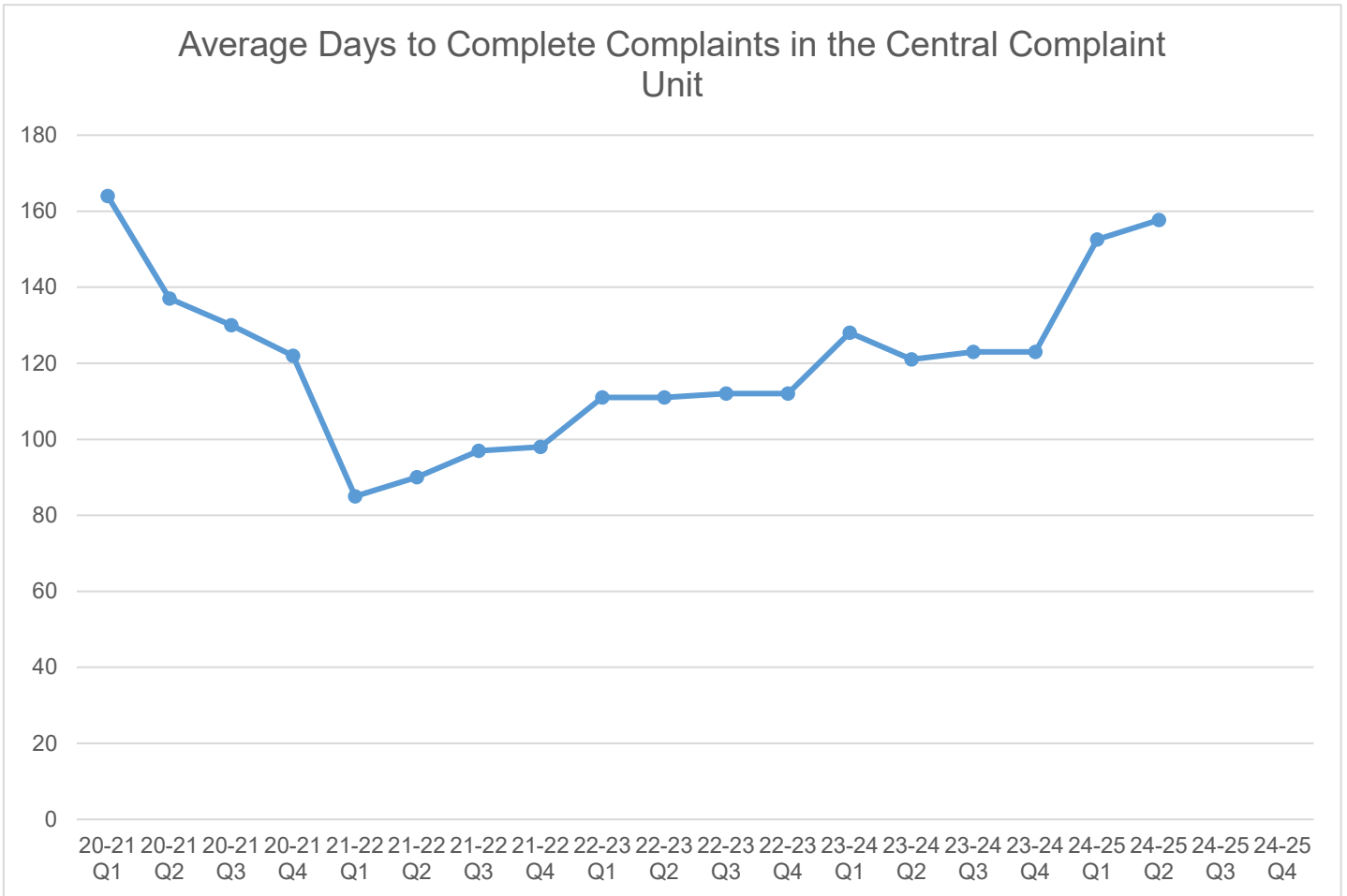


Average Days to Initiate a Complaint in the Complaint Unit.
Includes physician and surgeon data only.

**Medical Board of California Enforcement Program
Average Days to Initiate a Complaint in the Central Complaint Unit**

**Medical Board of California Enforcement Program
Average Days to Complete Complaints in the Central Complaint Unit**

Quarter	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Quarter 1	164	85	111	128	153
Quarter 2	137	90	111	121	158
Quarter 3	130	97	112	123	
Quarter 4	122	98	112	123	

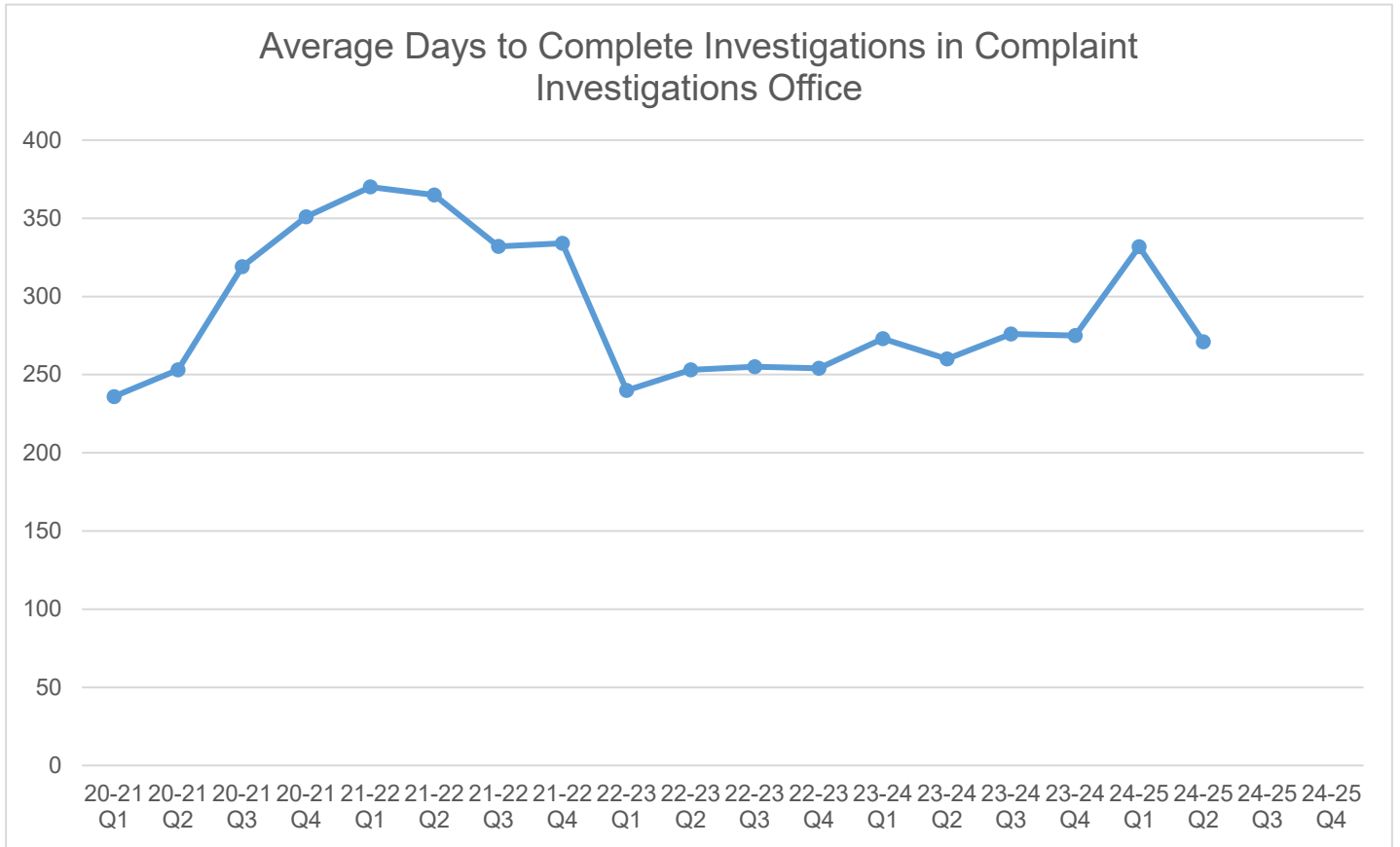


Average Days to Complete Complaints in Complaint Unit includes complaints resolved by Complaint Unit and Complaint Unit processing days for cases completed at field investigation.

**Medical Board of California Enforcement Program
Average Days to Complete Complaints in the Central Complaint Unit**

**Medical Board of California Enforcement Program
Average Days to Complete Investigations in Complaint Investigations Office**

Quarter	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Quarter 1	236	370	240	273	332
Quarter 2	253	365	253	260	271
Quarter 3	319	332	255	276	
Quarter 4	351	334	254	275	

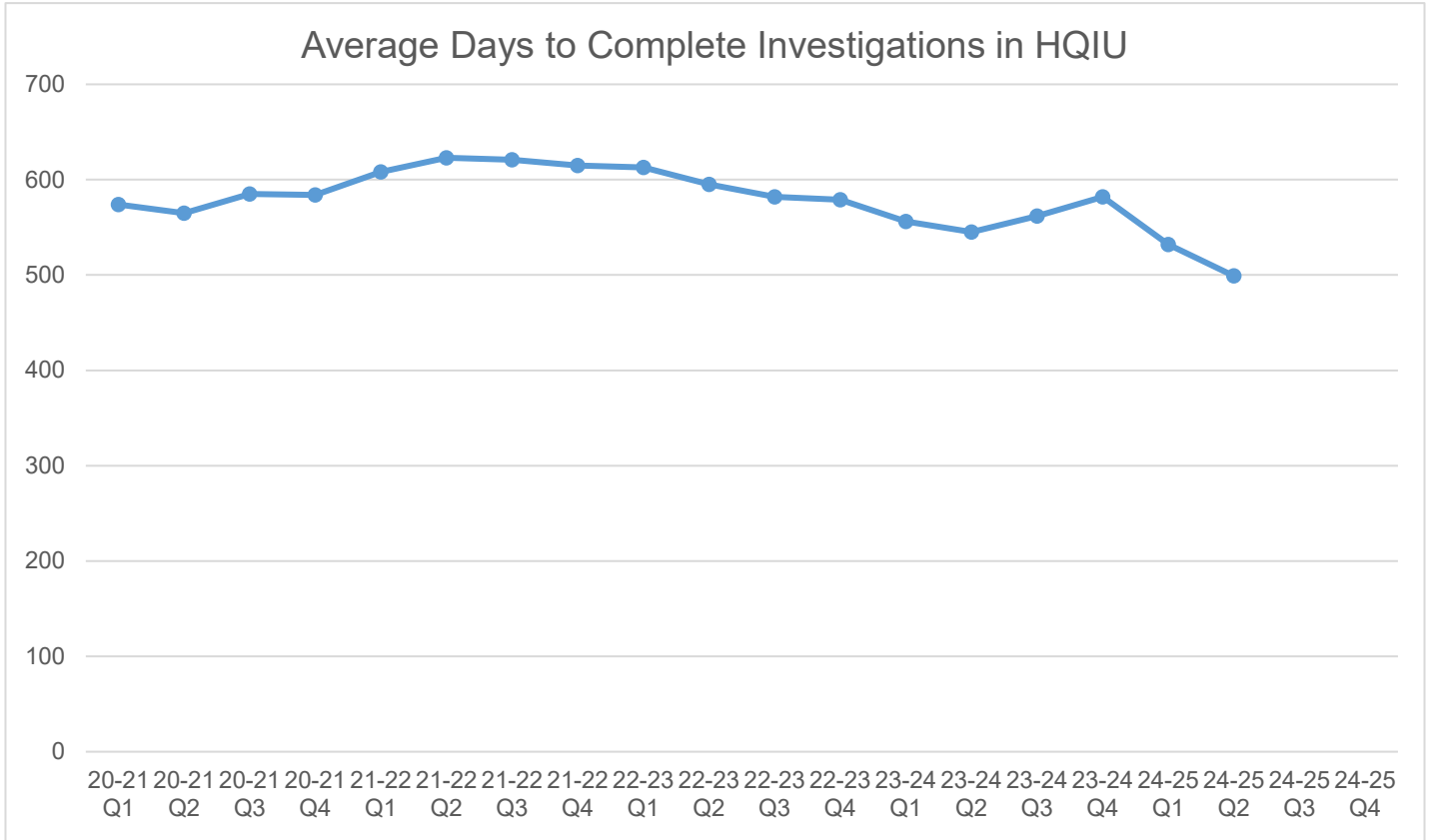


Investigation processing days are from the date case was assigned to Complaint Investigation Office (CIO) Investigator by Complaint Unit until closure or referral (does not include Complaint Unit processing days for complaints completed at CIO). Includes physician and surgeon data only.

**Medical Board of California Enforcement Program
Average Days to Complete Investigations in Complaint Investigations Office**

**Medical Board of California Enforcement Program
Average Days to Complete Investigations in HQIU**

Quarter	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Quarter 1	574	608	613	556	532
Quarter 2	565	623	595	545	499
Quarter 3	585	621	582	562	
Quarter 4	584	615	579	582	



Effective 7/1/18 investigation processing days are from the date the case was referred to HQIU until closure or referral (this does not include Complaint Unit processing days for complaints completed at HQIU). This includes post-investigation processing time by HQIU, and review time by the Attorney General and Board after the investigation is completed, which is an average of 43 days through December 2024. Includes physician and surgeon data only.

**Medical Board of California Enforcement Program
Average Days to Complete Investigations in HQIU**

California Enforcement Program
Average HQIU Investigation Days by Case Type

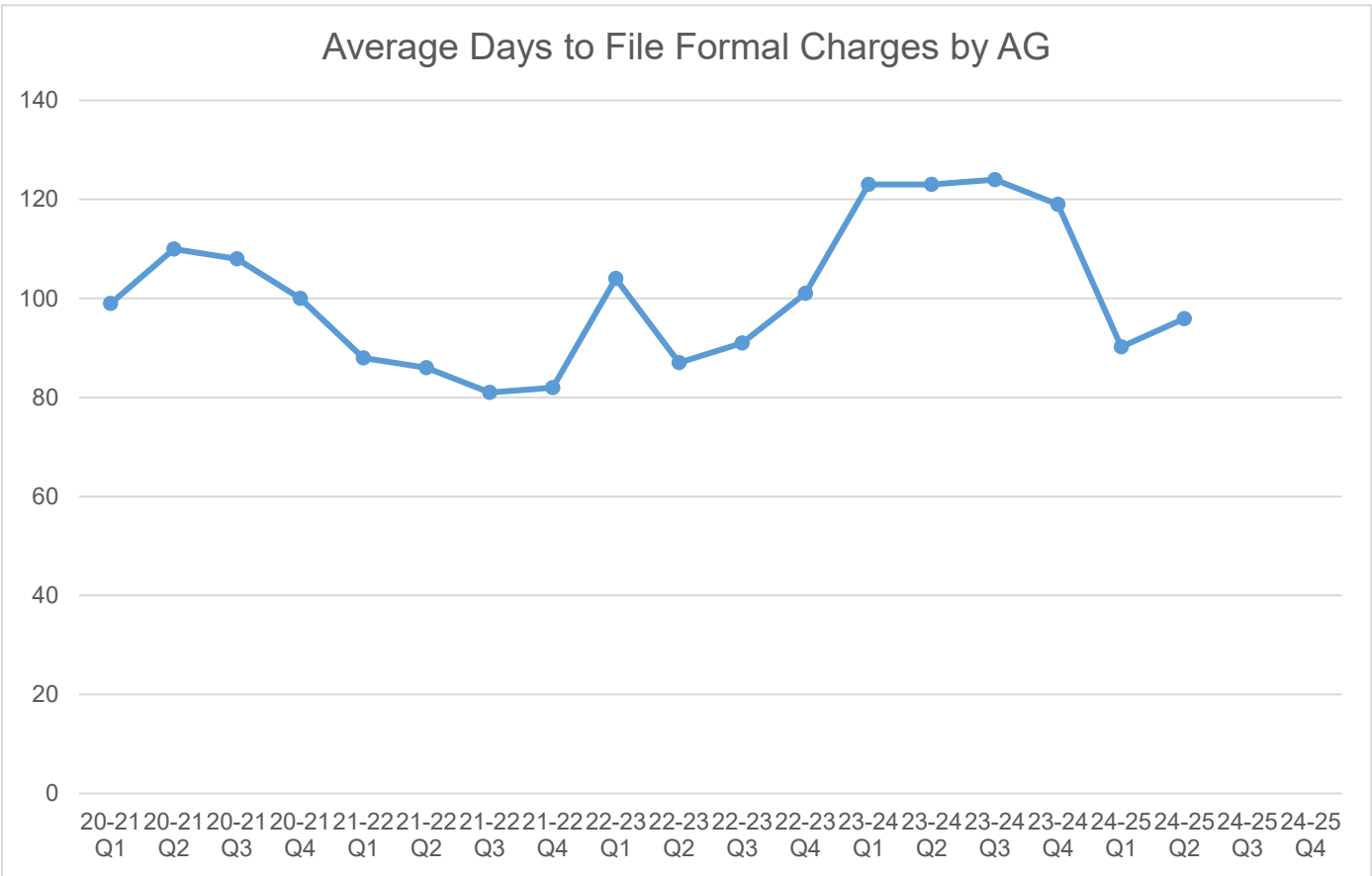
Case Type by Fiscal Year	20-21	21-22	22-23	23-24	24-25
Overall	584	615	579	582	528
Gross Negligence/Incompetence	588	632	621	588	484
Inappropriate Prescribing	651	714	634	598	552
Unlicensed Activity	659	636	577	538	465
Sexual Misconduct	460	580	490	540	527
Mental/Physical Illness	476	529	486	455	386
Self-Abuse of Drugs/Alcohol	416	445	469	521	375
Fraud	560	419	418	733	443
Conviction of a Crime	444	381	504	379	465
Unprofessional Conduct	483	564	526	620	499

Effective 7/1/18 investigation processing days are from the date the case was referred to HQIU until closure or referral (this does not include Complaint Unit processing days for complaints completed at HQIU). This includes post-investigation processing time by HQIU, and review time by the Attorney General and Board after the investigation is completed, which is an average of 43 days through December 2024. Includes physician and surgeon data only.

Agenda Item 6C

Medical Board of California Enforcement Program
Average Days to File Administrative Charges Prepared by the
Office of the Attorney General

Quarter	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Quarter 1	99	88	104	123	90
Quarter 2	110	86	87	123	96
Quarter 3	108	81	91	124	
Quarter 4	100	82	101	119	



Average Days to File Formal Charges are the days from the date the case is referred to the AG's Office until formal charges are filed. Includes physician and surgeon data only.

Medical Board of California Enforcement Program Agenda Item 6C
Average Days to File Administrative Charges Prepared by the
Office of the Attorney General

Administrative Outcomes for Physicians and Surgeons by Quarter

Types of Outcomes	FY 24-25				
	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
Administrative Outcomes					
License Revoked	9	6			15
License Surrendered (in Lieu of Accusation or with Accusation Pending)	16	28			44
License Placed on Probation with Suspension	1	0			1
License Placed on Probation	33	33			66
Probationary License Issued	4	2			6
Public Reprimand	23	21			44
Other Action	1	0			1
Referral and Compliance Actions					
Citation and Administrative Fines Issued	11	5			16

Types of Outcomes	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25
Administrative Outcomes					
License Revoked	49	36	36	23	15
License Surrendered (in Lieu of Accusation or with Accusation Pending)	125	106	89	102	44
License Placed on Probation with Suspension	4	7	4	2	1
License Placed on Probation	132	156	153	137	66
Probationary License Issued	19	14	17	10	6
Public Reprimand	154	118	76	97	44
Other Action	2	1	4	3	1
Referral and Compliance Actions					
Citation and Administrative Fines Issued	51	122	195	135	16

ENFORCEMENT TIMEFRAMES

Fiscal Year	20-21 Average	20-21 Median	21-22 Average	21-22 Median	22-23 Average	22-23 Median	23-24 Average	23-24 Median	24-25 ¹ Average	24-25 ¹ Median
COMPLAINT PROCESSING	122	54	98	55	112	63	123	52	158	70
INVESTIGATION PROCESSING - MBC - CIO (Complaint Investigation Office)	351	283	334	251	254	210	275	240	315	278
INVESTIGATION PROCESSING - HQIU (Health Quality Investigation Unit)	584	585	615	633	579	563	582	556	528	517
TOTAL MBC & HQIU DAYS	143	68	176	81	175	97	177	77	220	108
TOTAL MBC & HQIU YEARS	0.39	0.19	0.48	0.22	0.48	0.27	0.48	0.21	0.60	0.30
AG PREP - Attorney General Preparation for Accusation/Petition to Revoke/Accusation & Petition to Revoke/Statement of Issues	100	72	82	62	101	81	120	94	96	88
POST - Accusation/Petition to Revoke/Accusation & Petition to Revoke/Statement of Issues	384	351	388	372	487	432	439	392	417	325
ACCUSATION DECLINED BY AG	45	30	57	36	63	38	58	36	45	31
TOTAL AG DAYS	470	447	478	449	577	514	539	475	538	457
TOTAL AG YEARS	1.29	1.22	1.31	1.23	1.58	1.41	1.48	1.30	1.47	1.25
TOTAL MBC & AG DAYS	1129	1193	1167	1239	1343	1413	1261	1305	1,185	1,148
TOTAL MBC & AG YEARS	3.09	3.27	3.20	3.39	3.68	3.87	3.45	3.58	3.25	3.15

Years calculated using 365 days per year

¹ Data through 12/30/2024.

Includes physician and surgeon data only.

Pending Enforcement Caseload Summary¹

Data Current as of January 6, 2025

	0-3 Months	4-6 Months	7-9 Months	10-12 Months	1 Year	2 Years	3 Years	4 Years	Over 4 Years	Total by Group	Previous Quarter Data	Variance	% Variance
Central Complaint Unit	1,110	878	659	467	642	10	0	0	0	3,766	3,686	80	2%
Complaint Investigation Unit	62	53	31	40	73	14	1	0	0	274	271	3	1%
Health Quality Investigation Unit	159	173	140	133	320	63	0	0	0	988	1,023	-35	-3%
Completed Investigations Awaiting Disposition²	3	1	5	17	51	24	0	0	0	101	74	27	36%
Citation and Fine Desk	19	10	8	3	3	1	1	0	0	45	50	-5	-10%
Out-of-State Desk	50	43	36	51	143	81	2	0	0	406	413	-7	-2%
AG Services³	9	9	5	10	7	0	0	0	0	40	38	2	5%
AG-Pre⁴	88	55	33	22	39	10	1	1	0	249	224	25	11%
AG-Post⁵	51	59	45	51	47	16	3	1	0	273	275	-2	-1%
Total by Age	1,551	1,281	962	794	1,325	219	8	2	0	6,142	6,054	88	1%

¹ Includes physician and surgeon data only.

² Represents the number of completed investigations returned by HQIU to the Board for review and determination of outcome.

³ AG Services includes petitions to compel, subpoena enforcement, and referrals for citation appeals.

⁴ AG-Pre includes cases transmitted to the AG but the Accusation/Petition to Revoke/Accusation & Petition to Revoke/Statement of Issues is not yet filed.

⁵ AG-Post includes Accusation/Petition to Revoke/Accusation & Petition to Revoke/Statement of Issues that have been filed.

* Probation Monitoring caseload removed at the request of the Board.



C A L I F O R N I A
DEPARTMENT OF JUSTICE

Rob Bonta
Attorney General

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January 17, 2025

Medical Board of the State of California
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815-5401

RE: Attorney General's Office Quarterly Update, February, 2025 Board Meeting

Dear Board Members:

Thank you for the opportunity to provide the Attorney General's Office Quarterly update. Of note this quarter, the eighth Attorney General's Annual Report on Accusations Prosecuted for Department of Consumer Affairs Client Agencies was published on January 1, 2025. The report, issued pursuant to Business and Professions Code section 312.2, is available on the Attorney General's website at: <<http://oag.ca.gov/publications>>, as are the prior seven reports.

The Health Quality Enforcement Section works collegially and closely with Executive Director Reji Varghese, Deputy Executive Director Marina O'Connor, Chief of Enforcement Jenna Jones, and their staff. We meet frequently with the Office of Administrative Hearings to assist in managing your administrative litigation work. We continue to work with the Department of Consumer Affairs' Health Quality Investigation Unit and your Complaint Investigation Office to litigate your filed Accusations matters and manage other legal services.

It is an honor and privilege to serve you. Should you ever have any requests for a presentation or would like to pose specific questions, we are always available to assist you.

Sincerely,

GLORIA L. CASTRO
Senior Assistant Attorney General

For ROB BONTA
 Attorney General