

MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: May 9, 2025
ATTENTION: Members, Medical Board of California
SUBJECT: Enforcement Program Summary
STAFF CONTACT: Sharlene Smith, 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.

Collaborative Process:

The Enforcement Monitor Report identified the need for collaboration between HQE and HQIU. Meetings between board leadership, HQIU and HQE have been conducted. Discussions are focused on identifying case type categories, roles and responsibilities, processes and procedures, and timelines. Development of the collaborative process is ongoing.

Central Complaint Unit:

The average number of days to initiate a complaint in the Central Complaint Unit (CCU) is eight for the third 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 152 days. CCU staff and management continue 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.

CCU currently has two (2) vacant Staff Services Analyst (SSA) positions, both are due to internal promotions. Management is reviewing applications and will conduct interviews.

The Board's Information Systems Branch (ISB) provided training to all CCU staff in creating electronic complaint files. CCU continues to work with ISB on testing the process, testing for functionality, identifying any roadblocks, and resolving any issues. Staff who initially piloted this process are subject matter experts and assist their colleagues with questions and provide refresher training as needed.

Complainant Liaison Unit:

The Complainant Liaison Unit (CLU) began operation on January 2, 2025. Its current staff includes six Associate Governmental Program Analysts (AGPAs) and one Staff Services Manager I. CLU is currently recruiting for two bilingual AGPA positions.

From the start of operations through April 1, 2025, CLU has received a total of 394 referred cases. Out of the 394 referrals, CLU analysts have extended interview invitations

to 329 complainants. Participation in these interviews is optional. The status of the 329 interview requests as of April 1st is as follows:

Interview Offered:	162
Interview Scheduled:	25
Interview Declined:	4
Interview Conducted:	108
No Response From Complainant:	30

As of April 1, 2025, CLU has 65 pending referred cases awaiting interview offers.

Ongoing training with all CLU staff continues, including scheduled training with the Office of the Attorney General.

Additionally, effective April 1, 2025, CLU staff assumed the Consumer Service Analyst duties previously handled by the Central Complaint Unit. These responsibilities include answering phone calls and responding to emails concerning the Board's enforcement process, complaint status updates, the complaint filing process, and various other inquiries. CLU staff and management are committed to providing thorough and accurate information to consumers.

Expert Reviewer Program:

As of April 10, 2025, there are 765 active experts in the Board's expert database. Expert Program staff continued with the rollout of the recently finalized online training; all reviewers are now eligible to complete the training. One expert program analyst vacated their position and efforts to backfill the vacancy in addition to the vacant expert program manager are in progress. Advertisements 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 January 2025 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)
- Orthopaedic 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)

Complaint Investigation Office:

As of April 21, 2025, the Complaint Investigation Office (CIO) non-sworn special investigators have a unit caseload of 262 cases which breaks down to approximately 40 cases each.

For physician and surgeon cases for the date range of January 1, 2025, through March 21, 2025, CIO has closed 41 cases and transmitted 32 cases to the Attorney General's Office – 13 criminal conviction cases, 15 malpractice cases, and 4 vaccination exemption cases.

Probation Unit:

The Probation Unit currently has four vacant probation monitoring positions: one in Sacramento, one in Cerritos, and two in San Dimas. All positions have been advertised on a continuous basis. Applications for all positions have been received and are currently being reviewed by management. Interviews are expected to be conducted in April and May 2025.

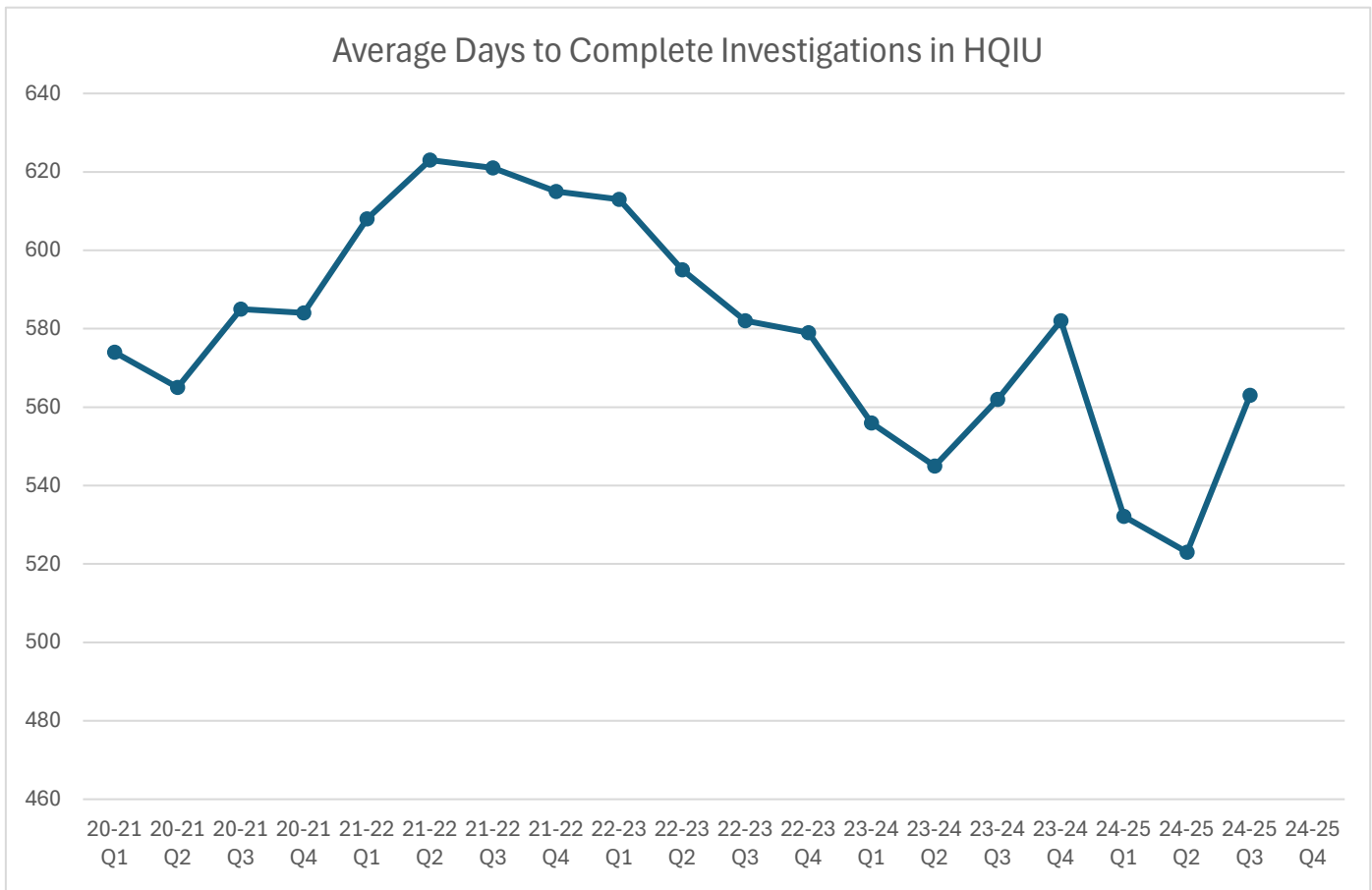
During the 3rd quarter of FY 2024-2025, 29 licensees were placed on probation and three probationary licenses were issued. There was one licensee placed on probation with suspension. Nineteen licensees successfully completed probation, and three probationers surrendered their license while on probation. The licensees who surrendered while on probation are Walter Simmons, who surrendered in January as he was unable to practice, Ellis Beesley and Alan Steinberg surrendered in February 2025 due to retirement. As of April 1, 2025, there are 574 licensees currently on probation, both in and out of state. There were six Citations issued for violations of probation. One Cease Practice Order was issued for a violation of probation. There were no Petitions to Revoke Probation or Accusations/Petitions to Revoke Probation transmitted to the

Attorney General's Office. There were no Petitions to Revoke Probation filed. There were three Accusations/Petitions to Revoke Probation filed.

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	523
Quarter 3	585	621	582	562	563
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 45 days through March 2025. Includes physician and surgeon data only.

Average HQIU Investigation Days by Case Type

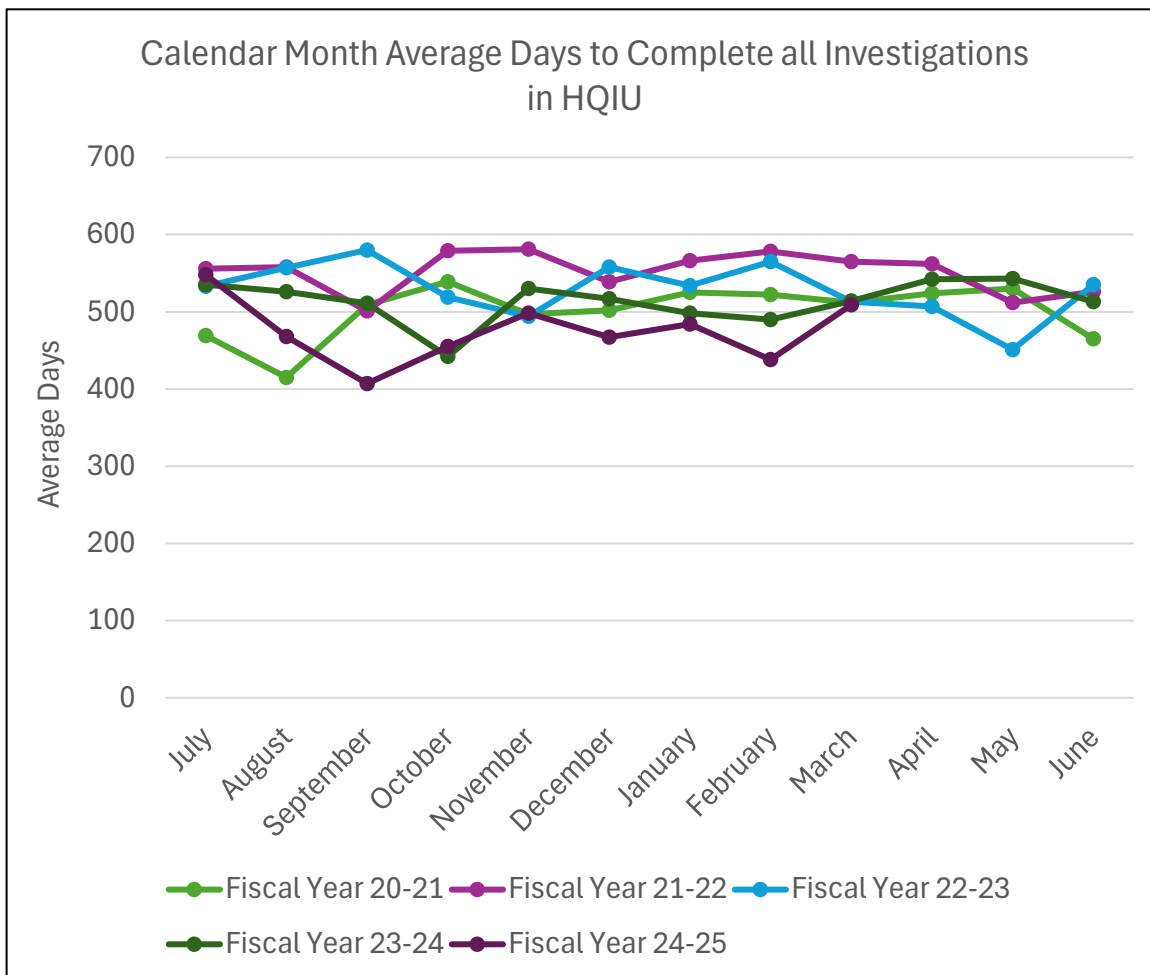
Case Type by Fiscal Year	20-21	21-22	22-23	23-24	24-25
Overall	584	615	579	582	535
Gross Negligence/Incompetence	588	632	621	588	497
Inappropriate Prescribing	651	714	634	598	565
Unlicensed Activity	659	636	577	538	485
Sexual Misconduct	460	580	490	540	496
Mental/Physical Illness	476	529	486	455	386
Self-Abuse of Drugs/Alcohol	416	445	469	521	390
Fraud	560	419	418	733	443
Conviction of a Crime	444	381	504	379	425
Unprofessional Conduct	483	564	526	620	506

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Medical Board of California Enforcement Program

Calendar Month Average Days to Complete All Investigations in HQIU

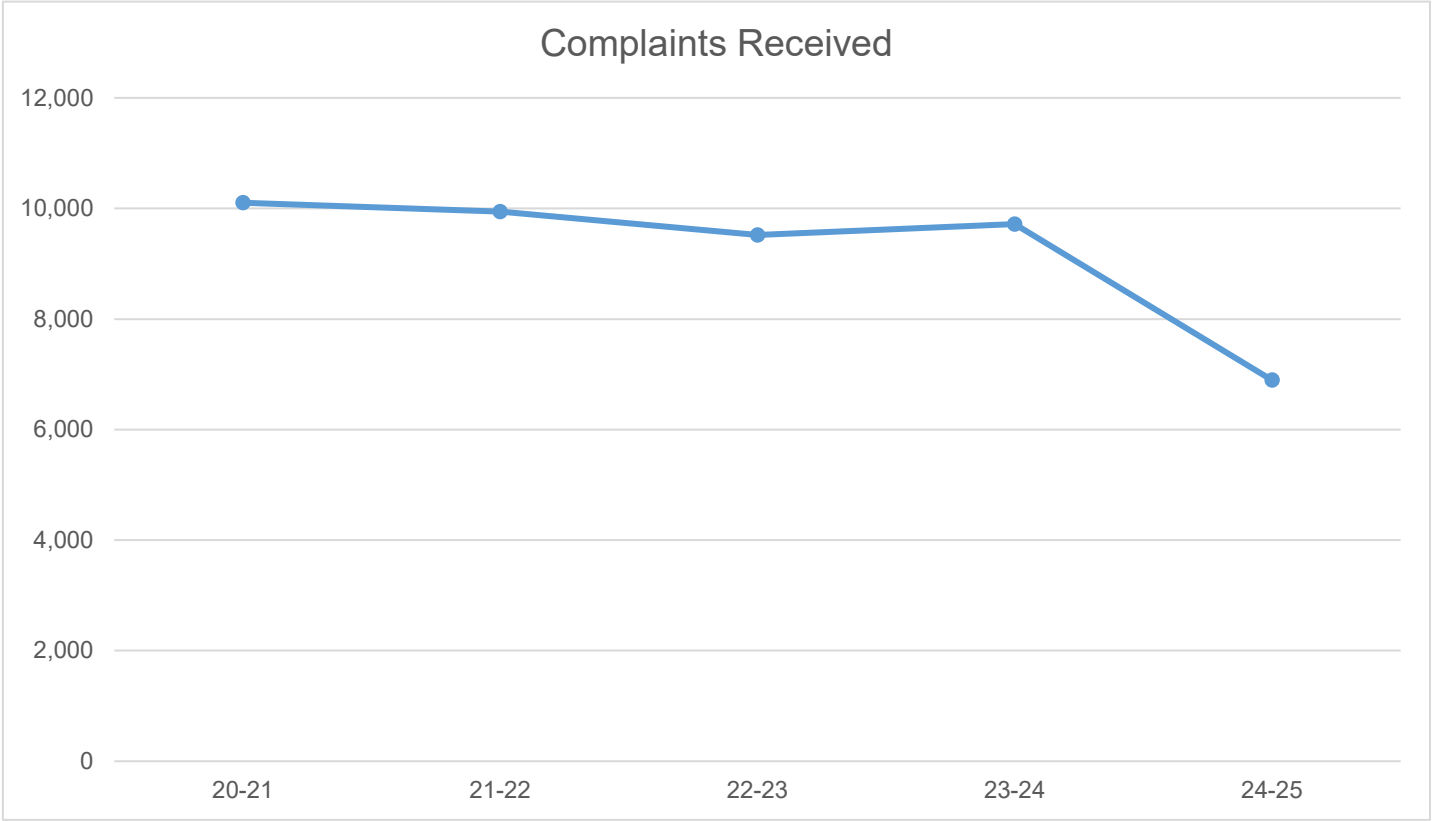
Month	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
July	469	556	533	535	548
August	415	558	557	526	468
September	509	501	580	511	407
October	539	579	519	442	455
November	497	581	494	530	498
December	502	539	558	517	467
January	525	566	534	498	484
February	522	578	565	490	438
March	512	565	513	514	509
April	524	562	507	542	
May	530	512	451	543	
June	465	526	535	513	



Monthly investigation processing days are from the date the case was assigned to an HQIU Investigator until completion of the investigation in the calendar month. Includes physician and surgeon, licensed midwife, polysomnographic program, physician assistant, doctor of podiatric medicine, and osteopathic physician and surgeon data.

Medical Board of California Enforcement Program
Physician and Surgeon Complaints Received

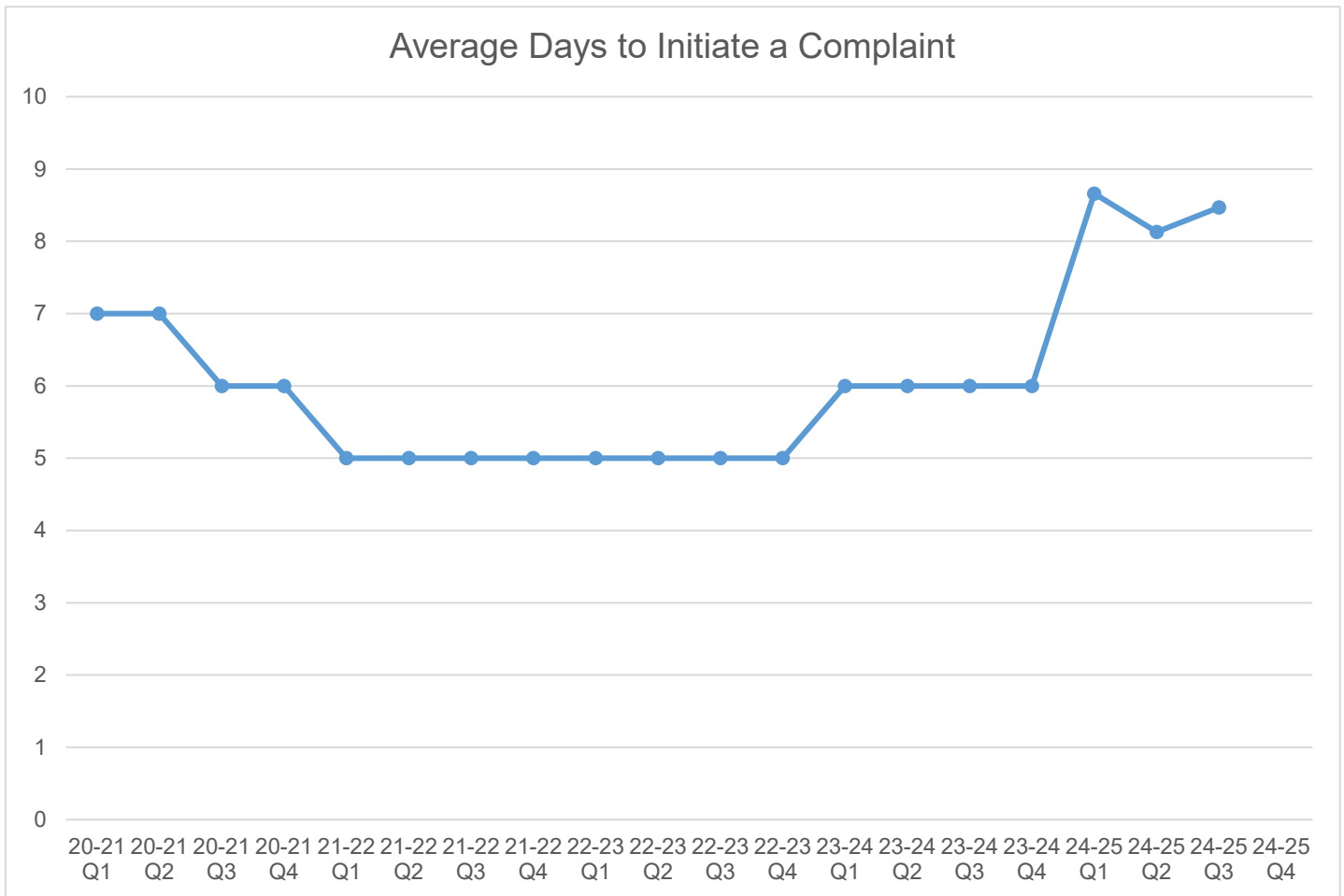
	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Volume	10,103	9,943	9,521	9,715	6,894



Complaints received by the Board through March, 2025.
Includes physician and surgeon data only.

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

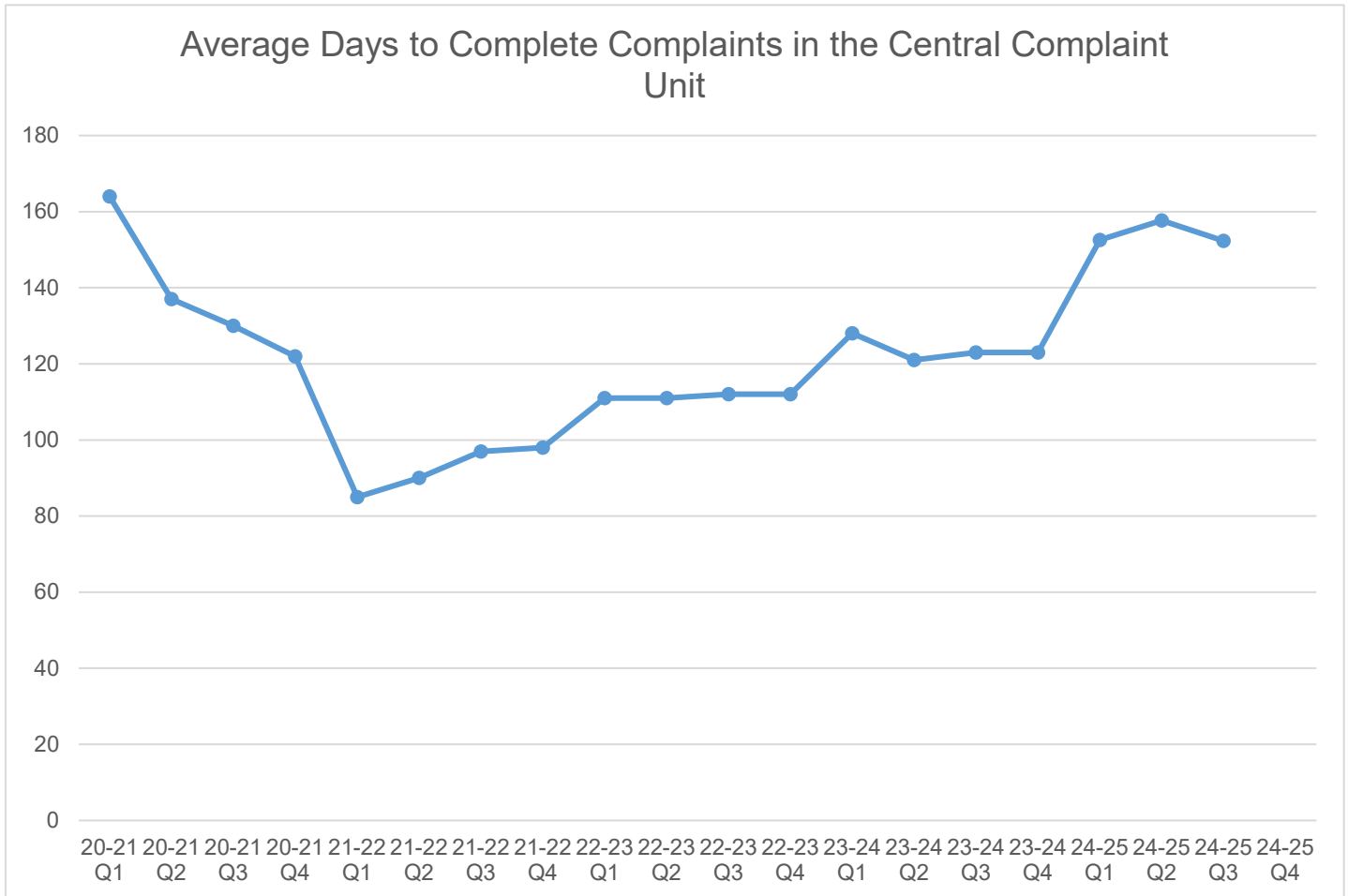
Quarter	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Quarter 1	7	5	5	6	9
Quarter 2	7	5	5	6	8
Quarter 3	6	5	5	6	8
Quarter 4	6	5	5	6	



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 Complete Complaints in the Central Complaint Unit**

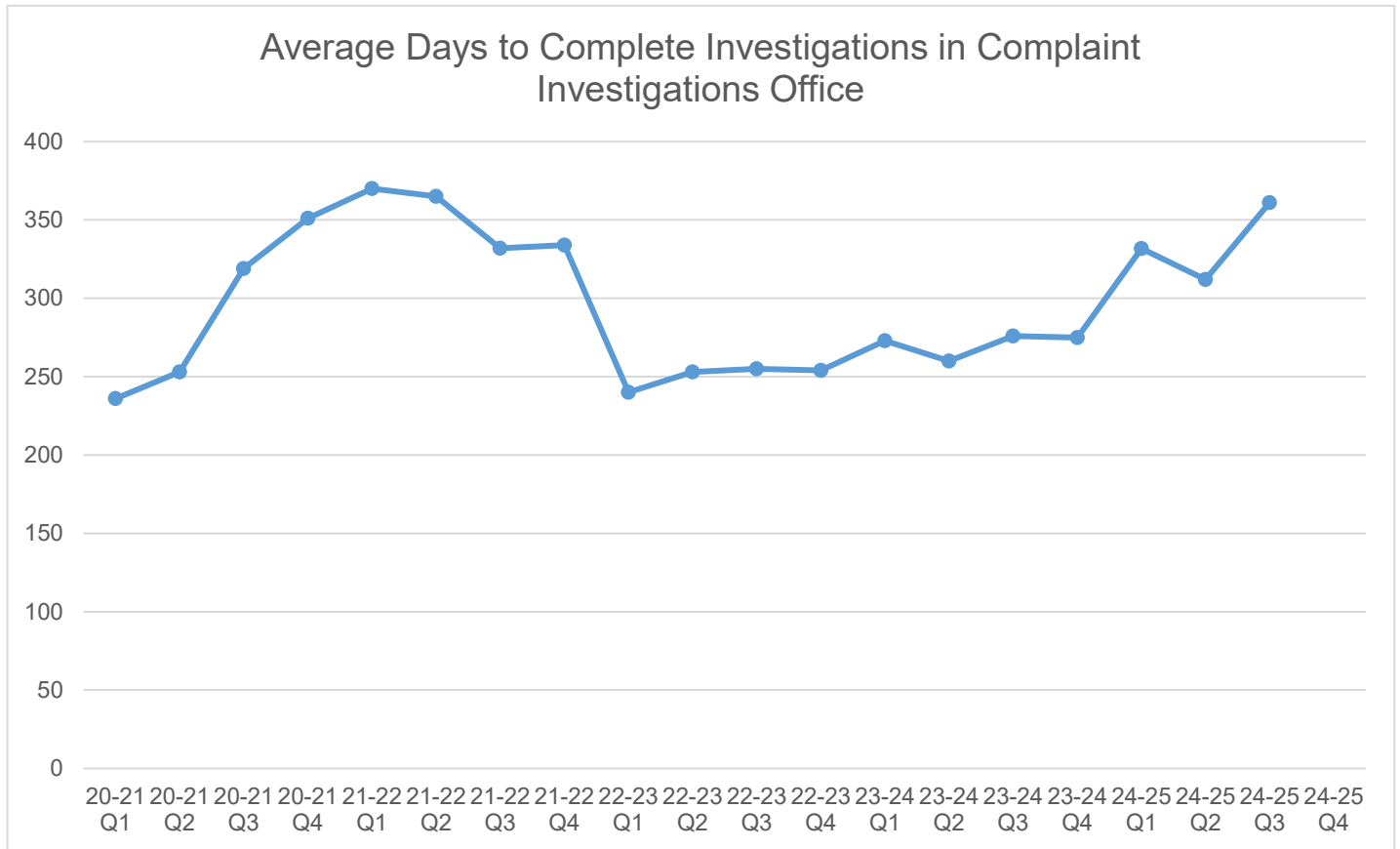
Quarter	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Quarter 1	164	85	111	128	153
Quarter 2	137	90	111	121	158
Quarter 3	130	97	112	123	152
Quarter 4	122	98	112	123	



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 Investigations in Complaint Investigations Office

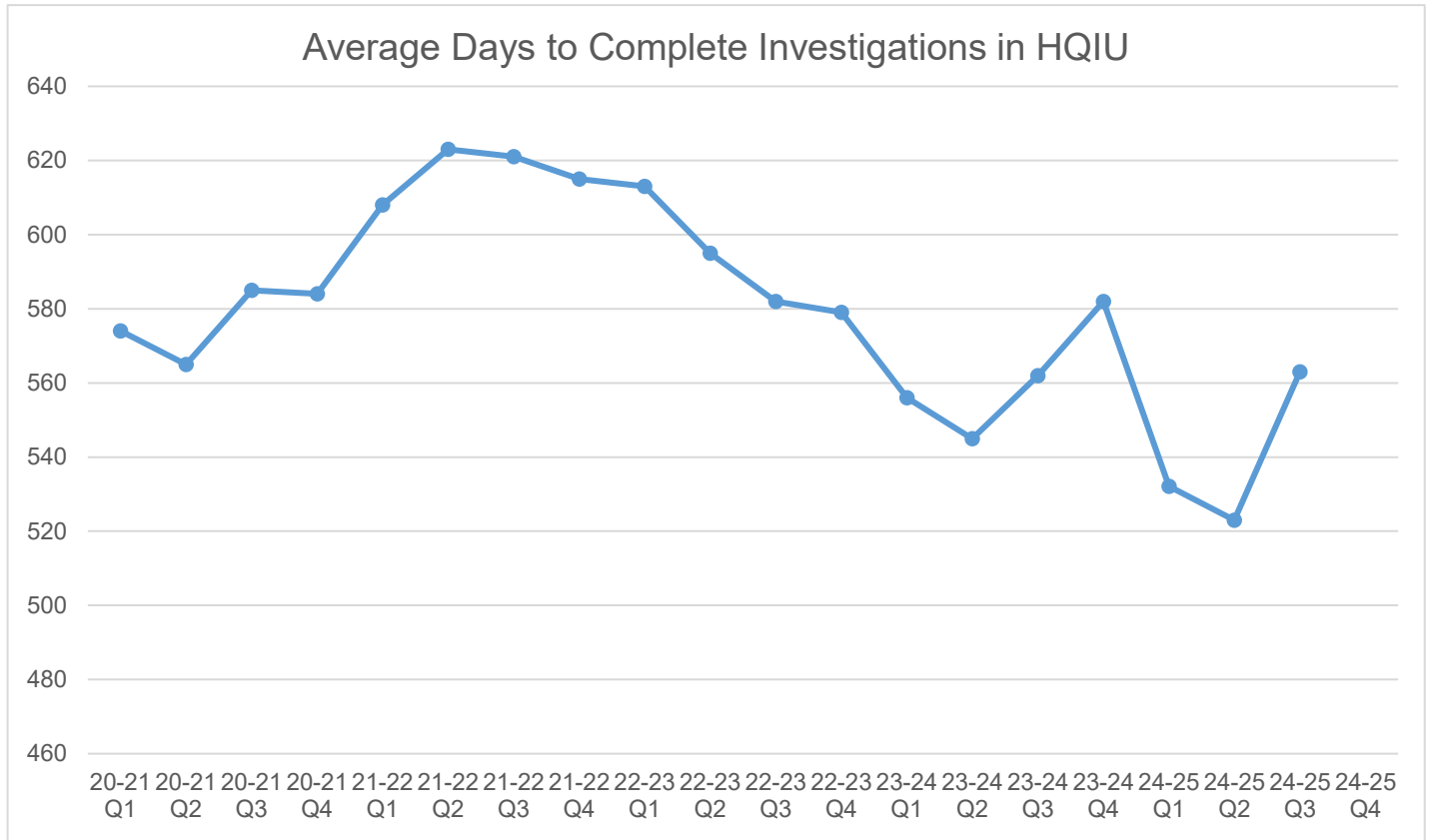
Quarter	Fiscal Year 20-21	Fiscal Year 21-22	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25
Quarter 1	236	370	240	273	332
Quarter 2	253	365	253	260	312
Quarter 3	319	332	255	276	361
Quarter 4	351	334	254	275	



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 HQIU**

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California Enforcement Program
Average HQIU Investigation Days by Case Type

Agenda item 5C

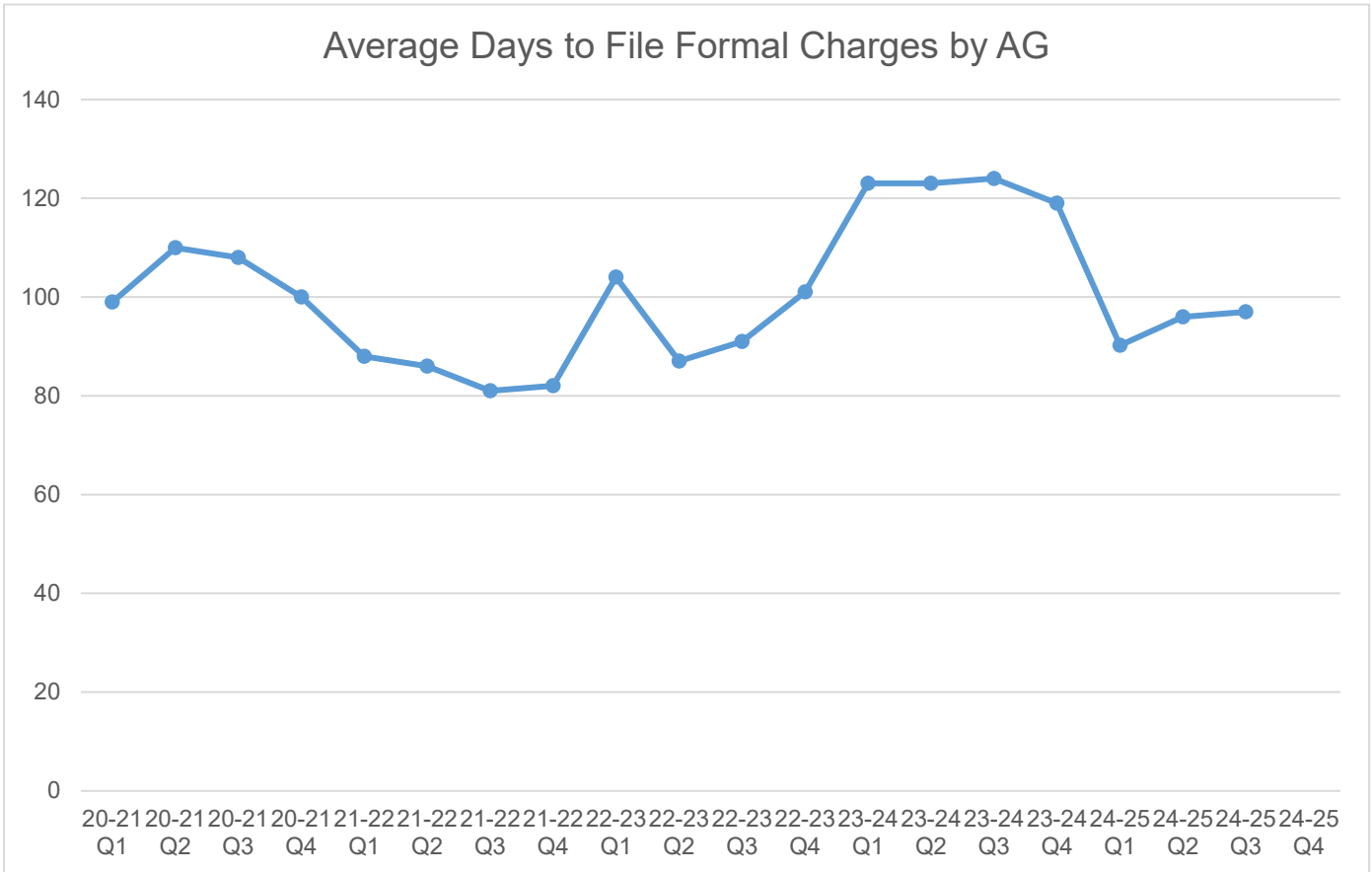
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Agenda item 5C

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	97
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.

Types of Outcomes	FY 24-25				
	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
Administrative Outcomes					
License Revoked	9	6	12		27
License Surrendered (in Lieu of Accusation or with Accusation Pending)	16	28	17		61
License Placed on Probation with Suspension	1	0	1		2
License Placed on Probation	33	33	29		95
Probationary License Issued	4	2	3		9
Public Reprimand	23	21	29		73
Other Action	1	0	0		1
Referral and Compliance Actions					
Citation and Administrative Fines Issued	11	5	46		62

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	27
License Surrendered (in Lieu of Accusation or with Accusation Pending)	125	106	89	102	61
License Placed on Probation with Suspension	4	7	4	2	2
License Placed on Probation	132	156	153	137	95
Probationary License Issued	19	14	17	10	9
Public Reprimand	154	118	76	97	73
Other Action	2	1	4	3	1
Referral and Compliance Actions					
Citation and Administrative Fines Issued	51	122	195	135	62

ENFORCEMENT TIMEFRAMES

Agenda item 5C

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	152	62
INVESTIGATION PROCESSING - MBC - CIO (Complaint Investigation Office)	351	283	334	251	254	210	275	240	333	293
INVESTIGATION PROCESSING - HQIU (Health Quality Investigation Unit)	584	585	615	633	579	563	582	556	535	514
TOTAL MBC & HQIU DAYS	143	68	176	81	175	97	177	77	220	96
TOTAL MBC & HQIU YEARS	0.39	0.19	0.48	0.22	0.48	0.27	0.48	0.21	0.60	0.26
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	97	85
POST - Accusation/Petition to Revoke/Accusation & Petition to Revoke/Statement of Issues	384	351	388	372	487	432	439	392	396	320
ACCUSATION DECLINED BY AG	45	30	57	36	63	38	58	36	65	35
TOTAL AG DAYS	470	447	478	449	577	514	539	475	512	436
TOTAL AG YEARS	1.29	1.22	1.31	1.23	1.58	1.41	1.48	1.30	1.40	1.19
TOTAL MBC & AG DAYS	1129	1193	1167	1239	1343	1413	1261	1305	1,172	1,161
TOTAL MBC & AG YEARS	3.09	3.27	3.20	3.39	3.68	3.87	3.45	3.58	3.21	3.18

Years calculated using 365 days per year
¹ Data through 3/31/2025.
Includes physican and surgeon data only.

Pending Enforcement Caseload Summary¹

Data Current as of April 21, 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	1,475	786	703	595	928	83	0	0	0	4,570	3,766	804	21%
Complaint Investigation Unit	73	40	37	31	66	14	1	0	0	262	274	-12	-4%
Health Quality Investigation Unit	179	135	154	130	274	57	1	0	0	1,024	985	39	4%
Completed Investigations Awaiting Disposition ²	89	2	2	1	0	0	0	0	0	94	104	-10	-10%
Citation and Fine Desk	60	15	4	4	7	0	0	1	0	91	45	46	102%
Out-of-State Desk	3	43	38	40	138	25	0	0	0	287	406	-119	-29%
AG Services ³	23	7	6	3	12	2	0	0	0	53	40	13	33%
AG-Pre ⁴	95	47	24	29	54	14	1	1	0	265	249	16	6%
AG-Post ⁵	68	53	50	31	54	12	6	2	0	276	273	3	1%
Total by Age	2,065	1,128	1,018	864	1,533	207	9	4	0	6,922	6,142	780	13%

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.

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SACRAMENTO, CA 94244-2550

May 1, 2025

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

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

Dear Board Members:

Thank you for the opportunity to provide the Attorney General's Office Quarterly update.

The Health Quality Enforcement Section works collegially and closely with Executive Director Reji Varghese, Deputy Executive Director Marina O'Connor, Chief of Enforcement Sharlene Smith, 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