



MEMORANDUM

DATE	January 27, 2021
TO	Multidisciplinary Advisory Committee (MDC)
FROM	Complaint Process Audit Subcommittee (Subcommittee) Kevin Lazarcheff, DVM, Vice Chair, MDC Margaret Warner, DVM
SUBJECT	Agenda Item 8. Update from the Complaint Process Audit Subcommittee

Revised Audit Process - Background

As indicated during the previous MDC meeting, in order to provide consistent reviews, identify measurable process improvements, enable timely feedback to our subject matter experts, and accommodate virtual reviews, the Subcommittee and Veterinary Medical Board (Board) staff implemented revisions to the review process, as described below.

Each quarter, Board staff will identify cases that have completed the disciplinary process for review and provide overall process information on each case. This information will include the specific enforcement performance measures, such as overall cycle time of the case, how long each step in the process took, and the costs associated with each step.

All cases will be uploaded to the Department of Consumer Affairs' (DCA) secure BOX server, and the Subcommittee will be able to review the electronic files on their own time. This not only saves the Board in travel costs, but it also is more convenient for the Subcommittee, since they can perform the review without taking time away from patients.

Using a newly created electronic audit template, the Subcommittee will determine the following:

- whether the standard of care was adequately applied in each case;
- whether subjective or biased language/opinion was used;
- whether resolutions were recommended;
- whether reputable sources were cited when appropriate; and
- whether there appeared to be any bottlenecks in the process.

The Subcommittee will also provide any additional feedback specific to the subject matter experts and recommendations to improve the overall process.

Throughout the reviews, the Subcommittee meet with each other to compare notes and ask questions. Once the reviews are completed, a final report will be created with all the feedback and recommendations. Subject matter expert feedback will be provided to the experts directly and used for future training information. Staff will review any process improvement recommendations quickly and work with the Subcommittee on ways to implement and track the improvements.

Status Update

On September 28, 2020, the Subcommittee was provided eight disciplinary cases for review. The findings of these eight case reviews are as follows:

- Every expert review except one adequately identified the standard of care.
- About two-thirds of the cases cited reputable sources (where appropriate).
- Two cases did not cite references where they were needed.
- Three reviews contained biased language.
- Bottlenecks were identified in the process at Inspections, the Office of the Attorney General (AG's Office), and with the expert (likely a coding issue).

As noted, there are some opportunities for improvement; however, overall, the expert reviews appear satisfactory. Consequently, Board management has reached out to all experts involved in the selected cases to relay the findings of the Subcommittee. All experts who were contacted were extremely receptive to the feedback and concurred with the necessary tweaks for future reports. One expert stated they had never been contacted about their reports and looked forward to receiving additional input. Another expert stated they always felt they were alone and left to their own devices but believed that receiving this type of feedback consistently would be fantastic.

On a related note, Board staff has noted the challenges in determining appropriate enforcement action based on the findings of the expert report (when viewed from a layperson's perspective). This can pose a problem if a case is transmitted to the AG's Office for disciplinary action based on the inference that the noted deviation warrants it, when it may not be warranted. Therefore, experts will be directed to indicate in their reports whether a specific deviation from the standard of care is "extreme." This will give analysts, the assigned Deputy Attorney General, and the expert a clearer picture of the gravity of the deviation and the appropriate action.