



DATE	April 7, 2022
TO	Multidisciplinary Advisory Committee (MDC)
FROM	Complaint Process Audit Subcommittee (Subcommittee) Dianne Sequoia, DVM Christina Bradbury, DVM
SUBJECT	Agenda Item 10. Update from the Complaint Process Audit Subcommittee

Expert Witness Training

Since the January 2022 Veterinary Medical Board meeting, the focus of the Complaint Process Audit Subcommittee (“Subcommittee”) has been on developing and providing the Expert Witness Training session. As previously reported, the Subcommittee helped to create a veterinary-specific training for the Board’s expert witnesses (Experts) in concert with Board staff and the Board’s Deputy Attorney General (DAG) liaison, Karen Denvir. The goal of this training was to set expert review expectations and to provide Experts with an opportunity to ask questions or seek clarification on the case review process.

On March 28, 2022, the training was conducted and was attended by over a dozen brand new and seasoned experts. Due to the discussions that took place and the ability of the participants to delve into the subject matter, the training session went thirty minutes over the scheduled time. To ensure that all experts (including those that were unable to attend) would have access to the information discussed, the training session was recorded and sent to all experts (along with some of the documents referenced in the training).

Some of the topics covered during the training were: establishing the standard of care, opining on a deviation from the established standard of care, knowledge of applicable laws, and appropriate use of resource materials. The training also contained some “do’s” and “don’ts” for easy reference. Further, participants brought up general scenarios to solicit input from attending practitioners as well as insight from the Board’s DAG liaison.

The feedback received both during and after the training was very positive, showing the need for these expert interactions. Some of the feedback received echoed topics that resonated with them during the training, such as: lack of knowledge vs. negligence, recommendations below the standard of care, and consulting with others.

In addition, staff received several suggestions based on the training, such as: staff providing follow-up on cases (when appropriate), veterinary-specific scenarios, roundtable discussions, and feedback on reports. Many of these suggestions will be implemented to further strengthen the expert witness program. For example, we are considering offering a regular round table discussion with Enforcement staff and Expert Witnesses to provide a forum for our witnesses to ask questions and clarify their understanding of their role in the process.

Complaint Review

As discussed at the January meeting, case reviews continue to be paused until the Board begins to finalize cases which reflect all process changes and utilize current Experts.

Real Life Examples for Expert Training

With our formal Expert Witness Training completed, and our new member up to speed, we will begin work on these examples in the next quarter and expect to have completed at least one example for our Experts by our July meeting.

Expert References

During the Expert Witness Training, this topic was discussed in some detail. We will be creating a resource/reference list to add to the Expert training manual. Additionally, staff will be looking at making appropriate resources available to our Experts, possibly through a shared electronic library.

Subject Matter Experts Criteria

As discussed at the last meeting, in December 2021 the Subcommittee had inquired about the requirements to become an Expert. In response, Board staff reached out to the DCA Enforcement User Group to find out about the Expert requirement of other DCA programs. These responses were compiled by staff. The Subcommittee will be reviewing the information to determine whether the Board's current Expert criteria should be changed. The Subcommittee was unable to tackle this item prior to this meeting. However, this can now be given priority and we expect to bring the Board our recommendations in July.