



## MEMORANDUM

<b>DATE</b>	January 24, 2018
<b>TO</b>	Veterinary Medical Board
<b>FROM</b>	Robert Stephanopoulos. Enforcement Manager
<b>SUBJECT</b>	<b>Enforcement Report</b>

### Staff Update

All vacant enforcement positions have been filled; however, due to the large number of pending complaints (see below), management will continue to search for and implement process improvements to address the large caseload. Further, should these improvements be insufficient to address the ongoing number of complaints, it will be necessary to obtain additional enforcement positions.

Management has begun to sit down with each member of the enforcement team to shadow and map their “as-is” processes. The resulting maps will be used to (hopefully) improve procedures by identifying items which can be added, streamlined, and/or eliminated. Moreover, the maps will serve as a blueprint to chart workload vs bandwidth and determine whether additional staff is necessary.

Currently, the investigation unit (comprised of two analysts) is responsible for investigating over 600 cases each (a typical caseload is around 80-100), while the discipline unit (comprised of two analysts) handles the resulting discipline. This type of siloed enforcement is common in larger boards; however, it does have several drawbacks, which include: miscommunication of information between analysts and the Deputy Attorney General (DAG), loss of physical documents or pertinent information, and overall engagement in the investigation.

In an effort make these numbers more manageable, the enforcement unit will be shifting its current investigation process to a “start to finish” process, permitting a single analyst to handle the investigation *and* discipline process. This provides better continuity regarding the transfer of information and a better impression of the information obtained. It also puts all analysts on the same level, with the same workload, allowing better collaboration between team members when discussing individual cases, resulting in more consistent thought processes. Perhaps most importantly, it gives the analyst a sense of ownership in



their case - the analyst doesn't feel like they are simply relinquishing or receiving a portion of a case; they have the opportunity to see it all the way through, which engages the analyst much more in their work and furthers pride of ownership.

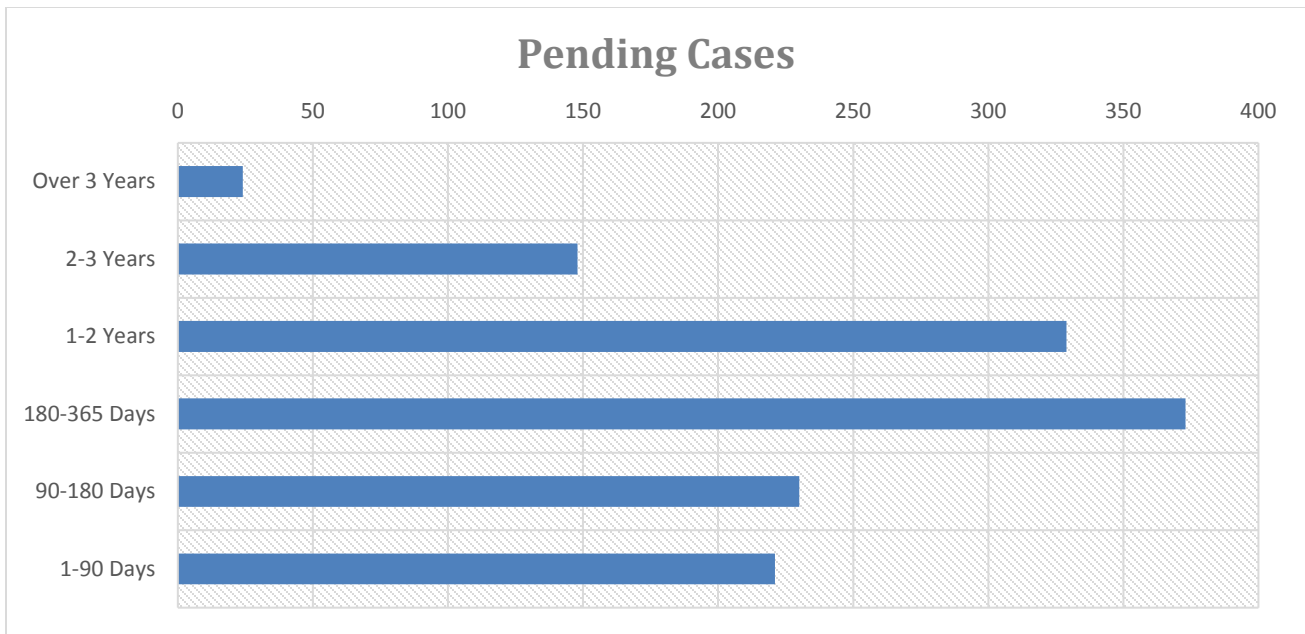
### **Enforcement Program Updates**

The Board has reached out to the Attorney General's (AG) office to discuss cycle times for formal discipline cases. In response, the AG's office has agreed to allow us to participate in their "fast track" pilot program. This program allows the AG's office to process less complicated cases on a much quicker timeline by starting them disciplinary process immediately, which should reduce our overall cycle times.

In addition, the Board will begin using cloud technology to send and receive disciplinary documents to the Sacramento AG's office, which should slightly improve cycle times and eliminate the possibility of documents being lost in the mail. Board management also met with DCA's Office of Information Services (OIS) to discuss utilizing DCA's own cloud technology to streamline enforcement processes. The cloud will now be utilized for transmittal of documents to and from Board experts, as well as for the transmittal of school transcripts for licensing purposes.

Enforcement continues to work with DCA's Division of Investigation (DOI) to ensure cases are addressed timely and adequate follow-up is achieved. DOI and Board management have committed to facilitating frequent and open communication in the interest of consumer protection. As previously mentioned (and whenever possible), enforcement staff will continue to address portions of the investigation through the desk analyst and/or the inspection unit to reduce wasted resources for cases at or slated for DOI.

### **Complaint Investigation**



As shown in the graph above, the Board has more than 500 cases over a year old, some of which have passed the three-year milestone. In response, staff have been instructed to work their cases by age, starting with the oldest (except for high priority and companion cases). As a result, the number of cases over 3 years has been cut in half since the prior Board meeting report. Consequently, the focus on working older cases will result in increased cycle times because of their age.

As mentioned in the prior Board meeting’s enforcement report, pending intake complaints for FY 18/19 rose to 141 due to the Board’s vacant enforcement positions and staffing issues. However, through the hard work of the intake unit, last quarter’s numbers dropped to 71 with 340 complaints assigned for desk investigation (up from 95). In addition, due to the efforts of the investigations unit, cases closed without discipline nearly doubled over the prior quarter coming in at 156. Further, 4 citations were issued last quarter resulting from the Board’s newly created enforcement templates.

The Board received a total of 230 complaints during the second quarter of the 18/19 fiscal year, bringing the total number of pending cases up to 1277. As mentioned above, this is a rather large number of cases when compared to the number of enforcement staff; however, all efforts will be made, and any opportunities will be explored to work cases as quickly as possible to ensure consumer protection. Further, overtime will continue to be offered to continue to bring down our pending numbers and cycle times.

### Probation Monitoring

The Board is currently monitoring a total of 108 probationers on active probation.

The Board currently has a total of 17 Petitions to Revoke Probation pending against probationers for issues of non-compliance.

## Statistical Report

COMPLAINTS AND CONVICTIONS										
Complaints and Convictions	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
Complaints Received	281	238	265	238	1022	235	230			465
Convictions Received	20	22	22	15	79	14	28			42
Average Days to Intake	3	3	7	12	6	50	56			53
Closed at Intake	0	0	0	0	0	1	1			2
Pending at intake	0	4	28	20	20	141	71			71
<i>Average Days to Intake - Average cycle time from complaint received, to assignment to an investigator.</i>										

UNLICENSED ACTIVITY COMPLAINTS RECEIVED										
Unlicensed Activity Complaints	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
Received	34	27	9	24	94	19	8			27

DESK INVESTIGATIONS										
Desk Investigation	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
Assigned	304	257	263	264	1088	95	340			435
Closed	201	268	186	114	769	98	171			269
Average Days to Complete	235	178	261	316	247	351	345			347
Pending	807	779	851	1002	1002	996	1151			996
<i>Average Days to Complete Desk Investigations - Average cycle time from complaint receipt to closure</i>										

SWORN INVESTIGATIONS										
Sworn Investigations	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
Assigned	4	32	19	17	72	6	10			16
Closed	15	13	16	11	55	23	17			40
Average Days to Complete	490	279	482	345	349	279	400			331
Pending	60	77	81	81	81	62	55			55
<i>Average Days to Complete Sworn Investigations - Average cycle time from complaint receipt to closure.</i>										

ALL TYPES OF INVESTIGATIONS										
All Types of Investigations	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
Closed Without Discipline	176	243	155	263	837	83	156			239
Cycle Time - No Discipline	261	161	233	333	247	330	369			362
All pending cases	867	860	960	1103	1103	1199	1277			1277

CITATIONS										
Citations	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
Issued	13	2	2	8	25	0	4			4
Avg Days to Complete Cite	703	175	753	755	596	N/A	1081			1081
Citations appealed	3	0	0	0	3	0	0			0
<i>Average Days to Issue a Citation - Average cycle time from complaint receipt to the effective date of the citation.</i>										

ATTORNEY GENERAL CASES										
Attorney General Cases	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
Initiated / Referred to the AG	27	19	15	5	66	10	8			18
Pending at the AG	95	100	95	86	86	75	74			149
Statement of Issues Filed	11	8	16	8	43	1	1			2
Accusations Filed	9	11	5	11	36	8	2			10

ATTORNEY GENERAL CASES										
AG Case Action	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
Closed Without Discipline	2	2	0	1	5	4	5			9
Closed With Discipline	11	10	9	15	45	12	14			26
Probation	7	5	7	11	30	7	9			16
Public Letter of Reprimand	0	0	0	0	0	1	2			3
Surrender of License	1	3	0	4	8	2	2			4
License Revoked	3	1	2	0	6	0	1			1
License Denied (SOI)	0	1	0	0	1	2	0			2
W/D, Dismissed, Declined	2	2	0	1	5	4	5			9
Average Days to Close	756	553	566	909	696	807	643			725
<i>Average Days to Close a Discipline Case - Average cycle time from complaint receipt to the effective date of disciplinary order.</i>										

ATTORNEY GENERAL CASES										
AG Case Violation Type	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
Substance Abuse (A)	0	1	0	0	1	2	1			3
Unsafe/Unsanitary Cond (E)	0	0	0	0	0	0	0			0
Applicant Investigation (I)	2	3	5	6	16	0	8			8
Incompetence/Gross Negligence (N)	3	2	2	4	11	0	2			2
Unprofessional Conduct (R)	3	1	0	2	6	2	1			3
Criminal Conduct/Conv (V)	2	1	2	0	5	0	0			0
Discipline by Another State (T)	0	1	0	0	1	1	0			1
Unlicensed Activity (U)	1	0	0	1	2	1	0			1
Drug Related Offenses (D)	0	1	0	0	1	1	0			1
Fraud (F)	0	0	0	2	2	1	1			2
PROBATION										
Probation	FY 2017 - 2018					FY 2018 - 2019				
	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD	QTR 1 (Jul - Sep)	QTR 2 (Oct - Dec)	QTR 3 (Jan - Mar)	QTR 4 (Apr - Jun)	YTD
New Probation Cases	11	4	8	8	31	10	8			18
Probation Completed	4	7	2	0	13	8	6			14
Active Cases	108	106	104	100	100	104	108			212
Probationary Licenses	4	1	0	1	6	0	5			5
All applicants pending licensure	17	22	18	16	16	22	20			42
Tolled	6	7	6	8	8	8	8			16
Petition to Revoke	4	9	12	18	18	15	17			32