



MEMORANDUM

DATE	January 31, 2020
TO	Veterinary Medical Board
FROM	Robert Stephanopoulos. Enforcement Manager
SUBJECT	Enforcement Report – Agenda Item 21E

Staff Update

As mentioned during the prior Board meeting, the Enforcement Team had an enforcement analyst vacancy. Shortly thereafter, the Board promoted its enforcement technician, Dillon Christensen to this analyst position. Mr. Christensen has proven himself to be a great asset to the team and already possessed a background based on analytical case review. We look forward to him continuing to grow with VMB.

Due to Mr. Christensen’s promotion, the Board had to recruit and hire a new enforcement technician. The Board has gone through the hiring process and the vacancy should be filled prior to the Board meeting.

Last month, the Board’s probation monitor took another position with the state, which could have been extremely disruptive to the Board’s probation monitoring program. Fortunately, one of the Board’s enforcement analysts, Ginger Gerard, voiced a desire to help the Enforcement Team by filling in. While assisting the team, Ms. Gerard expressed interest in taking over as the permanent probation monitor, and as a result, was shifted into this essential position on a full-time basis. Ms. Gerard possesses a wealth of probation experience from the Medical Board of California where she was previously tasked with administering the biological fluid testing program.

Since Ms. Gerard’s transfer to the probation monitor position, it was necessary for the Board to backfill her prior position and recruit a new enforcement analyst. The application review and interview stages are in process, and management anticipates filling this position in early February.

Management continues to meet monthly with staff in both a one on one and group setting. These meetings have been extremely productive, and the enforcement staff has been much more candid with their questions and concerns as these regular meetings continue to occur.

Attorney General’s Office Updates

The team transmitted the most cases (8) to the AG’s office in November than any other month this fiscal year, and they’ve closed roughly 20% more discipline cases than this time last fiscal year. Seven cases resulted in discipline in November, and 71% were either close to or over three years old. As mentioned previously, I fully anticipate higher cycle times and smaller amounts of cases closed for the next year at least.

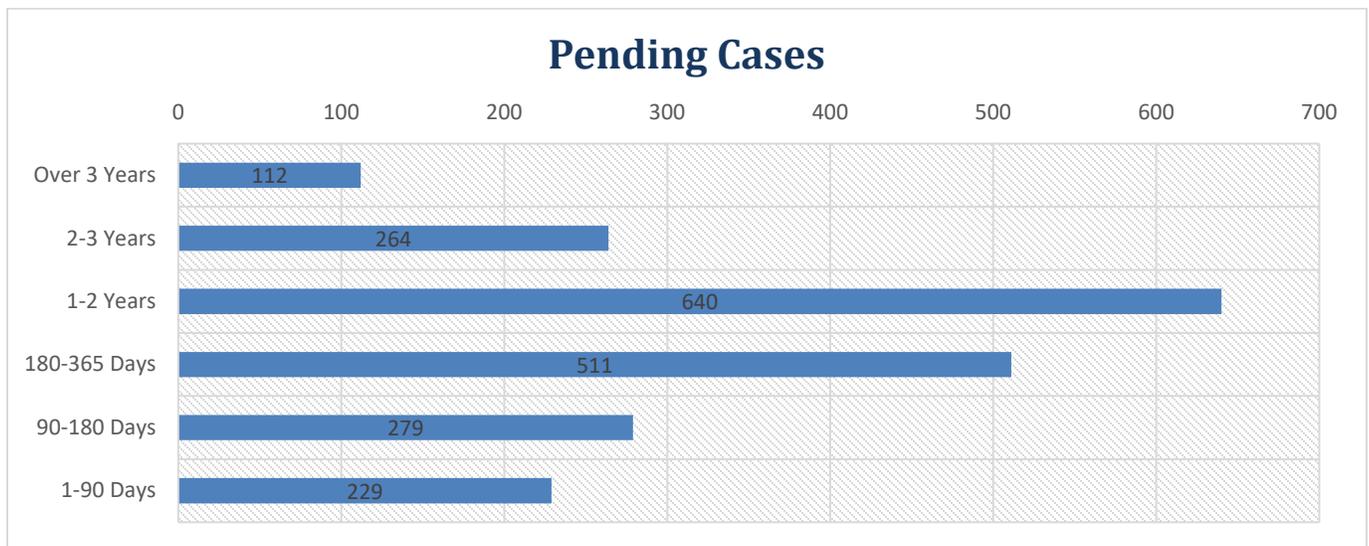
Expert Witness Program

The Board is currently reviewing its expert witness application form for accuracy and consistency with its revamped program. Upon completion of this review, enforcement will send an email blast to our licensees (via Listserv) in order to recruit additional expert witnesses with a range of specialties to review our enforcement cases. This background variation is extremely important, as we receive complaints regarding many different species and having access to an expert with species-specific knowledge can further bolster our case.

Division of Investigation

Utilization of DCA’s Division of Investigation (DOI) is significantly lower than ever; this fiscal year, the Board has only requested for one case to be investigated by DOI, while the number of cases pending at DOI has dropped by nearly 25% since the beginning of the year. This is a direct result of the Board increasing its use of the inspection program instead of DOI, when appropriate. Comparatively, the Board used the inspection program for enforcement cases more than ten times over the past quarter alone. This change will save the Board money down the road and will allow for quicker case investigation.

Complaint Investigation

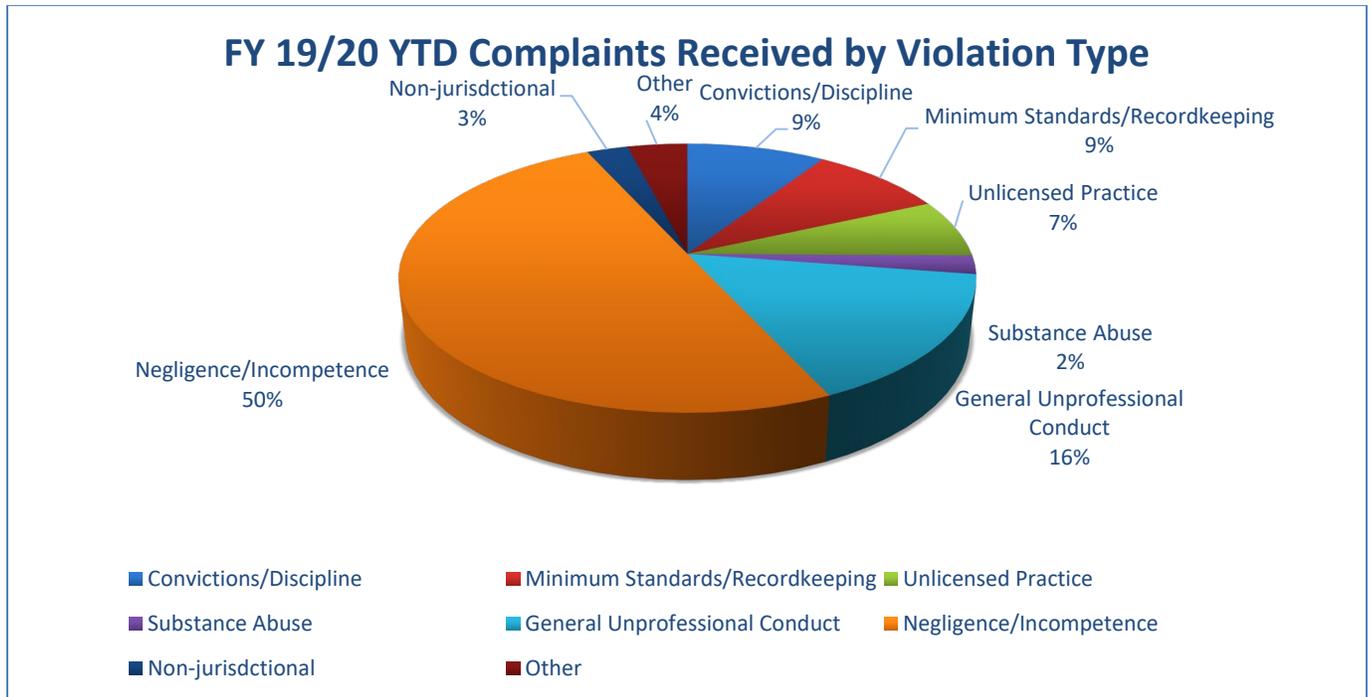


The Enforcement Team continues to work on closing the Board’s oldest, most complex cases. This is indicative in the stats, as they closed the least amount of cases without discipline in November and December so far (30), and the cycle times of these two months averaged 415 days, an all-time high. This is also due in part to the enforcement analyst vacancies within the unit which has hamstrung our ability to investigate and close cases. To further our emphasis on our oldest cases, the large enforcement white board is now being used to track the status of our 30 oldest cases and is being updated bi-weekly to reflect progress made.

Our analysts also closed 101 more investigations than this time last year. Despite their efforts, our pending number continues to increase with 2030 cases currently pending. The need for more staff could not be clearer.

Intake

At this time last year, our Enforcement Team had received 507 cases. It was taking 53 days on average to assign to an analyst and 71 were pending at intake. Although the team received roughly 20% more cases after the first two quarters this year, they were able to assign cases in 7 days on average (87% faster) and only 32 are pending at intake. Once the enforcement technician vacancy has been filled, the number of cases pending at intake and days to assign a complaint to an analyst will drop.



Mail Vote Results

STIPULATED SETTLEMENT	VOTE	RESULT
Diana Mojica (Case No. 4602019000301)	5 – Adopt 2 – Hold for Discussion	Hold for Discussion
Caitlin Sacco (Case No. 4602019000715)	6 – Adopt 1 – Hold for Discussion	Adopt
Tiffany Delgado, RVT (Case No. 4602018000029)	7 – Adopt	Adopt
Isabel Bach, DVM (Case No. 4602018000762)	5 – Adopt	Adopt
Rae-Lynn Hinkle, RVT (Case No. 4602018000508)	6 – Adopt	Adopt
April Woods, DVM (Case No. 4602017000042)	7 – Adopt	Adopt
Carol Lyn Gabrielson, DVM (Case No. 4602019000288)	7 – Adopt	Adopt
PROPOSED DECISION	VOTE	RESULT
Melissa Tyson, DVM; Crown City Veterinary Med Group Inc (Case No. 4602017000560)	3 – Adopt 1 – Not Adopt 3 – Hold for Discussion	Hold for Discussion
Hector Gonzalez, DVM (Case No. 4602018001023)	4 – Adopt 1 – Not Adopt 2 – Hold for Discussion	Hold for Discussion
Kenneth Upton, DVM (Case No. 4602017000161)	5 – Adopt	Adopt

	1 – Hold for Discussion	
PETITION FOR RECONSIDERATION	VOTE	RESULT
Melissa Tyson, DVM; Crown City Veterinary Med Group Inc (Case No. 4602017000560)	6 – Deny 1 – Approve	Deny

Statistical Report

COMPLAINTS AND CONVICTIONS								
	FY2018/19	FY 2019/20						
Complaints and Convictions	YTD	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD
Complaints Received	1215	118	110	96	66	68	90	548
Convictions Received	123	16	12	6	10	8	6	58
Average Days to Intake	44	6	9	4	3	11	7	7
Closed at Intake	2	0	0	0	1	0	0	1
Pending at intake	26	12	17	17	11	21	32	32
<i>Average Days to Intake - Average cycle time from complaint received, to assignment to an investigator.</i>								

UNLICENSED ACTIVITY COMPLAINTS RECEIVED								
	FY 2018/19	FY 2019/20						
Unlicensed Activity Complaints	YTD	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD
Received	72	0	8	6	1	4	8	27

DESK INVESTIGATIONS								
	FY 2018/19	FY 2019/20						
Desk Investigation	YTD	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD
Assigned	1133	134	109	107	84	71	79	584
Closed	512	53	115	76	59	34	33	370
Average Days to Complete	269	117	191	316	382	448	321	272
Pending	1790	1868	1860	1867	1891	1924	1967	1967
<i>Average Days to Complete Desk Investigations - Average cycle time from complaint receipt to closure.</i>								

SWORN INVESTIGATIONS								
	FY 2018/19	FY 2019/20						
Sworn Investigations	YTD	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD
Assigned	20	0	0	0	1	0	0	1
Closed	60	0	0	0	3	1	0	4
Average Days to Complete	378	N/A	N/A	N/A	468	399	N/A	451
Pending	40	40	40	37	35	33	31	31
<i>Average Days to Complete Sworn Investigations - Average cycle time from complaint receipt to closure.</i>								

ALL TYPES OF INVESTIGATIONS								
	FY 2018/19	FY 2019/20						
All Types of Investigations	YTD	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD
Closed Without Discipline	509	57	141	83	59	30	30	400
Cycle Time - No Discipline	285	124	247	293	408	491	338	288
All pending cases	1779	1920	1917	1921	1937	1978	2030	2030

CITATIONS								
	FY 2018/19	FY 2019/20						
Citations	YTD	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD
Issued	13	0	0	0	0	3	0	3
Avg Days to Complete Cite	1038	N/A	N/A	N/A	N/A	1380	N/A	1380
Citations appealed	0	0	0	0	0	2	0	2
<i>Average Days to Issue a Citation - Average cycle time from complaint receipt to the effective date of the citation.</i>								

ATTORNEY GENERAL CASES								
	FY 2018/19	FY 2019/20						
Attorney General Cases	YTD	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD
Initiated / Referred to the AG	77	1	1	6	3	8	4	23
Pending at the AG	114	111	100	106	106	104	99	99
Statement of Issues Filed	7	0	1	0	0	0	1	2
Accusations Filed	22	2	1	2	1	2	0	8

ATTORNEY GENERAL CASES CLOSURES								
	FY 2018/19	FY 2019/20						
AG Case Action	YTD	July	Aug.	Sept.	Oct.	Nov.	Dec.	YTD
Closed Without Discipline*	5	0	3	1	0	1	0	5
Closed With Discipline	53	4	7	4	2	7	2	26
Average Days to Close (Discipline)	888	695	696	1154	851	930	940	860
<p><i>Average Days to Close a Discipline Case - Average cycle time from complaint receipt to the effective date of disciplinary order.</i></p> <p><i>*Closed without discipline relates to cases which have been withdrawn, dismissed, or declined by the AG's office.</i></p>								