



MEMORANDUM

DATE	January 2, 2025
TO	Veterinary Medical Board (Board)
FROM	<u>Enforcement Managers</u> Patty Rodriguez Robert Stephanopoulos Ashley Sanchez
SUBJECT	Agenda Item 24.C. Enforcement Report

Inspections

As part of the Board’s ongoing outreach efforts, an Inspection webinar was held November 14, 2024. The webinar featured a presentation by Drug Enforcement Administration (DEA) Diversion Investigators on DEA regulations and recordkeeping requirements for veterinarians. The webinar was well received and very well attended with just over 400 attendees. The next webinar will feature US Food and Drug Administration (FDA) and Board of Pharmacy; staff from FDA’s Center for Veterinary Medicine will be presenting information regarding misbranding in veterinary medicine. The webinar is scheduled for January 28, 2025.

The Mobile Inspection Application went live in November; Board inspectors have begun utilizing the iPads and application as they conduct inspections. As we transition to the maintenance and operations of the app, we will work on making improvements as needed.

Beginning in February, staff will be holding quarterly round table meetings for Inspectors much like the Subject Matter Expert roundtable meetings currently taking place. These meetings will provide inspectors and staff the opportunity to discuss any upcoming changes, issues that arise in the field and any necessary updates.

Intake

During the prior meeting, it was noted that the cycle time in FY 24/25 to assign complaints for cases which were closed during that same time frame was 9 days. Since the last Board meeting, that cycle time has dropped and returned to 9 days.

As previously mentioned, the cycle times above are reflective of investigations that were completed in that time frame, meaning these cycle times are mostly from case investigations that are several years old and wouldn’t include cases which are still open. If we look at the cycle time to assign complaints received (vs. those that were completed) in FY 24/25 to an analyst for investigation, Intake has a solid cycle time of 4 days.

At the end of November, intake had 22 pending cases to assign. This was due to the last day of November falling on a Saturday after Thursday and Friday were both holidays where the Board was closed. The pending cases to assign were received while the Board was closed.

Investigations

Board staff continues to remain focused on reducing the complaint backlog; unfortunately, the number of pending cases since the prior meeting rose by 11 cases. At the end of November, the Board had 3,458 cases pending, which is still 45 less than the end of July of 2024. Despite the lower number of closures during the prior three months, Board staff is still right at our expectations of 10 cases closures per month, per analyst.

As previously reported, at the end of FY 23/24, the Board received 1,873 new complaints, which was a slight increase from the previous fiscal year (approximately 4 percent). Based upon the number of complaints received so far in FY 24/25, it appears the Board will receive just over 2,000 complaints at the end of the fiscal year.

Subject Matter Expert Program

On November 20, 2024, the Board held a round table for its Consultants, who initially review standard of care cases to determine whether they can be closed or require a full review by a Subject Matter Expert (Expert). During this meeting, a variety of topics were covered, including:

- Proceeding with cases if an initial Expert can no longer be involved
- Timeliness of reports
- Artificial Intelligence and telemedicine discussion
- Cases based upon third-party social media posts

On November 21, 2024, the Board held its Quarterly Expert Round Table. During this meeting, several issues were covered, including:

- Avoiding opining that the “gold standard” is the “standard of care”
- Requesting readable radiographs for a proper review
- Providing reports to staff timely
- Discovery reminders
- Reiterating that a VCPR is not necessary when there isn't an owner
- Size of reports
- Reviewing submitted allegations along with the records
- Dealing with multiple pets in a complaint

In addition, the Board's DAG liaison, Neva Tessian also did a presentation covering information leading up to a hearing as well as some key components of testifying.

Neva Tessian presented a power point presentation on the testifying process.

Probation

The Probation Monitors are actively investigating 37 pending enforcement complaints against 12 probationers. Currently, there is one Petition for Early Termination and one Petitions for Reinstatement pending with the Probation Unit.

Since the last update, two licensees began probation, leaving 53 total probationers, 8 of which are tolled.

Disciplinary Action Vote Results

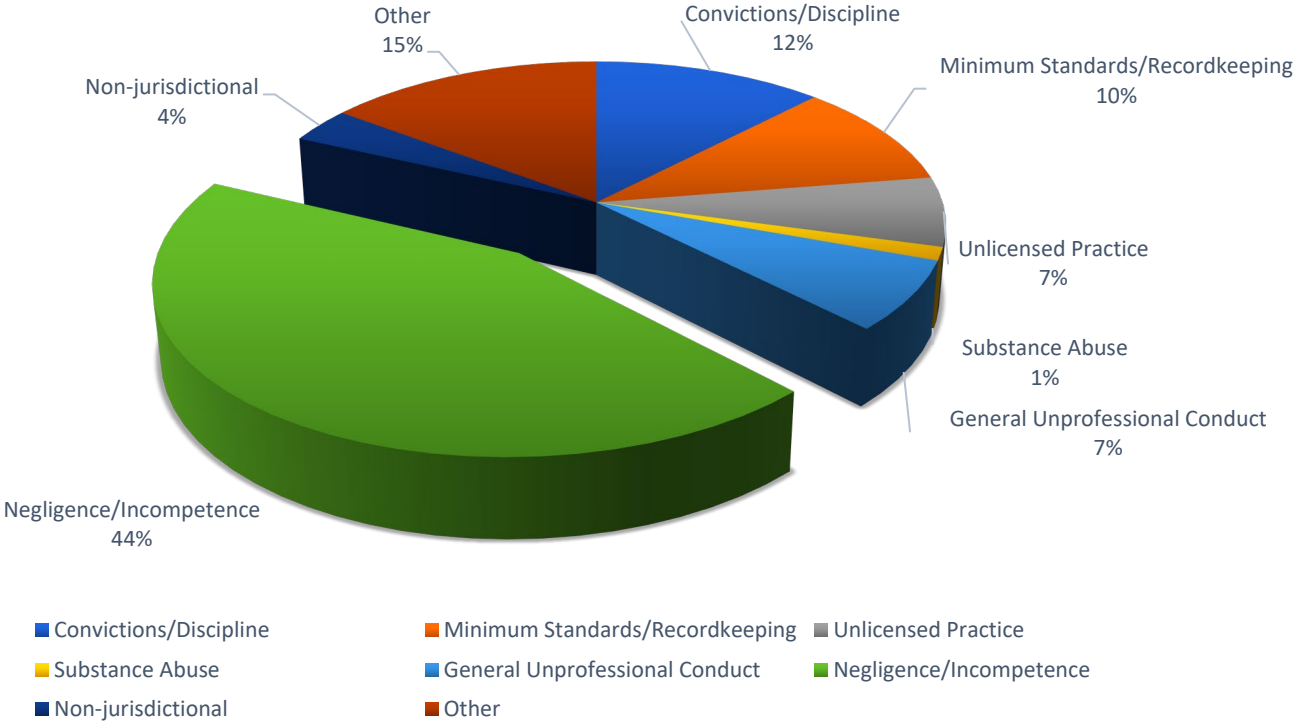
Since the last Board meeting, the Board reviewed the following disciplinary matters:

STIPULATED SETTLEMENTS	VOTE	RESULT
Mehrdad Shahbazi, DVM (Case No. 4602019000756)	6 – Adopt	Adopt
Lindsey Leonore Porubovich, DVM (Case 4602022000132)	4 – Adopt 1 – Recuse 1 – Hold for Discussion	Adopt
Anita Yacoub, DVM (Case 4602021001512)	4 – Adopt 2 – Hold for Discussion	Held
PETITION DECISION	VOTE	RESULT
James Christian Coghlan, DVM (Case 4602021001042)	6 – Adopt	Adopt
Mukand S. Sandhu, DVM (Case No. 4602024001707)	6 – Adopt	Adopt

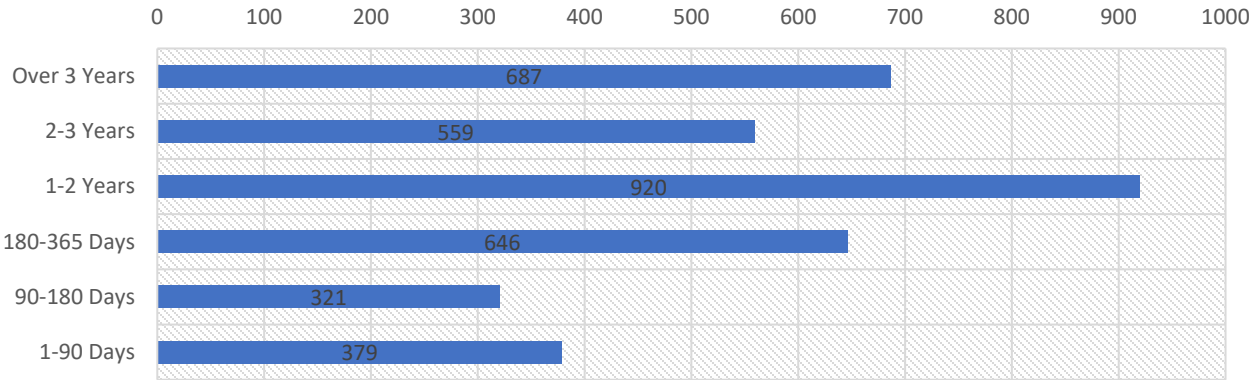
Attachments

1. Enforcement Statistics

FY 24/25 YTD Complaints Received by Violation Type



Pending Cases



Summary of Enforcement Activity											
Enforcement Activity	20/21	21/22	22/23	23/24	24/25						
	YTD	YTD	YTD	YTD	July	Aug	Sept.	Oct.	Nov.	Dec.	YTD
Consumer Complaints – Intake											
Received	1,499	1,519	1,587	1,670	152	141	134	164	164	112	867
Closed Without Referral for Investigation	4	77	68	96	4	9	8	14	11	10	56
Referred for Investigation	1,485	1,448	1,510	1,579	160	133	122	154	132	126	827
Pending	29	16	18	21	3	3	7	5	22	0	0
Conviction/Arrest Notification Complaints											
Received	146	186	210	203	12	28	21	23	25	22	131
Closed Without Referral for Investigation	3	3	3	0	0	0	0	0	0	0	0
Referred for Investigation	141	184	207	208	12	27	22	21	27	22	131
Pending	2	1	0	0	0	1	0	2	0	0	0
Inspections											
Conducted	50	41	116	182	31	22	15	14	14	20	116
Citations Issued	0	10	5	3	0	1	0	1	1	0	3
Investigations											
Open	1,626	1,632	1,717	1,783	172	160	144	175	159	148	958
Closed	560	1,297	1,976	2,029	236	196	170	172	163	165	1102
Pending	3,545	3,885	3,716	3,557	3503	3473	3447	3456	3,458	3,447	3447
Cases Closed within Timeframe to Complete Intake and Investigations											
Up to 90 Days	339	274	463	387	61	52	40	60	48	56	317
91 to 180 Days	29	65	86	112	13	10	11	15	5	11	65
181 Days to 1 Year	36	116	170	153	14	15	23	13	18	8	91
1 to 2 Years	62	145	308	309	54	41	27	20	21	30	193
2 to 3 Years	22	167	300	413	43	32	23	24	26	20	168
Over 3 Years	72	530	649	655	51	46	46	40	45	40	268
Average Number of Days from Receipt of Complaint to Assignment of Investigator (start of investigation)	9	34	17	12	8	7	9	7	5	8	7
Average Number of Days for All Investigation Outcomes (from start investigation to referral for prosecution or case closure without referral for prosecution)	300	763	706	771	643	630	667	588	677	656	648
Average Number of Days from Receipt of Complaint to Referral for Prosecution or Case Closure Without Referral for Prosecution	309	796	717	782	650	635	680	594	682	664	655
Citations and Fines											
Issued without a Fine	0	0	0	1	0	0	0	0	0	0	0
Issued with a Fine	16	48	26	17	1	2	6	5	3	1	18
Withdrawn/Dismissed/Reduced	0	7	3	1	0	0	0	1	0	0	1
Average Number of Days to Issue a Citation and Fine (from complaint receipt/inspection conducted to citation issued)	1,581	1,293	1,333	1,352	1821	1978	1419	1437	1213	1576	1483
Total Amount of Fines											
Assessed	\$45,504	\$198,250	\$111,000	\$106,178	\$10,000	\$13,000	\$29,000	\$22,000	\$13,000	\$5,000	\$92,000
Withdrawn/Dismissed/Reduced	\$0	\$14,500	\$15,000	\$4,000	\$0	\$0	\$0	\$5,000	\$0	\$0	\$5,000
Collected	\$35,864	\$132,532	\$102,400	\$111,457	\$6,752	\$10,376	\$776	\$15,708	\$4,170	\$13,317	\$51,099
Criminal/Civil Actions											
Referrals for Criminal/Civil Action	2	5	5	7	1	0	0	0	0	0	1
Criminal Actions Filed	0	0	1	0	0	0	0	0	0	0	0
Civil Actions Filed	0	0	0	0	0	0	0	0	0	0	0
Office of the Attorney General/Disciplinary Actions											
Cases Opened/Initiated	40	77	91	133	30	10	4	9	21	16	90
Cases Closed	23	23	43	39	5	8	2	5	1	1	22
Cases Pending	52	89	129	176	179	185	186	190	204	217	204
Number of Days to Complete AG Cases											
Up to 1 Year	1	4	6	0	0	1	1	0	0	0	2
1 to 2 Years	3	3	8	11	2	3	0	1	1	0	7
2 to 3 Years	4	1	7	3	0	0	0	1	0	0	1
Over 3 Years	15	15	22	25	3	4	1	3	0	1	12
Average Number of Days to Impose Discipline	1,237	1,086	1,117	1,273	982	1339	1378	1226	648	2133	1425
Formal Actions Filed/Withdrawn/Dismissed											
Statement of Issues Filed	1	0	0	0	0	0	0	0	0	0	0
Accusations Filed	10	22	21	34	5	0	3	3	1	3	15
Restraining/Restriction/Suspension Orders Granted	0	1	1	2	0	0	0	0	0	0	0
Statement of Issues Withdrawn/Dismissed	1	0	0	0	0	0	0	0	0	0	0
Accusations Withdrawn/Dismissed	2	2	0	0	1	0	0	0	1	0	2
Average Number of Days from Closure of Investigation to Imposing Formal Discipline	964	475	587	397	238	452	0	373	259	441	379
Administrative Outcomes/Final Orders											
License Applications Denied	0	0	0	0	0	0	0	0	0	0	0

Revocation	7	2	1	3	1	1	1	2	0	0	5
Surrender of License	10	1	5	7	1	1	0	0	1	0	3
Probation with Suspension	1	0	0	0	0	0	0	0	0	0	0
Suspension Only	0	0	0	0	0	0	0	0	0	0	0
Probation Only	8	4	13	13	0	3	1	3	0	1	8
Public Reprimand/Public Reprimand/Public Letter of Reprimand	0	1	0	0	0	0	0	0	0	0	0
Other Decisions	0	0	0	0	0	0	0	0	0	0	0
Total	26	8	19	23	2	5	2	5	1	1	16
Probation											
Probations Completed	N/A	21	15	16	2	1	1	1	0	0	5
Probationers Pending	N/A	59	57	52	50	52	51	53	53	54	54
Subsequent Discipline											
Probations Revoked	N/A	0	0	1	0	0	0	0	0	0	0
Probationers License Surrendered	N/A	0	3	1	0	0	0	0	0	0	0
Additional Probation Only	N/A	1	0	1	0	1	0	0	0	0	1
Suspension Only Added	N/A	0	0	0	0	0	0	0	0	0	0
Other Conditions Added Only	N/A	0	0	0	0	0	0	0	0	0	0
Other Probation Outcome	N/A	0	0	1	0	0	0	0	0	0	0
Petition for Modification or Termination of Probation											
Granted	4	1	3	0	2	0	0	0	0	1	3
Denied	2	0	0	0	0	0	0	0	0	0	0
Petition for Reinstatement of Revoked License/Registration/Certification											
Granted	2	0	1	0	0	0	0	0	0	1	1
Denied	1	0	1	1	0	0	0	0	0	0	0
Cost Recovery											
Ordered	\$84,250	\$106,625	\$304,855	\$223,208	\$62,093	\$39,704	\$0	\$34,044	\$0	\$6,647	\$142,488
Collected	\$66,769	\$29,193	\$100,876	\$340,969	\$72,865	\$24,131	\$31,126	\$27,430	\$4,516	\$6,171	\$166,239
Restitution to Consumers/Refunds/Savings											
Restitution Ordered	\$3,880	\$13,251	\$18,683	\$6,328	\$0	\$2,111	\$0	\$0	\$0	\$219	\$2,330
Amount Refunded	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Rework at no Charge	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Adjustments>Returns/Exchanges	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Savings Achieved for Consumers	\$3,880	\$13,251	\$18,683	\$6,328	\$0	\$2,111	\$0	\$0	\$0	\$219	\$2,330