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BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT



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**Oversight Hearing of the
Senate Committee on Business, Professions, and Economic Development**

Medical Board of California: Enforcement Processes, Deficiencies, and Opportunities for Reform - Evaluating the Medical Board of California's 2022 Proposals for Statutory Updates

Friday, May 6, 2022
9:00 am
1021 O Street, Suite 1200

AGENDA

1. Opening Remarks
 - a. *State Senator Richard D. Roth*, Chair, Senate Committee on Business, Professions, and Economic Development
2. How are complaints against Medical Board of California licensees investigated?
 - a. *Kathleen Nicholls*, Deputy Chief, California Department of Consumer Affairs, Division of Investigation, Health Quality Investigation Unit
3. What role and responsibility does the Office of the Attorney General have in the Medical Board of California's enforcement process?
 - a. *Amy Alley*, Director, Office of Legislative Affairs, California Department of Justice
4. Should the evidentiary standard be changed from "clear and convincing" to a "preponderance of the evidence" for some or all Medical Board of California disciplinary cases?
 - a. *Kristina Lawson*, President, Medical Board of California
 - b. *William Prasifka*, Executive Director, Medical Board of California
 - c. *Kerrie Webb*, Staff Counsel, Medical Board of California
5. Is current law sufficient regarding mandatory reporting of physician practice and conduct by health facilities to the Medical Board of California?

- a. *Kristina Lawson*, President, Medical Board of California
 - b. *William Prasifka*, Executive Director, Medical Board of California
 - c. *Kerrie Webb*, Staff Counsel, Medical Board of California
6. Should the statute of limitations for subpoena enforcement during the investigatory process be changed, and if so, how?
 - a. *Kristina Lawson*, President, Medical Board of California
 - b. *Kerrie Webb*, Staff Counsel, Medical Board of California
 - c. *Jenna Jones*, Chief of Enforcement, Medical Board of California
7. Should the requirements be changed for petitioners seeking a modification to their probation terms or licensure reinstatement?
 - a. *Kristina Lawson*, President, Medical Board of California
 - b. *William Prasifka*, Executive Director, Medical Board of California
 - c. *Jenna Jones*, Chief of Enforcement, Medical Board of California
8. Should the Medical Board of California's complaint investigation and disciplinary process include complainant participation and is it time to establish a complainant advocate?
 - a. *Kristina Lawson*, President, Medical Board of California
 - b. *William Prasifka*, Executive Director, Medical Board of California
 - c. *Kerrie Webb*, Staff Counsel, Medical Board of California
9. Do the Legislature and public need greater access to Medical Board of California disciplinary case results, including the nature of the initial complaint leading to investigation, facts of the case, discipline imposed, and the rationale for the specific discipline?
 - a. *Kristina Lawson*, President, Medical Board of California
 - b. *William Prasifka*, Executive Director, Medical Board of California
 - c. *Kerrie Webb*, Staff Counsel, Medical Board of California
10. What is the actual role of Medical Board of California board members in the disciplinary process? What benefit would be achieved by adding additional members of the public to the Medical Board of California, specifically in regards to the disciplinary process?
 - a. *Kristina Lawson*, President, Medical Board of California
 - b. *William Prasifka*, Executive Director, Medical Board of California
 - c. *Kerrie Webb*, Staff Counsel, Medical Board of California
11. Medical Community Comment
 - a. *Dennis Cuevas-Romero*, Legislative Advocate, California Medical Association

12. Public Comment