



Arizona Medical Board

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Governor

Douglas A. Ducey

Members

R. Screven Farmer, M.D.
Chair
Physician Member

James Gillard, M.D., M.S.
Vice-Chair
Physician Member

Edward G. Paul, MD
Secretary
Physician Member

Jodi Bain, Esq.
Public Member

Bruce A. Bethancourt, MD
Physician Member

David Beyer, MD
Physician Member

Laura Dorrell, M.S.N., R.N.
Public Member/RN

Gary R. Figge, M.D.
Physician Member

Pamela E. Jones
Public Member

Lois E. Krahn, M.D.
Physician Member

Executive Director

Patricia E. McSorley

August 31, 2020

The Honorable Douglas Ducey
Governor of Arizona
State Capitol
1700 West Washington Street
Phoenix, AZ 85007

RE: FY 2019-2020 ANNUAL REPORT

Dear Governor Ducey:

Please accept the attached Annual Report on behalf of the Arizona Medical Board (AMB), submitted pursuant to A.R.S. § 32-1402(G).

We appreciate the opportunity to share key information regarding the AMB, its mission and its accomplishments in the last fiscal year. The AMB and its staff are committed to the core function of protecting Arizona citizens while continually striving to improve service and ensure due process of law. We are committed to accomplishing these goals while operating within the strict compliance of our current statutes and rules.

The AMB and its staff continue to strive for efficiency and excellence in the regulatory oversight of the health professionals who are under the jurisdiction of this Board.

Respectfully,

Patricia E. McSorley
Executive Director

Enclosure

Cc:

Trista Guzman Glover, Director, Boards and Commissions, Governor's Office
Members of the Arizona Regulatory Board of Physician Assistants
Members of the Health and Human Services Committee of the Senate
Members of the Health and Human Services Committee of the House of Representatives

ARIZONA MEDICAL BOARD



2019-2020 Annual Report

Patricia E. McSorley, J.D.,
Executive Director

Kristina A. Fredericksen, MPA,
Deputy Director

1740 W. Adams Street, Suite 4000
Phoenix, AZ 85007

ARIZONA MEDICAL BOARD

ARIZONA MEDICAL BOARD MEMBERS

The Arizona Medical Board ("AMB") is committed to serving the public through the fair and judicious licensing and regulation of allopathic physicians ("MDs"). Pursuant to Arizona Revised Statute ("A.R.S.") § 32-1402, the AMB is comprised of twelve members: four public members, and eight physicians. One of the public members shall be a licensed practical or professional nurse.

AMB Members:

R. Screven Farmer, M.D.

Chair, Physician Member
Term Expiration 7/1/2023

James M. Gillard, M.S., M.D.,

F.A.C.E.P., F.A.A.E.M.
Vice-Chair, Physician Member
Term Expiration 7/1/2020

Edward G. Paul, M.D.

Secretary, Physician
Term Expiration 7/1/2023

Jodi A. Bain, M.A., J.D., LL.M.

Public Member
Term Expiration 7/1/2021

Bruce Bethancourt, M.D., F.A.C.P.

Physician Member
Term Expiration 7/1/2021

David C. Beyer, M.D.

Physician Member
Term Expiration 7/1/2022

Gary R. Figge, M.D.

Physician Member
Term Expiration 7/1/2024

Laura M. Dorrell, R.N.

Nurse/Public Member
Term Expiration 7/1/2020

Pamela E. Jones

Public Member
Term Expiration 7/1/2021

Lois E. Krahn, M.D.

Physician Member
Term Expiration 7/1/2024

Additional information related to the AMB Members
may be found at:

<https://www.azmd.gov/BoardOps/BoardOps#>

OVERVIEW

The AMB is focused on public protection and directs its efforts to its two main functions: the licensing and regulation of allopathic physicians. AMB Board Members and AMB Staff work together to fulfill the AMB's mission and through its collaborative efforts contribute to providing safe standard of care treatment for the citizens of Arizona.

The AMB is a source of reference and educational materials for both the physician community and public constituents. To that end, the AMB continues to make great strides in the area of public outreach. In addition to successful e-newsletters, the AMB continues to use targeted e-mail blasts to physicians for important news and information updates as available and via social media with its Twitter page. This fiscal year, the AMB more than doubled its number of public awareness activities, training opportunities, and other public presence notifications published on the AMB website or transmitted to licensees via e-mail blasts.

Staff addressed multiple groups and provided presentations to a wide range of audiences, including University of Arizona medical students, Arizona State University regulatory policy students, MATFORCE, a Yavapai County coalition addressing substance abuse issues and the Arizona Telemedicine Policy Symposium attendees.

The AMB worked collaboratively with various health regulatory agencies to address the healthcare concerns arising from the COVID-19 pandemic. The AMB participated in the State Disaster Medical Advisory Committee (SDAMC) formed by the Arizona Department of Health Services (ADHS) in FY2020 to consider and provide recommendations on the implementation of crisis standards of care to address the treatment of COVID -19 in Arizona. In addition, the AMB collaborated with ADHS to create a COVID-19 temporary emergency license to allow for expeditious licensing to increase the number of available physicians to treat Arizona citizens during this health crisis.

LICENSING

The AMB issued 1,959 initial full MD licenses in Fiscal Year ("FY") 20. The average number of days to approve a license from receipt of the application to issuance of the license was 75 days; this is a reduction of days to approve issuance from FY19. The AMB also issued 1,673 Post-Graduate Training Permits, and an additional 39 assorted licenses (Pro Bono, Locum Tenens, and Teaching Licenses) along with 727 dispensing certificates.

The total number of licensed MDs ending in FY20 is 25,921 up from 25,014 in FY19.

| Description | FY 2019 | FY 2020 |
|---|---------|---------|
| Initial Full MD Licenses | 1,940 | 1,959 |
| # of Days to Approve a License from Receipt of the Application to Issuance of License | 86 | 75 |
| Post Graduate Training Permits | 1,664 | 1,673 |
| Pro Bono Licenses | 36 | 32 |
| Locum Tenens Licenses | 1 | 2 |
| Teaching Licenses | 12 | 5 |
| Dispensing Certificates | 699 | 727 |
| Customer Satisfaction ¹ | 96% | 95% |

¹ Based upon customer satisfaction surveys, recorded monthly from licensing customers. In FY18 and 19, the AMB had excellent scores from physicians, scoring in the 90th percentile both years.

The Governor's LEAN Initiative, implemented by the AMB's Licensing Department in April of 2015, was successful in helping to reduce non-value added activities from the licensing process. The Licensing Department continues to utilize LEAN principles to review and analyze licensing data and processes in an effort to maintain the efficiencies, as well as to look for new opportunities to streamline the application process for physicians. The implementation of LEAN principles allowed the AMB to decrease the number of days to issue a license in both FY19 and FY20.

UNIVERSAL RECOGNITION APPLICATION: BREAKING DOWN BARRIERS TO LICENSING

In FY20, the AMB added new pathway to licensure, The Universal Recognition Application, which allows the AMB to recognize and offer reciprocity to physicians establishing residency in Arizona who have been licensed in another state for more than a year. This new path to licensure offers an expeditious process as many primary source documents related to training and employment are not required. In FY20, the AMB received 141 MD Universal Recognition Applications, and 98 were issued.

Interstate Medical Licensure Compact Licenses

The AMB continues to issue licenses through the Interstate Medical Licensure Compact (IMLC) under a statutory agreement approved in FY17 by the Arizona Legislature. In FY20, the AMB issued 363 letters of qualification to Arizona licensed physicians seeking licensure through the IMLC, and granted 157 Arizona licenses to physicians licensed in another state through the IMLC agreement.

COVID-19 TEMPORARY EMERGENCY LICENSES

In FY20, the AMB collaborated with the ADHS to implement COVID-19 temporary emergency licenses for physicians through an expedited pathway to meet the increased need for healthcare providers during the pandemic. In FY20, 174 COVID-19 temporary emergency licenses were issued to physicians who were either licensed in another state, recently retired or inactive in Arizona, or a resident with one year of post graduate training and who attended an approved school of medicine. All fees were waived as an encouragement to provide care in Arizona during this crisis.

REGULATION

The safe and competent delivery of healthcare to the citizens of the State of Arizona is accomplished largely by regulating allopathic physicians under the Arizona Medical Practice Act. The AMB's Investigations Department is responsible for investigating complaints and reports of unprofessional conduct regarding physicians throughout the state. When an investigation substantiates a violation of the Medical Practice Act, the AMB uses its authority to educate, discipline, and when appropriate, rehabilitate physicians to assure their fitness and competence in the service of the people of Arizona.

The AMB's investigation process is structured to ensure an impartial and unbiased investigation. The AMB's investigators devote much of their time to the serious responsibility of ensuring the public's safety. Investigators are specially trained and certified to investigate complaints and do so through the collection of evidence, conducting interviews, analyzing data, and formulating investigative reports as a means to objectively enforce the appropriate Arizona statutes.

Ultimately, the AMB is bound by its mission to protect the health, safety, and welfare of Arizonans. The actions the AMB takes are reflective of that mission. The AMB experienced an increase in investigation cases as a result of the State's efforts to respond to the national opioid crisis by focusing on inappropriate opioid prescribing. The AMB's emphasis is to educate physicians in new prescribing methodologies and if necessary, restricting the prescribing authority of physicians who continue to have issues with prescribing controlled substances under the new statute.

| MD | FY 2019 | FY 2020 |
|---|---------|---------|
| Total Number of Complaints Opened per FY | 1228 | 1176 |
| Average Days to Complete an Investigation | 178 | 190 |

Physician Health Program ("PHP")

The PHP is an AMB sponsored program that ensures the protection of the public and safety through education, intervention, post-treatment monitoring and support for allopathic physicians and physician assistants who may suffer from substance abuse, substance dependence, and medical, psychiatric, psychological or behavioral health disorders

The PHP includes multiple assessment contractors who perform health assessments and monitors who perform post-treatment monitoring of allopathic physicians and physician assistants. The role of a monitor is to provide ongoing case management to ensure participants are actively pursuing required treatment. They also monitor for compliance with monitoring plans determined by the assessment and evaluation of each participant to assure that their health related issues do not affect their ability to safely practice medicine. The monitor is required to coordinate, manage, and interpret all laboratory test results. Currently, there are 99 licensees participating in the AMB's PHP Monitored Aftercare Program.

DISCIPLINARY ACTIONS

During FY20 the AMB held a total of 25 meetings (Regular Session, Special Teleconference, and Joint Officers, Off-Site Planning, Committee and Summary Action meetings) in which 118 disciplinary actions were taken. Disciplinary actions taken against a licensee are public. The AMB identifies the need for on-going physician education, discipline and remediation in furtherance of its primary mission, to protect the health and safety of Arizona's citizens.

Of the actions taken in FY20, there were 6 Letters of Reprimand, 9 Decrees of Censure, 9 Practice Restrictions, 28 Probationary Orders, 28 Licenses Revoked/Surrendered, 3 Inactivation of license with Cause, zero License Denials and 6 Summary Suspensions. The Executive Director issued 29 Interim Practice Restrictions in accordance with the authority delegated to her.

| MD | FY 2019 | FY 2020 |
|----------------------|---------|---------|
| Letter of Reprimand | 9 | 6 |
| Decree of Censure | 0 | 9 |
| Practice Restriction | 0 | 9 |
| Probation | 29 | 28 |

| | | |
|--|----|----|
| Loss of License (Revocation/Surrender) | 13 | 28 |
| Interim Practice Restriction | 34 | 29 |
| Summary Suspension | 4 | 6 |
| Inactivation with Cause | 3 | 3 |
| Denial of Medical License ² | 0 | 0 |

NON-DISCIPLINARY ACTIONS

Of the non-disciplinary actions taken by the AMB in FY20, there were 96 Advisory Letters, 24 Advisory Letters with Non-Disciplinary Continuing Medical Education (“CME”), and zero Non-Disciplinary CME.

| MD | FY 2019 | FY 2020 |
|--|---------|---------|
| Advisory Letters | 94 | 96 |
| Advisory Letters with Non Disciplinary CME | 26 | 24 |
| Non Disciplinary CME | 0 | 0 |

HUMAN RESOURCES

Employee Turnover Report

The AMB had a turnover of eight full-time and three part-time employees, as follows:

One full-time in the Licensing Office; one full-time in the Support Services Office; five full-time in the Investigations Office; one full-time in Information Technologies Office; and three part-time employees in the Medical Consultant Office.

This resulted in a 21.2% Turnover Ratio for FY20. Noted, of the 11 total employees who left the AMB, two were retirements. The balance was comprised of resignations and a termination.

The AMB hired a total of eight employees, five full-time and three part-time, as follows:

Five full-time employees: four Investigators and one Assistant Licensing Coordinator. The three part-time employees were Medical Consultants.

All investigators hired in FY20 who were required to attend the Investigator Training in one year from hire have attended or are scheduled to attend, as required by A.R.S. §32-1405.C.1, and complied with the requirements therein.

² Physicians have the opportunity to withdraw their application in lieu of denial.

Arizona Medical Board
FY 2020 Turnover Rate & Ratio
Number of Employees by Office

AMB Employees FY 2020**52**

| <u>Department</u> | <u># Employees</u> | <u>Status</u> |
|--------------------------|---------------------------|----------------------|
| Licensing | 1 | Full Time |
| Support Services | 1 | Full Time |
| Investigations Office | 5 | Full Time |
| Information Technologies | 1 | Full Time |
| Medical Consultants | 3 | Part Time |

AMB Turnover Rate**11****AMB Turnover Ratio****21.2%**

INFORMATION TECHNOLOGY

The Information Technology Department ("IT") remains committed to serving the business operations of the AMB. IT provides AMB-wide integrated solutions with an emphasis on superior customer service. The IT Department strives to ensure effective and efficient utilization of new and existing technology resources and investments for our internal and external customers.

In FY20, after planning and procuring the appropriate resources, the AMB began transitioning its networking operations to the cloud in alignment with the Governor's Cloud First Initiative. This transition and modernization is designed to allow the AMB to advance its processes and functions in tandem with developing technology. By aligning its IT operations with the recommendations and products identified by the State, the AMB is poised to have the capability to tap into new technologies and security features with potential cost sharing as the State leverages its enterprise abilities in procuring services.

By moving operations to the cloud, the AMB hopes to improve the services it offers its consumers including: the ability for applicants to upload their own documents to the licensing files thereby reducing the number of pieces of mail that Staff needs to sort and assign; the ability to pay licensing fees on-line by using a credit card with the assurance that state of the art data security is in place, with the ultimate goal to develop the AMB's technology to allow all persons transacting business with the AMB to do so through hand held devices. By implementing and utilizing a SaaS system, the AMB also enhances its ability to obtain statistical information and data to assist in its decision making.

In addition to the move to the cloud, in FY20, the AMB invested in equipment to allow appropriate AMB Staff to telecommute during the COVID-19 pandemic. In FY21, the AMB plans to implement additional technology to allow for more interactive virtual public meetings.