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AUDITOR GENERAL

STATE OF ARIZONA
OFFICE OF THE
AUDITOR GENERAL

WILLIAM THOMSON
DEPUTY AUDITOR GENERAL

May 24, 2010

The Honorable Judy Burges, Chair
Joint Legislative Audit Committee

The Honorable Thayer Verschoor, Vice Chair
Joint Legislative Audit Committee

Dear Representative Burges and Senator Verschoor:

Our Office has recently completed an 18-month followup of the Board of Podiatry Examiners (Board) regarding the implementation status of the 17 audit recommendations (including sub-parts of the recommendations) presented in the performance audit report released in September 2008 (Auditor General Report No. 08-06). As the attached grid indicates:

- 14 have been implemented;
- 2 are in the process of being implemented; and
- 1 is not applicable.

Unless otherwise directed by the Joint Legislative Audit Committee, this concludes our follow-up work on the Board's efforts to implement the recommendations from the September 2008 performance audit report.

Sincerely,

Melanie M. Chesney, Director
Performance Audit Division

MMC:sjs
Attachment

cc: Sarah Penttinen, Executive Director
Board of Podiatry Examiners

BOARD OF PODIATRY EXAMINERS

Auditor General Report No. 08-06

18-Month Follow-Up Report

Recommendation	Status/Additional Explanation
Finding 1: Board needs to improve complaint-handling practices	
<p>1.1 The Board should identify and implement a process that allows it to separate its investigative and adjudicative functions. Options it should consider include:</p> <p>a. Assigning one of its members to conduct complaint investigation activities, including reviewing all relevant medical documentation; conducting necessary interviews of the complainant, licensee, and other appropriate witnesses; and developing an investigative report or summary for submission to the Board. This board member should then recuse himself/herself from all other decisions and discussions regarding the complaints he/she investigates;</p> <p>b. Determining whether current or retired podiatrists would volunteer services to the Board to assist in conducting complaint investigations.</p>	<p>Implemented at 6 Months</p> <p>Not Applicable The Board reported that it considered contracting with outside physician consultants to assist with investigations. However, because of the potentially high contracting costs and the time required to establish policies for using contractors, the Board is instead using one of its members and its executive director to conduct complaint investigations. The Board reported that it will remain open to this option.</p>
<p>1.2 The Board should take action against licensees who do not respond in a timely manner to requests for treatment information as prescribed in statute.</p>	<p>Implemented at 6 Months</p>
<p>1.3 The Board should develop and implement policies and procedures that will help ensure that all complaints are appropriately and completely addressed and that investigative and adjudicative actions are documented, including policies and procedures for:</p> <p>a. Ensuring that all complaint allegations are addressed;</p> <p>b. Clearly explaining and documenting the basis for complaint decisions;</p> <p>c. Considering a licensee's disciplinary history when determining discipline for the new complaint; and</p> <p>d. Ensuring that the complainant is informed of the Board's decision regarding the complaint.</p>	<p>Implemented at 6 Months</p> <p>Implemented at 6 Months</p> <p>Implemented at 6 Months</p> <p>Implemented at 6 Months</p>

Finding 2: Board should improve public information

2.1 To help ensure that accurate and complete information is provided to the public, the Board should improve the quality of complaint information in its database by:

- a. Continuing with its efforts to correct inaccurate information in its database as it is identified, entering missing complaint information, and entering complaint information in the database as complaints are received;
- b. Developing and implementing data entry and verification policies and procedures;
- c. Continuing with its efforts to address the manually entered yes/no field in the database, which will correct inconsistencies on the Board's Web site; and
- d. Creating a database report that details a licensee's complaint and disciplinary history.

Implemented at 6 Months

Implementation in Process

The Board's Executive Director reported that the Board is in the process of developing data entry and verification procedures, which it should finalize and approve prior to June 30, 2010.

Implemented at 6 Months

Implemented at 6 Months

2.2 The Board should develop and implement written policies and procedures that incorporate its public information guidance and specify the type of information that staff should disclose regarding complaints. The Board should also ensure that information provided by its Web site complies with its written policies and procedures.

Implementation in Process

The Board has developed and implemented public information policies and procedures. However, it needs to make changes to its Web site to ensure the information its Web site provides conforms to its policies and procedures.

2.3 The Board should revise its records retention schedule to conform with its public information policies and procedures.

Implemented at 18 months

Sunset Factors

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| 1. The Board should ensure that it retains documentation to show that licensee applicants have met all licensure requirements. | Implemented at 18 months |
| 2. The Board should ensure that it complies with Open Meeting Laws and posts its meeting notices and appropriate agenda information 24 hours in advance of the meeting. | Implemented at 6 Months |
| 3. The Board should continue to work with the Attorney General's Office to ensure the appropriateness of its meeting agendas and that it restrict board business and discussion to matters that have been appropriately included, described, and noticed on its meeting agendas. | Implemented at 6 Months |
| 4. The Board should ensure that it complies with A.R.S. §38-431.03 and uses executive session only for purposes permitted by law. | Implemented at 6 Months |
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