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AUDITOR GENERAL

**STATE OF ARIZONA**  
**OFFICE OF THE**  
**AUDITOR GENERAL**

WILLIAM THOMSON  
DEPUTY AUDITOR GENERAL

November 12, 2003

The Honorable Robert Blendu, Chair  
Joint Legislative Audit Committee

The Honorable John Huppenthal, Vice Chair  
Joint Legislative Audit Committee

Dear Senator Blendu and Representative Huppenthal:

Our Office has recently completed a 24-month followup of the Board of Medical Examiners—Special Follow-Up Review regarding the implementation status of the eight audit recommendations (including sub-parts of the recommendations) presented in the performance audit report released in October 2001 (Auditor General Report No. 01-A). As the attached grid indicates:

- 8 of the 8 recommendations have been implemented.

Since all of the audit recommendations have been implemented and unless otherwise directed by the Joint Legislative Audit Committee, this report concludes our follow-up work on the Board of Medical Examiners, now known as the Arizona Medical Board. However, as directed by JLAC, at its September 25, 2003 meeting, we are currently in the process of conducting a special performance audit on specific areas within the Arizona Medical Board.

Sincerely,

Debbie Davenport  
Auditor General

Attachment

cc: Mr. Barry Cassidy, Ph.D., PA-C, Executive Director  
Arizona Medical Board

**BOARD OF MEDICAL EXAMINERS**  
**Special Follow-Up Review**  
**24-Month Follow-Up Report To**  
**Auditor General Report No. 01-A**

## SUMMARY OF RECOMMENDATIONS:

<b>Recommendation</b>	<b>Status of Implementing Recommendation</b>	<b>Explanation for Recommendations That Have Not Been Implemented</b>
<p>1. To limit unnecessary delays and facilitate malpractice investigations, the Legislature should consider clarifying A.R.S. §12-570 to:</p> <ul style="list-style-type: none"> <li>a. Require that settlement agreements be submitted to the Board without regard to confidentiality clauses, and</li> <li>b. Require plaintiffs' attorneys to submit additional information to the Board, including current address and telephone number information for the plaintiff and/or patients involved; patient's birth dates and social security numbers; and depositions and statements made by all parties.</li> </ul>	<p><b>Implemented at 6 months</b></p>  <p><b>Implemented at 6 months</b></p>	
<p>2. To ensure malpractice complaints are resolved in a timely manner, the Board should assign them to investigators within 5 days of receiving complete information.</p>	<p><b>Implemented at 6 months</b></p>	

**BOARD OF MEDICAL EXAMINERS**  
**Special Follow-Up Review**  
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**SUMMARY OF RECOMMENDATIONS:**

<b>Recommendation</b>	<b>Status of Implementing Recommendation</b>	<b>Explanation for Recommendations That Have Not Been Implemented</b>
3. The Board should ensure all complainants are interviewed and that the interviews are appropriately documented.	<b>Implemented at 6 months</b>	
4. The Board should establish and consistently use comprehensive criteria for adjudicating complaints, including criteria for issuing advisory letters.	<b>Implemented at 24 months</b>	
5. When adjudicating complaints, the Board should first make a clear determination of whether a statutory violation occurred.	<b>Implemented at 12 months</b>	
6. If the evidence indicates that a violation did occur, the Board should then use its established criteria to determine whether the violation's seriousness warrants discipline.	<b>Implemented at 24 months</b>	
7. If the Board determines an advisory letter is an appropriate resolution for the case, based on the criteria, it should include its reasoning in the letter to inform the public of any mitigating circumstances.	<b>Implemented at 6 months</b>	