



State Of Arizona
Naturopathic Physicians Medical Board
"Protecting the Public's Health"
1740 W. Adams, Ste. 3002 Phoenix, AZ 85007
Phone: 602-542-8242, Email: info@nd.az.gov Website nd.az.gov

Douglas A. Ducey - Governor

June 2, 2022

Ms. Lindsey Perry, Auditor General
2910 N. 44th Street, Suite 410
Phoenix, AZ. 85018

Re: 2022 State of Arizona Naturopathic Physicians Medical Board, Sunset Review Audit

Ms. Perry,

I am pleased to submit, on behalf of the State of Arizona Naturopathic Physicians Medical Board, the attached response to the audit findings.

I found the audit experience helpful and the assigned auditors a pleasure to work with.

Regards,

A handwritten signature in black ink that reads "Gail Anthony".

Gail Anthony, Executive Director
State of Arizona Naturopathic Physician Medical Board
Gail.anthony@nd.az.gov
602 542-8242

Finding 1: Board has not resolved some complaints in a timely manner, which may affect patient safety.

Recommendation 1: The Board should investigate and resolve complaints within 180 days.

Board response: The finding of the Auditor General is agreed to and a different method of dealing with the finding will be implemented.

Response explanation: The Board will continue to focus its resources on complaints with the highest risk to public safety, while making every effort to resolve complaints within the Auditor's recommended 180 day timeframe.

Recommendation 2: The Board should develop and implement time frames for completing all key steps in its complaint-handling process to help ensure it can investigate and resolve complaints within 180 days, including completing the investigation and associated report, placing the complaint on the Board's meeting agenda for its review, and time frames for the Board to review and resolve the complaint.

Board response: The finding of the Auditor General is agreed to and a different method of dealing with the finding will be implemented.

Response explanation: Policy and procedure recommend the following process. 1. Upon receipt of a complaint that includes complainant contact information, make contact confirming receipt of complaint. 2. Use the complaint screening document to confirm complaint is under jurisdiction. 3. Proceed appropriately as determined by the jurisdiction outcome. Once "key steps" have been determined, along with appropriate time frames, policy and procedure will be updated with recommended timeframes for "key steps".

Recommendation 3: The Board should develop and implement a process that requires the Executive Director to regularly report to the Board on the timeliness of closed complaints and status of open complaints to provide information the Board needs to monitor, review, discuss, and take action to address delays in the timeliness of complaint handling.

Board response: The finding of the Auditor General is agreed to and a different method of dealing with the finding will be implemented.

Response explanation: The Executive Director already reports pending case status to the Board. Per Recommendation 2. Once "key steps" have been determined, policy and procedure will be updated to include these steps in the Executive Director's reports to the board.

Recommendation 4: Contract for complaint investigation services on an as-needed basis and develop and implement written policies and procedures for when to use these contracted services.

Board response: The finding of the Auditor General is agreed to and a different method of dealing with the finding will be implemented.

Response explanation: The Board is currently working on establishing a list of physicians interested in participating in investigations on an as needed basis. Once the list has been established, policy and procedure will be updated.

Sunset Factor 2: The extent to which the Board has met its statutory objective and purpose and the efficiency with which it has operated.

Recommendation 5: The Board should perform statutorily required inspections or work with the Legislature to modify statute related to these statutory requirements.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [This recommendation is already in process.](#)

Recommendation 6: The Board should develop and implement policies and procedures for periodically reviewing the appropriateness of its fees that direct it to analyze the costs of its regulatory processes, compare these costs to the associated fees, determine the appropriate licensing fees, and then revise its fees as needed.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [The Board will work with OSPB to develop and implement a method to review the direct and indirect costs for its regulatory processes. Once this method is established, policies and procedures will be developed and implemented as necessary.](#)

Sunset Factor 3: The extent to which the Board serves the entire State rather than specific interests.

Recommendation 7: The Board should continue to implement its conflict-of-interest procedures to help ensure compliance with State conflict-of-interest requirements, including:

Recommendation 7a: Reminding employees/public officers at least annually to update their disclosure form when their circumstances change, including attesting that no conflicts exist, if applicable.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [This recommendation has already been implemented.](#)

Recommendation 7b: Documenting the details of Board members' verbal recusals in the official record.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [This recommendation has already been implemented.](#)

Recommendation 7c: Storing all substantial interest disclosures, including disclosure forms and applicable meeting minutes, in a special file available for public inspection.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [This recommendation has already been implemented.](#)

Sunset Factor 4: The extent to which rules adopted by the Board are consistent with the legislative mandate.

Recommendation 8: The Board should proceed with the rulemaking process to adopt rules for naturopathic medical assistant training, and for the labeling, recordkeeping, storage, and packaging of natural substances.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [This recommendation is already in process.](#)

Sunset Factor 5: The extent to which the Board has encouraged input from the public before adopting its rules and the extent to which it has informed the public as to its actions and their expected impact on the public.

Recommendation 9: The Board should adhere to its goal to post required disciplinary and nondisciplinary orders on its website within 36 days after the order is issued.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [The Board makes every effort to post actions in a timely manner. The Board will post whatever is required under the current statutes.](#)

Recommendation 10: The Board should post all final disciplinary and allowable nondisciplinary orders and actions on its website for no more than 5 years.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [The Board will post whatever is required under the current statutes.](#)

Recommendation 11: The Board should comply with its policies and procedures for returning voicemail messages requesting information on licensees and certificate holders within 24 hours.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [The Board makes every effort to return voicemail messages in a timely manner. The public has the ability to look up information on licensees and certificate holders 24 hours a day, 7 days a week by reviewing the directory on the Boards website.](#)

Sunset Factor 6: The extent to which the Board has been able to investigate and resolve complaints that are within its jurisdiction.

Recommendation 12: The Board should comply with its policies and procedures for providing complaint opening, meeting, and outcome notices to complainants and respondents.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [The Board will make every effort to supply written notices to complainants and respondents in a timely manner per policy and procedure.](#)

Sunset Factor 11: The extent to which the level of regulation exercised by the Board compares to other states and is appropriate and whether less or more stringent levels of regulation would be appropriate.

Recommendation 13: The Board should, consistent with its reported plans, work with the Legislature to pursue a statutory change to eliminate the clinical training certification requirement.

Board response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [This recommendation is already in process.](#)