



## **Briefing Paper**

## **Agenda Item 12**

**Date:** May 15, 2025

**Prepared for:** OMBC Members

**Prepared by:** Cristy Livramento, Enforcement Program Manager

**Subject:** Enforcement Program Updates

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**Purpose:** Update on Enforcement Program

**Attachments:** [12 \(a\) Enforcement and Probation Performance Measures Q1, Q2, and Q3 FY 2024/2025](#)

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### **Background:**

This is a report on the updates involving the Board's Enforcement Unit for Q1 Q2 & Q3 of FY 2024/2025.

Please also refer to attachment 12(a), which encompasses the Enforcement Program statistics.

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### **Analysis:**

Since Q2, multiple changes related to staffing have been made. I am no longer serving as the Enforcement Lead Analyst, and have taken on the role of the Enforcement Program Manager. I still have a small caseload; however, cases may be distributed to enforcement staff to work. At this time, the analyst position has not been filled, and hopefully can be done soon. All enforcement staff have been assisting in taking in a larger workload case wise. In addition, our intake analyst has begun assisting by taking on analyst of the week duties, including monitoring the enforcement telephone line and email in-box. She has also taken on a caseload her own and is assisting in requesting additional information from involved parties for the assigned analyst before assignment.

The Enforcement Unit is working on procuring new medical consultants and experts to assist with review of enforcement cases. Medical consultants and experts serve on a contract basis for the Board. During Q3, seven (7) new medical consultants/experts contracts have been procured, with one (1) additional in the works. Once the contracts are obtained, the medical consultants and experts are able to assist the Board with review of complaint, with multiple already reviewing cases. Multiple others have been identified; contracts will be requested as soon as possible. With the addition of new medical

consultants and experts, this should help with timely reviews of enforcement cases.

The purging project is still in progress. Closed cases continue to be purged based on the retention schedule, and room/storage in the confidential shred bin. Disks and CD drives are purged separately from paper files. On April 30, 2025, the enforcement unit assisted with a cleanup day, with time allotted for purging as necessary.

#### Board Program Statistics:

For statistics, please refer to attachment 12(a) which covers the Enforcement Program's Q1, Q2, and Q3 statistics for fiscal year 2024/2025 in comparison to Q1, Q2, and Q3 of last fiscal year 2023/2024.

Performance Measure 1 (PM1): covers the amount of consumer complaints, arrests, and convictions received. The unit has received 749 complaints, and 19 arrest/conviction notices. A significant increase of 23% of total complaints and arrest/convictions in comparison to last year. The increase in complaints received can still be attributed to the fact that enforcement is now initiating enforcement files on applications with prior arrest histories in addition to more Board awareness that the Board is receiving through its outreach efforts.

Performance Measure 2 (PM2): is the average number of days it takes for our analysts to initiate complaints and acknowledge receipt. The target for this performance measure is ten (10) days and we are at 4 days year to date.

Performance Measure 3 (PM3): is the average number of days it takes to complete investigations and enforcement action for cases that are not referred to the Attorney General's Office for formal discipline. Case aging here fluctuates greatly because it takes an average of all cases, and one or two very complicated cases can skew these numbers drastically. These number include the timeline for desk and DOI's Health Quality Investigation Unit (HQUI) investigations. The target for PM3 is 360 days. Our average for Q1, Q2, and Q3 is at 191 days which is a 13% decrease in comparison to last fiscal year. Not only is PM 3 being met, but this is also in addition to a larger workload in comparison to last fiscal and the end of Q3. At the end of Q3 for fiscal year 2024/2025, the OMBC has initiated 694 total investigations, in comparison to 563 for fiscal year 2023/2024.

Performance Measure 4 (PM4): is the average number of days it takes to complete investigations and enforcement actions that are transmitted to the Attorney General's Office for formal disciplinary action. Case aging in this category is at 925 days. The target for PM4 is 540 days, and although we did not meet the target in this category, YTD, it did go down 21% in comparison to last fiscal year.

For FY 2024/2025, the Board continues to be well under its performance measure targets for three (3) of its performance measures. As previously reported PM4 is the measure that unfortunately the Board has less control over as this measure takes into consideration the timeline from the Attorney General's Office, respondent's legal representatives, and the Office of Administrative Hearings.

The Board currently has 671 pending enforcement cases, with 92 of those cases pending at HQUI, and 21 of those pending cases at the Attorney General's Office.

YTD the Board has filed four (4) Interim Suspension Orders, issued two (2) public letters of reprimand, filed eight (8) Accusations, issued three (3) administrative citations, placed seven (7) licensees on probation, had two (2) licensees surrender their license, and one (1) license was revoked.

**Action Requested:** No Action Required