

Georgia Composite Medical Board

Annual Report

Fiscal Year 2010



Visit us on the web at www.medicalboard.georgia.gov

Letter from the Executive Director

The members and staff of the Georgia Composite Medical Board (“Board”) are committed to providing first class service to the citizens of Georgia, offering online access to important functions such as online initial licensure applications, online filing of complaints, and the continuing practice of online license renewals. The Board is a national leader in this effort and is often looked to for our innovative, cost-effective solutions. We continue to seek new and efficient methods to improve our services and meet the ongoing needs of our customers.

The Board, like other state agencies, continues to support the Governor’s efforts to reduce the state’s budget deficit. To support this initiative the Board recently raised its licensure, renewal and service fees. This is our first fee increase since 1999.

The Board has taken additional, pro-active measures to assist with the state’s fiscal needs by not filling positions when staff members retire or find other positions, and through mandatory staff furlough days. Other significant funds have been saved by no longer mailing our newsletter, no longer mailing proposed rule changes and by bringing our license card printing functions in-house. The Board is also considering plans to cease mailing renewal notices to our 40,000 plus licensees. We will continue to support the initiatives of Governor Deal and look for further efficiencies as we do our part in reducing the state’s deficit.

I would like to recognize the hard work of the Board members and Advisory Committee Members who volunteer their time each month. Every month the Board reviews over 200 complaints, 400 applications and conducts over 30 interviews, as well as reviewing routine correspondence, changes to the rules of the Board, and appearances before the Board. The Advisory Committee members from the licenses we regulate volunteer their time to review and make recommendations to the Board each month, giving of their personal time without any compensation.

Finally, I am grateful to a small and highly committed staff that has continued to make the choice to serve the citizens of Georgia in a professional and meaningful way. Their dedication to the public good is an inspiration in these austere times.

LaSharn Hughes, MBA
Executive Director, Georgia Composite Medical Board

The GCMB Mission: Protecting Georgians

Our mission statement – “To protect the health of Georgians through the proper licensing of physicians and certain other members of the healing arts, and through the objective enforcement of the Medical Practice Act” – is a constant reminder of our purpose.

The Board fulfills its mission through three core activities:

- Licensing qualified health practitioners.
- Enforcing rigorous quality and ethical standards in the practice of health care.
- Providing Georgia’s health care consumers with information that enables them to make wise choices.

The Board

GCMB is an independent executive agency charged with the licensing and regulation of physicians, physician assistants (PA), respiratory care professionals (RCP), acupuncturists, clinical perfusionists, orthotists/prosthetists, and physician residents in training (residents). The Board itself is comprised of fifteen members, of whom thirteen are practicing physicians and one is a consumer, appointed by the Governor. The Board also includes an ex-officio member who is a practicing physician assistant. The PA, acupuncturist, RCP, perfusionist, orthotist & prosthetist, and nurse protocol committees each include other practitioners of the professions they regulate. These committee members, like the Board members themselves, are unpaid volunteers who give their time and effort to the people of Georgia in order to protect our health and safety.

Each of the dedicated members of the Board and its advisory committees has a successful career that he or she sets aside for over twenty hours every month to serve Georgians.

The members of the Board are:

Alexander S. Gross, MD
Chairperson
Atlanta

William J. Butler, MD
Macon

Alice A. House, MD
Warner Robins

Kathleen “Kathy” Kinlaw
Consumer member
Decatur

Marion O. Lee, MD
Cordele

David W. Retterbush, MD
Valdosta

Roland S. Summers, MD
Past President
Savannah

Richard L. Weil, MD
Atlanta

Charles L. White, DO
Vice Chairperson
Cleveland

Eddie R. Cheeks, MD
Past President
Augusta

Kathy Kemle, PA-C
Ex-officio member
Lizella

Rhonda W. Kunes
Consumer member
Tifton

John T. “Ted” Perry, MD
Past Chairperson
White

William Sightler, DO
McRae

Jean Rawlings Sumner, MD
Past President
Wrightsville

Licensing

Profession	Active Licenses	New Licenses	Net increase since 2004	
Physician *	30,581	1,781	4,347	16.6%
Resp. Care Professional	4,902	350	804	19.6%
Physician Assistant	3,115	252	863	38.3%
Physician Resident	1,727	536	705	69.0%
Acupuncturist	204	18	86	72.9%
Perfusionist	133	20	34	34.3%
Orthotist & Prosthetist **	215	14	215	NA
ALL LICENSES	40,877	2,971	7,054	20.9%

Active licenses on December 30, 2010

New licenses issued during Fiscal Year 2010

** Includes Volunteer in Medicine and other limited physician licenses.*

*** Includes orthotist, prosthetist, and dual licenses. These professions were not licensed in Fiscal Year 2004.*

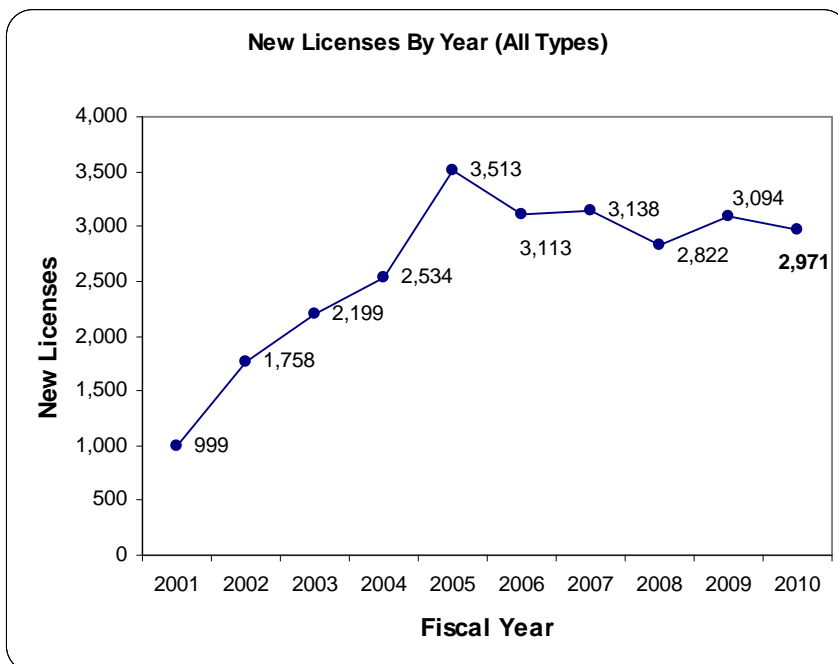
Through the licensure process, GCMB ensures that the professionals we regulate meet the standards of education, training, and professional conduct necessary to serve Georgia patients effectively and safely. As a part of the licensure application process, applicants must submit an application for licensure and have their school submit original documents of their education and training. Applicants must also provide details of their work history and proof of their clinical knowledge as demonstrated by rigorous subject-based examinations. Each applicant is required to reveal any information about his or her medical history that could affect their ability to practice, as well as any arrests or convictions. Additionally, applicants must report any disciplinary actions taken against them by other licensing boards, and whether there are any open investigations or complaints pending in other state licensing boards. Every two years,

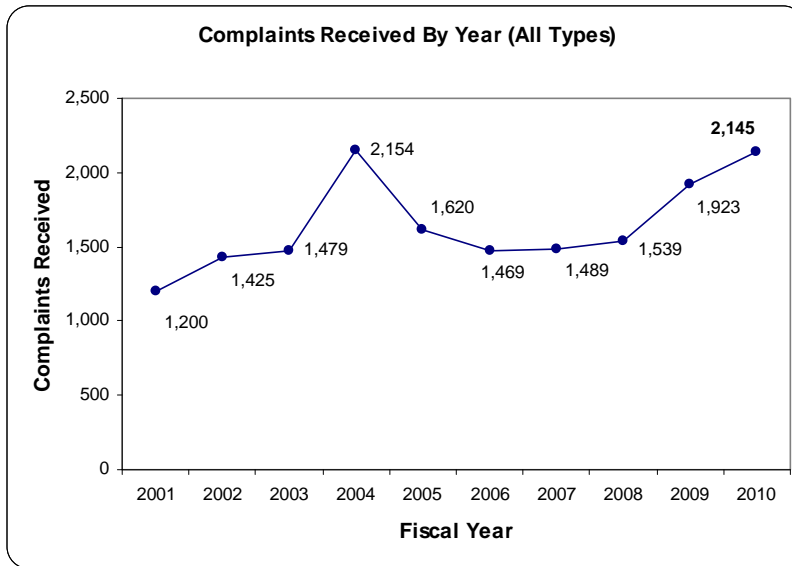
licensees must renew their licenses in order to continue to practice. The renewal process allows GCMB to ensure that each licensee continues to meet current training, continuing education, and professional conduct standards.

GCMB regulates and licenses twelve professions with a combined total of 40,877 actively-licensed practitioners. During Fiscal Year 2010, the GCMB Licensure Unit issued 1,781 new physician licenses, an increase of 11.3% over Fiscal Year 2009. Including all types of licenses, the Licensure Unit issued 2,971 licenses.

Continuing Efficiencies

Over the past seven years (the period from which the Board began issuing annual reports tracking such measures), the Board's productivity has increased tremendously even as its budget and staffing levels have declined. In licensure activities, the Board reduced the licensure unit's aggregate salary by 12.1% from FY 2004 to FY 2010, kept staffing levels at the same number of positions, yet in 2010 after the addition of three professions, processed 826 Physician/Nurse Practitioner protocols and issued 35.1% more licenses in FY 2010 than it did in FY 2004. Including all types of initial licenses, the Board's salary cost per application fell from \$83.41 in FY 2004 to \$44.80 in FY 2010 (46.3%).



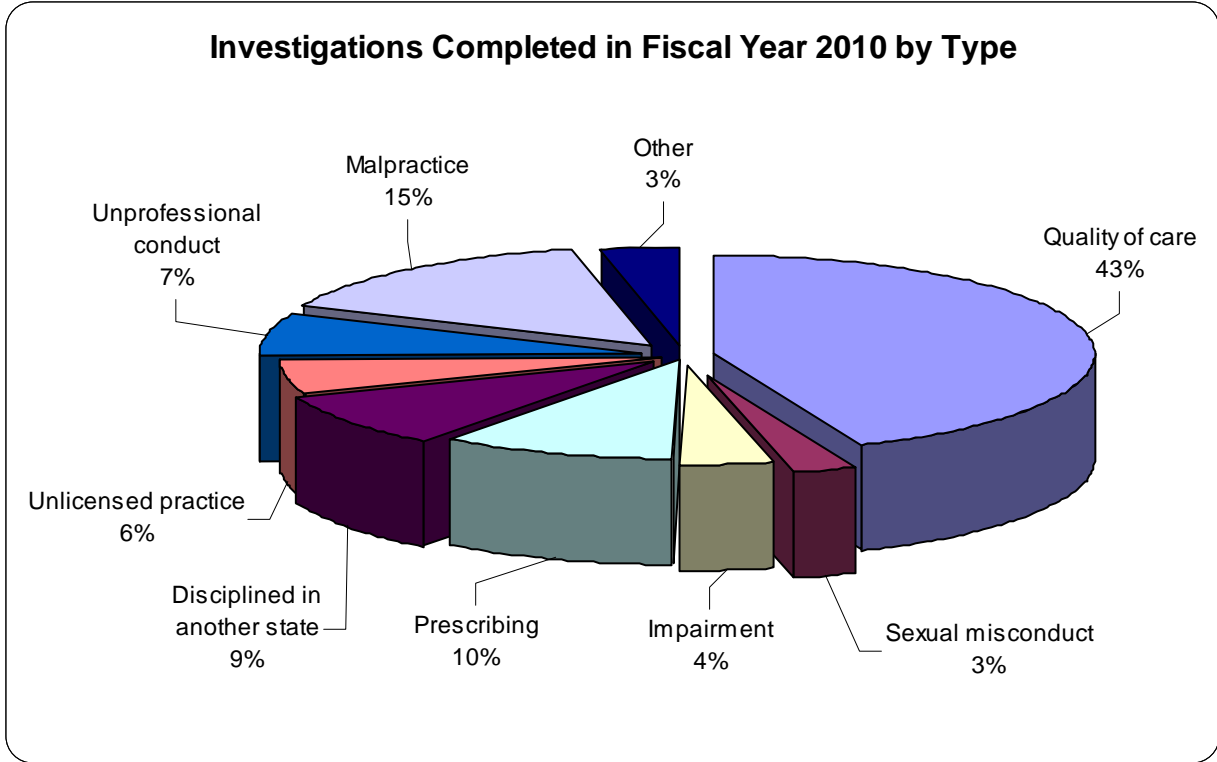


Enforcement & Investigations

The Board's responsibility extends beyond the licensing of physicians and other practitioners of the healing arts. GCMB is also responsible for regulating the practice of the healing arts through Georgia's Medical Practice Act and its companion laws. The Board investigates complaints against licensees, as well as against unlicensed individuals who are alleged to be practicing medicine, from consumers, malpractice insurers, hospitals, and other licensing and regulatory entities.

GCMB provides a variety of avenues for ensuring that its licensees are practicing ethically and professionally within the guidelines of the law. The GCMB website, www.medicalboard.georgia.gov, publishes the laws and rules practitioners must follow, and includes information and forms for filing complaints about illegal, unethical, or unprofessional practice. The Board regularly receives information from the Federation of State Medical Boards (FSMB), a clearinghouse for state medical board actions, as well as from malpractice insurers, other governmental agencies, and its own investigators. GCMB also publishes online newsletters and coordinates its efforts with professional associations to educate practitioners about how to avoid the kinds of actions that could result in Board discipline. These measures are in place to help the Board guard against unprofessional conduct and protect the safety of Georgia health care consumers.

Once a complaint is received, GCMB staff members research the particulars of the allegation. This could include gathering information from medical records, malpractice settlements, statements from the respondent and complainant, and other sources. This information is then forwarded to the Board, which, through its Investigative Committee, evaluates the complaint and presents its recommendation to the full Board. The Board then decides upon the appropriate action to take, or it could return the case to the staff for further investigation or order a peer review of the complaint. Board actions can range from closing the case with no further action, issuing a letter of concern, ordering various practice restrictions and/or fines, and sanctioning the practitioner's license. License revocation is the most severe sanction.



Need for Prescription Monitoring and Funding for Cosmetic Laser Services Act

In FY 2010, the Board received 2,145 complaints against its licensees, an increase of 11.5 percent over the preceding year, and 39.4 percent over FY 2008. Of those complaints, 1,136 were assigned to GCMB agents for more extensive investigations. Malpractice and quality of care cases accounted for 59 percent of the total referred to agents, which was consistent with historical trends. However, the Board has seen a significant increase in prescribing-related cases. In FY 2004, the Board investigated 76 cases involving inappropriate prescribing. In FY 2010, that number was 116, a 52.6 percent increase over FY 2004. Another area in which complaints have increased significantly was allegations of unlicensed practice, which increased 45.1 percent over FY 2004.

During the course of FY 2010, several cases that received intense media scrutiny highlighted the need to increase the Board’s ability to investigate inappropriate prescribing activities and to more tightly regulate the practice of cosmetic laser procedures. Many areas in Georgia have seen a rise in the activity of pill mills. Autopsy data from the Georgia Bureau of Investigation indicate that 80 percent or more of all deaths due to drug overdose were related to prescription drugs (based on 2008 GBI Crime Lab autopsies). GCMB agents have also noted increasing activity among pill mills, with “patients” driving into Georgia, often in carpools, to obtain prescriptions for controlled substances. The Board believes that the rise of pill mills in Georgia is directly attributable to the fact that all contiguous states – and, in fact, most other southern states – have passed bills implementing prescription monitoring programs, driving many pill mills from those states into ours.

Similarly, media reports focusing on incidents related to cosmetic procedures have emphasized the need to fund the Georgia Cosmetic Laser Services Act. The General Assembly passed this law during the 2007 session, and it was signed by Governor Sonny Perdue that year. The law sought to make cosmetic laser services safer through licensing and associated regulatory activities. However, to date, it has yet to be funded by the Legislature, which is the final action that would put this needed safeguard into effect.

Bills to address both of these patient safety concerns have been introduced for the upcoming 2011 legislative session.

Our Staff

Our people are at the heart of our accomplishments. The Georgia Medical Board is fortunate to have dedicated, competent personnel who take their jobs – and our mission – seriously. Every day, these men and women perform the tasks that enable GCMB to protect the health of Georgians through our licensing and enforcement activities. They include:

LaSharn Hughes, MBA
Executive Director

Peter Ciejek, MD
Interim Medical Director

Betsy D. Cohen, Esq.
Staff Attorney

Phyllis White
Operations Analyst

Franchesca Virgil
Enforcement Unit Supervisor

Deborah Bruce
Physician Licensure

Shonda Roberts
Physician Licensure

Lynette Riddle
*Physician Assistant and
Clinical Perfusionist Licensure*

Phyllis Perry
Enforcement Unit

Shana Finney
Enforcement Unit

Steve Wills
Medical Board Agent, Senior

Lem Roberts
Medical Board Agent, Senior

Elizabeth Beavers
Compliance Manager

Robert Jeffery, MBA
Director of Operations

Jeffrey D. Lane, MS
Director of Investigations and Enforcement

Diane Atkinson
Administrative Assistant to the Executive Director

Tommy Kelly
System Administrator

Mary Harris
Financial Administrator

Gladys Henderson
Physician Licensure

Carol Dorsey
*Acupuncture Licensure, Residency Training
Permits, and Nurse Protocol Review*

Katonya Reynolds
*Respiratory Care Professional and
Orthotist & Prosthetist Licensure*

Sharon Cloud
Enforcement Unit

Adrienne Baker
Medical Board Agent, Principal

Stephanie Cleary
Medical Board Agent, Senior

Emmalie Kirkland
Medical Board Agent

Pearl Mason-Stokes
Information and Referral Specialist

FY 2010 Revenue and Expenditures

Investment:

FY 2010 Appropriation (as passed)	\$ 2,117,581
Less Mandated Budget Cuts in FY 2010	<u>(208,659)</u>
FY 2010 Appropriation (after cuts)	\$ 1,908,922

Revenues:

Application, Renewal, and other License Fees	\$ 3,398,810
Fines	\$ 147,000
Other Income	<u>\$ 299,518</u>
Total Revenues Collected by Board	\$ 3,845,328

Expenses:

Personal Services		
Salaries	\$ 1,120,133	
Payroll taxes	80,610	
Retirement plans	129,746	
Health insurance	227,143	
Other employment costs	9,394	
Personal Services, total		\$ 1,567,026
Regular Operating		
Supplies & services	\$ 57,280	
Printing & publishing	63,688	
Rent	40,000	
Regular Operating		\$ 160,968
Travel		\$ 29,119
Investigations & Enforcement		\$ 121,457
Telecommunications		\$ 56,445
Information Technology		\$ 83,760

Total Expenses **\$ 2,018,775**

Net Contribution to State Treasury: **\$ 1,826,553**

Return on Investment: **95.7%**