



The Governor's Working Group on Richard Strauss
C/O: Director Thomas J. Stickrath, J.D.
Ohio Department of Public Safety
1970 W Broad St.
Columbus, OH 43223

June 13, 2020

Director Stickrath and Members of the Governor's Working Group on Richard Strauss:

On behalf of the State Medical Board of Ohio (SMBO) members and staff, I have attached the updated project plan for implementing the Working Group's suggested changes to SMBO processes and procedures. Progress continues for all identified areas for improvement or implementation. Our work remains at a little more than 75% complete, excluding the historical case review. We should see more items finalized as we wrap up the working group's recommended audit over the next few months.

Work on the historical case review continues at a healthy pace. We have now reviewed over 65% of the 1250 identified licensees that had sexual misconduct complaints within the last 25 years. The licensees were reviewed in priority order, with active licensees with multiple complaints as the highest priority. As we near the end of the list of licensees, we have licensees for whom the Board took formal action at the time of the original complaint. The files for these licensees are rather large but still must be reviewed to ensure the board did not miss a duty to report obligation from a fellow licensee or a necessary notification to law enforcement. To date, we have paid a little over \$100,000 for the external reviews and each review takes an average of 3 hours.

At our sexual misconduct committee meeting on June 10th, our Chief of Investigations and one of our supervisors from the Investigations unit presented the team's approach to working complaints to be reopened following the external review. The team works in a matrix style and is composed of investigators, enforcement attorneys, the chiefs of each unit, and the victim advocate. The team regularly interacts with the Executive Director, as well as the Board's Secretary and Supervising Member. At the sexual misconduct committee meeting, the Investigation supervisor walked the board members through how the team engages with the complainants and/or victims in those cases that are or will be reopened. Communication is factually dependent and done in consultation with the SMBO's victim advocate. For those cases recommended to be reopened after investigation, the Secretary and Supervising Member determine next steps with the complaint. The complaint may remain closed in some circumstances, the licensee may be scheduled for an office conference (and then possibly sent to enforcement for further discipline) or sent a caution letter, or the complaint may be sent straight to the SMBO enforcement team for potential formal discipline. As reiterated in the committee meeting, each case is thoroughly discussed and documented.

In other work, the SMBO staff has been actively engaged with the audit team from the Federation of State Medical Boards (FSMB). The FSMB has conducted over 4 days of interviews, including time with 3 board members, SMBO staff leadership, 3 investigators and 2 enforcement attorneys. The FSMB is process mapping the SMBO complaint process from start to finish and will have recommendations for both improved efficiencies, as well as high quality outcomes. We anticipate the report by the end of the fiscal year.

Culture improvements remain a focus. Recently, the enforcement attorneys and investigators participated in joint training sessions relative to their shared work. Additionally, the FSMB audit recommendations to the complaint processes will result in more opportunities for collaboration as we make process revisions. We continue to analyze day to day habits and practices and look for and implement improvement opportunities. Additionally, the plan for job specific training will begin in the next fiscal year. Standardization of work processes will ease historical tensions.

We anticipate the SMBO's next sexual misconduct committee meeting to be held in the morning of July 8, 2020 prior to our regular board meeting. We will let you know the time of the committee meeting and whether it is in person or remotely available via our website when our final board agenda is set.

We appreciate the continued partnership of the Working Group and look forward to presenting to the group soon.

Respectfully,

A handwritten signature in black ink, appearing to read 'MS', is positioned above the typed name.

Michael Schottenstein, M.D.
President, State Medical Board of Ohio