



Patient Bill of Rights

Right to Notice & Participation:

- **Interview complainant/family before the case is dismissed**
 - Board analyst or medical consultant must interview complainant before the case is dismissed at the Central Complaint Unit
 - Board staff must contact complainant following the physician interview to give the complainant the opportunity to provide additional information based on the physician's information
 - Board staff or the Deputy Attorney General must contact the complainant prior to offering a settlement to the physician or give the complainant the opportunity to provide a victim impact statement at the ALJ hearing
- **All hearings must be public and subject to open meeting laws**
 - All public meetings must be webcast including all panel hearings and committee hearings and make remote participation available including teleconferencing
 - All webcast videos must be made available on the public website within a week of the adjourned meeting
- **Complainant must be informed of all public proceedings including pre-sentencing (settlement deals), appeals, requests for early termination of probation, and petitions for license reinstatement**
 - Create an online complaint tracking system similar to Amazon's package tracking system allowing complainants to follow where their complaint is in the enforcement process at any time
 - Provide clear notice of all timelines and how complainant will be notified of proceedings
- **Complainant right to be heard at all proceedings**
 - Maintain case in district of filing
 - Complainant right to submit additional information after accusation is published

Transparency:

- **Expand disclosure on the Board's website to include pending investigations into complaints** when the misconduct resulted in serious harm to a patient or death, or the physician is a repeat offender
- **Clarify that the Board may not choose to withhold information about the enforcement process under the PRA.** Require disclosure by the Board of:
 - Number and nature of all patient complaints against a doctor on public profile, regardless of outcome
 - To the public: the factual record of investigations, just as law enforcement records are public
 - To the complainant: the full record of investigations including interviews, tapes, transcripts, notes and all documents to the complainant
- **Ensure patients are informed when the Board takes disciplinary action**

- Disclosure by a disciplined doctor of probationary status to patients before an appointment
- Board must maintain as public records all disciplinary actions
- Once posted, records of all disciplinary actions must be maintained online
- Disclose all malpractice settlements online

Independence:

- **Change the composition of the Board by implementing a public member majority**
- **Eliminate conflicts of interest.** Investigators, DAGs and Board panel and staff involved in the enforcement process may not have any conflict of interest regarding the doctor being investigated

Timeliness:

- **Shorten and expedite oversight and streamline the entire process**
- **Implement vertical enforcement.** Investigators and prosecutors in the same office will work together more efficiently and improve hiring prospects

Proportionate Penalties:

- **Require Board to follow its own disciplinary guidelines**
 - Minor disciplinary tools – such as Public Letters of Reprimand – prohibited for the most serious allegations, such as sexual abuse or gross negligence leading to death
 - Confidential Letter of Advice can only be used for minor allegations with no link to patient care
- **Prioritize complaints against doctors with a history of past complaints**
 - Keep records of complaints, even if closed without action, to identify patterns of abuse
- **Public reporting that disciplined doctor is meeting the requirements of disciplinary action**
- **Permanently revoke the license of doctors who commit the most egregious offenses,** including sexual abuse and multiple acts of negligence resulting in serious patient injuries or death

Oversight:

- **Make Enforcement Monitor independent, with a budget and staff**
- **Prioritize investigations of issues above, including how frequently the Board:**
 - Deviates from disciplinary guidelines, closes a complaint without interviewing the affected patient or family, and does not disclose malpractice judgements/settlements on its website

Mission:

- **The Board must support reforms that further its mission of patient protection, including in areas not under its jurisdiction.**
 - Update the 1975 cap on compensation for lost quality of life, disability or death in malpractice lawsuits to restore patients' access to court
 - Require doctors to disclose to patients any financial conflicts of interest that arise from payments by drug or device manufacturers