

**ACUPUNCTURE BOARD**

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**MEMORANDUM**

<b>DATE</b>	June 30, 2010
<b>TO</b>	All Board Members
<b>FROM</b>	Kristine Brothers Enforcement Coordinator
<b>SUBJECT</b>	Enforcement Update for July 1, 2009 to June 30, 2010

**COMPLAINTS**

DCA Category	Received	Pending	Closed	Avg Days to Close
Unprofessional Conduct	72	19	66	
Unlicensed/Unregistered	37	7	36	
Criminal Charges/Convictions	77	23	65	
Sexual Misconduct	8	2	1	
Fraud	5	0	6	
Non-jurisdictional	5	0	5	
Incompetence/Negligence	14	6	5	
Unsafe/Unsanitary Conditions	4	0	2	
Other	2	0	0	
Substance Abuse/Drug & Mental/Physical Impairment	0	0	1	
Discipline by Another State Agency	3	3	1	
<b>Total</b>	<b>227</b>	<b>60</b>	<b>188</b>	<b>86</b>

**INVESTIGATIONS**

Received	24
Pending	31
Closed	41
Avg Days to Close	538

**DISCIPLINARY ACTIONS**

<b>Requested</b>	<b>23</b>
<b>Pending</b>	<b>22</b>
Accusation/SOI Filed	15
ISO/PC 23 Filed	1
<b>Closed</b>	<b>16</b>
Revoked	5
Voluntary Surrender	2
Probation	8
Reinstatement Denied	1
<b>Avg Days to Close</b> (complaint rcv date – decision effective date)	<b>648</b>
<b>Open Probation Cases</b>	<b>23</b>

**CE AUDITS**

Audits Completed by Education	Audits Referred to Enforcement	Citations Issued to Licensees	Citations Issued to Providers	Pending Enf. Review
90	41	25	4	9

**Enforcement Measures Report to DCA  
(January thru May 2010)**

	Jan	Feb	Mar	Apr	May	Average	Total
<b>Complaints</b>							
Received	6	17	13	8	17	12.2	61.0
Closed	0	1	0	0	1	0.4	2.0
Referred to INV	5	18	11	7	20	12.2	61.0
AVG Time to Close	12	19	10	10	12	12.6	63.0
Pending	5	3	5	6	1	4.0	20.0

<b>Convictions / Arrests</b>							
CONV Received	8	9	2	4	7	6.0	30.0
CONV Closed	16	6	11	4	6	8.6	43.0
AVG Time to Close	27	18	47	9	11	22.4	112.0
CONV Pending	8	11	2	1	2	4.8	24.0

<b>Desk Investigations</b>							
DESK Opened	20	22	22	18	27	21.8	109.0
DESK Closed	11	18	37	14	22	20.4	102.0
DESK Average	103	68	68	44	78	72.2	361.0
DESK Pending	49	52	37	43	48	45.8	229.0

<b>Non Sworn Investition</b>							
Opened	n/a						
Closed	n/a						
Average days to close	n/a						
Pending	n/a						

<b>Sworn Investigation</b>							
Opened	1	2	0	0	1	0.8	4.0
Closed	5	0	11	2	4	4.4	22.0
Average days to close	562	0	856	770	563	550.2	2751.0
Pending	40	42	31	29	27	33.8	169.0

<b>All Investigations</b>							
Closed	16	18	48	16	26	24.8	124.0
Average days to close	247	68	249	135	162	172.2	861.0
Pending	89	94	68	72	75	79.6	399.0

<b>Enforcement Actions</b>							
Cases Referred	4	0	4	1	2	2.2	11.0
Cases Pending	19	18	22	21	22	20.4	102.0
SOIs Filed	1	0	0	0	1	0.4	2.0
Accusations Filed	1	1	1	2	0	1.0	5.0
Proposal /Default Decisions	2	0	0	0	0	0.4	2.0
Stipulations	0	1	0	2	1	0.8	4.0

<b>Disciplinary Orders</b>							
Final Orders	2	1	0	2	1	1.2	6.0
Avg Days to Complete	365	296	0	223	465	269.8	1349.0

<b>Citations</b>							
Citations Issued	0	9	6	10	0	5.0	25.0
Avg Days to Complete	0	32	93	23	0	29.6	148.0