



DEBRA K. DAVENPORT, CPA
AUDITOR GENERAL

STATE OF ARIZONA
OFFICE OF THE
AUDITOR GENERAL

WILLIAM THOMSON
DEPUTY AUDITOR GENERAL

June 10, 2003

The Honorable Robert Blendu, Chair
Joint Legislative Audit Committee

The Honorable John Huppenthal, Vice Chair
Joint Legislative Audit Committee

Dear Senator Blendu and Representative Huppenthal:

Our Office has recently completed a 24-month followup of the Board of Chiropractic Examiners regarding the implementation status of the 9 audit recommendations (including sub-parts of the recommendations) presented in the performance audit report released in June 2001 (Auditor General Report No. 01-12). As the attached grid indicates:

- 8 of the 9 recommendations have been implemented; and
- 1 recommendation is in the process of being implemented.

Unless otherwise directed by the Joint Legislative Audit Committee, this report concludes our follow-up work on the Board's efforts to implement the recommendations resulting from the June 2001 performance audit.

Sincerely,

Debbie Davenport
Auditor General

Attachment

cc: Ms. Patrice Pritzl, Executive Director
State Board of Chiropractic Examiners

BOARD OF CHIROPRACTIC EXAMINERS
24-Month Follow-Up Report To
Auditor General Report No. 01-12

FINDING I: Board Should Improve Its Adjudication of Complaints

Recommendation	Status of Implementing Recommendation	Explanation for Recommendations That Have Not Been Implemented
1. The Legislature should consider revising A.R.S. §32-924 by: <ul style="list-style-type: none"> a. Granting the board authority to issue “Letters of Concern”; and b. Defining when it is appropriate to dismiss complaints. 	<p style="text-align: center;">Implemented at 12 months</p> <p style="text-align: center;">Implemented at 12 months</p>	
2. The Board should take disciplinary action when it determines that a statutory violation has occurred.	<p style="text-align: center;">Implemented at 18 months</p>	

BOARD OF CHIROPRACTIC EXAMINERS
24-Month Follow-Up Report To
Auditor General Report No. 01-12

FINDING I: Board Should Improve Its Adjudication of Complaints (Concl'd)

Recommendation	Status of Implementing Recommendation	Explanation for Recommendations That Have Not Been Implemented
<p>3. The Board should separate investigative and adjudicative processes by:</p> <ul style="list-style-type: none"> a. Hiring a medical consultant to investigate all medically related complaints; or b. Designating a professional board member to investigate medically related complaints. The investigating board member could not participate in adjudicating the final decision; or c. Designating a panel of professional non-board members to investigate all medically related complaints. 	<p>Implementation in Process</p>	
<p>4. The Board should designate one of its members on a rotating basis to review each complaint investigation to ensure the investigation is complete prior to its review before the full Board.</p>	<p>Implemented at 18 months</p>	

BOARD OF CHIROPRACTIC EXAMINERS
24-Month Follow-Up Report To
Auditor General Report No. 01-12

FINDING II: Legislative Change Could Help Board Ensure More Timely Complaint Resolutions

Recommendation	Status of Implementing Recommendation	Explanation for Recommendations That Have Not Been Implemented
<p>1. The Legislature should consider granting the Board the authority to hold investigative hearings and take disciplinary action as part of these hearings when discipline is warranted, yet it appears that the charge is not of such magnitude as to warrant the suspension or revocation of the chiropractor's license.</p>	<p>Implemented at 12 months</p>	
<p>2. If the Board receives authority to conduct investigative hearings, it should assess the impact of this authority on the Assistant Attorney General's workload, determine if additional Attorney General resources are needed, and, if so, request and procure them from the Attorney General's Office.</p>	<p>Implemented at 18 months</p>	

BOARD OF CHIROPRACTIC EXAMINERS
24-Month Follow-Up Report To
Auditor General Report No. 01-12

SUNSET FACTOR 3: The Extent To Which the Board Has Operated Within the Public Interest

Recommendation	Status of Implementing Recommendation	Explanation for Recommendations That Have Not Been Implemented
1. The Board should ensure that staff adhere to current board public information policy by training them on the appropriate information to provide consumers.	Implemented at 6 months	

BOARD OF CHIROPRACTIC EXAMINERS
24-Month Follow-Up Report To
Auditor General Report No. 01-12

SUNSET FACTOR 9: The Extent To Which Changes Are Necessary in the Laws of the Board To Adequately Comply with the Factors Listed in Sunset Law

Recommendation	Status of Implementing Recommendation	Explanation for Recommendations That Have Not Been Implemented
1. The Legislature should consider granting the Board authority to increase its licensing fees to provide additional revenues that would allow the Board to retain the services of an outside medical consultant for complaint investigations and additional Attorney General representation, if needed.	Implemented at 12 months	