

REPORT HIGHLIGHTS PERFORMANCE AUDIT

Board should continue to improve complaint resolution timeliness

Our Conclusion

Created in 1952, the Arizona State Board of Physical Therapy (Board) regulates the practice of physical therapy by licensing physical therapists and certifying physical therapist assistants, registering certain physical therapy businesses, investigating complaints, and imposing discipline for violations of board statutes and rules. The Board should continue to improve its complaint resolution timeliness. Although the Board resolved the majority of the complaints it received between fiscal years 2009 and 2011 within the 180-day standard for health regulatory boards, 43 percent of the complaints took between 181 days to 18 months to be resolved. Factors contributing to lengthy complaint resolution included lengthy investigations and delays in holding formal and informal hearings. The Board has taken steps to improve complaint resolution timeliness, which it should continue to monitor.

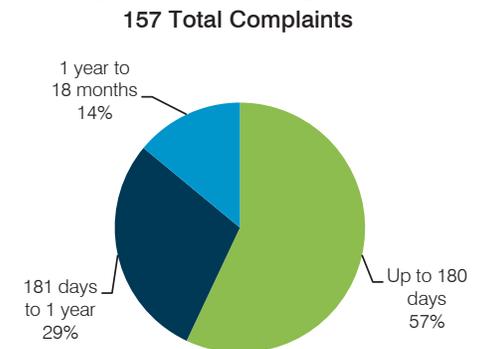


2013

Board did not resolve many complaints in a timely manner—

The Board is responsible for investigating complaints against physical therapists and physical therapist assistants and taking appropriate disciplinary action, as necessary. Complaints are either received from the public or initiated by the Board. In fiscal year 2012, the Board received or opened on its own 53 complaints for investigation. We analyzed 157 complaints the Board received or opened on its own between fiscal years 2009 and 2011. We found that 57 percent of these complaints were resolved within 180 days, which is the complaint resolution time frame standard we apply to health regulatory boards. However, 43 percent exceeded the standard, taking up to 18 months to resolve.

Length of time to resolve complaints Fiscal years 2009 through 2011



We sampled 20 of the 157 complaints, of which 13 took longer than 180 days to resolve and 7 took less than 180 days to resolve. For those 13 complaints, it took board staff a median time of 155 days to complete the investigations. In contrast, the 7 complaints took a median time of 32.5 days to investigate. Board staff explained that several factors can affect the length of an investigation, such as the number of potential violations to be investigated, the number of medical records and billing statements to be reviewed, and the number of interviews to be conducted. In addition, only a part-time investigator handles the investigations. Additional delays to the process are caused by delays in scheduling informal and formal hearings.

Lengthy complaint process can impact the public—Licensees who are under investigation can continue to practice during a complaint investigation, even though they may not be fit to do so. In one case, a complaint against a licensee accused of sexual misconduct with a patient took 12 months to resolve. Although the Board did not find sexual misconduct, it found that the licensee provided substandard care resulting in the Board administering 1 year of probation and continuing education.

Board should continue to improve complaint resolution timeliness—

The Board has taken steps to improve complaint resolution timeliness by scheduling a formal hearing when the licensee does not respond to an informal hearing request. In addition, board staff reported that they are in the process of developing complaint database reports to monitor timeliness. The Board has also proposed to increase the part-time investigator to a full-time position.

Recommendation

The Board should continue to monitor the time it takes to resolve complaints and take additional actions if necessary, such as continuing to assess the efficiency of its complaint resolution process and analyzing its investigative staffing needs.

