

Protecting consumers, and not careers, is a wise and critical investment

By [Brian Stiger](#) | 01/21/10 12:00 AM PST

In today's sluggish economy, we don't have to hold an MBA in finance to understand that an intelligent investment yields predictable, measurable returns. The way we govern must reflect this belief because we are entrusted with the responsibility of serving the public and, in our case, safeguarding their wellbeing. We have to know when an investment is smart and what it will be worth in the future.

I oversee the Department of Consumer Affairs (DCA), which is the umbrella agency that oversees, among other entities, 19 healing arts boards that protect and serve the state's consumers. These boards regulate licensees from doctors and nurses to physical therapists and optometrists, most of whom provide outstanding care to Californians and are some of our nation's best health care practitioners.

That said, when a licensee does violate the laws governing his or her profession, enforcement action is essential to protect the public. Regrettably, the antiquated enforcement infrastructure of some of the healing arts boards has been inadequate to ensure a prompt investigation and resolution of consumer complaints. As a result, consumer safety has been significantly jeopardized; and this is simply unacceptable. We must reinvest in the state's ability to weed out bad actors from professions and equip healing arts board with the resources to ensure a productive return.

It is my department's mission to protect consumers, not careers; to shield patients from harmful caregivers, not shield a licensee from discipline through an inefficient, unwieldy, and excessive enforcement process. From where I sit, it's no longer acceptable for incarcerated nurses to hold licenses with clear disciplinary records; it's no longer acceptable for physicians with multiple DUI convictions to practice with clean licenses while the state dithers on a 3+ year investigation; and it is certainly no longer acceptable to allow investigations to languish for months over the inability to efficiently solicit records. For years, many boards have been hamstrung by statutory and regulatory mandates that have fallen far short of safeguarding consumers – until now.

In response to the systemic problems limiting the boards' abilities to act quickly on licensee violations, DCA is investing approximately \$27 million over a two-year period to launch the

Consumer Protection Enforcement Initiative, which overhauls licensing enforcement through a systematic approach targeting administrative improvements, staffing and IT resources, and critical legislative changes.

Once fully implemented, DCA anticipates the healing arts boards will dramatically slash the average enforcement completion timeframe from an excessive 36 months to between 12 and 18 months. Consumers deserve a better, more efficient response to their concerns; licensees are entitled to swift investigations and resolutions; and I demand a better enforcement process than what is currently in place.

DCA's boards are specially funded, which means our funds come strictly from professional licensing fees. Health professionals' fees already fund the licensing, regulations and enforcement of their profession. These fees are simply going to be reinvested in ensuring that the integrity of each licensing profession is upheld, that a higher standard of enforcement performance is established, and that Californians yield the dividends of strengthened consumer safeguards.

This initiative is an imperative investment for Californians, with measurable returns and undeniable gains in increased accountability, transparency, and efficiency from the state's healing arts boards.

DCA is committed to making certain that the consumer protection to which it remains dedicated is fully functional. The Consumer Protection Enforcement Initiative is undeniably a "wise investment" in comprehensive enforcement reform and ensures we fulfill our consumer protection mission.