

Analyzing Board Actions for Consistency

OMB Guideline Workgroup
August 10, 2026



SOS Audit Recommendations

01

Implement
Sanctioning
Guidelines

April 2025

02

Categorize
Cases

July 2025

03

Develop
Written
Procedure

Dec. 2025

04

Conduct
Review of
Past Cases

June 2026

Case Analysis Board Actions

From Board meetings held in
July & October 2025 +
January & April 2026
the Board issued **24 actions**:

- 4 Corrective Action Agreements
- 20 Stipulated Orders
- 0 Final Orders

Types of Violations

Statutory Violation	#1	#2
677.190(13)(b): Repeated Negligence	7	4
677.190(17)(c): Violation of Board Order	4	1
677.190(13)(a): Gross Negligence	2	2
677.190(24): Prescribing Controlled Substances w/o Accepted Medical Purpose	2	0
677.190(7): Impairment	2	1
677.190(1)(a), 677.188(4)(a)(i): Unethical Conduct	1	2
677.190(1)(a), 677.188(4)(a)(ii): Conduct Danger to the Health or Safety of Public	1	2
677.190(1)(a), 677.188(4)(a)(iii): Impairing Condition	1	0
677.190(1)(a), 847-010-0073(3)(b)(F)(ii): Sexual Misconduct/Impropriety	1	1
677.190(17)(a): Violation of Statute	1	0
677.190(6): Conviction of an Offense Punishable by Incarceration	1	0
677.190(8): Fraud or Misrepresentation in Procuring Licensure	1	1
677.190(17)(b): Violation of Board Rule	0	1
677.100(1)(c): Failure to Meet the Qualifications for a License	0	1

Consistency of Outcomes – Type of Action

When the Board alleges a violation(s) of the Medical Practice Act, it must determine whether to issue remediation or discipline:

Corrective Action Agreements (CAAs) are formal, public, but non-disciplinary agreements between the Board and a licensee designed to modify, monitor, or otherwise correct an identified problem. A CAA is an appropriate resolution when all of the following criteria are met:

- The Board alleges only minor violation(s) of the Medical Practice Act, such as administrative or discrete, single-issue violations;
- Actual or potential patient harm does not represent a long-term pattern of substandard practice;
- The licensee has not been subject to a prior Board action for the same/similar concerns;
- The concerns identified may be corrected through remediation;
- The licensee's actions were not malicious (e.g. taking advantage of vulnerable patients or exploiting the provider-patient relationship);
- The resolution does not require a restriction of the licensee's practice;
- The resolution does not require a reprimand or fine for unethical or inappropriate conduct; and
- The matter does not involve sexual misconduct.

Stipulated Orders (SOs) are formal, public, disciplinary actions that are utilized when the Board finds a violation(s) of the Medical Practice Act. A SO is an appropriate resolution when any of the following apply:

- The conduct involves actual or potential serious patient harm, a pattern of negligence over time, or a willful disregard for the patient(s);
- The Board had prior concerns about the same/similar conduct by the licensee;
- The concerns cannot be remediated through coursework alone; instead, a practice limitation is needed to ensure patient safety;
- The licensee exploited a power differential or took advantage of a patient;
- The resolution involves a reprimand or fine;
- The resolution involves surrender or forfeiture of a license to practice; or
- The Board finds sexual misconduct.

Consistency of Outcomes – Type of Action CAA

Corrective Action Agreements	Agreement Outcome	Corrective Action Agreement Criteria							
		Minor Violation	Not Long-term Pattern of Substandard Practice	No Prior Board Actions	Can be Corrected through Remediation	Not Malicious	Resolution does not Restrict Licensee's Practice	No Reprimand or Fine for Unethical or Inappropriate Conduct	Not Sexual Misconduct
1. Prescribing controlled substances/Repeated Negligence	Educational Courses, Mentor, Adopt CDC Guidelines	✓	✓	Prior CAA Closed in 2008	✓	✓	✓	✓	✓
2. Prescribing controlled substances/Repeated Negligence.	Educational Courses, Mentor, No Notice Adults	✓	✓	✓	✓	✓	✓	✓	✓
3. Repeated Negligence	Educational Courses	✓	✓	✓	✓	✓	✓	✓	✓
4. Gross/Repeated Negligence	Educational Courses, Collegial Supports	✓	✓	✓	✓	✓	✓	✓	✓

Consistency of Outcomes

Type of Action Stipulated Orders



**None of the 20
Stipulated Orders met
the eight criteria for
resolution by a
Corrective Action
Agreement.**



**8 of the cases included
violations for which the
Disciplinary Guidelines
state they may only be
resolved with
disciplinary action.
All 8 were resolved with
a Stipulated Order.**

Consistency of Terms

Corrective Action Agreements

4 Corrective Action Agreements:

All required educational coursework

3 also required the licensee to engage in formal mentorship or general support.

If the facts of the case involved prescribing, required adherence to the CDC Guidelines or no-notice chart audits by the Board.

Consistency of Terms

Stipulated Orders

15 Stipulated Orders (75%) resulted in the licensee relinquishing their license or an applicant not being granted a license.

Many of these cases could have been resolved with less severe outcomes.

However, **the licensee or applicant chose to end the investigation** by indicating they preferred to retire or surrender their license while under investigation.

Consistency of Terms

Stipulated Orders

The remaining 5 Stipulated Orders, in which the licensee continued to practice, all fell within the Guidelines.

2 required participation in the Health Professionals' Services Program, based on a finding of impairment while practicing medicine.

2 imposed \$10,000 civil penalties and a structured educational plan for findings of repeated acts of negligence in the practice of medicine

1 imposed a \$5,000 civil penalty and reprimand for violating the statutory prohibition on contacting the complainant in an investigation.

Consistency of Applying Aggravating and Mitigating Factors

Staff identified factors documented in the order or in the supporting record and compared their application across cases with similar underlying violations.

Across all cases, the aggravating and mitigating factors were applied consistently, and no instance was identified in which a comparable fact pattern produced a materially different outcome.

Recommended Revisions to the Guidelines

01

Prior Corrective Action Agreements

Clarify if there is a time limit for prior Corrective Action Agreements to disqualify a licensee from resolving a new matter through a CAA.

02

Impairment While Practicing

Clarify when a licensee was impaired while practicing, the matter must be resolved through a Stipulated Order, because disciplinary action is required.

03

Unlicensed Practice of Medicine

Although not at issue in the current set of cases reviewed, the Guidelines do not include a reference to the unlicensed practice of medicine.