



The Governor's Working Group on Richard Strauss  
C/O: Director Thomas J. Stickrath, J.D.  
Ohio Department of Public Safety  
1970 W Broad St.  
Columbus, OH 43223

July 10, 2020

Director Stickrath and Members of the Governor's Working Group on Richard Strauss:

On behalf of the State Medical Board of Ohio (SMBO) members and staff, I have attached the updated project plan for implementing the Working Group's suggested changes to SMBO processes and procedures. Since our last report we have made good progress on two of the last remaining pieces of the Working Group's recommendations: statutory changes and completion of an external audit.

Work on the historical case review also continues at a healthy pace. Over 75% of the 1250 identified licensees who had sexual misconduct complaints within the last 25 years have been reviewed or are out for review by the external reviewers. For those reviews completed, we continue to 'work our process' on the next steps, either officially closing those that need no further action or moving toward investigation or enforcement on those that do need further action. The internal team working these cases, including investigators, enforcement attorneys and the victim advocate, meet on a regular basis as they plan the strategy for each case they recommend go forward. They also provide a critical eye on those cases recommended for reopen BUT acknowledged by the external reviewer to be difficult to reopen. Most of the time, in that scenario, the external reviewer is correct and the complaint really is too difficult to reopen. Nonetheless, the team explores all options.

With respect to the statutory changes recommended by the Working Group, the SMBO staff presented revised drafts at the July meeting. These drafts include recommended changes to the criminal statutes identified by the working group, changes to the peer review process for our licensees, reporting of potential misconduct requirement changes and the addition of a new statutory section that would allow the board to take action upon indictment of a felony offense. After receiving Board feedback, SMBO staff will now work with stakeholders to finalize drafts. At a future meeting, the SMBO staff will present recommended changes to the Board's confidentiality statute, in response to the Working Group's request for greater transparency.

We are pleased to let you know we have very recently received the audit report we requested from the Federation of State Medical Boards. After we have a chance to review these recommendations and create a draft action plan for the Board, we will send the audit to you for the Working Group's review. We will provide that to you next week. There are many process change recommendations, as well as some recommended changes to the SMBO staff and Board structure. We are going to be very intentional with our delivery to the staff so we may maintain the momentum we have with our culture improvements. The recommendations may raise many questions for staff. Our commitment to both the staff and the public is to work through the recommendations to determine and implement those that will make us better. We will be transparent with staff throughout the process.

We anticipate the SMBO's next sexual misconduct committee meeting to be held in the morning of August 12, 2020 prior to our regular board meeting. We will let you know the time of the committee meeting and whether it is in person or remotely available via our website when our final board agenda is set.

We appreciate the continued partnership of the Working Group and welcome your continued feedback.

Respectfully,

A handwritten signature in black ink, appearing to read 'MS', with a stylized flourish at the end.

Michael Schottenstein, M.D.  
President, State Medical Board of Ohio