Douglas A. Ducey Governor



Kathy Peckardt Interim Director

ARIZONA DEPARTMENT OF ADMINISTRATION

HUMAN RESOURCES DIVISION

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Fact Finding ARIZONA MEDICAL BOARD February 24, 2015

INTRODUCTION:

The Arizona Medical Board (Board) licenses and regulates more than 22,430 physicians. The Board is also responsible for investigating patient complaints against licensees and when appropriate, taking disciplinary action against their licenses. The mission of the Board is to protect public safety through the judicious licensing, regulation and education of all allopathic physicians.

The agency consists of approximately 42 employees in the following units: Support Services, Information Technology, Investigations, Medical Consultants, Board Operations, Licensing, and Rules, Policies and Regulations.

The Board is comprised of 12 members: 8 physicians and 4 public members, including a licensed registered nurse. Patricia E. McSorley was hired by the Board on June 6, 2005 and has been the Acting Executive Director of the Board since September 2, 2014. Ms. McSorley reports to the Chair of the Board.

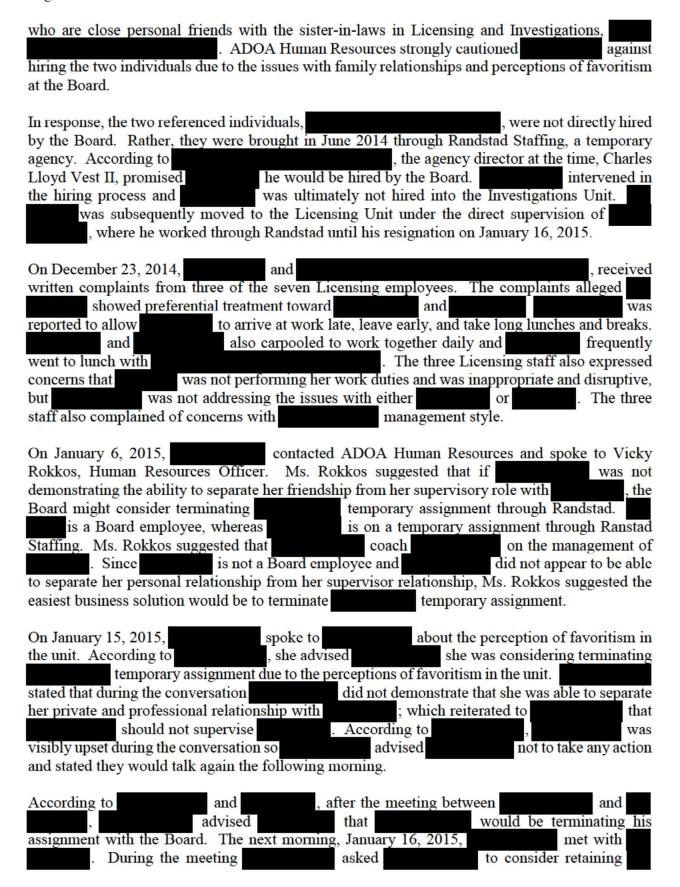
Background:

Of the forty-two Board employees, eight are related by blood and/or marriage. Over the last several years there have been several complaints involving favoritism at the Board due to the family relationships. Several of these eight employees are in the same unit and/or report to the same supervisor, which is a violation of Arizona Administrative Code R2-5A-305 – Employment of Relatives. A table showing the family relationships and a copy of R2-5A-305 are included as Exhibit A.

On several occasions over the last year and a half, management of the Board has sought council from the Arizona Department of Administration (ADOA) regarding the perception of favoritism at the Board due to family relationships. The two major functions of the Board, Licensing and Investigations, are each managed by sister-in-laws. Additionally there is a family member related to the Human Resources Manager and the Executive Assistant to the Director.

In May of 2014, for the Board, contacted ADOA Human Resources and advised ADOA that the Board was in the process of hiring two individuals

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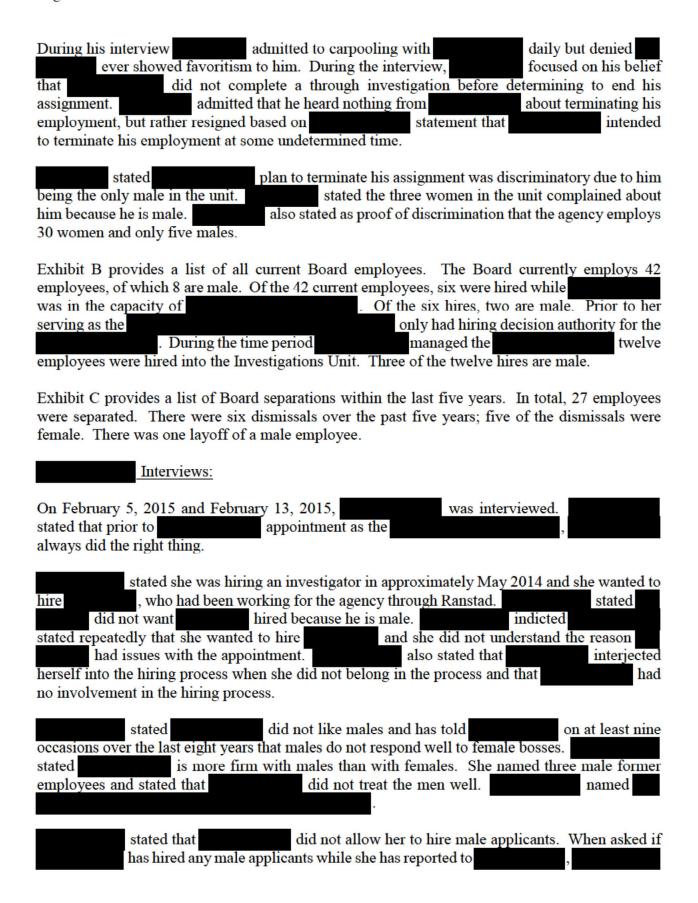
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advised to refrain from taking any action and stated she would consider other options related to a dmitted that she did not advise that she had already notified that was considering terminating his assignment.
Shortly after the meeting walked off the job and announced that he was resigning before he could be fired. left the office immediately after and sent a text message stating her daughter was ill. attempted to call on her personal cell phone. did not answer the call and did not respond to voice message. On January 20, 2015, submitted her notice of resignation effective February 2, 2015.
Complaint One: Against
On January 20, 2015 at 8:46 a.m., emailed a formal complaint to ADOA Human Resources. She also addressed her complaint to ADOA Risk Management, Arizona Ombudsman-Citizen's Aide, and each of the Medical and Physician Assistant Board members. The complaint accused of mishandling the complaint filed by the three Licensing employees and alleged termination of was unethical. stated actions constituted gender discrimination because the female Board employee was not terminated but the male temporary staff's assignment was terminated.
In her complaint stated she had audiotapes of relevant conversations and indicated she was willing to provide the audiotapes. After several requests from the ADOA investigator refused to provide the audiotapes.
Complaint Two: Against
On January 26, 2015, ADOA Human Resources received a written complaint from alleging handling of the Licensing complaints was unethical and his separation constituted gender discrimination because he was the only male assigned to work in the unit. Indicated was accused of showing favoritism to two employees, one male and one female. However, only the male was dismissed. Indicated he was one of several male employees terminated from the Board within the last year.
Complaint Three: Against
On February 4, 2015 at 7:29 a.m., emailed a second complaint to each member of the Arizona Medical Board. indicated in the complaint that she also sent her complaint to the Governor's Office, The Ombudsman-Citizen's Aide Office, Senator Nancy Barto, Senator Kelli Ward, Representative Carter, and ADOA. The second complaint focused on management/business processes of the complaint used the words discrimination and hostile work environment, but provided no details or examples of the alleged discrimination or hostile work environment.

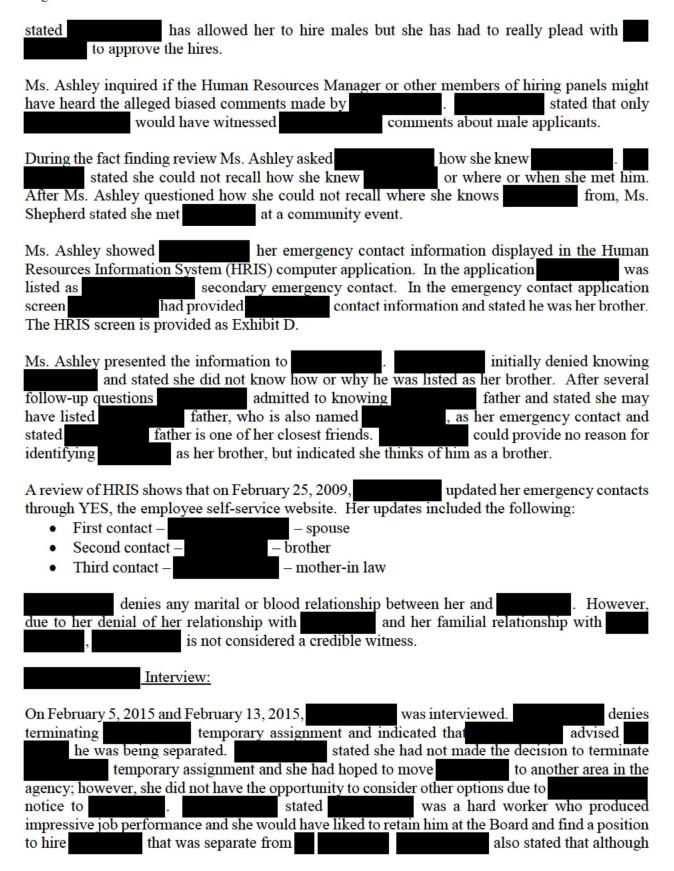
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gender discrimination. alleged inappropriate handling of the Licensing complaints and alleged mishandling of human resources and business processes were not addressed in the fact-finding as the scope of the ADOA Human Resources Shared Services Office is illegal discrimination and/or other illegal activities.
ISSUES AND FINDINGS:
In their complaints, and that and and indicated does not hire male applicants, and that and have treated male employees poorly and dismissed male employees but have not treated female employees in the same fashion.
Interview:
On February 2, 2015, at 2:00 p.m., Michelle Ashley, ADOA Shared Services Officer, interviewed stated that prior to the complaint against her by the Licensing employees, had no concerns with ethics or conduct. stated she looked up to and considered her a mentor.
During her interview admitted that although no decisions had been made pertaining assignment, on January 14, 2015, at approximately 4:30 p.m., advised his assignment may be ended by to meeting with to meeting with that she had already advised of his potential separation and failed that she had already advised of the potential termination of his temporary assignment.
stated that has issues with male employees and believes males are too dominant. stated that and do everything they can to terminate male employees. However, when questioned if and have treated female employees poorly or attempted to terminate their employment, provided names of two female staff who she believed and also treated poorly and forced terminations.
stated the agency employs 30 staff and only five to seven of the staff are male. also stated that while serving on hiring panels to hire male applicants because they reminded her of three former Board employees, did not provide details of any specific recruitment or candidate of which stated the only witness to these comments by sister-in-law.
<u>Interview:</u>
On February 2, 2015, immediately after interview, was interviewed. During his interview admitted to having a close personal relationship with stated he did not know well.

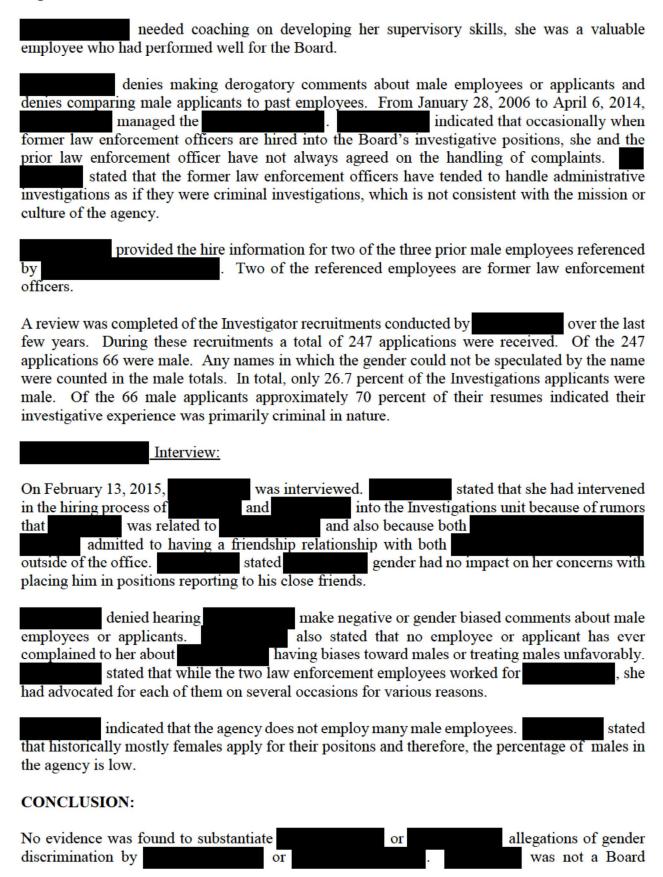
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employee; rather he is an employee of Randstad Staffing and was serving on a temporary assignment at the Board. Rather, he abruptly ended his assignment when he walked off the job.

Prepared by:

Michelle Ashley Arizona Department of Administration Shared Services Office