

INVESTIGATIVE SUBPOENAS: FREQUENTLY ASKED QUESTIONS

Purpose:

To provide a consistent response to questions posed by those who have received an investigative subpoena from the Medical Board.

Methodology:

Each year, the Ohio Medical Board issues nearly 1,200 subpoenas for patient records as part of its investigation of complaints involving standards of care issues. The Board may subpoena records from the physician who is the subject of the complaint. It may also be necessary for the Board to subpoena records from other treating physicians in order to get a more complete picture of the patient's history and subsequent care.

In response to numerous phone calls received by Board staff, and concerns about the Board's subpoena process raised by medical professional associations, the Board created and published a brochure to respond to the most common questions asked of those receiving subpoenas from the Board. The consequences of failing to provide the subpoenaed materials are also explained in the brochure.

Result:

A resource tool addressing a high volume aspect of the Board's investigative responsibilities was published by the Medical Board.

Conclusion:

Use of the investigative subpoena brochure has promoted a better understanding of the Medical Board's investigative processes by licensees and improved compliance with Board issued subpoenas.