

INTERNAL DISCIPLINARY GUIDELINES FOR FINES

Violation Type/Factors	Fine Amount Per Count
Negligence, No Malpractice No Prior Discipline Licensed More Than 10 Years	\$0 to \$1,500
Negligence, No Malpractice Prior Discipline	\$500 to \$2,500
Reckless Conduct No Prior Discipline Licensed More Than 10 Years	\$1,500 to \$5,000 *Failure to Report \$1,500
Reckless Conduct Prior Discipline	\$2,500 to \$7,500 **Failure to Report \$2,500
Lesser Malpractice No Prior Discipline Licensed More than 10 Years	\$1,500 to \$5,000
Lesser Malpractice Prior Discipline	\$2,500 to \$7,500
Serious Malpractice/Intentional Act +/- Based on disciplinary history, license history, remorse, rehabilitation efforts	\$5,000 to \$10,000
Serious Malpractice/Egregious Act +/- Based on disciplinary history, license history, remorse, rehabilitation efforts	\$7,500 to \$10,000

Notes:

1. It is the current policy of the Board to recoup fees and costs for all matters resulting in discipline, whenever possible. For cases involving revocation or the surrender of license, fees and costs are generally due only when/if the licensee re-applies for a license in the future.
2. For cases where the license is revoked or the licensee surrenders his or her license, fines are generally not charged unless the violation type includes egregious acts.
3. The above-referenced guidelines are intended for use primarily in matters involving physicians. For cases involving a practitioner of respiratory care, physician assistant, or perfusionists, fines may be reduced due to the relative income of those license types. In such cases, the fines may be reduced by as much as half.
4. The above-referenced guidelines do not include all other sanctions that may be imposed. If other sanctions are imposed, it is appropriate to consider the cost of those other sanctions in conjunction with assessing a fine and adjust the fine amount assessed accordingly.
5. If a licensee is experiencing a financial hardship, community service may be assessed in lieu of or in conjunction with a fine. In such cases, credible assertions regarding financial hardship must be provided and community service may be assessed. Each hour of community service may be valued at a maximum of \$200 per hour.
6. Reasons for deviation from the above-referenced guidelines must be documented in the case file.

Approved by the Board on December 13, 2024