

## MINUTES

### AUDIT SUBCOMMITTEE OF THE LEGISLATIVE MANAGEMENT COMMITTEE

The Audit Subcommittee of the Legislative Management Committee met in Room 131, State Capitol Building, Salt Lake City, Utah, January 29, 2002 , from 3:30 p.m. until 5:00 p.m.

Committee Members Present:

Speaker Martin R. Stephens, Co-Chairman  
President Al Mansell, Co-Chairman  
Senator Mike Dmitrich  
Representative Brad King

Legislative Audit Staff:

Wayne L. Welsh, Auditor General  
John M. Schaff, Deputy Auditor General  
Rick Coleman, Audit Manager  
Tim Osterstock, Audit Manager  
James Behunin, Audit Supervisor  
Janice Coleman, Audit Supervisor  
Leslie Marks, Audit Supervisor  
Darin Underwood, Audit Supervisor  
Aaron Eliason, Performance Auditor  
Darren Marshall, Sr Performance Auditor  
Derek Byrne, Performance Auditor  
Kade Minchey, Performance Auditor Intern  
Lynda Maynard, Recording Secretary  
Camille Ahlstrom, Legislative Secretary

Other Interested Parties:

Dr. Lorris Betz, MD, Sr Vice President for  
Health Sciences, Dean Univ of Utah School of  
Medicine of  
Dr. David Bjorkman, Sr Assoc Dean, U of U  
School of Medicine  
Dr. Victoria Judd, Assoc Dean of Admin, Univ of Utah  
Ann Betz, Univ of Utah School of Medicine  
Robert Payne, Assoc Gen Counsel, Univ of Utah  
Kim Wirthlin, Asst VP for Health Sciences, Univ of  
Utah  
Kaye Clark, Univ of Utah  
Lauren Rayner, Program Spec., DCED  
Representative Margaret Dayton

Representative Carl Saunders  
Representative Katherine Bryson  
Representative Glenn A Donnelson  
Ashley Broughton, *Salt Lake Tribune*  
Cheryl Buchta, *Standard Examiner*  
Twila VanLeer, *Deseret News*  
P. Henetz, *Associated Press*  
*And Others As Listed*

Representative King mad

### **1. Call to Order**

Speaker Stephens called the meeting to order at 3:30 p.m.

**2. Approval of Minutes** e a motion that the minutes from the December 17<sup>th</sup> meeting be approved. The motion passed.

**3. A Performance Audit of Medical School Admissions** (Report #2002-01)  
Presented by James Behunin, Audit Supervisor

The University of Utah School of Medicine's admissions practices have changed in recent years to, among other things, better enable the school to mirror the diversity of race and gender found in the general population. This is a difficult task because relatively few women and minorities apply to the School of Medicine. In seeking to enroll a class of students that reflects the same general proportion of minorities and women, the school has had to increase the rate of acceptance among minorities and women. As a result, the fairness of the school's admissions practices have been questioned.

These questions arise because the school has elevated the importance of diversity over academics and has conflicting internal policies. The school's diversity policy is, however, consistent with the policies of the university administration and the Board of Regents. The policy on diversity also fits within a broader strategy of affirmative action that is promoted by the Association of American Medical Colleges.

The report's main themes are summarized below.

### **Rate of Acceptance Higher for Women and Minorities**

School of Medicine records show that over the past two years, roughly one out of every two women who applied to medical school were accepted while only one of five men were accepted. Similarly, about one out of every two minority applicants were accepted during the past two years but only one in five white applicants

were accepted.

While gender and minority status appear to effect the rate of acceptance, there is no significant difference in the rate of acceptance when the applicant's undergraduate college, rural/non-rural status or age is considered. Also, we could not identify any systematic bias against applicant's religious background.

### **Diversity Policy Explains the High Rate of Female and Minority Admissions**

The high rate of acceptance of women and minority applicants at the School of Medicine can be attributed to the school's effort to promote diversity without relying on a rigid system of quotas. To gain greater diversity in its student body, the School of Medicine has elevated the importance of diversity-related selection criteria and reduced the importance of academic achievement. The school has adopted lower academic requirement (GPA and MCAT) for applicants it considers disadvantaged while maintaining a higher set of standards for non-disadvantaged applicants.

One obstacle to the school's application of diversity is the apparent conflict with the university's policy on non-discrimination. Reconciliation of the school's promotion of racial and gender diversity within the student body and the school's often-stated prohibition against considering an applicant's gender, race, and religion, should be addressed.

### **Deviations from Admissions Process Have Raised Questions**

The school's emphasis on the subjective evaluation of an applicant's character and background and its reduced consideration for an applicant's academic achievements has made it more difficult to evaluate applicants consistently. In addition, inconsistencies in the administration of the admissions process show there is a need to improve admissions procedures and policies.

Central to the problems facing the admissions process is the relationship between the school's Dean of Admissions and the three committees responsible for the selection of applicants. Although the members of the admissions committee receive specific instructions from the school's Office of Admissions, they are often unable or unwilling to decide whether an application should continue in the system. This indecision means that the Dean of Admissions often must decide whether or not an applicant will receive further consideration. Reliance on the Dean to ultimately decide so many of the applications appears to defeat the school's use of over 100 selection committee members to eliminate individual bias.

Moreover, it appears that some applications sent to the selection committee for final consideration may not be those considered to be the best applicants by other admissions committees. Greater diligence in policy and procedure control could eliminate a number of the problems currently encountered.

### **Discussion following presentation:**

Dr. Lorris Betz, MD, Sr Vice President for Health Sciences, Dean of the University of Utah School of Medicine read a prepared, written response that highlighted the following:

- The audit identified ways to improve the admissions process and the School of Medicine has already implemented many of the changes.
- The audit provided an opportunity to educate the Legislature and Utah's citizens about the School of Medicine's admissions process.
- The School of Medicine is very competitive.
- No evidence has been found that unqualified individuals have been admitted to the School of Medicine.
- The School of Medicine does not show bias for or against undergraduate colleges, age, geographic location or religious affiliation.
- The School of Medicine does not have a quota system for women and minorities.
- The School of Medicine admissions process is not unique and their only goal is to select applicants who, together, will make a strong medical school class who, individually, will become excellent physicians.
- The School of Medicine does not have a diversity-related selection criteria.
- Criteria besides MCAT's and GPA's are better predictors of an applicant's ultimate success as a student and physician.
- Only 3 of 126 medical schools in the country admit a lower percentage of female applicants than does the University of Utah School of Medicine, and
- Inconsistencies in the administration of the admissions process show there is a need for the School of Medicine to improve the admissions procedures and policies.

Speaker Stephens asked Dr. Betz if race and gender are given an advantage in the admissions process. Dr. Betz told the Audit Subcommittee that the School of Medicine does not base its admissions process on either race or gender.

Representative Carl Saunders told the Audit Subcommittee that he felt the audit verified many of the allegations that contributed to his request for an audit of the University of Utah School of Medicine and that if affirmative action is being used, it is reverse discrimination.

Motion: Senator Dmitrich made a motion that the **Performance Audit of Medical School Admissions** (Report #2002-01) be accepted and sent to the Judiciary and Education Standing Committees and the Higher Education Appropriations Subcommittee. The motion passed.

#### 4. Audit Requests

Wayne Welsh, Auditor General, presented five new audit requests as follows:

- S Legacy Highway, requested by Representative Scott Daniels.** Requesting the Office of the Legislative Auditor General (OLAG) to audit the expenditures and decisions made regarding construction of the Legacy Highway—specifically the fiscal responsibility and proper government functions.
- S Public Employees Health Plan (PEHP), requested by Representative David Ure.** Review the administrative and program costs, including the CHIPS program.
- S Judicial Conduct Commission.** Evaluate the processes used to process complaints; in particular, the timeliness of processing complaints, consistency of sanctions and the conformity of rules to the statutes.
- S Tax Commission Collections, requested by Speaker Martin Stephens.** Review the methods used by the Tax Commission to collect taxes from delinquent taxpayers.
- S Temporary Assistance for Needy Families (TANF), requested by Representative David Hogue.** Review the use of TANF funds by the Department of Workforce Services.

Motion: Senator Dmitrich made a motion that the requests for audits of Tax Commission Collections, the Judicial Conduct Commission, the Legacy Highway, Public Employees Health Plan, and TANF Grant, be approved and put on the Other Approved Audits list. Further, that the audit requests be prioritized in the order shown in this motion. The motion passed.

#### 5. Other Business

Leslie Marks, Audit Supervisor, and John Schaff, Deputy Auditor General, presented additional information requested by Speaker Stephens concerning whether the State of Utah was covering the cost for the Utah Education Association to participate in both the Public Employees Health Plan (PEHP) and the Retirement System.

Leslie said that UEA covers their own costs to participate in both PEHP and Retirement. However, the association representatives at the district level are being covered by the State because they are teachers, who are employees of the district.

## **6. Adjournment**

Speaker Stephens adjourned the meeting at 5:00 p.m.