

BOARD OF MEDICINE

Open Session Agenda

October 26, 2022
8:30 am

HYBRID MEETING NOTICE

Due to the COVID-19 pandemic, the Board will have a hybrid schedule of in-person and virtual meetings. In-person meetings will resume in FY 2023, meeting dates can be found on the Board's webpage.

In-person meetings will be at 899 North Capitol Street, NE, 2nd Floor, Washington, DC 20002.

Information on how to access the public portion of the meeting virtually is listed below:

Join by Web:

<https://dcnet.webex.com/dcnet/j.php?MTID=macd144e39f675752bd687d7aa1047c8a>

Join by Phone:

+1-202-860-2110 United States Toll (Washington D.C.)

1-650-479-3208 Call-in number (US/Canada)

Access Code:

2302 856 3248

BOARD MISSION STATEMENT:

“To **protect** and enhance the health, safety, and well-being of District of Columbia residents by **promoting** evidence-based best practices in health regulation, high standards of quality care and implementing policies that **prevent** adverse events.”

The Open Session Agenda continues on the next page with the ‘Board Meeting Participants’.

BOARD MEETING PARTICIPANTS:

BOARD MEMBERS:	
Andrea Anderson, MD (AA)	
William Strudwick, MD (WS)	
Jeffrey Smith, MD (JS)	
Archie Rich (AR)	
Vikisha Fripp, MD (VF)	
Christopher Raczynski, MD (CR)	
Konrad Dawson, MD (KD)	
Aeva Gaymon-Doomes, MD (AGD)	
Asad Bandealy, MD (AB)	
VACANT (Physician Member)	
VACANT (Physician Member)	
VACANT (Physician Member)	
VACANT (Consumer Member)	
VACANT (Consumer Member)	
VACANT (Consumer Member)	
BOARD STAFF:	
Aisha Nixon – Associate Director/Executive Director	
Lisa Robinson – Health Licensing Specialist	
Mary Harris – Health Licensing Specialist	
Angela Braxton – Health Licensing Specialist	
Charles Annor – Health Licensing Specialist	
Kimberly Quickley – Health Licensing Specialist	
Gregory Scurlock – Compliance Officer	
Emilia Moran – Investigator	
LEGAL STAFF:	
Suzanne Fenzel, Esq. – Board Attorney Advisor	
Ajay Gohil, Esq. – Board Attorney Advisor	

The Open Session Agenda continues on the next page with the ‘Call to Order’. ¹

¹ The order in which the following agenda items are listed does not necessarily reflect the order in which the items were discussed during the meeting.

CALL TO ORDER		
OS-22-10-01	<u>INTRODUCTIONS</u>	
ALL	<p>A. BOARD MEMBERS</p> <p>B. BOARD STAFF</p>	

APPROVAL OF MINUTES, CONSENT AGENDA, BOARD POLICIES, AND STAFF REPORTS		
OS-22-10-02	<u>BOARD/DEPARTMENT REPORT</u>	AN
ALL	<p>A. BOARD CHAIR’S REPORT</p> <p>B. EXECUTIVE DIRECTOR’S REPORT</p> <p>i. DC Health Updates The Executive Director will provide an update on the District’s response to public health issues/concerns.</p> <p>ii. Upcoming Renewals The Executive Director will provide an update on the upcoming renewal cycle, workforce survey, and the requirements.</p> <p>iii. Board Vacancies/MOTA Update The Executive Director will provide an update on current Board vacancies.</p> <p>iv. Licensure Census The Executive Director will provide an update on the current licensure census in the District.</p> <p>C. BOARD ATTORNEY’S REPORT</p> <p>D. OFFICE OF GOVERNMENT RELATION’S REPORT</p>	
OS-22-10-03	<u>OPEN SESSION MINUTES</u>	AN/AB
ALL	<p>Board Action: Consideration of the Open Session minutes from the September 28, 2022, meeting.</p> <p>Background: The Open Session Minutes are a record of the Board’s past meeting(s), describing the events, list of attendees; a statement of</p>	

	the issues considered and related responses or decisions of the Board.	
OS-22-10--04 ALL	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: Consideration of the current open Consent Agenda items for purposes of review and/or ratification of Board actions taken since the last Board meeting.</p> <p>Background: The Open Consent Agenda is a record of the decisions and/or actions taken by the Board or its staff since the last meeting of the Board.</p>	LR
OS-22-10-05 ALL	<p><u>BOARD POLICIES & REGULATORY REVISIONS</u></p> <p><u>FSMB: Position Statement: Treatment of Self, Family Members and Close Relations</u></p> <p>Board Action: Update on the subcommittee meeting.</p> <p>Background: In May 2022, FSMB issued a position statement that sets expectations related to the provision of treatment of oneself, one’s family members, and close personal relations. A subcommittee of the Board consisting of Dr. Anderson, Dr. Gaymon-Doomes, and Dr. Strudwick, met on October 4, 2022, to review the FSMB policy. The Board Attorney provided recommendations to modify the language.</p>	AA

The Open Session Agenda continues on the next page with ‘Presentations, Misc. Items for Discussion, and FYI’.

PRESENTATIONS, MISC. ITEMS FOR DISCUSSION AND FYI

OS-22-10--06 ALL	<p><u>REQUEST FOR NON-ACGME APPROVAL</u></p> <p>Board Action: To review the request from Children’s National Hospital to renew their non-ACGME accredited Pediatric Cardiac Electrophysiology Fellowship training program.</p> <p>Background: Pursuant to 17 DCMR § 4611.2(c), applicants for an MTL II license must be participating in an ACGME, AOA or Board approved postgraduate clinical training fellowship program.</p>	LR
OS-22-10--07 ALL	<p><u>REQUEST FOR NON-ACGME APPROVAL</u></p> <p>Board Action: To review the request from Children’s National Hospital to renew their non-ACGME accredited Pediatric Colorectal and Pelvic Reconstruction Fellowship training program.</p> <p>Background: Pursuant to 17 DCMR § 4611.2(c), applicants for an MTL II license must be participating in an ACGME, AOA or Board approved postgraduate clinical training fellowship program.</p>	LR
OS-22-10--08 ALL	<p><u>REQUEST FOR NON-ACGME APPROVAL</u></p> <p>Board Action: To review the request from Children’s National Hospital to renew their non-ACGME accredited Cardiac Critical Care Telemedicine Fellowship training program.</p> <p>Background: Pursuant to 17 DCMR § 4611.2(c), applicants for an MTL II license must be participating in an ACGME, AOA or Board approved postgraduate clinical training fellowship program.</p>	LR
OS-22-10--09 ALL	<p><u>REQUEST FOR NON-ACGME APPROVAL</u></p> <p>Board Action: To review the request from Georgetown University Hospital to renew their non-ACGME accredited Movement Disorders Fellowship training program.</p> <p>Background:</p>	CA

	Pursuant to 17 DCMR § 4611.2(c), applicants for an MTL II license must be participating in an ACGME, AOA or Board approved postgraduate clinical training fellowship program.	
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The Open Session Agenda continues on the next page with 'Motion to Close'.



MOTION TO CLOSE

OS-22-10-10 ALL	<p><u>MOTION TO RECESS (The Open Meeting will reconvene for a hearing scheduled for 1 p.m.):</u></p> <p>Board Action: To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b).</p> <p>Background: Pursuant to DC Official Code § 2-575(b), the Board will move into the Closed Executive Session portion of the meeting to discuss the following:</p> <ol style="list-style-type: none">1. To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements pursuant to § 2-575(b)(4)(a).2. Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section § 2-575(b)(6).3. To discuss disciplinary matters pursuant to section § 2-575(b)(9).4. To plan, discuss, or hear reports concerning ongoing or planned investigation of alleged criminal or civil misconduct or violations of law or regulations, if disclosure to the public would harm the investigation pursuant to section § 2-575(b)(14).	AN
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The Open Session Agenda continues on the next page with 'Hearing'.

HEARING

OS-22-10-11

HEARING

ALL

Board Action:

Hearing for Dr. Garada regarding his criminal convictions.

Background:

Dr. Hazem Garada filed an application for a medical license in March 2017. The Board issued a Notice of Intent to Deny, and a hearing was held before an Administrative Law Judge in November 2017. A Recommended Order supporting the intent to deny was issued on June 5, 2019. The Board accepted in the Recommended Decision and voted to accept it in full. After consideration of exceptions filed by Dr. Garada, a Final Decision and Order denying his license was issued. Dr. Garada timely appealed the Order to the D.C. Court of Appeals and, upon request by the District, the Final Decision and Order was remanded to have the Board review its decision in accordance with the "Removing Barriers to Occupational Licensing for Returning Citizens Amendment Act of 2020." In accordance with the new law, the Board determined at the meeting on July 27, 2022, that, without considering his criminal convictions, Dr. Garada was not "otherwise qualified" to receive a medical license. A Proposed Final Order was sent to Dr. Garada to which he timely responded with exceptions. On September 21, 2022, D.C. Act 24-489, which amended the "Removing Barriers to Occupational Licensing for Returning Citizens Amendment Act of 2020" became law. Under the new law, the Board must consider certain factors in considering any related criminal convictions. This hearing is to allow Dr. Garada to present evidence for the Board to consider in accordance with the required factors.

The Open Session Agenda continues on the next page with 'Motion to Adjourn'. The next meeting is scheduled on **December 14, 2022. (In-Person)**

MOTION TO ADJOURN		
OS-22-10-12	<u>MOTION TO ADJOURN</u>	AN
ALL	<p>Board Action: To adjourn the meeting.</p> <p>Background: At the end of every meeting, a motion to adjourn must be made in open session to close out the business of the Board.</p>	

This ends the Open Session Agenda.

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.