

BOARD OF MEDICINE

Open Session Minutes

June 29, 2022
8:52 am – 9:23 am

VIRTUAL MEETING NOTICE

Currently, all board meetings will be held virtually during the declared public emergency.

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

Join by Web:

<https://dcnet.webex.com/dcnet/j.php?MTID=m7f823658b3b1e1556a59c90709042b04>

Join by Phone:

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

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

Access Code:

160 487 2313

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)	ABSENT
Aeva Gaymon-Doomes, MD (AGD)	ABSENT
Karen George, MD (KG)	
Asad Bandealy, MD (AB)	ABSENT
VACANT (Physician Member)	
VACANT (Physician Member)	
VACANT (Consumer Member)	
VACANT (Consumer Member)	
VACANT (Consumer Member)	
BOARD STAFF:	
Arian Gibson, MS – Interim Associate Director	ABSENT
Aisha Nixon – 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	ABSENT
Emilia Moran – Investigator	
LEGAL STAFF:	
Suzanne Fenzel, Esq. – Board Attorney Advisor	
Ajay Gohil, Esq. – Board Attorney Advisor	
VISITORS:	
Arushi Nadar	
Matteo Lieb	
Rayna Smith, Associate Director for Government Affairs at Sibley	
Sarah Jie	
Mary Tucker	
Pia Duryea, MSDC	

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-22-06-01 ALL	<u>INTRODUCTIONS</u> A. BOARD MEMBERS B. BOARD STAFF C. GUESTS <ul style="list-style-type: none">• Arushii Nadar• Matteo Lieb• Mary Tucker• Rayna Smith, Associate Director for Government Affairs for Sibley• Sarah Jie• Pia Duryea, MSDC	
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APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-22-06-02 ALL	<u>BOARD/DEPARTMENT REPORT</u> A. BOARD CHAIR'S REPORT <p>The Board Chair, Dr. Andrea Anderson informed the Board that the COVID vaccines have been approved for children under the age of 5 and the vaccines are currently being distributed in the District. Dr. Anderson also informed the Board that she is working with the Executive Director, Aisha Nixon to have the Board review FSMB and Board of Medicine Policies monthly. Dr. Anderson stated that the Board can begin next month by reviewing the Misinformation and Disinformation policy that were approved at the Board of Directors meeting in April. Lastly Dr. Anderson informed the Board that there are a number of FSMB webinars and encouraged the Board members to take part in the webinars as it will enhance the Board members abilities and expose Board members to how other Medical Boards are addressing up-to date topics.</p> B. INTERIM ASSOCIATE DIRECTOR'S REPORT. <p>No Report</p> C. EXECUTIVE DIRECTOR'S REPORT <ul style="list-style-type: none">i. Licensure Waiver Update	AN
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The Executive Director, Ms. Aisha Nixon provided an update on the licensure waiver. Ms. Nixon informed the Board that the current exemption waiver expires on August 10th, 2022. Individuals currently on the waiver are required to obtain a license to practice in the District by August 10th, 2022 in order to continue to practice in the District.

ii. Board Vacancies/MOTA Update

The Executive Director will provide an update on current Board vacancies.

The Executive Director, Ms. Aisha Nixon informed the Board that the Board of Medicine has 5 vacancies. The Board currently has 10 members which includes 8 physicians, 1 consumer member and 1 DC Health designee. Ms. Nixon also informed the Board that Dr. Karen George will be leaving the Board at the end of July. The Mayor’s Office of Talent and Appointment (MOTA) is currently vetting two individuals to determine their qualification for the Board. Ms. Nixon provided information for anyone interested in becoming a Board member. To become a consumer member, an individual must be a resident of the District of Columbia and to become a physician member, a physician must have held a DC license in good standing for three years and reside in the District.

iii. Licensure Census

The Executive Director provided the current licensure census for the Board of Medicine:

ACUPUNCTURIST	164
ANESTHESIOLOGIST ASSISTANT	115
MEDICAL TRAINING LICENSE I(A)	1502
MEDICAL TRAINING LICENSE I(B)	410
MEDICAL TRAINING LICENSE II	34
MEDICAL TRAINING REGISTRANT	239
MEDICINE AND SURGERY	12016
NATUROPATH PHYSICIAN	63
OSTEOPATHY AND SURGERY	612
PHYSICIAN ASSISTANT	1127
POLYSOMNOGRAPHIC TECHNICIAN	1
POLYSOMNOGRAPHIC TECHNOLOGIST	64

POLYSOMNOGRAPHIC TRAINEE	3
SURGICAL ASSISTANT	115
CHINESE HERBOLOGY	4

D. BOARD ATTORNEY’S REPORT

The Board Attorney, Ms. Suzanne Fenzel informed the Board that Department of Health Care Finance (DHCF), the state’s Medicaid agency has been drafting an amendment to the State Plan Amendment (SPA) to incorporate Doula services which were mandated by the Budget Support Act last year. DHCF is asking for comments and Ms. Fenzel informed the Board to provide any feedback they may have directly to the link provided. Ms. Fenzel also informed the Board that Doula services and Certified Professional Midwives are regulations that must be implemented for the new professions that have been created by statute.

E. OFFICE OF GOVERNMENT RELATION’S REPORT

The Legislative Affairs Specialist, Mr. Matteo Lieb informed the Board that the Council passed the Consent for Vaccinations of Minors Emergency Amendment Act of 2022 (B24-0890). This legislation would allow certain eligible minors, including emancipated minors or unaccompanied homeless minors to access vaccinations recommended by the Advisory Committee on Immunization Practices (ACIP) without the need for parent consent. The legislation would also allow providers to administer vaccinations recommended by the ACIP to any minor without parental consent given the provider “reasonably attempts” to obtain consent from a legal guardian and the legal guardian does not object. Mr. Lieb informed the Board that Dr. Asad Bandealy (Board Member) testified to Council on the “No Shots, No School” policy and the strategies DC Health is implementing to increase routine pediatric immunization (RPI) compliance.

Mr. Lieb also informed the Board that Councilmember R. White introduced the Protecting Health Professionals Providing Reproductive Health Care Amendment Act of 2022 (B24-0830). This proposed legislation would prevent DC Health licensing boards, including the Board of Medicine, from taking certain actions, including the revocation or suspension of a license, against a licensed healthcare professional for providing or facilitating abortion services when that that service falls within the professional’s scope of practice, and

	<p>the disciplinary action is based exclusively on the patient residing in a jurisdiction where abortion services are prohibited.</p> <p>DC Health worked to introduce the High Need Healthcare Career Scholarship and Healthcare Loan Repayment Program Emergency Act of 2022 (B24-0852). This legislation establishes a scholarship program for education, training, transportation, and examination fees for eligible medical professionals (nursing assistive personnel and EMTs). The bill would also expand the HPLRP to include loan repayments for medical subspecialty professionals, part-time practitioners, and private providers in medically underserved areas.</p> <p>This legislation, and an accompanying temporary version, passed the Council unanimously.</p> <p>Mr. Lieb also informed the Board that the Council passed the HIV/AIDS Data Privacy Protection Amendment Act of 2021 (B24-0207). This legislation includes an amendment that increases the flexibility for DC Health Professional Boards to consider criminal history as part of the application process. It also repeals the ability for perspective applicants to receive a predetermination hearing from DC Health. The legislation was approved unanimously by Council on final reading on June 28, 2022. Lastly Mr. Leib informed the Board that the Local Budget for Fiscal Year 2023 for the District of Columbia Government was approved on final reading by Council. The Budget included additional funding for staff for the licensure process. They also approved the Budget Support Act on June 7, 2022 which also relates to funding for DC Health.</p>	
<p>OS-22-06-03</p> <p>ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the May 25, 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 the issues considered and related responses or decisions of the Board.</p> <p>Motion: Motion made by Dr. Jeffrey Smith to approve minutes. Seconded by Archie Rich.</p>	

	<p>Vote: Mr. Rich, Dr. Raczynski, Dr. George, Dr. Strudwick, Dr. Anderson and Dr. Fripp voted in favor of the motion. The motion passed unanimously.</p>	
<p>OS-22-06-04</p> <p>ALL</p>	<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> <p>Motion: Motion made by Dr. Jeffrey Smith to approve minutes. Seconded by Archie Rich.</p> <p>Vote: Mr. Rich, Dr. Raczynski, Dr. George, Dr. Strudwick, Dr. Smith, Dr. Anderson and Dr. Fripp voted in favor of the motion. The motion passed unanimously.</p>	
	<p><u>PUBLIC COMMENTS</u></p> <ul style="list-style-type: none"> • Mary Tucker, Director of Graduate Medical Education at George Washington University Hospital expressed her gratitude to the Board in helping process the GW MTL applications. She specifically acknowledged Mary Harris for her exceptional work during the process and stated that GW has more approval of MTL license this year than any other year. She also thanked the Board for implementing the MTL license application online which has made it convenient for the GW residents. • Pia Duryea of MSDC stated that MSDC is looking forward to working with the Board during this upcoming licensure renewal cycle and has enjoyed working with the Board on previous renewal cycles. 	

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

MISC. ITEMS FOR DISCUSSION AND FYI

OS-22-06-05 ALL	<p><u>REQUEST FOR NON-ACGME APPROVAL</u></p> <p>Board Action: To review the request from Children’s National Medical Center to review and determine whether to the approve their non-ACGME accredited Advanced Pediatric Radiology 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> <p>Motion: Motion made by Dr. William Srudwick to approve Children’s National Medical Center non-ACGME accredited Advanced Pediatric Radiology Fellowship training program. Seconded by Dr. Christopher Raczynski.</p> <p>Vote: Mr. Rich, Dr. Raczynski, Dr. George, Dr. Strudwick, Dr. Smith, Dr. Anderson and Dr. Fripp voted in favor of the motion. The motion passed unanimously.</p>	AN
OS-22-06-06 ALL	<p><u>REQUEST FOR NON-ACGME APPROVAL</u></p> <p>Board Action: To review the request from George Washington University Hospital to review and determine whether to the approve their non-ACGME accredited Emergency Medicine Medical Simulation 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> <p>Motion: Motion made by Dr. William Srudwick to approve George Washington University Hospital non-ACGME accredited Emergency Medicine Medical Simulation Fellowship training program. Seconded by Dr. Karen George.</p>	AN/MH

	<p>Vote: Mr. Rich, Dr. Racynski, Dr. George, Dr. Strudwick, Dr. Smith, Dr. Anderson and Dr. Fripp voted in favor of the motion. The motion passed unanimously.</p>	
OS-22-06-07	<p><u>CDC/AAMC: MONKEYPOX GUIDUANCE FOR LICENSEES</u></p>	AN
ALL	<p>Board Action: No action needed for informational purposes only.</p>	

The Open Session Agenda continues on the next page with ‘Motion to Close’.

MOTION TO CLOSE

OS-22-06-08	<u>MOTION TO CLOSE</u>	AN
ALL	<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). <p>Motion: At 9:25 AM, motion made by Dr. Vikisha Fripp to end open session and move into closed session. Seconded by Dr. William Strudwick.</p> <p>Vote: Mr. Rich, Dr. Racynski, Dr. George, Dr. Strudwick, Dr. Smith, Dr. Anderson and Dr. Fripp voted in favor of the motion. The motion passed unanimously.</p>	

The Open Session Agenda continues on the next page with ‘Motion to Adjourn’.

MOTION TO ADJOURN

OS-22-04-06	<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> <p>Motion: At 1:55 PM, motion made by Mr. Archie Rich to adjourn meeting. Seconded by Dr. Christopher Raczynski.</p> <p>Vote: Mr. Rich, Dr. Raczynski, Dr. George, Dr. Strudwick, Dr. Smith, Dr. Anderson and Dr. Dawson voted in favor of the motion. The motion passed unanimously.</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.