

BOARD OF MEDICINE

Open Session Minutes

May 31, 2023
9:22 am to 4:38 pm

Virtual Meeting

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=m3614a6b1926cdac628fc7a304b3a273d>

Join by Phone:

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

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

Access Code:

230 080 79977

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 Minutes continue on the next page with the ‘Board Meeting Participants’.

BOARD MEETING PARTICIPANTS:

BOARD MEMBERS:	
Andrea Anderson, MD (AA)	
William Strudwick, MD (WS)	Absent
Jeffrey Smith, MD (JS)	Arrived 9:22
Archie Rich (AR)	
Christopher Raczynski, MD (CR)	
Konrad Dawson, MD (KD)	
Aeva Gaymon-Doomes, MD (AGD)	Absent
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	
Sithembile Chithenga- Executive Director	
Lisa Robinson – Health Licensing Specialist	
Mary Harris – Health Licensing Specialist	
Charles Annor – Health Licensing Specialist	
Kimberly Quickley – Health Licensing Specialist	
Rona Rawls – Health Licensing Specialist	Absent
Chiquita Badgett – Health Licensing Specialist	
Ashley Callaham – Health Licensing Specialist	
Sabrina Gillison – 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	

GUESTS:	
Pia Duryea - MSDC	
Matteo Lieb – Office of Govt. Relations	
Deana Najera – PA Association	
Frankie Chan, MD – Unity Resident	
Jacob Darnell, MD – Unity Resident	
Jigar Shah Unity Resident	
Sandya George Unity Resident	

The Open Session Minutes continue 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-23-05-01 ALL	<u>INTRODUCTIONS</u> A. BOARD MEMBERS B. BOARD STAFF
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APPROVAL OF MINUTES, CONSENT AGENDA, BOARD POLICIES, AND STAFF REPORTS

OS-23-05-02 ALL	<u>BOARD/DEPARTMENT REPORT</u> A. BOARD CHAIR’S REPORT The Chair gave a brief overview of the FSMB Annual Meeting, which was attended by the Chair, Board Attorney Suzanne Fenzel, Associate Director Aisha Nixon, Board Member Christopher Raczynski, Board Investigator Emilia Moran, and Executive Director Sithembile Chithenga. Dr. Raczynski served as the Board’s voting delegate. B. EXECUTIVE DIRECTOR’S REPORT i. DC Health Updates The Associate Director reported that the Department’s Interim Director, Dr. Sharon Lewis is retiring. Her replacement has not yet been chosen. ii. FSMB Annual Meeting Recap The Associate Director provided her comments on the FSMB annual meeting, and encouraged others to attend. iii. MTL License Renewals Update The Associate Director reported that to date over 1,000 MTL licensees have already renewed, and 620 have not. The renewal period ends June 30 th , then late renewals will continue through July. iv. New License Type/Pathway The Associate Director reported that BOM now oversees Athletic Trainers, and have licensed 11 so far. Those that have been practicing have until the end of this year, and after that penalties will be imposed. The Associate Director also reported that the Compact Licensure pathway is scheduled to go live on June 12, 2023.	AN/SC
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v. Advisory Committees

The Associate Director reported that the appointment letters for the new Advisory Committee members are ready for signature.

vi. Board Vacancies/MOTA Update

The Associate Director reported that there is a new MOTA liaison, who is working on vetting the 4 applicants chosen so far. The Board has a total of 7 vacancies.

vii. Licensure Census

The Associate Director provided an update on the current licensure census in the District of Columbia.

ACUPUNCTURIST 140
ANESTHESIOLOGIST ASSISTANT 112
ATHLETIC TRAINER 11
CHINESE HERBOLOGY 27
MEDICAL TRAINING LICENSE I(A) 1308
MEDICAL TRAINING LICENSE I(B) 371
MEDICAL TRAINING LICENSE II 29
MEDICAL TRAINING REGISTRANT 308
MEDICINE AND SURGERY 11352
NATUROPATH PHYSICIAN 56
OSTEOPATHY AND SURGERY 653
PHYSICIAN ASSISTANT 1064
POLYSOMNOGRAPHIC TECHNICIAN 1
POLYSOMNOGRAPHIC TECHNOLOGIST 55
POLYSOMNOGRAPHIC TRAINEE 1
SURGICAL ASSISTANT 102
TRAUMA TECHNOLOGISTS 4

C. BOARD ATTORNEY'S REPORT

- The Board Attorney reported that amendments to the MTL/MTR regulations were published. There were no comments, so they have been submitted as final.

- The Board Attorney reported that the joint BOM/BOP protocol allowing pharmacists to prescribe and dispense hormonal birth control was published 5/23/23.

- The Board Attorney reported that the temporary licenses allowed during the pandemic are now permitted for all licenses, and clarified that they do not require a separate application or fee.

D. OFFICE OF GOVERNMENT RELATION'S REPORT

FY 2024 Budget:

- The Mayor released the proposed FY 2024 budget on March 22nd and hosted a presentation about it that same day to the Council.
- On March 24th, the Committee of the Whole held a hearing on the FY 2024 budget during which Councilmembers asked the Mayor and her team detailed questions about the proposed budget.
- DC Health's had its Budget Oversight hearing on [April 10th](#) (public witnesses) and then [April 12th](#) (DC Health representatives). During the hearing there were many topics raised including professional licensing, animal services, and school nursing.
- The Committee on Health held its budget mark-up for DC Health on April 26th at 11:30am. In that mark-up, changes include:
 - Funding dementia training for direct care workers
 - Allocating over \$1.4 million for the high-need healthcare scholarship program
 - Providing an additional 2.25 licensing professionals within the Office of Health Professional Licensing Boards
 - Enhancing funding for food access programs at DC Health
- The Committee of the Whole subsequently made some additional changes (around the Public Health Laboratory and senior dental and food access). The Council had its first reading on the FY 2024 budget on May 16th with no Councilmembers voting in opposition and its second reading on May 30th where it was unanimously approved. It now goes to the Mayor for her signature, after which it would undergo Congressional approval.

Board Confirmation Roundtable:

- The Committee on Health is hosting a roundtable on Wednesday May 31st to discuss two nominations to the Board of Massage Therapy.
 - Those nominees are Johanna Brooks and Maisha Goss-Johns

	<ul style="list-style-type: none"> ○ Johanna Brooks already serves on the Board, but the Maisha Goss-Johns would be a new board member. ▪ OGR anticipates that the Committee on Health will host more meetings like this one to discuss health professional board nominations. <p>Health Licensing Board Roundtable:</p> <ul style="list-style-type: none"> ▪ The Committee on Health will host a roundtable for five health professional licensing boards on June 8th from 10am to 1pm. <ul style="list-style-type: none"> ○ This roundtable will feature the Boards of Professional Counseling, Marriage and Family Therapy, Dentistry, Optometry, and Respiratory Care. ○ The Chairperson for each Board will testify on their behalf. <p>Prior Authorization Legislation:</p> <ul style="list-style-type: none"> ▪ The <i>Prior Authorization Reform Amendment Act of 2023</i> (B25-0124) was introduced on February 7th by Councilmember Pinto and 7 other Councilmembers. <ul style="list-style-type: none"> ○ This legislation adjusts the prior authorization process for insurers in the District. Notably, it would prohibit insurers from denying a treatment purely based on cost. ▪ A similar version was introduced in the previous Council Period (B24-0655). This bill received a hearing on May 24, 2023, during which testimony was heard both in favor and in opposition to the legislation. The recording is available at the following link. 	
<p>OS-23-05-03</p> <p>ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: The Board considered the Open Session minutes from the April 26, 2023, 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>SG/AN</p>

	<p>Motion: Motion made by Dr. Smith to approve the minutes. Seconded by Dr. Raczynski.</p> <p>Vote: Dr. Raczynski, Mr. Rich, Dr. Smith, Dr. Dawson, Dr. Bandealy, and Dr. Anderson voted in favor of the motion. The motion passed.</p>	
OS-23-05-04 ALL	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: The Board considered 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. Smith to approve the minutes. Seconded by Dr. Raczynski.</p> <p>Vote: Dr. Raczynski, Mr. Rich, Dr. Smith, Dr. Dawson, Dr. Bandealy, and Dr. Anderson voted in favor of the motion. The motion passed.</p>	LR
OS-23-05-05 All	<p><u>PUBLIC COMMENTS</u></p> <p>Pia Duryea of the Medical Society of DC commented that the MSDC plans to submit comments opposing the agreed upon protocol that allows pharmacists to prescribe and dispense hormonal birth control. She informed the Board that the MSDC prefers instead that there be more doctors providing scope-appropriate care in the District.</p>	

The Open Session Minutes continue on the next page with ‘Motion to Close’.

MOTION TO CLOSE

OS-23-05-06

MOTION TO CLOSE

ALL

Board Action:

To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b).

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:

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).

Motion:

Motion made by Dr. Raczynski to close the Open Session at 9:32am and move to Executive Session. Seconded by Mr. Rich.

Vote:

Dr. Raczynski, Mr. Rich, Dr. Dawson, Dr. Bandedy, and Dr. Anderson voted in favor of the motion. Dr. Smith missed the vote. The motion passed.

The Open Session Minutes continue on the next page with 'Hearing'.

HEARING		
OS-23-05-07	<p><u>HEARING</u></p> <p><u>LOKESH VUYYURU, MD</u></p> <p>Specialties/Certifications: Specializes in Internal Medicine and Gastroenterology.</p> <p>Board Action: The Board continued its hearing to decide on the Board’s Notice of Intent to deny a medical license to Dr. Lokesh Vuyyuru.</p> <p>The government is represented by AAG Christopher Southcutt; Dr. Vuyyuru is represented by Mr. John Clifford and Mr. Richard Condit.</p> <p>The hearing, which was conducted in Open Session, started at 1:14 pm, and adjourned at 4:38 pm. The hearing will continue on June 28, 2023, at 1:00 pm. A scheduling order will be issued.</p>	SF
ALL		

The Open Session Minutes continue on the next page with ‘Motion to Adjourn’. The next meeting is in-person and will be held on June 28, 2023.

MOTION TO ADJOURN

OS-23-05-08

MOTION TO ADJOURN

ALL

Board Action:

To adjourn the meeting.

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.

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. 3 DCMR § 10409.2