

BOARD OF MEDICINE

Open Session Minutes

September 26, 2018

9:18 am to 10:00 am

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 agenda continues on the next page with the ‘Board Meeting Participants’.

BOARD MEETING PARTICIPANTS:

BOARD MEMBERS:	
Andrea Anderson, MD (AA)	
Preetha Iyengar, MD (PI)	
William Strudwick, MD (WS)	
Thomas Dawson, Esq. (TD)	
Jeffrey Smith, MD (JS)	
Terrence Straub (TS)	
Archie Rich (AR)	ABSENT
Vikisha Fripp, MD (VF)	
David Wessel, MD (DW)	
Thomas Smith (TS2)	
Joshua Wind, MD (JW)	
Christopher Raczynski (CR)	ABSENT
BOARD STAFF:	
Frank Meyers, JD – Executive Director	
Lisa Robinson – Health Licensing Specialist	
Mary Harris – Health Licensing Specialist	
Angela Braxton – Health Licensing Specialist	
Charles Annor – Health Licensing Specialist	
Emilia Moran – Investigator	
Diane Moorer – IT Support	
LEGAL STAFF:	
Suzanne Fenzel, Esq. – Board Attorney Advisor	
Ajay Gohil, Esq. – Board Attorney Advisor	

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-18-09-01
ALL

INTRODUCTIONS

- A. BOARD MEMBERS**

- B. BOARD STAFF**

APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-18-09-02
ALL

BOARD/DEPARTMENT REPORT

A. BOARD CHAIR’S REPORT

i. Newsletter Update

A new e-newsletter will be sent out this month, primarily focusing on the upcoming renewals.

B. EXECUTIVE DIRECTOR’S REPORT

i. Board Meeting Change

Recently DC Health was sent a newsletter from the Office of Open Government (OOG) stating that pursuant to the Open Meetings Act, all meetings must begin in open session and end back in open session to adjourn the meeting. In response, the agenda has been modified to require a motion to adjourn in open session.

ii. Dr. Manning Farewell

Dr. Manning was present for his final farewell from the Board of Medicine.

iii. “Defending Access to Women’s Health Care Services Amendment Act” Joint Subcommittee Mtg.

A new Doodle Poll has been sent to members to try and schedule a meeting for sometime in October.

iv. Renewal Update

The Executive Director provided an update on the status of this year’s MTL renewals. Most notably, the expected renewal start date of October 1 will not be met. More information will be sent to licensees as final testing occurs.

v. Licensure Census

The Executive Director provided an update on the current licensure census in the District.

C. BOARD ATTORNEY’S REPORT

None.

D. DIRECTORS REPORT

Dr. Nesbit, Director of DC Health, presented to the Board to give an update on the direction the Department is going and major health policy initiatives occurring in the District.

Dr. Nesbit provided a high level overview on the following items:

1. *New Hospital*

- In partnership with GW, planned for 2022/2023.
- Located in Ward 8, at St. Elizabeths campus.
- Major infrastructure improvements needed.
- UMC will continue to exist.

2. *Closure of Providence Hospital*

- Previously stated only closing emergency services, now closing completely.
- Will happen when their hospital license expires, on December 18, 2018.
- DC Health's role is to ensure proper transition of services for patients.
- Long term plan from Providence is to maintain a presence in District, but nothing in writing yet.
- City Council holding hearing on October 10th on this issue; DC Health will testify.
- What about transition of the physician workforce? DC Health has no role in credentialing/hiring, other than what is required for licensure; that is completely up to the employer.
- Dr. Strudwick expressed concerns about emergency services; specifically he has fears there is no other ER that can take on the patients Providence treats.
- Mr. Dawson had questions about whether this closure was putting ER patients at risk, as it would take them longer to get to an ER than before (e.g., 4 minutes v. 15 minutes).
- Dr. Fripp stated the closure was creating a substantial void in care, as there's not enough time for the healthcare system in the District to adapt.
 - Dr. Nesbitt asked what's enough time?
 - 18 months?

3. *Medical Reserve Corps*

- Asking for physicians and other allied health professionals to join the Medical Reserve Corps.
- Recent nursing home fire at Arthur Capper reiterates the need for volunteers.

4. *Opioid Update*

- Received millions of dollars, and waiting on application to receive more money, to address opioid use in the District.
 - Working towards PDMP integration with CRISP (i.e., single sign on)

	<ul style="list-style-type: none"> ○ Increased nalaxone availability. ○ Dr. Watson added to this presentation re: the PDMP. <ul style="list-style-type: none"> ▪ Legislation is before the Council that would require mandatory registration at the least (may also require mandatory query). <p>5. <i>Continuing Education Requirements</i></p> <ul style="list-style-type: none"> ○ Mayor has to decide whether to expire or keep the HIV/AIDs CE requirement by end of this year. ○ Ongoing conversations re: expanding the list of content specific CE to more pertinent issues affecting District patients. <ul style="list-style-type: none"> ▪ DC Health would set list of content specific CE, as opposed to a law that just sets one (1) single issue. 	
<p>OS-18-09-03a ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the June 27, 2018 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 Mr. Straub to approve the minutes. Seconded by Mr. Dawson.</p> <p>Dr. Wessel, Dr. Fripp, Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Iyengar, Dr. Smith, Mr. Dawson, Mr. Straub, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>
<p>OS-18-09-03b ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the July 25, 2018 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. Wind to approve the minutes. Seconded by Mr. Straub.</p>	<p>FM</p>

	Dr. Wessel, Dr. Fripp, Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Iyengar, Dr. Smith, Mr. Dawson, Mr. Straub, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.	
OS-18-09-04 ALL	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: Consideration of the current July 25, 2018, 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. Fipp to approve the consent agenda. Seconded by Dr. Iyengar.</p> <p>Dr. Wessel, Dr. Fripp, Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Iyengar, Dr. Smith, Mr. Dawson, Mr. Straub, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	FM

The Open Session Minutes continue on the next page with ‘Misc. Items for Discussion’.

MISC. ITEMS FOR DISCUSSION

OS-18-09-05 ALL	<p><u>LEGISLATIVE UPDATE</u></p> <p>Board Action: To review a list of legislative matters currently pending, both in the District and/or at a national level, that may be of interest to the Board:</p> <p>Background: The Board has previously expressed interest in being kept up to date on legislative matters that may affect the practice of medicine in the District. In response, staff has worked with DC Health to create a tracking list of legislative items that may be of interest to the Board.</p> <p>Motion: This matter was for information purposes only, so no formal action was taken at this time.</p>	FM
OS-18-09-07	<p><u>NATUROPATHIC FORMULARY SUBCOMMITTEE UPDATE</u></p> <p>Board Action: To review the report and information from the Naturopathic Formulary Subcommittee to determine next steps as they relate to the request to expand the current formulary.</p> <p>Background: The Board previously reviewed a request from the Naturopathic Society for the District of Columbia, requesting modifications to their existing formulary. Following that review, the Board directed a subcommittee be formed to further research and discuss the matter with the naturopathic community, and to then provide any findings or recommendations they have to the full Board for help in determining how to proceed.</p> <p>The Naturopathic Formulary Subcommittee has met twice with the various stakeholders, and is presenting the results of their meetings to the Board to get input on what the next steps should be.</p> <p>Motion: Dr. Wind gave a brief overview of the past meetings of the subcommittee, which was followed by a presentation from members of the NSDC regarding their request.</p> <p>Motion made by Dr. Wind to deny the request from the naturopathic subcommittee to expand their formulary. Seconded by Mr. Dawson.</p> <p>Dr. Wessel, Dr. Fripp, Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Iyengar, Dr. Smith, Mr. Dawson, Mr. Straub, Dr. Anderson abstained from the motion.</p> <p>Second motion made by Mr. Dawson to table this matter pending a new proposal from the Naturopathic community, which will be discussed before the Board in the future. Seconded by Dr. Strudwick.</p>	FM

	Dr. Wessel and Dr. Fripp, voted no. Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Iyengar, Dr. Smith, Mr. Dawson, Mr. Straub, and Dr. Anderson voted in favor of the motion. The motion passed.	
OS-18-09-08 ALL	<p><u>PDMP PRESENTATION</u></p> <p>Board Action: To review the presentation and related materials regarding the Districts Prescription Drug Monitoring Program (PDMP).</p> <p>Background: Dr. Jacqueline Watson, chief of staff for DC Health, serves as the chairperson for the District's PDMP Advisory Committee. Related to this role, Dr. Watson will present on the PDMP and its recent changes and initiatives.</p> <p>Motion: Dr. Watson gave her presentation as part of Dr. Nesbitt's larger discussion. As this matter was for informational purposes only, no further discussion was required.</p>	FM
OS-18-09-09 ALL	<p><u>HEPRA PRESENTATION</u></p> <p>Board Action: Presentation by Aisha Williams and Dr. Brian Amy of HEPRA, regarding the Medical Orders for Scope of Treatment (MOST) Program.</p> <p>Background: The MOST program allows terminally ill patients to determine their end of life treatment options, in conjunction with their healthcare providers. HEPRA is seeking BOM assistance on spreading this information to their peers. The MOST program will replace the Comfort Care Orders and Do Not Resuscitate (DNR) program.</p> <p>Motion: HEPRA presented on cessation of the DNRs and institution of the MOST program. As this matter was for information purposes only, no further discussion was required.</p>	LR
OS-18-09-10 ALL	<p><u>ACUPUNCTURE REGULATIONS</u></p> <p>Board Action: To review the comments received after the publication of the Second Notice of Proposed Amendments to the Acupuncture Regulation and determine which, if any, should be accepted.</p> <p>Background: The Acupuncture regulations (17 DCMR 47) were reviewed and a Notice of Proposed Amendments was published on November 27, 2015. A workgroup met and reviewed comments received in response and made several changes to the first proposed amendments; a Second Notice was drafted and published on June 9, 2018. Comments have</p>	SF

	<p>been received as a result and the Board needs to decide if any further changes should be made.</p> <p>Motion: Motion made by Dr. Wind to approve the regulations as presented. Seconded by</p> <p>Dr. Wessel, Dr. Fripp, Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Smith, Mr. Dawson, Mr. Straub, and Dr. Anderson voted in favor of the motion. Dr. Iyengar abstained. The motion passed.</p>	
<p>OS-18-09-11 ALL</p>	<p><u>INTERSTATE MEDICAL LICENSURE COMPACT (IMLC) REGULATIONS</u></p> <p>Board Action: To review the proposed regulation for approval or edits prior to moving forward for publication.</p> <p>Background: The Interstate Medical Licensure Compact Enactment Act of 2018 became law on June 5, 2018. However in order for the District to license physicians through the IMLC implementing regulations need to be adopted.</p> <p>Motion: Motion made by Dr. Wind to approve the regulations as presented. Seconded by Dr. Fripp.</p> <p>Dr. Wessel, Dr. Fripp, Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Smith, Mr. Dawson, Mr. Straub, and Dr. Anderson voted in favor of the motion. Dr. Iyengar was absent. The motion passed.</p>	<p>SF</p>

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

MOTION TO CLOSE

OS-18-09-12
ALL

MOTION TO CLOSE

FM

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 Mr. Straub to go into close session. Seconded by Dr. Wessel.

Dr. Wessel and Dr. Fripp, voted no. Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Iyengar, Dr. Smith, Mr. Dawson, Mr. Straub, and Dr. Anderson voted in favor of the motion. The motion passed.

The Open Session Minutes continue on the next page with Motion to Adjourn.

MOTION TO ADJOURN

OS-18-09-13
ALL

MOTION TO ADJOURN

FM

Board Action:

To adjourn the meeting.

Background:

At the end of every a meeting the a motion to adjourn must be made in open session to close out the business of the Board.

Motion:

Motion to adjourn made by Dr. Wind. Seconded by Dr. Fripp.

Dr. Wessel, Dr. Fripp, Dr. Wind, Dr. Strudwick, Dr. Iyengar, Dr. Smith, and Dr. Anderson voted in favor of the motion. Mr. Smith, Mr. Straub and Mr. Dawson were absent. The motion passed.

This ends the Open Session Minutes.