

# BOARD OF MEDICINE

## Open Session Agenda

October 31, 2018

8:40 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 Open Session Minutes continue on the next page with the ‘Board Meeting Participants’.**

**BOARD MEETING PARTICIPANTS:**

<b>BOARD MEMBERS:</b>	
Andrea Anderson, MD (AA)	
Preetha Iyengar, MD (PI)	
William Strudwick, MD (WS)	
Thomas Dawson, Esq. (TD)	<b>ABSENT</b>
Jeffrey Smith, MD (JS)	<b>ABSENT</b>
Terrence Straub (TS)	
Archie Rich (AR)	
Vikisha Fripp, MD (VF)	<b>ABSENT</b>
David Wessel, MD (DW)	
Thomas Smith (TS2)	
Joshua Wind, MD (JW)	
Christopher Raczynski, MD (CR)	
<b>BOARD STAFF:</b>	
Frank Meyers, JD – Executive Director	
Lisa Robinson – Health Licensing Specialist	<b>ABSENT</b>
Mary Harris – Health Licensing Specialist	
Angela Braxton – Health Licensing Specialist	<b>ABSENT</b>
Charles Annor – Health Licensing Specialist	
Emilia Moran – Investigator	<b>ABSENT</b>
Diane Moorer – IT Support	
<b>LEGAL STAFF:</b>	
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'.<sup>1</sup>

<sup>1</sup> 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-18-10-01 ALL	<p><b><u>INTRODUCTIONS</u></b></p> <p><b>A. BOARD MEMBERS</b></p> <p><b>B. BOARD STAFF</b></p>
--------------------	--

**APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS**

OS-18-10-02 ALL	<p><b><u>BOARD/DEPARTMENT REPORT</u></b></p> <p><b>A. BOARD CHAIR’S REPORT</b></p> <p><b>i. Renewal Update</b> The Chair provided an update on the status of the online renewals, including presentations to local hospitals re: the renewal system. The system will be going live within the next twenty-four (24) hours.</p> <p><b>ii. USMLE Committee</b> The Chair provided an update on her attendance to the USMLE state board advisory committee, in Texas. Some items discussed were test security/fraud, false reporting, and changes to the exam (e.g., adding more ethics focused questions). Additionally, Dr. Anderson informed the Board that she was appointed as a USMLE test question writer.</p> <p><b>B. EXECUTIVE DIRECTOR’S REPORT</b></p> <p><b>i. New Staff</b> The Executive Director formally introduced Mr. Charles Annor as the newest Health Licensing Specialist for the Board of Medicine.</p> <p><b>ii. Board Meeting Schedule</b> The Board meets the last Wednesday of each month, beginning at 8:30 am. For FY19, the Board is scheduled to meet on the following dates:</p> <ol style="list-style-type: none"><li>1. October 31, 2018</li><li>2. November 28, 2018</li><li>3. December 26, 2018</li></ol>
--------------------	--

4. January 30, 2019
5. February 27, 2019
6. March 27, 2019
7. April 24, 2019
8. May 29, 2019
9. June 26, 2019
10. July 31, 2019
11. August 28, 2019 (TENTATIVE)
12. September 25, 2019

As the December meeting is the day after Christmas, staff asked the Board whether an alternative date would be preferable. Consensus was to tentatively schedule the December meeting for December 19<sup>th</sup>, with a call-in option for Board members.

The Board briefly discussed moving the November meeting date, or merging it with the December date, however it was decided the November date would remain as scheduled.

**iii. Renewal Update**

The Executive Director provided an update on the status of this year's MTL renewals, including answering questions from Board members re: continuing education (CE) requirements,

Mr. Straub had questions re: fingerprinting for applications and the ability to share fingerprints between jurisdictions.

**iv. Providence Hospital Update**

The Executive Director provided an update on the status of Providence Hospital following the recent hearing before the City Council. Specifically, following the hearing legislation was introduced that would allow the Department of Health to issue a provisional license so a hospital (e.g., Providence) could remain open. However there is no authority given to force Providence to remain open. The Board Attorney provided further specifics, including the status of the legislation, which is with the Mayor's office for review until November 1.

Additionally, residents at Providence's Family Medicine program have already begun to transfer to Georgetown

University Hospitals' Family Medicine Program. No details have been provided to Board staff re: other residents.

The Board requested further updates from the Director on this issue, and Board staff will continue to provide updates as they become available.

**v. Peer Review Services Update**

The Executive Director provided an update on the status of efforts to recruit expert witnesses for Board "standard of care" cases.

Staff is continuing to hire experts on a case by case, individual contract basis, however DC Health is pursuing a contract with a peer review company that would handle the search and hiring process. As this is in the early stages, no details are yet available.

**vi. Board Membership**

Currently the Board has three (3) vacancies. Physicians licensed and residing in the District that are interested can apply via the Mayor's Office of Talent and Appointments (MOTA) at <https://mota.dc.gov/>.

The Board requested someone from MOTA come and present, as well as someone from BEGA to give a discussion on ethical obligations of Board members.

**vii. Licensure Census**

The Executive Director provided an update on the current licensure census in the District, as follows:

- Acupuncturists – 199
- Anesthesiologist Assistants – 90
- MTL I(A) – 1,253
- MTL I(B) – 391
- MTL II – 19
- MTR – 482
- MD – 11,382
- DO – 418
- Naturopathic Physicians – 57
- Physician Assistants – 843
- Polysomnographic Technicians – 1
- Polysomnographic Technologists – 77

	<ul style="list-style-type: none"> <li>• Polysomnographic Trainees – 8</li> <li>• Postgraduate Physician Trainees – 8</li> <li>• Surgical Assistants – 150</li> <li>• Trauma Technologists – 5</li> </ul> <p><b>C. BOARD ATTORNEY’S REPORT</b></p> <p><b>i. IMLC Regulations Update</b> The Board Attorney provided an update on the status of the recently approved IMLC regulations.</p>	
OS-18-10-03 ALL	<p><b><u>OPEN SESSION MINUTES</u></b></p> <p><b>Board Action:</b> Consideration of the Open Session minutes from the September 26, 2018 meeting.</p> <p><b>Background:</b> 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><b>Motion:</b> Motion made by Mr. Straub to approve the minutes. Seconded by Mr. Rich.</p> <p>Dr. Wessel, Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Iyengar, Mr. Rich, Dr. Raczynski, Mr. Straub and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	FM
OS-18-10-04 ALL	<p><b><u>OPEN CONSENT AGENDA</u></b></p> <p><b>Board Action:</b> Consideration of the current October 31, 2018, Open Consent Agenda items for purposes of review and/or ratification of Board actions taken since the last Board meeting.</p> <p><b>Background:</b> 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><b>Motion:</b> Motion made by Mr. Straub to approve the consent agenda. Seconded by Dr. Wind.</p>	FM

	<p>Dr. Wessel, Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Iyengar, Mr. Rich, Dr. Raczynski, Mr. Straub and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	
--	---	--

**The Open Session Minutes continue on the next page with 'Misc. Items for Discussion'.**



**MISC. ITEMS FOR DISCUSSION**

<p>OS-18-10-05 ALL</p>	<p><b><u>LEGISLATIVE UPDATE</u></b></p> <p><b>Board Action:</b> 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><b>Background:</b> 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><b>Motion:</b> This item was for information purposes only. No formal action was taken at this time.</p>	<p>FM</p>
<p>OS-18-10-06 ALL</p>	<p><b><u>DC STATE MEDICAID HEALTH IT PLAN</u></b></p> <p><b>Board Action:</b> To review the District’s State Medicaid Health IT Plan (SMHP) for 2018-2023, which was released on October 10, 2018.</p> <p><b>Background:</b> On October 10<sup>th</sup> the District of Columbia Department of Health Care Finance (DHCF) released the District’s State Medicaid Health IT Plan (SMHP) for 2018 – 2023. The SMHP outlines four priority areas where health IT can improve the patient and provider experience in the District:</p> <ol style="list-style-type: none"><li>1. Supporting transitions care;</li><li>2. Collecting and making effective use of social determinants of health data;</li><li>3. Providing analytics for population health;</li><li>4. Leveraging HIE for public health.</li></ol> <p>As part of the implementation, DHCF has shared the plan with the Board and various stakeholders. This matter is being presented for informational purposes only.</p> <p><b>Motion:</b> This matter was for information purposes only. No formal action was taken at this time.</p>	<p>FM</p>

OS-18-10-07 ALL	<p><b><u>CALL FOR NOMINATIONS</u></b></p> <p><b>Board Action:</b>  To review the call for nominations from the Federation of State Medical Boards (FSMB).</p> <p><b>Background:</b>  In preparation for the 2019 Annual Meeting, the FSMB has sent out a Call for Nominations to members boards. The Call for Nominations lists various positions that are up for election with FSMB, including:</p> <ol style="list-style-type: none"> <li>1. <i>Chair-elect</i> - one (1) fellow;</li> <li>2. <i>Board of Directors</i> - three (3) fellows; and</li> <li>3. <i>Nominating Committee</i> - three (3) fellows.</li> </ol> <p>Details for each position, time commitments, and how to apply are outlined in the information in the Board’s agenda.</p> <p><b>Motion:</b>  This item was for informational purposes only. No formal action was taken at this time.</p>	FM
--------------------	---	----

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

**MOTION TO CLOSE**

<p>OS-18-10-08 ALL</p>	<p><b><u>MOTION TO CLOSE</u></b></p> <p><b>Board Action:</b> To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b).</p> <p><b>Background:</b> 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"><li>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);</li><li>2. Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section § 2-575(b)(6);</li><li>3. To discuss disciplinary matters pursuant to section § 2-575(b)(9);</li><li>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).</li></ol> <p><b>Motion:</b> Motion made by Dr. Wind to go into closed session. Seconded by Dr. Strudwick.</p> <p>Dr. Wessel, Dr. Wind, Dr. Strudwick, Mr. Smith, Dr. Iyengar, Mr. Rich, Dr. Raczynski, Mr. Straub and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>
----------------------------	--	-----------

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

**MOTION TO ADJOURN**

OS-18-10-09  
ALL

**MOTION TO ADJOURN**

**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 made by Mr. Straub to adjourn the meeting. Seconded by Dr. Wind.

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

**This ends the Open Session Minutes.**