

BOARD OF MEDICINE

Open Session Minutes

April 24, 2019

8:53 am – 10:26 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:

BOARD MEMBERS:	
Andrea Anderson, MD (AA)	
Preetha Iyengar, MD (PI)	
William Strudwick, MD (WS)	
Thomas Dawson, Esq. (TD)	ABSENT
Jeffrey Smith, MD (JS)	ABSENT
Terrence Straub (TS)	ARRIVED @ 11 AM
Archie Rich (AR)	LEFT @ 1:30 PM
Vikisha Fripp, MD (VF)	
David Wessel, MD (DW)	ABSENT
Thomas Smith (TS2)	
Joshua Wind, MD (JW)	
Christopher Raczynski, MD (CR)	ABSENT
Joelle Simpson, MD (JS2)	LEFT @ 1:30 PM
Konrad Dawson, MD (KD)	ARRIVED LATE @ 9:06 AM
BOARD STAFF:	
Frank Meyers, JD – Executive Director	ABSENT
Aisha Nixon-Interim 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	LEFT @ 1:30 PM
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 ORDEROS-19-04-01
ALL**INTRODUCTIONS****A. BOARD MEMBERS****B. BOARD STAFF****APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS**OS-19-04-02
ALL**BOARD/DEPARTMENT REPORT****A. BOARD CHAIR'S REPORT****i. Student Visitors**

Students from the AT Still Osteopathic Medical School was in attendance for the Open Session portion of the meeting. Dr. Walker provided the Board with a brief description of the program at Unity Healthcare.

ii. FSMB Annual Meeting

Dr. Anderson, Mr. Meyers, and Ms. Fenzel will be attending the FSMB Annual Meeting on April 25 – 27, 2019, in Fort Worth, TX. Dr. Anderson is on two (2) committees.

iii. New Peer Review Company

Dr. Anderson report that a peer review company has been secured.

iv. Newsletter

Dr. Anderson informed the Board that a newsletter will be going out to the licensees next month and requested that Board members submit any suggestions as soon as possible.

B. EXECUTIVE DIRECTOR'S REPORT**i. MTL Renewals**

The MTL renewals are now live. This is the second year the MTL renewals will be on the new system, although this year's portal contains several enhancements that

	<p>are meant to address issues identified during last years' renewals.</p> <p>ii. Licensure Census The Interim Executive Director for the Allied and Behavioral Health Boards, Aisha Nixon, provided an update on the current licensure census in the District.</p> <p>C. BOARD ATTORNEY'S REPORT</p> <p>i. Acupuncture Regulations The Board Attorney provided an update on the status of the acupuncture regulations. The Board Attorney informed the Board that there were no public comments made and the regulations will be moving forward to final publication.</p>	
<p>OS-19-04-03 ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the March 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 Dr. Iyengar to approve the Open Session minutes from March 27, 2019. Seconded by Dr. Fripp.</p> <p>Dr. Wind, Dr. Fripp, Dr. Strudwick, Dr. Simpson, Mr. Rich, Dr. Dawson, Dr. Iyengar, Mr. Smith, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>

<p>OS-19-04-04 ALL</p>	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: Consideration of the current April 24, 2019, 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. Iyengar to approve the current April 24, 2019, Open Consent Agenda. Seconded by Dr. Fripp.</p> <p>Dr. Wind, Dr. Fripp, Dr. Strudwick, Dr. Simpson, Mr. Rich, Dr. Dawson, Dr. Iyengar, Mr. Smith, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>
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The Open Session Minutes continue on the next page with ‘Misc. Items for Discussion’.

MISC. ITEMS FOR DISCUSSION

OS-19-04-05 ALL	<p><u>PRESENTATION ON PHARMACY COLLABORATIVE PRACTICE AGREEMENTS</u></p> <p>Board Action: To review the presentation from Dr. Chris Keeys, Clinical Pharmacy Manager at Sibley Memorial Hospital, regarding the DC Collaborative Practice Act.</p> <p>Background: Dr. Keeys has requested time to discuss with the Board the approval process of their training program for staff that does not meet the requirements for collaborative practice.</p> <p>Motion: The Board provided feedback regarding the presentation and requested time to get further clarification. Board Attorney, Suzanne Fenzel, will follow up with the Board Attorney for the Board of Pharmacy.</p>	SF
OS-19-04-06 ALL	<p><u>PROPOSED ATHLETIC TRAINER REGULATIONS</u></p> <p>Board Action: To review proposed regulations implementing the licensure and regulation of Athletic Trainers by the DC Board of Medicine.</p> <p>Background: On February 6, 2019, the Mayor signed the Athletic Trainers Clarification Amendment Act of 2018, which authorized the Board of Medicine to regulate the practice of athletic trainers in the District. The Board Attorney presented draft regulations at the March 2019 meeting, to which the Board provided feedback for changes.</p> <p>The proposed changes have been made, and updated draft regulations are being presented to the Board for review.</p> <p>Motion: Motion made by Dr. Wind to approve the Athletic Trainer regulations with the proposed changes. Seconded by Mr. Smith.</p> <p>Dr. Wind, Dr. Fripp, Dr. Strudwick, Dr. Simpson, Mr. Rich, Dr. Iyengar, Mr. Smith, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	SF

<p>OS-19-04-07 ALL</p>	<p><u>PROPOSED IMLC REGULATIONS</u></p> <p>Board Action: To review the comments received re: the Interstate Medical Licensure Compact (IMLC).</p> <p>Background: The previously approved regulations implementing the IMLC were published in the DC Register for the thirty (30) day comment period. The comment period has expired, and the received comments are being provided to the Board for review and guidance on how to proceed.</p> <p>Motion: Motion made by Mr. Smith to amend the IMLC regulations with the proposed changes. Seconded by Dr. Wind.</p> <p>Dr. Wind, Dr. Fripp, Dr. Strudwick, Dr. Simpson, Mr. Rich, Dr. Iyengar, Mr. Smith, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	<p>SF</p>
<p>OS-19-04-08 ALL</p>	<p><u>CERTIFIED PROFESSIONAL MIDWIVES</u></p> <p>Board Action: To review the proposed legislation pending before the City Council re: Certified Professional Midwives (CPM).</p> <p>Background: Legislation has been introduced at the DC Council, establishing the licensure of Certified Professional Midwives. The hearing for this legislation was held on April 23, 2019*, however this matter is still being presented to the Board as an update and for feedback.</p> <p><i>*Of note, a copy of this legislation was distributed to the Board before the April 23rd hearing, however no comments were received.</i></p> <p>Motion: Motion made by Dr. Wind to support the Board of Nursing’s opinion and oppose the proposed legislation as drafted regarding Certified Professional Midwives (CPM). Seconded by Dr. Simpson.</p> <p>Dr. Wind, Dr. Fripp, Dr. Strudwick, Dr. Simpson, Dr. Dawson, Mr. Rich, Dr. Iyengar, Mr. Smith, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>

<p>OS-19-04-09 ALL</p>	<p><u>PROPOSED POLICY RE: SELF & FAMILY PRESCRIBING</u></p> <p>Board Action: To determine whether to issue a policy on self-prescribing and/or prescribing to family members.</p> <p>Background: Currently the Board does not have any regulation or policy addressing the prescribing of medications to one’s self or a family member, however several other jurisdictions have such policies. In light of this information, the Board chairperson has requested further discussion on this matter.</p> <p>Motion: The Board discussed the potential need for a policy on self-prescribing and/or prescribing to family members. The Board recommended that further research should be done regarding other jurisdictions’ practices by the summer legal intern and present back to the Board when completed. Therefore, no formal action was taken.</p>	<p>AA</p>
<p>OS-19-04-10 ALL</p>	<p><u>REQUEST FOR APPROVAL OF NON-ACGME PROGRAM</u></p> <p>Board Action: To review the request for approval and supplemental documents, submitted by the CDC and DC Health, regarding their non-ACGME accredited 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. Wind to approve the Non-ACGME CDC and DC Health program. Seconded by Dr. Fripp.</p> <p>Dr. Wind, Dr. Fripp, Dr. Strudwick, Dr. Simpson, Dr. Dawson, Mr. Rich, Mr. Smith, and Dr. Anderson voted in favor of the motion. Dr. Iyengar out of the room during the vote. The motion passed.</p>	<p>FM</p>

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

MOTION TO CLOSE

OS-19-04-11
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 Dr. Strudwick to go into closed session. Seconded by Dr. Iyengar.

Dr. Wind, Dr. Fripp, Dr. Strudwick, Dr. Simpson, Dr. Dawson, Mr. Rich, Dr. Iyengar, Mr. Smith, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.

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

MOTION TO ADJOURN

OS-19-04-11
ALL

MOTION TO ADJOURN

FM

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.

Motion:

Motion made by Mr. Smith to adjourn the meeting. Seconded by Dr. Strudwick.

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

This ends the Open Session Minutes.