

BOARD OF MEDICINE

Open Session Minutes

June 26, 2019
8:52 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)	ABSENT
Thomas Dawson, Esq. (TD)	ABSENT
Jeffrey Smith, MD (JS)	ABSENT
Terrence Straub (TS)	
Archie Rich (AR)	ABSENT
Vikisha Fripp, MD (VF)	ABSENT
David Wessel, MD (DW)	
Thomas Smith (TS2)	
Joshua Wind, MD (JW)	
Christopher Raczynski, MD (CR)	
Joelle Simpson, MD (JS2)	
Konrad Dawson, MD (KD)	
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-19-06-01
ALL

INTRODUCTIONS

- A. BOARD MEMBERS**

- B. BOARD STAFF**

APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-19-06-02
ALL

BOARD/DEPARTMENT REPORT

A. BOARD CHAIR’S REPORT

i. INCUS Conference

The Board Chair discussed recent emails sent regarding the INCUS Conference, which is an informational conference regarding changes to the USMLE. There is an open comment period from stakeholders regarding the exam, so any Board members who have feedback should do so.

ii. Update on Health Care Reporting Amendment Act

The Board Chair requested information from the Board Members who had been assigned to reviewing the recently introduced Health Care Reporting Amendment Act.

Some concerns were raised by the Board members regarding ambiguity of when exactly something should be reported, as well as the deadlines for when reporting should occur. One proposal given by Dr. Wind was to have different reporting deadlines for different types of violations (e.g., actions impacting public health would be reportable within the 10 day period, but non-serious issues would be reported later).

MSDC provided feedback that the timeline reporting was aggressive, and also thought there could be some clarification on what things needed to be reported.

iii. Clinical Licensure Act

The Board Chair updated the Board on the Clinical Licensure Act, which would require licensure for clinics (e.g., Urgent Care Clinics) in the District of Columbia.

B. EXECUTIVE DIRECTOR'S REPORT

i. Risk Management Policy

The Executive Director presented on the emergency evacuation procedure for HRLA.

ii. PDMP Registration

The District of Columbia Prescription Drug Monitoring Program (DC PDMP) began sending notices to all practitioners informing them of the need to register with the PDMP, pursuant to DC Act 22-616. As the terms of the act required registration by March 31, 2019, which passed before the legislation took effect, the Department has set a new registration deadline of July 31, 2019.

iii. New Office of Open Government Regulations

The Executive Director presented on the new regulations implemented by the Office of Open Government regarding Open Meetings.

iv. MPD Forensics Laboratory

Mr. Straub informed the Board of the new Forensics Laboratory built by the Metropolitan Police Department.

The Board Members expressed an interest in doing a tour, so the Board Executive Director will work with Mr. Straub to find a date that works best.

v. Licensure Census

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

C. BOARD ATTORNEY'S REPORT

i. Acupuncture Regulations

The new Acupuncture regulations are now final

The IMLC, Athletic Trainer, and 10% Health Priority regulations are now going through the process for second publication.

ii. Update on Legal Research

The legal interns provided a brief update on the status

	<p>of their research, including post-graduate training requirements, certified professional midwife licensure, indications of future discipline, self-prescribing and private sponsorship of post-graduate training.</p>	
<p>OS-19-06-03 ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the May 29, 2019 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 minutes. Seconded by Dr. Wind.</p> <p>Dr. Wessel, Dr. Wind, Dr. Simpson, Dr. Dawson, Dr. Raczynski, Dr. Iyengar, Mr. Smith, Mr. Straub, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>
<p>OS-19-06-04 ALL</p>	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: Consideration of the current June 26, 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 Consent Agenda. Seconded by Dr. Wind.</p> <p>Dr. Wessel, Dr. Wind, Dr. Simpson, Dr. Dawson, Dr. Raczynski, Dr. Iyengar, Mr. Smith, Mr. Straub, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	<p>FM</p>

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

MISC. ITEMS FOR DISCUSSION

<p>OS-19-06-05 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 Children’s National Medical Center, regarding their non-ACGME accredited Urgent Care 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>The Board previously approved this program with an expiration date of September 27, 2019.</p> <p>Motion: Motion made by Dr. Wind to approve the program. Seconded by Dr. Iyengar</p> <p>Dr. Wind, Dr. Dawson, Dr. Raczynski, Dr. Iyengar, Mr. Smith, Mr. Straub, and Dr. Anderson voted in favor of the motion. Dr. Wessel and Dr. Simpson recused. The motion passed unanimously.</p>	<p>FM</p>
<p>OS-19-06-06 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 Children’s National Medical Center, regarding their non-ACGME accredited Neonatal and Infant Cardiac Surgery 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>The Board previously approved this program with an expiration date of July 26, 2019.</p> <p>Motion: Motion made by Dr. Wind to approve the program. Seconded by Dr. Iyengar.</p> <p>Dr. Wind, Dr. Dawson, Dr. Raczynski, Dr. Iyengar, Mr. Smith, Mr. Straub, and Dr. Anderson voted in favor of the motion. Dr. Wessel</p>	<p>FM</p>

	and Dr. Simpson recused. The motion passed unanimously.	
OS-19-06-07 ALL	<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 Children’s National Medical Center, regarding their non-ACGME accredited Pediatric Ophthalmology and Strabismus 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>The Board previously approved this program with an expiration date of April 26, 2019.</p> <p>Motion: Motion made by Dr. Wind to approve the program. Seconded by Dr. Iyengar.</p> <p>Dr. Wind, Dr. Dawson, Dr. Raczynski, Dr. Iyengar, Mr. Smith, Mr. Straub, and Dr. Anderson voted in favor of the motion. Dr. Wessel and Dr. Simpson recused. The motion passed unanimously.</p>	FM
OS-19-06-08 ALL	<p><u>MEDICAL RESERVE CORPS</u></p> <p>Board Action: To review the presentation from the Health Preparedness and Response Administration (HEPRA) within DC Health, regarding the Medical Reserve Corps (MRC) program.</p> <p>Background: The mission of the DC MRC is to establish a network of local volunteers who are willing to donate their time and expertise to supplement existing public health and medical resources during emergencies and other times of community need.</p> <p>DC MRC is managed under HEPRA in DC Health, and is currently seeking volunteers to update and expand its roster of volunteers. Staff from HEPRA will be presenting before the Board on the DC MRC, and will be available to answer any questions.</p> <p>Motion: This matter was tabled to the next meeting, as representatives from</p>	FM

	HEPRA were not available to attend.	
OS-19-06-09 ALL	<p><u>DEMENTIA TRAINING FOR DIRECT CARE WORKERS ACT OF 2019</u></p> <p>Board Action: To review the proposed legislation currently before the DC Council, and provide feedback.</p> <p>Background: Legislation was introduced before the DC Council establishing dementia training requirements for various healthcare practitioners in the District.</p> <p>In addition to the dementia training requirements, an amendment is being introduced that would add licensure of Certified Professional Midwives (CPM) to the Board of Medicine.</p> <p>A copy of the originally introduced legislation, as well as the CPM amendment, are being provided to the Board for review.</p> <p>Motion: Motion made by Mr. Smith to oppose the certified midwife legislation and prepare testimony accordingly, sever the midwife from the dementia bill, and express concerns that dementia training is already part of PA training, so any additional credentialing would be overly burdensome. Seconded by Dr. Wind.</p> <p>Dr. Wessel, Dr. Wind, Dr. Simpson, Dr. Dawson, Dr. Raczynski, Dr. Iyengar, Mr. Smith, Mr. Straub, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	FM
OS-19-06-10 ALL	<p><u>PHARMACY COLLABORATIVE PRACTICE AGREEMENTS</u></p> <p>Board Action: To review the results from the Pharmacy Collaborative Practice Subcommittee regarding the process for approval of non-standard protocols.</p> <p>Background: DC Code 3-1202.08(h) allows a licensed pharmacist to initiate, modify, or discontinue a drug therapy regimen pursuant to a collaborative practice agreement with a licensed physician.</p> <p>Following the implementation of the statute, regulations were promulgated outlining the procedures for establishing protocols. At issue currently is the process for approval of protocols outside the</p>	FM

standard of care, as outlined in 17 DCMR § 10006.

The Board of Pharmacy has proposed various “disease states” they believe are standard, and would not require review by the Boards. The subcommittee, made up of members of the Board of Medicine and the Board of Pharmacy, have met several times to discuss, and to date recommend the following:

1. Approval

- a. Parenteral Nutrition
- b. Vancomycin
- c. Aminoglycosides
- d. Phenytoin
- e. Anticoagulation/Warfarin
- f. Renal Dose Adjustments

2. Further Research and Discussion

- a. Pain Management (e.g., management of medication dosing)
- b. HIV
- c. Diabetes
- d. Hypertension
- e. Hyperlipidemia
- f. Depression

This information is being provided for review.

Motion:

Dr. Raczynski provided a report on the subcommittee meetings that have been held.

Motion made by Mr. Smith to approve the first six (6) categories. Seconded by Dr. Simpson.

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

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

MOTION TO CLOSE

OS-19-06-11 ALL	<p><u>MOTION TO CLOSE</u></p> <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: Motion made Mr. Straub to go into closed session. Seconded by Dr. Wind.</p> <p>Dr. Wessel, Dr. Wind, Dr. Simpson, Dr. Dawson, Dr. Raczynski, Dr. Iyengar, Mr. Smith, Mr. Straub, and Dr. Anderson voted in favor of the motion. The motion passed unanimously.</p>	FM
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The Open Session Agenda continues on the next page with ‘Motion to Adjourn’.

MOTION TO ADJOURN

OS-19-06-12 ALL	<p><u>MOTION TO ADJOURN</u></p> <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: Quorum was lost prior to a formal motion of adjourn could be made. Therefore no formal action was taken at this time.</p>	FM
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This ends the Open Session Minutes.