

BOARD OF MEDICINE

Open Session Minutes

May 27, 2020
8:37 am

VIRTUAL MEETING NOTICE

Due to the COVID-19 pandemic, all board meetings will be held virtually during the declared public health emergency.

Information on how to access the public portion of the meeting is listed below:

Join by Web

<https://dcnet.webex.com/dcnet/j.php?MTID=mb292c234c6affbcae6ef4f4d4663f846>

Join by Phone

Call-in Number: 1-650-479-3208

Access Code: 471 399 717

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)	ABSENT
William Strudwick, MD (WS)	
Thomas Dawson, Esq. (TD)	
Jeffrey Smith, MD (JS)	ABSENT
Terrence Straub (TS)	
Archie Rich (AR)	
Vikisha Fripp, MD (VF)	
David Wessel, MD (DW)	
Thomas Smith (TS2)	
Joshua Wind, MD (JW)	
Christopher Raczynski, MD (CR)	ABSENT
Joelle Simpson, MD (JS2)	
Konrad Dawson, MD (KD)	ARRIVED LATE
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	
LEGAL STAFF:	
Suzanne Fenzel, Esq. – Board Attorney Advisor	
Ajay Gohil, Esq. – Board Attorney Advisor	
Ji Young Ahn – Legal Intern	
Nija Chappel – Legal Intern	

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-20-05-01 ALL	<u>INTRODUCTIONS</u> A. BOARD MEMBERS B. BOARD STAFF	
--------------------	---	--

APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-20-05-02 ALL	<u>BOARD/DEPARTMENT REPORT</u> A. BOARD CHAIR'S REPORT i. USMLE House of Delegates Updates The Board Chair provided an update on the recent FSMB House of Delegates meeting. ii. USMLE Testing Update The Board Chair provided an update on the status of USMLE testing. Specifically, USMLE is halting Step 2- CS for 12 – 18 months so they can re-evaluate it's use during the COVID-19 pandemic. B. EXECUTIVE DIRECTOR'S REPORT i. COVID-19 Response The Executive Director provided an update on the District's responses to the ongoing COVID-19 pandemic, including: <ul style="list-style-type: none">a. Status of Public Health Emergencyb. Licensure Waivers For the most up to date information regarding COVID-19, go to https://coronavirus.dc.gov . ii. Licensure Census The Executive Director provided an update on the current licensure census in the District, which includes five (5) Trauma Technologists, as well as the following:	
--------------------	--	--

	Active
ACUPUNCTURIST	195
ANESTHESIOLOGIST ASSISTANT	93
MEDICAL TRAINING LICENSE I(A)	1,068
MEDICAL TRAINING LICENSE I(B)	371
MEDICAL TRAINING LICENSE II	27
MEDICAL TRAINING REGISTRAN	628
MEDICINE AND SURGERY	11,236
NATUROPATH PHYSICIAN	61
OSTEOPATHY AND SURGERY	478
PHYSICIAN ASSISTANT	871
POLYSOMNOGRAPHIC TECHNICI	1
POLYSOMNOGRAPHIC TECHNOL	76
POLYSOMNOGRAPHIC TRAINEE	9
POSTGRADUATE PHYSICIAN TRA	0
SURGICAL ASSISTANT	137
Total	15,251

C. BOARD ATTORNEY’S REPORT

The Board Attorney introduced the new legal interns for this year, Ms. Ji Young Ahn and Ms. Nija Chapel.

OS-20-05-03
ALL

OPEN SESSION MINUTES

FM

Board Action:

Consideration of the Open Session minutes from the April 29, 2020 meeting.

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.

Motion:

Motion made by Dr. Wind to approve the minutes. Seconded by Dr. Simpson.

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

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

MISC. ITEMS FOR DISCUSSION

OS-20-05-04 ALL	<p><u>ACUPUNCTURE REGULATIONS</u></p> <p>Board Action: To decide if subsection 4702.7 of the acupuncture regulations should be amended as suggested for the practice of acupuncture by physicians.</p> <p>Background: The Board previously approved regulations for acupuncture, which added several updates to the profession including modifying the licensure requirements for physician applicants to include the requirement they obtain certification with the American Association of Medical Acupuncturists (AAMA). Staff has received feedback that this requirement is too excessive and unrealistic for any new applicants, as AAMA certification requires practicum hours, which some advocates argued can only be obtained after licensure. Dr. William Elliott was present to express the concern of the stakeholder community, which was that board certification cannot be obtained until after several years of practice of acupuncture. The Board asked legal to draft proposed language and bring back to the Board at the next meeting for review and approval.</p> <p>That language has been drafted and reviewed with Dr. Elliott. Below is the original language, as well as the proposed language:</p> <p>Original Language:</p> <p><i>A physician licensed in good standing in the District of Columbia may receive a license for acupuncture if he or she is certified in medical acupuncture by the American Board of Medical Acupuncture.</i></p> <p>Proposed Language:</p> <p><i>A physician licensed in good standing in the District of Columbia may receive a license for acupuncture if he or she has completed three hundred (300) hours of training in acupuncture from programs approved by the American Board of Medical Acupuncture. At least one hundred (100) hours must be in clinical training.</i></p> <p>Motion: Motion made by Mr. Smith to approve the changes. Seconded by Dr. Wind.</p>	SF
--------------------	---	----

	<p>Dr. Wessel, Dr. Wind, Dr. Fripp, Dr. Simpson, Dr. Strudwick, Mr. Dawson, Mr. Smith, Mr. Straub and Dr. Anderson voted in favor of the motion. Mr. Rich was absent. The motion passed.</p>	
<p>OS-20-05-05 ALL</p>	<p><u>PROPOSED ATHLETIC TRAINER REGULATIONS</u></p> <p>Board Action: To review comments from the DC Athletic Trainers Association (DCATA) on the 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 first Notice of Proposed Regulations was published on February 21, 2020. A meeting was held with representatives from the DCATA, attorney Ajay Gohil and ED Frank Meyers on April 20, 2020 and most comments were resolved. However one comment remains outstanding regarding the Athletic Trainer scope of practice.</p> <p>Motion: Motion made by Mr. Smith to keep the language as is overall but for staff to draft a policy clarifying the ability of athletic trainers to perform assessments. Seconded by Dr. Wind.</p> <p>Dr. Wessel, Dr. Wind, Dr. Fripp, Dr. Simpson, Dr. Strudwick, Mr. Dawson, Mr. Smith, Mr. Straub and Dr. Anderson voted in favor of the motion. Mr. Rich was absent. The motion passed.</p>	
<p>OS-20-05-06 ALL</p>	<p><u>APPROVAL OF NON-ACGME FELLOWSHIPS – CNMC</u></p> <p>Board Action: To review the request for approval/renewal of several non-ACGME fellowships at Children’s National Medical CENTER.</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. CNMC has submitted three (3) programs for approval:</p> <ol style="list-style-type: none"> 1. Cardiac Critical Care Medicine Fellowship 2. Cardiac Critical Care Telemedicine Fellowship 3. Pediatric Cardiac Electrophysiology Fellowship 	

	<p>As these programs are not ACGME accredited, they are requesting Board approval.</p> <p>Motion: Of note, CNMC withdrew their request for approval of Cardiac Critical Care Medicine Fellowship.</p> <p>Motion made by Dr. Wind to approve. Seconded by Dr. Anderson.</p> <p>Dr. Wessel, Dr. Wind, Dr. Fripp, Dr. Simpson, Dr. Strudwick, Mr. Dawson, Mr. Smith, Mr. Straub and Dr. Anderson voted in favor of the motion. Dr. Strudwick and Mr. Rich were absent. The motion passed.</p>	
<p>OS-20-05-07 ALL</p>	<p><u>CHARACTER REFERENCE LETTERS</u></p> <p>Board Action: To review the requirements for character reference letters to determine modifications should be made.</p> <p>Background: DC Health’s IT staff are continuing their development of a new online licensure system for all health boards in HRLA. As part of the development, the Board of Medicine has been asked whether the character reference letters are still required, as it is the only board currently asking for such references.</p> <p>Pursuant to 17 DCMR § 4600.6, applicants for a medical license must submit three (3) character reference letters. There are similar requirements for nearly all professions regulated by the Board. The Associate Director has requested boards review this requirement to determine if it is necessary, as no other board has such a requirement.</p> <p>Motion: Motion made by Mr. Smith to keep the character reference forms. Seconded by Dr. Wind.</p> <p>Dr. Wessel, Dr. Wind, Dr. Fripp, Dr. Simpson, Dr. Strudwick, Mr. Dawson, Mr. Smith, Mr. Straub, Mr. Rich, and Dr. Anderson voted in favor of the motion. Dr. Strudwick was absent. The motion passed.</p>	<p>FM</p>

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

MOTION TO CLOSE

OS-20-05-08
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. Wind to go into closed session. Seconded by Dr. Fripp

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

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

MOTION TO ADJOURN

OS-20-05-09 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: Motion made by Mr. Rich to return to open session. Seconded by Mr. Straub.</p> <p>Dr. Wessel, Dr. Wind, Dr. Fripp, Dr. Simpson, Dr. Strudwick, Mr. Dawson, Mr. Smith, Mr. Straub, Mr. Rich and Dr. Anderson voted in favor of the motion. The motion passed.</p>	FM
--------------------	---	----

This ends the Open Session Minutes.

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.