

BOARD OF MEDICINE

Open Session Minutes

September 29, 2021
8:43 am – 2 pm

VIRTUAL MEETING NOTICE

Currently, all board meetings will be held virtually during the declared public 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=m7f823658b3b1e1556a59c90709042b04>

Join by Phone

+1-202-860-2110 United States Toll (Washington D.C.)

1-650-479-3208 Call-in number (US/Canada)

Access Code:

160 487 2313

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

BOARD MEETING PARTICIPANTS:

BOARD MEMBERS:	
Andrea Anderson, MD (AA)	
William Strudwick, MD (WS)	
Thomas Dawson, Esq. (TD)	Absent
Jeffrey Smith, MD (JS)	
Archie Rich (AR)	
Vikisha Fripp, MD (VF)	
Joshua Wind, MD (JW)	
Christopher Raczynski, MD (CR)	
Joelle Simpson, MD (JS2)	
Konrad Dawson, MD (KD)	Absent
VACANT (Physician Member)	
VACANT (Physician Member)	
VACANT (DC Health Designee)	
VACANT (Consumer Member)	
VACANT (Consumer Member)	
BOARD STAFF:	
Frank Meyers, JD – Associate Director	
Aisha Nixon – 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	

The Open Session Minutes continues 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-21-09-01 ALL	<u>INTRODUCTIONS:</u> A. BOARD MEMBERS B. BOARD STAFF	
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APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-21-09-02 ALL	<u>BOARD/DEPARTMENT REPORT</u> A. BOARD CHAIR'S REPORT i. COVID-19 Update The Board Chair asked that the Executive Director provide an update on the District's response to COVID-19 during her report. ii. FSMB Guidelines The Board Chair informed the Board that FSMB released a statement in August regarding misinformation. It reminded licensees that giving misinformation or disinformation regarding COVID-19 vaccines and/or treatments to patients could be grounds for state boards to take action against their license. Specifically, if the materials provided, distributed, and promoted to patients could be demonstrated to have cause for harm and determined to not be the practice of medicine. Adopted by the FSMB Board of Directors and several boards. iii. COVID-19 CME Requirement The Board Chair provided comments on the COVID-19 continuing education mandate. Encouraged Board members to share the information within their networks. B. EXECUTIVE DIRECTOR'S REPORT i. COVID-19 Vaccine Continuing Education (CE) Requirement The Executive Director provided an update regarding the COVID-19 CE mandate.	
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ii. COVID-19 Vaccination Requirement for Licensed health Professionals and Unlicensed Healthcare Workers

The Executive Director provided an update regarding the COVID-19 vaccination mandate.

iii. DC Health COVID-19 Pandemic Health & Healthcare Recovery Report

The Executive Director informed the Board of the report and encouraged them to take a look at it when they got a chance. This report provides an assessment of the District’s current and emerging health needs while offering solutions for improving our health system in five domains: workforce, healthcare facilities, health information technology, health planning, and community health services.

iv. Licensure Census

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

License Type	Active Licenses
Medicine and Surgery	11063
Naturopath Physician	63
Osteopathy and Surgery	521
Physician Assistant	968
Polysomnographic Technician	1
Polysomnographic Technologist	56
Polysomnographic Trainee	1
Surgical Assistant	110
Trauma Technologist	5
Acupuncturist	161
Anesthesiologist Assistant	104
Medical Training License I (A)	1180
Medical Training License I (B)	321
Medical Training License II	23
Medical Training Registrant	893

v. Board Vacancies

The Executive Director provided an update on the current vacant Board positions. Executive Director Nixon informed the Board that consumer member, Mr. Straub tendered his resignation effective September 27, 2021. The Board currently, has 5 vacancies. MOTA is actively vetting 2 physician members.

C. ASSOCIATE DIRECTOR'S REPORT

i. COVID-19 Update/ COVID-19 Vaccination Requirement for Licensed health Professionals and Unlicensed Healthcare Workers

The Associate Director provided an update on the District's response to COVID-19. He provided information to the Board where licensees can report their vaccination status and outlined the three exemption requests licensees could submit: medical, religious, or WHO. An exemption request will take about 45 to 60 days to review. Licensees can continue to practice while their exemption is being reviewed. Additionally, he provided an update regarding the number of attestations, exemption request, and those not planning on getting the vaccination. The requirement for exists for renewals and initial licensure. Exemption approvals are only valid for one year.

ii. COVID-19 Vaccine Continuing Education (CE) Requirement

The Associate Director provided additional information regarding the COVID-19 CE mandate. Clarified if the licensees want to use the 2 hours towards the renewal requirement, they will need to be an AMA or AOA approved course.

iii. Licensure Waiver

The Associate Director provided an update on the status of the waiver and the recent emergency rulemaking. Current waiver expires on October 31, 2021. The waiver is only in place for those operating as agents under the waiver at licensed DC healthcare facilities of telehealth for established patients. Additionally, he provided clarity regarding who is considered unlicensed staff. The Department is looking at ways to streamline licensure processes.

D. BOARD ATTORNEY'S REPORT

i. Licensure Waiver

The Board Attorney provided an update on the status of the waiver and the recent emergency rulemaking. The Board Attorney clarified that those practicing under the recent waiver must submit an application by October 1st

	or within 10 days of the engagement of unlicensed practice.	
OS-21-09-03 ALL	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the July 28, 2021 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. Raczynski to approve the minutes. Seconded by Dr. Fripp.</p> <p>Vote: Dr. Strudwick, Dr. Smith, Mr. Rich, Dr. Fripp, Dr. Wind, Dr. Raczynski, Dr. Simpson, and Dr. Anderson voted in favor of the motion. The motion passed.</p>	FM
OS-21-09-04 ALL	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: Consideration of the current 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. Raczynski to approve the Open Consent Agenda. Seconded by Dr. Fripp.</p> <p>Vote: Dr. Strudwick, Dr. Smith, Mr. Rich, Dr. Fripp, Dr. Wind, Dr. Raczynski, Dr. Simpson, and Dr. Anderson voted in favor of the motion. The motion passed.</p>	

<p>OS-21-09-05</p> <p>ALL</p>	<p><u>ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION (ABRA)</u></p> <p>Board Action: Review and provide input on whether the notification requirement for authorized practitioners that recommend medical cannabis beyond the 250 thresholds be amended.</p> <p>Background: ABRA is currently in the process of reviewing the medical cannabis laws and considering amendments to the related statutes and regulations. As part of their review, they are specifically looking at the requirements related to notifying the Board when authorized practitioners write 250 or more medically cannabis recommendations within a 1 year period. In 2018 to 2019, the Board received approximately 19 referrals from the MMP regarding authorized recommenders that went over the 250 thresholds.</p> <p>No formal motion. Matter was tabled so Board staff can obtain additional information regarding recommendations beyond the 250 thresholds.</p>	
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The Open Session Minutes continues on the next page with ‘Motion to Close’.

MOTION TO CLOSE

OS-21-09-06	<u>MOTION TO CLOSE</u>	FM
ALL	<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 by Dr. Simpson to move into closed session. Seconded by Dr. Raczynski.</p> <p>Vote: Dr. Strudwick, Dr. Smith, Mr. Rich, Dr. Fripp, Dr. Wind, Dr. Raczynski, Dr. Simpson, and Dr. Anderson voted in favor of the motion. The motion passed.</p>	

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

MOTION TO ADJOURN

OS-21-09-07	<u>MOTION TO ADJOURN</u>	FM
ALL	<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 Dr. Raczynski.</p> <p>Vote: Dr. Strudwick, Dr. Smith, Mr. Rich, Dr. Fripp, Dr. Wind, Dr. Raczynski, Dr. Simpson, Dr. Dawson, and Dr. Anderson voted in favor of the motion. The motion passed.</p> <p>Motion: Motion made by Dr. Raczynski to adjourn the meeting at 2 pm. Seconded by Dr. Simpson.</p> <p>Vote: Dr. Strudwick, Dr. Smith, Mr. Rich, Dr. Fripp, Dr. Wind, Dr. Raczynski, Dr. Simpson, Dr. Dawson, and Dr. Anderson voted in favor of the motion. The motion passed.</p>	

This ends the Open Session Agenda.

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.