

# BOARD OF MEDICINE

## Open Session Minutes

October 27, 2021  
8:36 am – 1:54 pm

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

**BOARD MEETING PARTICIPANTS:**

<b>BOARD MEMBERS:</b>	
Andrea Anderson, MD (AA)	
William Strudwick, MD (WS)	
Thomas Dawson, Esq. (TD)	<b>ABSENT</b>
Jeffrey Smith, MD (JS)	
Archie Rich (AR)	<b>ABSENT</b>
Vikisha Fripp, MD (VF)	
Joshua Wind, MD (JW)	
Christopher Raczynski, MD (CR)	
Joelle Simpson, MD (JS2)	
Konrad Dawson, MD (KD)	
VACANT (Physician Member)	
VACANT (Physician Member)	
VACANT (DC Health Designee)	
VACANT (Consumer Member)	
VACANT (Consumer Member)	
<b>BOARD STAFF:</b>	
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	
<b>LEGAL STAFF:</b>	
Suzanne Fenzel, Esq. – Board Attorney Advisor	
Ajay Gohil, Esq. – Board Attorney Advisor	
<b>VISITORS:</b>	
Dallas Salisbury, District Resident	
Pia Duryea, MSDC	
Janet Rein, Director of Staff Services at Sibley Memorial	

**The Open Session Agenda continues 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-21-10-01	<b><u>INTRODUCTIONS</u></b>	
ALL	<b>A. BOARD MEMBERS</b>  <b>B. BOARD STAFF</b>	

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

OS-21-10-02	<b><u>BOARD/DEPARTMENT REPORT</u></b>	
ALL	<b>A. BOARD CHAIR'S REPORT</b>  <b>i. COVID-19 Vaccine</b> The Board Chair provided an updated regarding the Pfizer COVID-19 vaccine. Authorization recently granted for the Pfizer vaccine for children ages 5 to 11.  <b>ii. FSMB Updates</b> The Board Chair provided an update regarding the statement issued by FSMB related to misinformation or disinformation regarding the COVID-19 vaccines and/or treatments of patients. The statement has been retweeted a number of times and gained national media attention.  Additionally, the Board Chair updated the Board that FSMB will be moving forward with the DEI committee.  <b>B. ASSOCIATE DIRECTOR'S REPORT</b>  <b>i. Temp License</b> The Associate Director provided an update regarding the pending temporary licensure process. The Associate Director informed the Board that a Declaration was issued by the Director for temporary licensure for specific license. The temporary license will allow individuals that are licensed in good standing in another jurisdiction be granted a temporary license, while their application is pending. The system went live on October 25, 2021. There are no limits regarding	

scope of practice or authority. The temporary license will only be valid for 90 days.

**ii. Licensure Waiver**

The Associate Director provided an update on the current status of the waiver and the recent rulemaking. Legislation passed on October 26, 2021, preserve our workforce bill. Extends the licensure waiver until August 2022. This legislation continues that. Clarifies in more details of what those facilities are. Department is opposed of the legislation. Working with the Council on Health to make possible amendments.

**iii. Vaccination Attestation**

Requirement is in effect. Reviewing is currently underway. All of applicants must be vaccinated to obtain licensure and to renew their license. It is now part of the application flow. Applicants/licenseses just have to attest to their status. Laws prohibits DC licensed facility from hiring anyone that is unvaccinated. Legal is looking at the possible appeal process for those licensees whose exemption request is denied.

**C. EXECUTIVE DIRECTOR'S REPORT**

**i. COVID-19 Update**

The Executive Director provided an update on the District's response to COVID-19. As of October 25, 2021, these are the current stats for the District:

- Total Overall Number of Tests: 2,202,015
- Total Number of DC Residents Tested: 639,814
- Total Positives: 63,919
- Total Lives Lost: 1,187
- Cleared from Isolation: 34,985
- As of October 11, 2021, the District has administered 1,016,280 vaccine doses, which is an increase of 27,116 vaccine doses since last reported on September 27, 2021. An estimated 60.8% of District residents are now fully vaccinated against COVID-19.

**ii. Rescheduling of November and December Meeting**

The November and December Board meetings are scheduled for November 24<sup>th</sup> and December 29<sup>th</sup>.

Board voted to combine the November and December meeting on December 15, 2021.

**iii. Board Vacancies**

The Executive Director provided an update on current Board vacancies and the recent staffing changes at MOTA.

**iv. Licensure Census**

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

<b>License Type</b>	<b>Active Licenses</b>
Medicine and Surgery	11132
Naturopath Physician	63
Osteopathy and Surgery	525
Physician Assistant	981
Polysomnographic Technician	1
Polysomnographic Technologist	57
Polysomnographic Trainee	1
Surgical Assistant	112
Trauma Technologist	5
Acupuncturist	161
Anesthesiologist Assistant	104
Medical Training License I (A)	1185
Medical Training License I (B)	324
Medical Training License II	22
Medical Training Registrant	891
<b>Total</b>	<b>15,564</b>

	<p>Pending Applications: 487</p> <p><b>D. BOARD ATTORNEY’S REPORT</b></p> <p><b>i. Reporting Requirements</b>  The Board Attorney provide an updated regarding the final rulemaking of Chapter 25: Health Professionals Reporting Requirements. The rule was finalized on 10/22/2021. Employers/facilities must report within 10 days of any adverse actions taken against a health professional. Board can issue an infraction against the facility or specific physician if they did not report in the appropriate time.</p>	
<p>OS-21-10-03</p> <p>ALL</p>	<p><b><u>OPEN SESSION MINUTES</u></b></p> <p><b>Board Action:</b>  Consideration of the Open Session minutes from the September 29, 2021 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 Dr. Strudwick to approve the minutes. Seconded by Dr. Wind.</p> <p><b>Vote:</b>  Dr. Strudwick, Dr. Smith, Dr. Fripp, Dr. Wind, Dr. Razcynski, Dr. Simpson, and Dr. Anderson voted in favor of the motion. Dr. Dawson was not present during the vote. The motion passed.</p>	
<p>OS-21-10-04</p> <p>ALL</p>	<p><b><u>OPEN CONSENT AGENDA</u></b></p> <p><b>Board Action:</b>  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><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 Dr. Strudwick to approve the Open Consent Agenda. Seconded by Dr. Wind.</p> <p><b>Vote:</b> Dr. Strudwick, Dr. Smith, Dr. Fripp, Dr. Wind, Dr. Raczynski, Dr. Simpson, and Dr. Anderson voted in favor of the motion. Dr. Dawson was not present during the vote. The motion passed.</p>	
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**The Open Session Agenda continues on the next page with ‘Misc. Items for Discussion’.**



**MISC. ITEMS FOR DISCUSSION**

OS-21-10-05 **ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION (ABRA)** SF

ALL

**Board Action:**

Review and provide input on whether the notification requirement for authorized practitioners that recommend medical cannabis beyond the 250 thresholds be amended.

**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 2017 to 2019, the Board received approximately 19 referrals from the MMP regarding authorized recommenders that went over the 250 thresholds.

During the September 2021 meeting, the Board requested additional information regarding recommendations beyond the 250 thresholds. A review of the 19 referrals from the MMP, shows the following:

Recommender	Audit	# of Referrals
1*	2016 -2017	1906
2*	2016 -2017	1218
3*	2016 -2017	1980
4	2017- 2018	332
5	2017- 2018	439
3*	2017- 2018	1013
1*	2017- 2018	1540
6	2017- 2018	352
7	2017- 2018	283
1*	2017- 2018	482
8*	2018- 2019	657
2*	2018- 2019	500
3*	2018- 2019	751
1*	2018- 2019	838
9	2018- 2019	309
8*	3/2019 – 12/2019	865
2*	3/2019 – 12/2019	340
3*	3/2019 – 12/2019	806
!*	3/2019 – 12/2019	1127

*\*=repeat referral*

	<p>The recommendations range from 283 to 1980 during 2016 to 2019. On average, authorized recommenders were making 802 recommendations annually.</p> <p><b>Motion:</b> Motion made by Dr. Simpson to recommend that no changes be made to the threshold. Seconded by Dr. Wind.</p> <p><b>Vote:</b> Dr. Strudwick, Dr. Smith, Dr. Fripp, Dr. Wind, Dr. Raczynski, Dr. Simpson, and Dr. Anderson voted in favor of the motion. Dr. Dawson was not present during the vote. The motion passed.</p>	
<p>OS-21-10-06  ALL</p>	<p><b><u>CERTIFIED PROFESSIONAL MIDWIVES AND DOULAS</u></b></p> <p><b>Board Action:</b> To identify members to advise on the licensure regulations for certified professional midwives (CPMs) and doulas.</p> <p><b>Background:</b> The DC Council has recently passed two (2) laws adding two (2) types of health professionals and putting them under the authority of the Board of Medicine. The CPM law created an Advisory Committee for CPMs but the doula law did not. We need Board members to review and provide input on the regulations for the two professions, and also to determine if we need another Advisory Committee for Doulas or should consider amending the CPM Advisory Committee for all midwifery/birthing professions, as Certified Midwives are expected to also be placed under the authority of this Board in the near future.</p> <p><b>Motion:</b> No formal motion made at this time. Board will await the addition of a physician member that specializes in obstetrics and gynecological services to serve on the subcommittee.</p>	<p>SF</p>

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

**MOTION TO CLOSE**

OS-21-10-07

**MOTION TO CLOSE**

ALL

**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. Fripp to move into closed session at 9:35 am. Seconded by Dr. Wind.

**Vote:**

Dr. Strudwick, Dr. Smith, Dr. Fripp, Dr. Wind, Dr. Raczynski, Dr. Simpson, Dr. Dawson, 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 Adjourn’.**

**MOTION TO ADJOURN**

OS-21-10-08

**MOTION TO ADJOURN**

ALL

**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 Dr. Smith to adjourn the meeting at 1:54 pm.  
Seconded by Dr. Fripp.

**Vote:**

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

**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](mailto:opengovoffice@dc.gov).*

