

BOARD OF MEDICINE

Open Session Minutes

July 27, 2022

8:44 am – 2:16 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 Agenda continues on the next page with the ‘Board Meeting Participants’.

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BOARD MEETING PARTICIPANTS:

| BOARD MEMBERS: | |
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| Andrea Anderson, MD (AA) | |
| William Strudwick, MD (WS) | |
| Jeffrey Smith, MD (JS) | Absent |
| Archie Rich (AR) | Absent |
| Vikisha Fripp, MD (VF) | |
| Christopher Raczynski, MD (CR) | Present – Left Meeting 9:00 am Returned 10:20 am |
| Konrad Dawson, MD (KD) | Absent |
| Aeva Gaymon-Doomes, MD (AGD) | Arrived 8:57am |
| Karen George, MD (KG) | |
| Asad Bandedy, MD (AB) | |
| VACANT (Physician Member) | |
| VACANT (Physician Member) | |
| VACANT (Consumer Member) | |
| VACANT (Consumer Member) | |
| VACANT (Consumer Member) | |
| BOARD STAFF: | |
| Arian Gibson, MS – Interim Associate Director | Absent |
| Aisha Nixon – Executive Director | |
| Lisa Robinson – Health Licensing Specialist | |
| Mary Harris – Health Licensing Specialist | |
| Angela Braxton – Health Licensing Specialist | Absent |
| Charles Annor – Health Licensing Specialist | |
| Kimberly Quickley – Health Licensing Specialist | Absent |
| Gregory Scurlock – Compliance Officer | Absent |
| Emilia Moran - Investigator | |
| Sabrina Gillison – DC Health Contractor | |
| LEGAL STAFF: | |
| Suzanne Fenzel, Esq. – Board Attorney Advisor | |
| Ajay Gohil, Esq. – Board Attorney Advisor | |
| Haley Holliday – Legal Intern | |
| Sarah Jie Legal Intern | |
| Kendria Miller – Legal Intern | |
| VISITORS: | |
| Khalil Hassam – CHA, DC Health | |
| Matteo Lieb – OGR, DC Health | |
| Rayna Jordan – Sibley John Hopkins | |
| Sherrie Wallington - GWU | |
| Pia Duryea - MSDC | |
| Frank Meyers – FSMB Legal Counsel | |
| Heather Burris – CHA, DC Health | |

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| Kate Vlach - OAG | |
| Thomas Ramirez | |

The Open Session Agenda continues on the next page with the 'Call to Order'.POF¹

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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 | | |
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| OS-22-07-01 | <u>INTRODUCTIONS</u> | |
| ALL | A. BOARD MEMBERS B. BOARD STAFF | |

| APPROVAL OF MINUTES, CONSENT AGENDA, BOARD POLICIES, AND STAFF REPORTS | | |
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| OS-22-07-02 | <u>BOARD/DEPARTMENT REPORT</u> | AN |
| ALL | A. BOARD CHAIR'S REPORT <ol style="list-style-type: none"> i. Dr. Anderson provided an update on the FSMB Board of Directors meeting. Dr. Anderson noted there were two (2) FSMB policies placed on the agenda for the Board to discuss. ii. Dr. Anderson attended the Interprofessional Board Chair meeting for several of the Boards under DC Health on Monday, July 18, 2022. The purpose of the meeting was to facilitate the opportunity for open discourse between the boards. The Board Chair noted Aisha Nixon, Executive Director gave an excellent presentation on the licensure process, roadblocks and recommendations to assist with the issuance of licenses in a timely manner. B. INTERIM ASSOCIATE DIRECTOR'S REPORT No Report C. EXECUTIVE DIRECTOR'S REPORT <ol style="list-style-type: none"> i. DC Health Staff Update Director of DC Health, Dr. LaQuandra S. Nesbitt will be leaving DC Health on July 29, 2022. Dr. Sharon Lewis will be the Interim Director of DC Health. Mr. Arian Gibson will be the Interim Senior Deputy Director of Health Licensing Regulation and Administration (HURLA). | |

ii. DC Health Updates

The Executive Director will provide an update on the District’s response to public health issues/concerns. Individuals may register for the Monkey Pox vaccine online. CDC website reported one-hundred ninety-one (191) cases in the District of Columbia. There are two Monkey Pox vaccine sites in the District one located in Northwest (NW), and one located in Southeast (SE). The District represents the highest number of cases per capita in the United States. Five thousand (5,000) invitations will be sent to high-risk residents in the District to receive the first dose the vaccine.

As it relates to COVID-19, the levels remain low. As of July 18, 2022, weekly cases per week are one-hundred eighty-one (181). There have been no new hospital admissions. There are a couple of new variants/ sub variants of Omicron.

There is currently no mask mandate in the District of Columbia for the general public. Individuals are not required to wear a mask unless they are in a high-risk environment.

iii. Upcoming Renewals

The Executive Director provided an update on the upcoming renewal cycle, workforce survey, and the requirements.

The renewal period for all licenses under the Board of Medicine except training licenses is scheduled to begin the within first week of October 2022. The 10% public health priorities and COVID-19 vaccine continuing education will be required this year. All licensees are required to register with the Prescription Drug Monitoring Program (PDMP) to continue with their renewals.

iv. Board Vacancies/MOTA Update

The Executive Director provided an update on current Board vacancies. Ms. Nixon will be meeting with the Office of Talents and Appointments (MOTA) to replace physician and public/consumer members. Currently, we have ten (10) Board members, and MOTA is in the process of recruiting potential physician members

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| | <p>v. Licensure Census The Executive Director provided an update on the current licensure census in the District.</p> <p>CHINESE HERBOLOGY 16 ACUPUNCTURIST 163 ANESTHESIOLOGIST ASSISTANT 118 MEDICAL TRAINING LICENSE I(A) 1195 MEDICAL TRAINING LICENSE I(B) 325 MEDICAL TRAINING LICENSE II 27 MEDICAL TRAINING REGISTRANT 90 MEDICINE AND SURGERY 12137 NATUROPATH PHYSICIAN 64 OSTEOPATHY AND SURGERY 619 PHYSICIAN ASSISTANT 1161 POLYSOMNOGRAPHIC TECHNICIAN 1 POLYSOMNOGRAPHIC TECHNOLOGIST 65 POLYSOMNOGRAPHIC TRAINEE 3 SURGICAL ASSISTANT 120</p> <p>D. BOARD ATTORNEY’S REPORT No Report</p> <p>E. OFFICE OF GOVERNMENT RELATION’S REPORT Mr. Matteo Lieb gave an update on current legislation. Mr. Lieb noted Council is on recess from July 15, 2022 to September 14, 2022.</p> | |
| <p>OS-22-07-03</p> <p>ALL</p> | <p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the June 29, 2022 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. Strudwick to approve the Open Consent Agenda. Seconded by Dr. Fripp.</p> <p>Vote:</p> | <p>AN/CA</p> |

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| | Dr. Raczynski, Dr. Anderson, Dr. Fripp, Dr. George and Dr. Bandedeally voted in favor of the motion. The motion passed unanimously. | |
| OS-22-07-04 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. Strudwick to approve the Open Consent Agenda. Seconded by Dr. Fripp.</p> <p>Vote: Dr. Strudwick, Dr. Raczynski, Dr. Anderson, Dr. Fripp, Dr. George and Dr. Bandedeally voted in favor of the motion. The motion passed unanimously.</p> | |
| OS-22-07-05 ALL | <p><u>BOARD POLICIES</u></p> <p>A. <u>FSMB: Professional Expectations Regarding Medical Misinformation and Disinformation</u></p> <p>Board Action: Consideration of FSMB Approved Disinformation statement and determine whether to develop similar policy for the DC Board of Medicine.</p> <p>Background: At the annual FSMB conference in April 2022, the FSMB House of Delegates adopted a policy regarding professional expectations regarding medical misinformation and disinformation. FSMB recommends that state medical boards adopt a policy that clarifies board expectations regarding the dissemination of misinformation and disinformation.</p> <p>Motion: Motion made by Dr. Fripp to adopt the FSMB policy regarding misinformation and disinformation pending review by the Office of Legal Counsel (OLG). Seconded by Dr. Strudwick.</p> | AA |

Vote:

Dr. Strudwick Dr. Raczynski, Dr. Anderson, Dr. Fripp, Dr. George, Dr. Gaymon-Doomes, and Dr. Bandedy voted in favor of the motion. The motion passed unanimously.

B. FSMB Position Statement: Treatment of Self, Family Members and Close Relations

Board Action:

Consideration of FSMB position statement regarding treatment of self, family members, and close relations and determine whether to adopt or develop a policy regarding this matter.

Background:

In May 2022, FSMB issued a position statement that sets expectations related to the provision of treatment of oneself, one's family members, and close personal relations.

Motion:

No motion was made at this time regarding the "treatment of Self, Family Members and Close Relations" policy statement. Dr. Strudwick, Dr. Anderson and Dr. Gaymon-Doomes will be on the subcommittee to review this policy.

The Open Session Agenda continues on the next page with 'Presentations, Misc. Items for Discussion, and FYI'.

PRESENTATIONS, MISC. ITEMS FOR DISCUSSION AND FYI

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| OS-22-07-06 ALL | <p><u>REQUEST FOR APPROVAL OF CONTINUING EDUCATION</u></p> <p>Board Action: To review the request from DC Health Community Health Administration (CHA) for Board approval of continuing education for COVID-19 Peer to Peer training.</p> <p>Background: CHA has developed an interactive training opportunity aimed at increasing healthcare providers' confidence and knowledge regarding the COVID-19 vaccinations. The training would be offered on a virtual platform and issue 1.5 continuing education units.</p> <p>Motion: Motion made by Dr. Strudwick to approve the COVID-19 continuing education. Seconded by Dr. Fripp.</p> <p>Vote: Dr. Strudwick, Dr. Raczynski, Dr. Anderson, Dr. Fripp, Dr. George, Dr. Gaymon -Doomes and Dr. Bandyaly voted in favor of the motion. The motion passed unanimously</p> | AN |
| OS-22-07-07 ALL | <p><u>PRESENTATION COMMUNITY HEALTH ADMINISTRATION PRIMARY CARE OFFICE</u></p> <p>Board Action: To listen to a short presentation from the Primary Care Office Director, Khalil Hassam regarding the Workforce Survey and the Health Professional Loan Repayment Program (HPLRP).</p> <p>Background: Mr. Hassam will provide a licensure survey update and information about the HPLRP.</p> <p>Motion: No motion needed. Ms. Nixon asked the Board to send any comments or suggestions to her attention regarding the Workforce Survey by Friday, August 12, 2022.</p> | AN |
| OS-22-07-08 ALL | <p><u>REQUEST FOR BOARD OPINIONS</u></p> <p>Board Action: To provide an opinion on the question presented by the Executive Office of the Mayor (EOM).</p> | AN |

Background:

The EOM, through DC Health General Counsel, has asked the BOM to opine on whether or not:

- (1) A physician can mail Mifeprex (mifepristone) and misoprostol to a patient to end an early pregnancy; and
- (2) Is it the same answer for a patient inside DC and a patient outside of DC?

Mifepristone, because of risks, is under an FDA program (REMS) which requires the prescriber and dispenser to be registered in the program in order to prescribe or dispense this medication. DC does not have any laws or regulations that would impose any additional restrictions, other than the requirement that the pharmacy be licensed in DC, either as an in-state pharmacy or a nonresident pharmacy.

Mifepristone (generic) /Mifeprex (brand) is not a controlled substance but has some additional requirements by the FDA. The requirements are outlined in a Risk Evaluation and Mitigation Strategy (REMS). An overview of the requirements is as follows:

- Mifepristone must be prescribed by or under the supervision of a certified healthcare provider who meets certain qualifications, including signing a Prescriber Agreement Form;
- The healthcare provider must obtain a signed Patient Agreement Form from the patient after counseling and prior to prescribing Mifeprex.
- Pharmacies that dispense Mifepristone must be certified.

The Pharmacy Control Division at DC Health has confirmed the medication can be mailed into the District just as long as the pharmacy is licensed in the District of Columbia and certified to dispense the product. Similarly, a DC Pharmacy can mail the medication to an individual in the District; mailing it to someone outside of the District will depend on that state's laws (the state where the patient is located).

Please note the REMS link references that the product can only be dispensed in certain healthcare settings (specifically clinics, medical offices, and hospitals, by or under the supervision of a certified prescriber). As of December 2021, this was changed to reduce the burden on patient access. "Removing the in-person dispensing requirement will allow, for

example, dispensing of mifepristone by mail via certified prescribers or pharmacies, in addition to in-person dispensing in clinics, medical offices, and hospitals as currently outlined in the Mifepristone Rems Program.” ([https://www.fda.gov/drugs/postmarket-drug-safety-information-patients-and-providers/questions-and-answers-mifeprex Q#6](https://www.fda.gov/drugs/postmarket-drug-safety-information-patients-and-providers/questions-and-answers-mifeprex-Q#6), last accessed July 1, 2022).

<https://www.fda.gov/drugs/drug-safety-and-availability/risk-evaluation-and-mitigation-strategies-rem#:~:text=A%20Risk%20Evaluation%20and%20Mitigation,the%20medication%20outweigh%20its%20risks.>



[Risk Evaluation and Mitigation Strategies | REMS | FDA](#)

A Risk Evaluation and Mitigation Strategy (REMS) is a drug safety program that the U.S. Food and Drug Administration (FDA) can require for certain medications with serious safety concerns to help ...

www.fda.gov

<https://www.fda.gov/drugs/postmarket-drug-safety-information-patients-and-providers/mifeprex-mifepristone-information>



[Mifeprex \(mifepristone\) Information | FDA](#)

Mifeprex (mifepristone) is used, together with another medication called misoprostol, to end an early pregnancy. FDA first approved Mifeprex in 2000.

www.fda.gov

Motion:

No motion or vote was made at this time. The Board requested to receive advice from the Office of the General Council (OGC) regarding the issue prior to responding.

OS-22-07-09

FEDERATION OF STATE MEDICAL BOARDS (FSMB) ANNUAL REPORT- FYI

ALL

Board Action:

Informational purposes only.

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| <p>Background: FSMB 2022 annual report regarding “Messaging and Partnership, Advancing Ideas Through Collaboration.</p> <p>Motion: No motion/vote needed for informational purposes only.</p> | |
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The Open Session Agenda continues on the next page with ‘Motion to Close’.

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MOTION TO CLOSE

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| <p>OS-22-07-10</p> <p>ALL</p> | <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: At 10:32 AM, motion was made by Dr. Fripp to end Open Session and move into Closed Session. Seconded by Dr. Strudwick.</p> <p>Vote: Dr. Strudwick, Dr. Raczynski, Dr. Gaymon-Doomes, Dr. Fripp, Dr. George and Dr. Anderson voted in favor of the motion. Dr. Bandealy was not present. The motion passed.</p> | <p>AN</p> |
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The Open Session Agenda continues on the next page with ‘Motion to Adjourn’.

MOTION TO ADJOURN

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| OS-22-07-11 | <u>MOTION TO ADJOURN</u> | AN |
| 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 Dr. Dawson to adjourn the meeting at 2:16 pm. Seconded by Dr. Strudwick.</p> <p>Vote: Dr. Strudwick, Dr. Raczynski, Dr. Gaymon-Doomes, Dr. Fripp, Dr. George, Dr. Dawson, and Dr. Anderson voted in favor of the motion. Dr. Bandealy was not present. The motion passed unanimously.</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.