



899 North Capitol St. NE – 2nd Floor
Washington, DC 20002
September 27, 2017
8:30 am – 4:45 pm

BOARD OF MEDICINE

OPEN SESSION AGENDA

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.”

BOARD MEETING PARTICIPANTS:

BOARD MEMBERS:	
Preetha Iyengar, MD (PI)	ABSENT
Lawrence Manning, MD (LM)	
Andrea Anderson, MD (AA)	
Thomas Dawson, Esq. (TD)	
Jeffrey Smith, MD (JS)	
Kelly Ann Colden, MD (KC)	
Terrence Straub (TS)	
Archie Rich, Esq. (AR)	
Vikisha Fripp, MD (VF)	
David Wessel, MD (DW)	
Thomas Smith (TS2)	
Joshua Wind, MD (JW)	
BOARD STAFF:	
Frank Meyers, JD – Executive Director	
Lisa Robinson – Health Licensing Specialist	
Mary Harris – Health Licensing Specialist	
Aisha Nixon – Health Licensing Specialist	
Angela Braxton – 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 agenda begins 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 will be discussed during the meeting.

OPEN SESSION

CALL TO ORDER	
OS-17-09-001 ALL	<p><u>CALL TO ORDER</u></p> <p>A. INTRODUCTION OF BOARD MEMBERS</p> <p>B. INTRODUCTION OF BOARD STAFF</p>
APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS	
OS-17-09-002 ALL	<p><u>BOARD/DEPARTMENT REPORT</u></p> <p>A. BOARD CHAIR’S REPORT</p> <p>B. EXECUTIVE DIRECTOR’S REPORT</p> <p style="padding-left: 40px;">i. Change in Board Membership On September 15, 2017, the Mayor issued Mayor’s Order 2017-217, which named Dr. Andrea Anderson as the new chairperson of the Board of Medicine. The order also named Dr. Preetha Iyengar, MD, as the new Department of Health designee, replacing Dr. Denson.</p> <p style="padding-left: 40px;">ii. Licensure Census The Executive Director will provide an update to the Board on the current census of licensed practitioners in the District of Columbia.</p> <p style="padding-left: 40px;">iii. Death with Dignity Update The Executive Director will provide an update on the status of the District of Columbia’s Death with Dignity Program.</p> <p style="padding-left: 40px;">iv. FSMB Call for Nominations The Federation of State Medical Boards (FSMB) recently sent out an email to all members, informing them that nominations are now open for various positions to be elected at the 2018 annual meeting. These positions include:</p> <ol style="list-style-type: none">1. Chair-elect2. Treasurer3. Board of Directors (3 positions [1 must be a public member]);4. Nominating Committee (3 positions [1 must be a public member]). <p>C. BOARD ATTORNEY’S REPORT</p>

OS-17-09-003 ALL	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the July 26, 2017 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>	
OS-17-09-004 ALL	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: Consideration of the current September 27, 2017 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>	

The Agenda continues on the next page with 'Misc. Items for Discussion'.

MISC. ITEMS FOR DISCUSSION

OS-17-09-005 ALL	<p><u>PROPOSED TELEMEDICINE REGULATIONS</u></p> <p>Board Action: To review comments received in response to the Second Notice of Proposed Rulemaking regarding Telemedicine regulations, that was published in the DC Register on August 7, 2017.</p> <p>Background: The Board previously reviewed and approved proposed rulemaking regarding telemedicine requirements in the District of Columbia. As part of the legal process to enact these regulations, the proposed rulemaking was published in the DC Register on August 7, 2017 for public comments. The public comment period is over, and so the proposed regulations and the received comments are being submitted to the Board for review and determination on whether to incorporate the comments and recommended edits into the proposed regulations.</p>	
OS-17-09-006 ALL	<p><u>CHANGES TO TRANSCRIPT REQUIREMENTS</u></p> <p>Board Action: To review existing transcript requirements under 17 DCMR § 4602.5 to determine if changes are necessary.</p> <p>Background Board staff has been working on updating all Board applications, including reviewing existing legal requirements, Board policies, and Board delegated authorities, to ensure the application process is as legally accurate and efficient as possible. During this process several issues have been identified for clarification from the Board on proposed changes to existing requirements. One such issue is regarding certified medical school transcripts.</p> <p>Currently under 17 DCMR § 4602.5, applicants are required to have certified transcripts of their medical education be sent directly from the education institutions to the Board or its designees. This has caused significant delays in processing of applications as applicants must request the transcripts from their school who must then send the transcripts directly to the Board. This also poses a future issue to any attempts to move towards an online application process, as the schools themselves cannot upload electronic copies to any such system. Staff is seeking Board feedback on changing this regulation to state the Board “may” require certified transcripts be sent directly from the institution, as opposed to “shall”.</p>	
OS-17-09-007 ALL	<p><u>REQUEST FOR APPROVAL OF NON-ACGME FELLOWSHIP PROGRAM</u></p> <p>Board Action: To review the request for approval, and supplemental documents, submitted by Children’s National Health System regarding their non-ACGME accredited Urgent Care Fellowship 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. Staff recently received a request from CNMC for approval of their Urgent Care Fellowship program.</p>	
<p>OS-17-09-008 ALL</p>	<p><u>REQUEST FOR APPROVAL OF NON-ACGME FELLOWSHIP PROGRAM</u></p> <p>Board Action: To review the request for approval, and supplemental documents, submitted by Washington Hospital Center (WHC) regarding their non-ACGME accredited Stroke/Vascular Neurology internship 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. Staff recently received a request from WHC for approval of their Stroke/Vascular Neurology Internship program.</p>	
<p>OS-17-09-009 ALL</p>	<p><u>FOREIGN TRAINED MEDICAL GRADUATES EMERGENCY REGULATIONS</u></p> <p>Board Action: To review the recently enacted emergency regulation that modifies the licensure requirements for foreign trained medical graduates in 17 DCMR § 4603.</p> <p>Background: The Board previously reviewed and approved draft emergency regulations that would change the licensure requirements for foreign-trained physician applicants. Specifically, the emergency regulations would modify 17 DCMR § 4603.6, so as to allow the Board to consider non-ACGME or AOA approved postgraduate training and significant clinical practice, towards the requirement of three (3) years of postgraduate training, IF the applicant has ever held a license in another state, or holds Board certification recognized by the ABMS or AOA. These emergency regulations became effective upon the signature of Dr. Nesbitt on September 6, 2017.</p>	
<p>OS-17-09-010 ALL</p>	<p><u>HEPRA PRESENTATION</u></p> <p>Board Action: To listed to the presentation from the Health Emergency Preparedness and Response Administration (HEPRA) regarding the DC Medical Reserve Corp (MRC).</p> <p>Background: HEPRA is the agency within the DC Department of Health that is tasked with operating the MRC. The purpose of the 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</p>	

	during emergencies and other times of community need. HEPRA has requested to meet with the Board to discuss the role of the MRC and seek assistance in obtaining volunteers.	
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End of Open Session.

TO BE READ BY BOARD CHAIR:

This concludes the Public Open Session of the meeting and pursuant to DC Official Code § 2-575(b), the Board will now 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).**

Based on the forgoing, is there a motion to go into Closed Executive Session?