

GOVERNMENT OF THE DISTRICT OF COLUMBIA



899 North Capitol St. NE – 2nd Floor
Washington, DC 20002
March 29, 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:	
Janis Orłowski, MD (JO)	ABSENT
Anitra Denson, MD (AD)	
Lawrence Manning, MD (LM)	ABSENT
Andrea Anderson, MD (AA)	
Thomas Dawson, Esq. (TD)	
Jeffrey Smith, MD (JS)	
Kelly Ann Colden, MD (KC)	
Terrence Straub (TS)	ABSENT
Treasure Johnson, Esq. (TJ)	
Vikisha Fripp, MD (VF)	ABSENT
David Wessel, MD (DW)	
Thomas Smith (TS2)	ABSENT
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	
Shivangi Bhatt – Temp/ Contractor	
Emilia Moran – Investigator	
Diane Moorer – IT Support	
LEGAL STAFF:	
Suzanne Fenzel, Esq. – Board Attorney Advisor	
Ajay Gohil, Esq. – Board Attorney Advisor	
Christopher Boone, Esq. – Law Clerk	

The agenda begins on the next page with the Open Session items. 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

8:30 am to 10:30 am

CALL TO ORDER	
OS-17-03-001 ALL	<u>INTRODUCTIONS</u> A. BOARD MEMBERS B. BOARD STAFF
APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS	
OS-17-03-002 ALL	<u>BOARD/DEPARTMENT REPORT</u> A. BOARD CHAIR'S REPORT B. EXECUTIVE DIRECTOR'S REPORT a. Licensure Census Update The Executive Director will provide an update on the number of current active licenses issued by the Board of Medicine. b. MTL Renewal Update The Executive Director will provide an update to the Board on the status of the current training renewal cycle. c. Performance Oversight Hearing The Executive Director will provide an update following the recent City Council Performance Oversight Hearing which took place on March 1, 2017. C. BOARD ATTORNEY'S REPORT
OS-17-03-003 ALL	<u>OPEN SESSION MINUTES</u> Board Action: Consideration of the Open Session minutes from the January 25, 2017 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.

OS-17-03-004 ALL	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the February 22, 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-17-03-005 ALL	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: Consideration of the current March 29, 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>	

MISC. ITEMS FOR DISCUSSION

<p>OS-17-03-006 ALL</p>	<p><u>INTERSTATE MEDICAL LICENSURE COMPACT (“IMLC”)</u></p> <p>Board Action: To review the “Interstate Medical Licensure Compact Approval Act of 2017”, as recently introduced by Councilmember Vincent Gray.</p> <p>Background: On March 7, 2017, Councilmember Vincent Gray introduced the “Interstate Medical Licensure Compact Approval Act of 2017”, which if enacted would add the District of Columbia to the IMLC. Currently eighteen (18) other states have already enacted the legislation to become part of the Compact.</p>	
<p>OS-17-03-007 ALL</p>	<p><u>ACUPUNCTURE REGULATIONS</u></p> <p>Board Action: To review the proposed regulations, as well as their accompanying comments, to determine how to proceed.</p> <p>Background: The proposed Acupuncture Regulations were published on November 27, 2015, which made several changes to the existing regulations and requirements regarding the practice of Acupuncture. These comments have been reviewed by legal staff, who recommends submitting them to the Acupuncture taskforce to determine whether any additional changes are necessary before proceeding to final rulemaking.</p>	
<p>OS-17-03-008 ALL</p>	<p><u>TELEMEDICINE REGULATIONS</u></p> <p>Board Action: To review the amended proposed regulations regarding the practice of telemedicine in the District, following public comment and discussion of the telemedicine taskforce.</p> <p>Background: On February 26, 2016, the Board published it’s proposed telemedicine regulations in the DC Register. Following publication, several comments were received, which were then reviewed and discussed by the Board. Ultimately the Board determined that the Telemedicine Taskforce would need to meet to seek further input and provide suggestions on how best to proceed. The Telemedicine Taskforce met on February 15, 2017, co-chaired by Dr. Denson and Mr. Straub, and suggested various changes. Those suggestions have now been incorporated into new draft regulations, which are being presented for the Board’s review.</p>	

<p>OS-17-03-009 ALL</p>	<p><u>FSMB KICKBACK NOTICE</u></p> <p>Board Action: To review the “Kickback Notice” issued by FSMB on March 3, 2017.</p> <p>Background: On March 3, 2017, the Federation of State Medical Board (FSMB) issued a “Kickback Notice” to all Executive Directors of FSMB Member Boards, expressing concerns with recently identified prescribing trends. Specifically, the Ethics and Professionalism Committee of FSMB identified three (3) business arrangements that are of concern to FSMB, and are potentially in violation of both state and federal anti-kickback laws. These business arrangements include:</p> <ol style="list-style-type: none"> 1. Compounding pharmacies hiring marketing firms; 2. Call centers routing prescriptions to specific pharmacies that have contracts with the patient’s insurer; and 3. Pharmacies involved in above practices, changing labels on medications in order to obtain maximum insurance reimbursements. <p>This information has also been forwarded to the DC Board of Pharmacy.</p>	
<p>OS-17-03-010 ALL</p>	<p><u>CME AUDIT</u></p> <p>Board Action: To determine the percentage of licensees to audit for compliance with the continuing education (CE) requirements for renewal of their license.</p> <p>Background: All professions regulated by the Board of Medicine had their licenses expire on January 1, 2017. In order to renew their license, licensees had to submit a renewal application and certify that they completed the necessary amount of CE required to renew their license. Now that the renewal period is over, staff is preparing to audit licensees to determine compliance with the CE requirements. To do this, guidance is needed from the Board regarding the percentage of licensees to audit.</p>	

End of Open Session.