

GOVERNMENT OF THE DISTRICT OF COLUMBIA



899 North Capitol St. NE – 2nd Floor
Washington, DC 20002
March 29, 2017
9:17 am – 10:12 am

BOARD OF MEDICINE

OPEN SESSION MINUTES

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)	
Andrea Anderson, MD (AA)	
Thomas Dawson, Esq. (TD)	
Jeffrey Smith, MD (JS)	ABSENT
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 minutes begin on the next page with the Open Session items.¹

¹ The order in which the following items are listed does not necessarily reflect the order in which the items were discussed during the meeting.

OPEN SESSION

CALL TO ORDER

OS-17-03-001
ALL

INTRODUCTIONS

A. BOARD MEMBERS

B. BOARD STAFF

APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-17-03-002
ALL

BOARD/DEPARTMENT REPORT

A. BOARD CHAIR'S REPORT

a. Dr. Denson Chairing Meeting

Dr. Denson served as the acting chair of the Board for this meeting, as Dr. Olrowski was absent. Otherwise the Board Chair had nothing to report.

B. EXECUTIVE DIRECTOR'S REPORT

a. Licensure Census Update

The Executive Director provided an update on the number of current active licenses issued by the Board of Medicine, as follows:

- i. Acupuncturist – 168
- ii. Anesthesiologist Assistant – 63
- iii. Medical Training License I(A) – 1,129
- iv. Medical Training License I(B) – 378
- v. Medical Training License II – 24
- vi. MTR – 107
- vii. Medicine and Surgery – 9,703
- viii. Naturopath Physician – 50
- ix. Osteopathy and Surgery – 277
- x. Physician Assistant – 674
- xi. Polysom. Technician – 2
- xii. Polysom. Technologist – 64
- xiii. Polysom. Trainee – 8
- xiv. Surgical Assistant – 118
- xv. Trauma Technologist – 5

b. MTL Renewal Update

The Executive Director provided an update to the Board on the status of the current training renewal cycle.

c. Performance Oversight Hearing

The Executive Director provided an update regarding the recent City Council Performance Oversight Hearing which took place on March 1, 2017. This included a discussion of the practice of telemedicine in the District, as well as Councilmember Gray's desire for the Board

	<p>to do more to make its licensee's aware of the District's student loan forgiveness program for physicians and other healthcare professionals.</p> <p>The Board stated it would be interested to see the loan forgiveness program extended, and asked staff to discuss this program with the appropriate individuals in the Department of Health.</p> <p>C. BOARD ATTORNEY'S REPORT The Board Attorney provided a brief update on the status of the Board's regulations, including the need to focus on the medi-spa and training license regulations next.</p>	
OS-17-03-003 ALL	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: Consideration of the Open Session minutes from the January 25, 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> <p style="text-align: center;">*****</p> <p>Discussion: The chair asked if any Board members had any changes to the minutes, to which no recommended changes were made.</p> <p>Motion: Motion made by Dr. Anderson to approve the minutes from January 25, 2017. Seconded by Dr. Manning.</p> <p>Dr. Denson, Dr. Colden, Dr. Anderson, Dr. Manning, Dr. Wessel, Mr. Dawson and Ms. Johnson voted in favor of the motion. The motion passed unanimously.</p>	
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> <p>Discussion: The chair asked if any Board members had any changes to the minutes, to which no recommended changes were made.</p>	

	<p>Motion: Motion made by Dr. Anderson to approve the minutes from February 22, 2017. Seconded by Mr. Dawson.</p> <p>Dr. Denson, Dr. Anderson, Dr. Manning, Mr. Dawson and Ms. Johnson voted in favor of the motion. Dr. Wessel and Dr. Colden abstained. The motion passed.</p>	
<p>OS-17-03-005 ALL</p>	<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> <p style="text-align: center;">*****</p> <p>Discussion: The chair asked if any Board members had any cases they wanted to pull from the Consent Agenda, to which no cases were identified.</p> <p>Motion: Motion made by Dr. Wessel to approve the Open Consent Agenda. Seconded by Ms. Johnson.</p> <p>Dr. Denson, Dr. Colden, Dr. Anderson, Dr. Manning, Dr. Wessel, Mr. Dawson and Ms. Johnson voted in favor of the motion. The motion passed unanimously.</p>	

MISC. ITEMS FOR DISCUSSION

OS-17-03-006
ALL

INTERSTATE MEDICAL LICENSURE COMPACT (“IMLC”)

Board Action:

To review the “Interstate Medical Licensure Compact Approval Act of 2017”, as recently introduced by Councilmember Vincent Gray.

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.

Discussion:

The Board discussed the effect the IMLC would have on reciprocity, to which staff informed the Board that currently licensure by reciprocity does not exist. The Board further discussed the costs of the IMLC, and how that may impact the passing of the legislation. Lastly, the Board had asked about whether staff was aware of any outreach from the City Council, or any other 3rd parties, about the proposed legislation prior to its introduction. The Executive Director informed the Board that no such outreach had occurred, although prior discussions had been had with various stakeholders about where the IMLC stood in terms of potentially being proposed in the future.

Motion:

This item was for informational purposes only, so no formal action was taken at this time.

OS-17-03-007
ALL

ACUPUNCTURE REGULATIONS

Board Action:

To review the proposed regulations, as well as their accompanying comments, to determine how to proceed.

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.

Discussion:

The Board received an update from legal staff on the status of the acupuncture regulations, specifically the need to convene to the Acupuncture Taskforce that initially worked on the regulations to provide input on the received comments and potential changes. Legal

	<p>staff informed the Board that once the Taskforce convenes, this information will be brought back for Board review on whether to move forward with final publication or if additional changes will be necessary.</p> <p>Motion: This item was for informational purposes only, so no formal action was taken at this time.</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 its 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 style="text-align: center;">*****</p> <p>Discussion: The Board received an update from legal staff on the status of the telemedicine regulations, including a brief outline of the process that has occurred to date. The Board also discussed how telemedicine would interact with existing exemptions to licensure.</p> <p>Following discussion of the process, legal staff discussed the proposed changes made by the Telemedicine Taskforce, which included:</p> <ol style="list-style-type: none"> 1. requiring the physician be licensed where the patient resides; 2. modifying the definition of telemedicine; and 3. clarifying the definition of “real time” for purposes of audio and video communication. <p>Ultimately the Board felt the definition and changes outlined in the proposal provided by legal staff adequately addressed the issues identified by the Telemedicine Taskforce, as well as any concerns the Board had. Specifically, the Board felt the definition of “real time” was broad enough to allow it to withstand the changes to the technology, but at the same time clarifying the general nature of the communication that needs to take place.</p> <p>Because of the complexity of the proposed regulations, legal staff asked the Board to vote separately on the definition of “real time” and</p>	

	<p>then on the modified proposed language.</p> <p>Motion: Motion made by Dr. Wessel to approve the definition of “real time” as stated in the proposed regulations. Seconded by Ms. Johnson.</p> <p>Dr. Denson, Dr. Colden, Dr. Anderson, Dr. Manning, Dr. Wessel, Mr. Dawson and Ms. Johnson voted in favor of the motion. The motion passed unanimously.</p> <p>Motion made by Dr. Anderson to approve the modified proposed telemedicine regulations as presented. Seconded by Dr. Manning.</p> <p>Dr. Denson, Dr. Colden, Dr. Anderson, Dr. Manning, Dr. Wessel, Mr. Dawson and Ms. Johnson voted in favor of the motion. The motion passed unanimously.</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 style="text-align: center;">*****</p> <p>Discussion: The Executive Director provided the Board with an update about the Kickback Notice submitted by FSMB, including a brief description of the Board’s authority on regulating in office compounding. The Executive Director also informed the Board that the Kickback Notice was referred to the Board of Pharmacy as well.</p> <p>Motion: This item was for informational purposes only, so no formal action was taken at this time.</p>	

OS-17-03-010
ALL

CME AUDIT

Board Action:

To determine the percentage of licensees to audit for compliance with the continuing education (CE) requirements for renewal of their license.

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.

Discussion:

The Board discussed what percentage of licensees had been done in the past, and the overall return rate for violations. Staff provide some basic numbers of the last renewal, as well as the fact that in previous audits two percent (2%) of physicians were audited, and only one percent (1%) of physician assistants were audited. The Board inquired as to whether a larger percentage could be audited, however based on current staffing a larger percentage would be not be feasible.

Motion:

Motion made by Dr. Manning to audit percent (2%) of physicians and one percent (1%) of physician assistants. Seconded by Dr. Anderson.

Dr. Denson, Dr. Colden, Dr. Anderson, Dr. Manning, Dr. Wessel, Mr. Dawson and Ms. Johnson voted in favor of the motion. The motion passed unanimously.

MOTION TO CLOSE

MOTION TO CLOSE

Motion:

Motion made by Dr. Colden to go into closed session pursuant to DC Official Code 2-575(b) for discussion of 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

	<p>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> <p>Seconded by Dr. Anderson.</p> <p>Dr. Denson, Dr. Colden, Dr. Anderson, Dr. Manning, Dr. Wessel, Mr. Dawson and Ms. Johnson voted in favor of the motion. The motion passed unanimously.</p>	
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The Minutes continue on the next page with the Open Consent Agenda Items.

DRAFT

APPROVED APPLICATIONS FOR LICENSURE

National Board Applicants:

The following applicants were approved based on successful completion of the examination administered by the National Board of Medical Examiners (NBME) or the National Board of Osteopathic Medical Examiners (NBOME).

NBME:

Workman, Frank A.
Jezior, James
Rothschild, Jill
Gritz, David C.
Pillai, Jay J.
Snodgrass, Natalie

NBOME:

Uyesugi, Walter Y.

FLEX Examination:

The following applicants were licensed based on successful completion of the FLEX examination:

Ahn, Hyo
Qureshi, Nadeem
Farhood, Anwar I.

USMLE APPLICANTS:

The following applicants were licensed based on successful completion of the USMLE examination given in DC or outside of DC:

Took USMLE in D.C

N/A

Took USMLE Outside of DC

Vaz, John R.
Rajjoub, Lamise Z.
Saket, Ramin R.
Yeun, Janice H.
Nuber, Erika D.
Stoner, Timothy L.
Powell, Anthony F.
Vyas, Ritu R.
Mulugeta, Philipose G.
Sulmasy, Daniel P.
Mohyuddin, Muhammad M.
Huppe, Ashley I.
Javed, Hasan
Hsu, Raymond M.
Trimble, Christopher R.

Lamba, Arleen K.
Lubinsky, Graham T.
Jung, Edward W.
Yasmin, Umme
Stenk, Elena A.
Kalthia, Rupesh H.
Hura, Stefan A.
Widge, Alica T
Veede, Franco
Weissman, Anna R
Schwartz, Elizabeth
Reindel, Rebecca
Pyclik, Kristina
Swerlick, Arin E.
Shen, Rong
Shen, Peter Y.
Rubinfeld, Roy S.
Satterthwaite, Brenda J.
Jones, Christopher S.
Powell, Victoria
Hood, Colton
Hilder, Margaret
Horing, Aurell
Ortiz, Patricia
Huppmann, Michael
Hassantovfighi, Arash
Gitman, Lyuba
Walker, Barbara
Taylor, Kayleigh
Kumar, Rishi
Vu, Zao
Romanowicz, Jennifer
Wu, Catherine
Falk, Michael
Sayed, Azeem
Barazanji, Maha
Carswell, Aimee
Sherkat, Amir
Kim, Brian J
Kim, Chul
Kothari, Kunal D.
Mount, Charles E.
Kaliani, Neelu J.
Ahmad, Daniel
Alkully, Turki H.
Altafi, Rashid
Anderson, Ryan E.
Piper, Louis
Ruth, John K'
White, Ariel B.
Lucas, Quinton A.
Satya, Sripooja
Rahman, Saud

Kovacevic, Neda
Ruban, Irina Y.
Hartzog, Timothy H.
Aulakh, Manek S.
Chopra, Jasleen
Shay, Rebecca L.M.
Tillou, John D.
Traub, Terri M.
Villareal Jr., Guadalupe G.
Sharabi, Abdelsalam
Niazi, Robina H.
Semelrath, Kevin M.
Tye, Grace A.
Ego-Osuala, Islamiat O.
Dervishaj, Ornela
Brown, Saghi S.
Bodagala, Siva R.
Fatima, Urooji
Friedel, Eliese P.
Fong, Nepenthe I.
Jacobs, Melissa A.
Banigan, Maureen A.
Asgill, Naett I.
Sood, Rishi R.
Owusu, Osei K.
Reisner, David C.
Marquart, Laura N.
Chow, Lawrence C.
Sanford, Thomas H.
Oh, Melissa A.
Ahmad, Mohammad
Shrestha, Rosina
Rizvi, Irfan A.
Taylor, Travis R.
Iacob, Codrin E.
Pelham, Nicole C.
Persky, Rebecca W.
Posada, Jacqueline G.
Risbood, Milish P.
Ruhi, Maleeha
Ah, David I
Bergquist, Peter
Cheung, Lawrence N.
Rosenberg, Jason D.
Quint, James D.
Vanikar, Dipti
Zaheer, Atif
Farsaii, Alireza
Lohoff, Falk

Endorsement:
N/A

Step 3:

N/A

Took Combo:

N/A

LMCC:

Machat, Jeffery J.

COMLEX:

Mayer, Joshua C
Ziatyk, Elizabeth Q.
Kamberos, Natalie L.
Chung, Sharon Y.

SPEX:

N/A

State Constructed:

N/A

MD/DO Reinstatement Applicants:

Bailey Salary, Cheryl

MD/DO Reactivation Applicants:

Soofer, Stephanie

Acupuncturist (NCCAOM):

N/A

Acupuncturist Reinstatement:

N/A

Physician Assistants (NCCPA):

Bryant, Kiesa
Yancey, Shirley
Jacona, Nicole
Wegesser, Amy
Curry, Beth
Wotko, Meredith CH.
Nowak, Catherine E.
Stencel, Kara L

PA Reinstatements:

Thomas, Sara

Surgical Asst. / NSAA:

N/A

Surgical Asst. / ABSA:

Cardona, Ansurio

Surgical Asst. / NBSTSA:

N/A

Surgical Asst. Reinstatements

N/A

Anesthesiology Assistants:

Jacob, Daryl

Trauma Technologist:

N/A

Naturopathic Physician:

The following applicant was approved for a naturopathic physician license (NPLEX).

N/A

Naturopathic Physician Reinstatement:

N/A

Eminence:

N/A

Polysomnographers:

Sok, Munind

Polysomnographer Trainee:

Mengesha, Yonas

Alternative Pathway:

N/A

Licensure Exemption (formerly 'Affiliated With'):

N/A

Medical Training Registrant (MTR):

Peroutka, Christina
Salerno, Alexis
Akwara, Chioma
Shah, Amit
Jenkins-Price, Keyonna
Cosentino, Christopher
Odonkor, Charles
Towb, Parmalee
Dowling, Marisa
Hoyt, Benjamin
Taylor, Justine
Townes, Thomas G.
De La Houssaye, Chistopher
Bosse, Samantha

	<p>Vereen, Rasheda Aguilar, Maria E Baksh, Aureen Overmann, Archie Meyer, Sarah Rivera, Victor Shakil, Mahwish Greco, Anthony Li, Yumeng Garrett, Andrew McClintick, Stacey Friedman, Eitan Shah, Neel Yow, Bobby Garcia, Daniella Padial, Javier Ford, Gavin W. Pence, Michael</p> <p>Medical Training License (MTL) IA: Cosentino, Christopher Paul</p> <p>Medical Training License (MTL) IB: N/A</p> <p>Medical Training License (MTL) II: N/A</p>	
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Approved:

Janis M. Orlowski, MD, MACP

Date

[Drafted by Frank B. Meyers, JD]

End of Open Session Minutes.