



GOVERNMENT OF THE DISTRICT OF COLUMBIA



899 North Capitol St. NE – 2nd Floor
Washington, DC 20002
December 28, 2016
9:00 am – 9:33 am

BOARD OF MEDICINE
OPEN SESSION MINUTES

BoMed 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)	ARRIVED AT 10:00 AM
Marc Rankin, MD (MR)	
Anitra Denson, MD (AD)	
Lawrence Manning, MD (LM)	ARRIVED AT 9:08 AM
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)	ABSENT
Vikisha Fripp, MD (VF)	
David Wessel, MD (DW)	
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. – Interim 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

1. Call to Order
2. Introduction of Board Members
3. Introduction of Board Staff

APPROVAL OF MINUTES, CONSENT AGENDA AND STAFF REPORTS

OS-16-075
ALL

BOARD/DEPARTMENT REPORT

A. BOARD CHAIR'S REPORT

The Board Chair did not have anything to report at this time.

B. EXECUTIVE DIRECTOR'S REPORT

a. New Board Member Introduction

The Executive Director introduced Dr. David Wessel as the newest physician member to the Board.

b. Renewal Update

The Executive Director provided an update to the Board on the status of the current renewal cycle, including the number of current and outstanding renewals, as follows:

- i. Acupuncturist – 149 (78%)
- ii. Anesthesiologist Assistant – 53 (90%)
- iii. Medicine and Surgery – 8,276 (77%)
- iv. Naturopath Physician – 37 (74%)
- v. Osteopathy and Surgery – 218 (73%)
- vi. Physician Assistant – 570 (75%)
- vii. Polysom. Technologist – 49 (68%)
- viii. Polysom. Trainee – 5 (33%)
- ix. Surgical Assistant – 93 (70%)

c. 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 – 196
- ii. Anesthesiologist Assistant – 64
- iii. Medical Training License I(A) – 1,127
- iv. Medical Training License I(B) – 377
- v. Medical Training License II – 23
- vi. MTR – 257
- vii. Medicine and Surgery – 10,848
- viii. Naturopath Physician – 51
- ix. Osteopathy and Surgery – 312
- x. Physician Assistant – 768
- xi. Polysom. Technician – 2
- xii. Polysom. Technologist – 78
- xiii. Polysom. Trainee – 16
- xiv. Surgical Assistant – 140
- xv. Trauma Technologist – 5

	<p style="text-align: center;">d. New Board Attorney Introduction The Executive Director introduced Ms. Suzanne Fenzel as the newest Board attorney.</p> <p style="text-align: center;">C. BOARD ATTORNEY'S REPORT The Board attorney did not have anything to report at this time.</p>	
<p>OS-16-076 ALL</p>	<p><u>OPEN SESSION MINUTES</u></p> <p>Board Action: The Board considered the Open Session minutes from the November 30, 2016 meeting for review and approval.</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 Mr. Dawson to approve the minutes. Seconded by Dr. Denson.</p> <p>Dr. Wessel, Dr. Anderson, Dr. Fripp, Dr. Smith, Dr. Denson, Dr. Colden, Dr. Rankin and Mr. Dawson voted in favor of the motion. The motion passed unanimously.</p>	
<p>OS-16-077 ALL</p>	<p><u>OPEN CONSENT AGENDA</u></p> <p>Board Action: The Board considered the current December 28, 2016 Open Consent Agenda items for purposes of review and 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. Fripp to approve the consent agenda. Seconded by Mr. Dawson.</p> <p>Dr. Wessel, Dr. Anderson, Dr. Fripp, Dr. Smith, Dr. Denson, Dr. Colden, Dr. Rankin and Mr. Dawson voted in favor of the motion. The motion passed unanimously.</p>	

MISC. ITEMS FOR DISCUSSION

OS-16-078 ALL	<p><u>FSMB 2017 ANNUAL MEETING VOTING DELEGATE</u></p> <p>Board Action: The Board reviewed information to determine who will be the voting delegate for the DC Board of Medicine as the 2017 Annual Meeting of the Federation of State Medical Boards (FSMB).</p> <p>Background: The Federation of State Medical Boards (FSMB) is scheduled to hold its 2017 Annual Meeting in Fort Worth, Texas, between April 20th – 22nd. The FSMB’s House of Delegate business meeting is held on the last day of the Annual Meeting, during which the voting delegates from the various state medical boards are asked to vote on various resolutions proposed by FSMB. The DC Board of Medicine routinely sends a voting delegate to the annual meeting and is being asked to submit the name of the 2017 voting delegate to the FSMB for their records.</p> <p>Motion: Dr. Anderson volunteered to go as the voting delegate. The Board also inquired as to whether a second member could go, which the Board Executive Director stated he would look into.</p> <p>As no formal action was taken, this item was for information purposes.</p>	FM
OS-16-079 ALL	<p><u>SIBLEY HOSPITAL RESIDENCY PROGRAM</u></p> <p>Board Action: The Board reviewed information from Sibley Hospital regarding its participation as an ACGME approved remote site for existing residency programs at John Hopkins University School of Medicine in Baltimore, MD.</p> <p>Background: Sibley Hospital has reached out to the Board expressing an interest to establish a residency program at their hospital. Before doing so, Sibley wants to run a test program where it will serve as a remote location for an existing residency program at John Hopkins University School of Medicine in Baltimore, MD. As the John Hopkins residency program is already ACGME accredited, and Sibley will become an approved remote location per ACGME guidelines, these residency rotations will meet the Board’s requirements for MTL licensure. Therefore, documentation from Sibley Hospital is being provided for informational purposes only.</p> <p>Motion: This item was for informational purposes only, and so no formal action was taken.</p>	FM

<p>OS-16-080 ALL</p>	<p><u>LGBTQ CME RULEMAKING</u></p> <p>Board Action: The Board reviewed proposed modifications to the draft rules regarding the LGBTQ Cultural Competency continuing education requirement established this year by the DC City Council.</p> <p>Background: In 2016 the DC City Council passed the LGBTQ Cultural Competency Continuing Education Amendment Act of 2016 (DC Act 21-316), requiring all health occupations licensed, registered or certified in the District to obtain two (2) hours of continuing education (CE) credits on cultural competency or specialized clinical training focusing on patients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identify and expression.</p> <p>The Board previously reviewed and approved the draft rules regarding the LGBTQ Cultural Competency continuing education requirements established by the DC City Council. Since approval, staff has further discussed the draft rules and the need for the Board to have the authority to approve other programs than those specifically identified. Legal staff has drafted a small amendment to the approved draft rules, which are now being submitted to the Board for its review and approval.</p> <p>Motion: Motion made by Dr. Anderson to approve the changes. Seconded by Dr. Manning.</p> <p>Dr. Wessel, Dr. Anderson, Dr. Fripp, Dr. Manning, Dr. Smith, Dr. Denson, Dr. Colden, Dr. Rankin and Mr. Dawson voted in favor of the motion. The motion passed unanimously.</p>	<p>CB</p>
<p>OS-16-081 ALL</p>	<p><u>WORKFORCE CAPACITY REPORT 3.0</u></p> <p>Board Action: The Board reviewed the 2015 Workforce Capacity Report 3.0.</p> <p>Background: In 2014 the Board, as part of the 2014 renewal cycle, put out its 3rd Physician and Physician Assistant Workforce Survey. Following the end of the 2014 renewal cycle, the data from the Physician and Physician Assistant Workforce Survey's was obtained and used in drafting a subsequent workforce capacity report. The 2015 Workforce Capacity Report 3.0 has now been finalized and approved, and is published on the Board's website at http://doh.dc.gov/node/693062. Physical copies are in the process of being made, and will be distributed to Board of Medicine stakeholders once printed.</p> <p>Motion: This item was for information purposes only, and so no formal action was taken.</p>	<p>FM</p>

<p>OS-16-082 ALL</p>	<p><u>VANDERBILT UNIVERSITY CENTER FOR PROFESSIONAL HEALTH</u></p> <p>Board Action: To review the letter and services from the Vanderbilt University Medical Center regarding their professional health services.</p> <p>Background: Recently the Department of Health received a letter from Vanderbilt University Medical Center regarding their professional health services. The Center for Professional Health at Vanderbilt University provides professional development courses for healthcare professionals focusing primarily on the educational needs of physicians. Vanderbilt also provides courses for the proper prescribing of controlled substances, maintaining proper boundaries and disruptive behavior for stressed practitioners.</p> <p>A copy of the letter from Vanderbilt University is being provided for the Board's review.</p> <p>Motion: The Board directed staff to obtain additional details on this program and to consider including this information in a future newsletter. No formal action was taken.</p>	<p>FM</p>
<p>OS-16-083 ALL</p>	<p><u>BOARD OF PHARMACY COLLABORATIVE PRACTICE RULES</u></p> <p>Board Action: The Board reviewed the proposed rules from the Board of Pharmacy regarding Collaborative practice as set forth in DC Code § 3-1202.08(h)(2).</p> <p>Background: DC Code § 3-1202.08(h)(2) states that the Board of Pharmacy and the Board of Medicine shall jointly develop and issue regulations governing the implementation and use of collaborative practice agreements between a licensed pharmacist and a licensed physician covering the following:</p> <ol style="list-style-type: none"> 1. Specification of the drug therapy to be provided and any tests that may be necessarily incident to its provision; 2. The conditions for initiating, modifying, or discontinuing a drug therapy; and 3. Directions concerning the monitoring of a drug therapy, including the conditions that would warrant a modification to the dose, dosage regime, or dosage form of the drug therapy; and 4. Establish policies and procedures for approving, disapproving, and revoking collaborative practice agreements. <p>The Board of Pharmacy previously drafted and then published for comment regulations governing collaborative practice. The comment period has finished, and while the Board of Pharmacy has already reviewed and made changes to the existing rules based on the provided</p>	

	<p>comments, the Board of Medicine still needs to review and give its approval.</p> <p>A copy of the most recent draft of the collaborative practice regulations are being provided for the Board's review and guidance.</p> <p>Motion: This matter was tabled for future discussion following staff obtaining the comments received by the Board of Pharmacy. Therefore, no formal action was taken at this time.</p>	
<p>OS-16-084 ALL</p>	<p><u>CHANGES TO DEA RENEWAL</u></p> <p>Board Action: The Board reviewed the email notification from the Federation of State Medical Boards (FSMB) regarding recently announced changes made by the United States Drug Enforcement Agency (DEA) to its DEA controlled substances registration process.</p> <p>Background: Board staff recently received an email notice from FSMB informing the various medical Board's that the DEA recently announced changes to its controlled substances registration process. Beginning January 1, 2017, the DEA will eliminate the informal grace period for registrants who failed to file a renewal application on time. Any practitioner who now fails to renew will have to apply for a brand new DEA registration. More on these changes can be found online at https://www.deadiversion.usdoj.gov/drugreg/.</p> <p>A copy of the email from FSMB is being provided for the Board's review.</p> <p>Motion: The Executive Director informed the Board that the DEA had already rescinded this policy and returned to the previously existing policy of allowing a late renewal grace period.</p> <p>Therefore, no further discussion or action was taken</p>	

MOTION TO CLOSE

Motion made by Dr. Denson 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 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).

Seconded by Dr. Manning.

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

This ends the Open Session Minutes

Approved:

Janis M. Orlowski, MD, MACP

Date

[Reviewed/Edited by Frank B. Meyers, JD]