

Annual Report

Fiscal Year 2020

ALASKA STATE MEDICAL BOARD



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**ALASKA STATE MEDICAL BOARD
FY 2020 Annual Report**

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FY 2020 Narrative Statement (continued)

Additionally, the board proposed regulation changes to address findings in the 2019 sunset audit related to requiring registration with the prescription drug monitoring program and is working on revising outdated professional fitness questions on initial applications.

In response to the COVID-19 pandemic, the board adopted emergency regulations to:

- provide for emergency courtesy licensure for allopathic and osteopathic physicians, physician assistants, and mobile intensive care paramedics
- waived notarized signature requirements
- extended application document stale date, and
- waive the requirement of an in-person visit to initiate medicine-assisted treatment (MAT) for patients with opioid use disorder.

The Board also reduced the continuing medical education requirements for the 2019-2020 licensing period by fifty percent.

To ensure fiscal responsibility, the Board works closely with the Division to establish appropriate licensing fees. Due to the pandemic, the biennial fee analysis, which typically occurs prior to the biennial renewal cycle has been rescheduled for January 2021.

As a member of the Federation of State Medical Boards (FSMB) and Administrators in Medicine (AIM), the board participates in national and regional meetings to understand issues concerning the practice of medicine nationally, and engage with other boards to discuss national licensing examination, reciprocity of professional licenses, as well as development and revision of professional policies and standards. Comprised of 70 state and territorial boards, FSMB monitors developments in the health care regulatory database of licensed physicians and physician assistants. AIM researches and tracks issues and developments on a state-by-state basis and supports board executives through access to information to more effectively respond to the needs of their states. Both FSMB and AIM develop and deliver education and assistance to board staff and members, including certification programs for executives and investigators.

In the coming year, the Board plans to evaluate board functions and administrative processes to identify areas where further efficiencies may be implemented. Areas of focus include reducing the processing time for initial applications, reviewing statutes and regulations for relevancy to today's practices, collaborating with the Board of Pharmacy to recommend changes related to the prescription drug monitoring program, and strengthening outreach and communication with licensees and the public.

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Budget Recommendations for FY 2021

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
February 2021	Juneau	8	1
<input checked="" type="checkbox"/> Airfare:			\$2,700.00
<input checked="" type="checkbox"/> Hotel:			\$2,500.00
<input checked="" type="checkbox"/> Ground:			\$500.00
<input checked="" type="checkbox"/> Other:			\$1,200.00
Total Estimated Cost:			\$6,900.00
<i>Note: If the board is unable to meet in Juneau in February, the board requests consideration be given to allowing the board chair or another designated member of the board be approved to travel to Juneau to testify on board related matters, especially given the Legislature’s request for an audit compliance report as part of the requirements for the board extension.</i>			

Board Meeting Date	Location	# Board	# Staff
August 2021	Anchorage	8	1
<input checked="" type="checkbox"/> Airfare:			\$2,250.00
<input checked="" type="checkbox"/> Hotel:			\$1,250.00
<input checked="" type="checkbox"/> Ground:			\$250.00
<input checked="" type="checkbox"/> Other:			\$700.00
Total Estimated Cost:			\$4,450.00

Board Meeting Date	Location	# Board	# Staff
May 2021	Videoconference (Qrtly Mtg)	8	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$300.00
Total Estimated Cost:			\$300.00

Budget Recommendations for FY 2021 (continued)

Board Meeting Date	Location	# Board	# Staff
November 2021	Videoconference (Qrtly Mtg)	8	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$300.00
Total Estimated Cost:			\$300.00

Board Meeting Date	Location	# Board	# Staff
Monthly (non-qrtly mtg mos)	8 1-2hr Videoconferences	8	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$2,400.00
Total Estimated Cost:			\$2,400.00

Travel Required to Perform Examinations

Not applicable

Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			
The Board accepts nationally administered examinations through membership in organizations such as the Federation of State Medical Boards (FSMB), National Board of Medical Examiners (NBME), National Board of Osteopathic Medical Examiners (NBOME), National Board of Podiatric Medical Examiners (NBPME), and Federation of Podiatric Medical Boards (FPMB)			
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Conference:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Describe "Other" (break out all sections):			
Total Estimated Cost:			\$0.00

Budget Recommendations for FY 2021 (continued)

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff	
April -May 2021	Minneapolis, MN	2*	1	
Description of meeting and its role in supporting the mission of the Board:				
Federation of State Medical Boards (FSMB) annual meeting. The Board requires attendance by Board members and the Board executive, who attend different meetings and sessions to receive training and information specific to their individual roles with the Board. The sponsor covers the full cost of attendance for one Board member and the Board executive. FSMB offers a limited number of scholarships for a public member to attend. If awarded, a 2nd board member would attend.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$0.00	\$0.00	\$2,000.00	\$2,000.00
<input checked="" type="checkbox"/> Hotel:	\$0.00	\$3,000.00	\$0.00	\$3,000.00
<input checked="" type="checkbox"/> Ground:	\$0.00	\$350.00	\$0.00	\$350.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$1,000.00	\$1,000.00
<input type="checkbox"/> Other	\$0.00	\$750.00	\$0.00	\$750.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$4,100.00	\$3,000.00	\$7,100.00

Out-of-State Meetings and Additional In-State Travel

#2 Rank in Importance

Date	Location	# Board	# Staff	
June 2021	Eules, TX		1	
Description of meeting and its role in supporting the mission of the Board:				
Federation of State Medical Boards (FSMB) Administrators in Medicine (AIM) executive director's workshop. The Board requires attendance by the Board executive to receive specialized training, certification, and stay informed and work with other Board executives on issues of national and regional import (i.e.; as telemedicine, the national licensure effort, efficient licensing processes, dealing with impairment issues and prescriptive authority issues, and legal implications of state policies.). Other expenses include per diem.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$600.00	\$0.00	\$0.00	\$600.00
<input type="checkbox"/> Hotel:	\$0.00	\$500.00	\$0.00	\$500.00
<input type="checkbox"/> Ground:	\$150.00	\$0.00	\$0.00	\$150.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$250.00	\$250.00
<input type="checkbox"/> Other	\$150.00	\$0.00	\$0.00	\$150.00
Describe "Other" (break out all sections):				
Net Total:	\$900.00	\$500.00	\$250.00	\$1,650.00

Budget Recommendations for FY 2021 (continued)

Non-Travel Budget Requests

- | | | |
|--|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Resources | <input type="checkbox"/> Examinations |
| <input checked="" type="checkbox"/> Membership | <input type="checkbox"/> Training | <input type="checkbox"/> Other |

Product or Service	Provider	Cost Per Event
Member board annual dues	Federation of State Medical Boards	\$2,400.00

Description of item and its role in supporting the mission of the Board:

The FSMB establishes national policies and standards for the medical profession on behalf of state medical and osteopathic Boards in their protection of the public. They provide specialized training for new board members and staff. In addition, the Board contracts with FSMB to administer the licensing examination for physicians.

Non-Travel Budget Requests

- | | | |
|--|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Resources | <input type="checkbox"/> Examinations |
| <input checked="" type="checkbox"/> Membership | <input type="checkbox"/> Training | <input type="checkbox"/> Other |

Product or Service	Provider	Cost Per Event
Member board annual dues	Administrators in Medicine	\$1,200.00

Description of item and its role in supporting the mission of the Board:

AIM researches and tracks issues and developments on a state-by-state basis and assists board executives in obtaining and sharing information to more effectively respond to the needs of their states. AIM also provides education and assistance to board staff and members, including certification programs for executives and investigators.

Other Items with a Fiscal Impact

Cost Per Event: \$0.00

- Not Applicable

Number of Events: 0

Product or Service	Provider	Total Cost
		\$0.00

Description of item and its role in supporting the mission of the Board:

Budget Recommendations for FY 2021 (continued)

Summary of FY 2021 Fiscal Requests

Board Meetings and Teleconferences:	\$14,350.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$8,750.00
Dues, Memberships, Resources, Training:	\$3,600.00
Total Potential Third-Party Offsets:	-\$7,850.00
Other:	\$0.00
Total Requested:	\$18,850.00

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Legislation Recommendations Proposed Legislation for FY 2021

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

Alaska Public Records Act (AS 40.25) – The board is considering requesting an exemption to the Alaska Public Records Act to ensure applicant responses to professional fitness questions on initial applications remain confidential.

Controlled Substance Prescription Database (AS 17.30.200) – The board intends to pursue changes to the current legislation regarding the controlled substance prescription database.

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Regulation Recommendations Proposed Legislation for FY 2021

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

PDMP Registration Requirements

In response to the Division of Legislative Audit's findings in the 2019 Sunset Audit of the Alaska State Medical Board (08-20118-19), the board approved draft changes to 12 AAC 40.450 Authority to prescribe, order, administer, and dispense medications and new section 12 AAC 40.976 Registration and reporting with the prescription drug monitoring program controlled substance prescription database, for public comment.

Collaborative Relations and Plans

The board plans to analyze these regulations in FY 2021 and identify appropriate measures to alleviate onerous requirements for physician assistants and collaborating physicians. Regulations to be addressed include:

- 12 AAC 40.410 Collaborative Relationship and Plan
- 12 AAC 40.415 Remote Practice Location
- 12 AAC 40.430 Performance and Assessment of Practice

Standards of Practice for Telemedicine

In response to COVID-19, the board adopted emergency regulations (12 AAC 40.943 Standards of Practice for Telemedicine) that waived the requirement of an in-person visit to initiate medication-assisted treatment (MAT) for patients with opioid use disorder. These changes will expire September 1, 2020 unless made permanent.

Emergency Preparedness

Per the Division's request, the board will also be reviewing current regulations to determine how best to incorporate permanent regulations that address potential future public health emergencies as well as emergencies.

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Goals and Objectives

Part I

FY 2020's goals and objectives, and how they were met:

- 1) The Board will continue to educate licensees regarding the Medical Board statutes and regulations. During FY 2020, the Board updated its website with meeting information, Board actions, Board-issued guidelines, reporting requirements, and regulations notices. The Board responded to inquiries regarding their proposed regulations.
- 2) The Board will continue to assess and evaluate the licensing of allopathic and osteopathic physicians, podiatrists, physician assistants, and mobile intensive care paramedics. During FY 2020, the Board encouraged applicants to utilize MyLICENSE and online application options. Additionally, the board conducted their first quarterly meeting via videoconference. Staff developed procedures to accommodate application review electronically through OnBoard, a web-based board meeting management tool. The board also scheduled additional meetings in order to conduct interviews with applicants in a more timely fashion.
- 3) The Board will continue to evaluate the impact and effectiveness of current regulations and the need for revisions or new regulations. The board adopted several regulations during FY 2020, as noted in the Narrative Statement and plans to continue to evaluate regulations for relevance and effectiveness. The board also adopted emergency regulations to address needs related to COVID-19.
- 4) The Board will annually review and update its disciplinary guidelines and its policies and procedures. The new Board is familiarizing themselves with the disciplinary guidelines, as well as policies and procedures for updating the guidelines.
- 5) The Board will pursue more effective administrative support, including attracting and retaining competent staff, providing comprehensive training for staff, and compensating staff appropriately. In FY 2020, the executive administrator position was moved to Juneau as part of the staff consolidation efforts. The records and licensing supervisor position and office assistant were reallocated to other positions within the Division. The new executive administrator is monitoring volume of work and resourcing to determine staffing is appropriate, taking into account anomalies due to the pandemic and changes in personnel.
- 6) The Board will continue to be involved with the Federation of State Medical Boards and its affiliated organizations, and requires Board members and staff to attend their meetings and activities. The Board intended to send two Board members and the Board executive to the FSMB annual meeting – however, due to COVID-19 the annual meeting was cancelled. The board chair, secretary, and executive administrator did attend the virtual House of Delegates meeting and representatives from FSMB provided an orientation to the new board at their May 2020 quarterly meeting.

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Goals and Objectives

Part II

FY 2021's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

- 1) The Board will ensure it addresses all findings reported in the 2019 sunset audit. See Sunset Audit Recommendations section for more details.
- 2) The Board plans to work with the Board of Pharmacy and other health care related programs within the Division that interact with PDMP to reframe the PDMP as a tool and shift the focus towards improving patient care. Additionally, the board wishes to address the following concerns:
 - inundating the Division's investigative staff with referrals
 - potential harm to well-meaning and well practicing physicians and physician assistants (and other health care related professionals)
 - Requirement of reviewing drugs of low diversion rather than focusing on opiates/benzos

Due to COVID-19, the Division instituted weekly meetings of the health care board chairs that has fostered relationships and coordination amongst the different boards. This has set the stage for further collaboration.

- 3) The Board will continue to evaluate the impact and effectiveness of current statutes and regulations, as well as recent emergency regulations, and the need to revise outdated regulations and/or new regulations. Recommendations are listed under previous sections of this report.
- 4) The Board will annually review and update its disciplinary guidelines and its policies and procedures. In FY 2021, the board will establish a schedule for reviewing the guidelines and incorporating necessary updates.
- 5) The Board will gather information about the interstate medical licensure compact, nine basic criteria, and determine next steps. The Board plans to reach out to FSMB and boards in other jurisdictions to gain insight on the pros and cons of this licensure compact.
- 6) The Board will continue to be involved with the Federation of State Medical Boards and its affiliated organizations, and requires Board members and staff to attend their meetings and activities. FSMB is transitioning to offering more virtual meetings and both board members and the new executive administrator are developing relationships with FSMB.
- 7) The Board will improve communication and outreach efforts with licensees and the public. With the recent turnover in board members and staff, the Board plans to review the website and suggest updates to improve access to information, as well as explore establishing a ListServ and ways to promote MyLICENSE for applicants and licensees, particularly in preparation for the upcoming renewal cycle. The Board also plans to consider outreach efforts to educate licensees about the Medical Board statutes and regulations.

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Sunset Audit Recommendations

Date of Last Legislative Audit: April 26, 2019
Board Sunset Date: June 30, 2023

Audit Recommendation:	The board should adopt regulations to provide guidance for registering with the controlled substance prescription database.
Action Taken:	In June 2020, the board approved draft regulations for public comment relating to registration requirements for the prescription drug monitoring program.
Next Steps:	Review public comments.
Date Completed:	TBD

Audit Recommendation:	The board should develop procedures to ensure licensees with a Drug Enforcement Administration (DEA) number register in the controlled substance prescription database.
Action Taken:	The board used the 12/31/2018 renewal process to get licensees in compliance with the registration requirement. Following the renewal, the board worked with the executive administrator to develop a procedure to ensure compliance. The new procedures were finalized at the May 2019 meeting and implemented in the summer of 2019.
Next Steps:	Continue to monitor compliance and ensure staff follow the established procedures. Evaluate effectiveness to determine if revisions are necessary.
Date Completed:	May 2019 / On-going

Audit Recommendation:	The board chair should work with DCCED's Director of the Division of Corporations, Business, and Professional Licensing's to establish and implement procedures to ensure the board reports disciplinary actions in accordance with state law.
Action Taken:	The Division is reporting imposition of civil fines, implemented procedures, and trained staff on correct procedures for reporting.
Next Steps:	Continue to ensure proper reporting of disciplinary actions.
Date Completed:	November 2019 / On-going