

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING

STATE MEDICAL BOARD

MINUTES OF MEETING
July 26-27, 2012

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a regularly scheduled meeting of the Alaska State Medical Board was held on Thursday and Friday, July 26-27, 2012, in Soldotna, Alaska.

Thursday, July 26, 2012

Call to Order

The meeting was called to order by Edward A. Hall, Chair, at 9:00 a.m.

Roll Call

Board members present:

Edward A. Hall, PA-C, Chair
Cam Carlson, Public Member
John S. Cullen, MD
Elizabeth Kohnen, MD

David A. Miller, MD
David J. Powers, MD
William W. Resinger, MD

Board member Kathleen Millar, Public Member, arrived at 9:50 a.m.

Board staff present:

Debora Stovern, Executive Administrator

There were no visitors present.

Agenda Item 1 Review Agenda

The Board reviewed the agenda.

Upon a motion duly made by Dr. Miller, seconded by Dr. Cullen, and approved unanimously, it was:

RESOLVED to accept the agenda, as presented.

Agenda Item 2 Board Business

Announcements

There were no announcements.

Ethics Reporting

There were no ethics conflicts to report.

Agenda Item 4 Board Review of Requests

Review of Physician/Pharmacist Cooperative Practice Agreements

The Board reviewed a renewal agreement submitted by Dr. Harold Johnston, including protocols for immunizations and vaccinations.

Upon a motion duly made by Dr. Cullen, seconded by Dr. Miller, and approved unanimously, it was:

RESOLVED to approve the Physician/Pharmacist Cooperative Practice Agreement proposed by Dr. Harold Johnston.

Agenda Item 5 Malpractice Case Review

The Board reviewed the following malpractice reports: Case Number 3AN-09-08758-CI, and 3AN-10-6951-CI.

Upon a motion duly made by Dr. Cullen, seconded by Dr. Powers, and approved unanimously, it was:

RESOLVED to accept the malpractice report, Case No. 3AN-10-6951-CI, with no action at this time.

The Board did not take action regarding Case No. 3AN-09-08758-CI, pending additional information.

Agenda Item 4 Board Review of Requests (continued)

Pre-review of Modification Requests

The Board reviewed their policy regarding review of petitions to change or release from probationary conditions of disciplinary agreements: All such petitions are considered annually at the regularly-scheduled October Board meeting. Petitioners may submit a written request for pre-review at any regularly-scheduled Board meeting. Upon review of the request, the Board will determine whether they will consider the request at their October meeting, and whether additional information is required. In addition, the Board has noted that probation length and conditions are based on the circumstances of each individual case and that probationers are expected to comply with all requirements for the full time frame. It is not the Board's intent to terminate probation early or change conditions just because a probationer is in compliance – such action may be considered only when progress is exceptional.

At their last meeting, the Board had reviewed and tabled a modification request by Dr. Beirne. His petition included a request for early consideration, along with a request to change the conditions of

his Consent Agreement. Dr. Beirne specifically requested that the Board eliminate the provision that he must reinstate his surrendered Arizona license.

In accordance with Alaska Statute (AS) 08.64.240(a)(2), the board may not grant a license if the applicant has surrendered a license in another jurisdiction while under investigation and the license has not been reinstated in that jurisdiction. It was noted that this provision has been litigated with a court determination that the Board has the discretion to either refuse or to grant the license. The Board has consistently taken the position that they will not grant a license under these circumstances. However, in the agreement with Dr. Beirne, the Board allowed him 12 months to reinstate his surrendered Arizona license, rather than refusing his reinstatement outright.

The Board had asked staff to provide a summary Dr. Beirne's license action history for review at the July meeting. At the meeting, the Board will first determine if they will allow early consideration; if so, then they will consider the modification request.

Upon a motion duly made by Dr. Miller, seconded by Ms. Carlson, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the modification request by Dr. Mark Beirne.

The Board entered executive session at 9:24 a.m.; Board staff remained for the session. The Board went back on the record at 9:39 a.m.

The Board did not take action on the modification request.

Agenda Item 3 Full Board Interviews

Daniel C. Jensen, MICP

Mr. Jensen was present to discuss his paramedic license application with the Board.

Upon a motion duly made by Dr. Cullen, seconded by Ms. Carlson, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Daniel Jensen, MICP.

The Board entered executive session at 9:42 a.m.; staff remained for the session. The Board went back on the record at 9:49 a.m.

Upon a motion duly made by Dr. Powers, seconded by Dr. Kohnen, and approved by roll call vote, it was:

RESOLVED to grant an unrestricted MICP license to Daniel C. Jensen.

Roll Call Vote:

**Ms. Carlson – Yea
Dr. Cullen – Yea
Dr. Kohnen – Yea
Ms. Millar – Absent
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Hall – Yea**

Ms. Kathleen Millar joined the meeting at 9:50 a.m.

Agenda Item 4 Board Review of Requests (continued)

Pre-review of Modification Requests

The Board had previously reviewed a modification request by Dr. Schurig, as well as a request for approval of a new supervising physician. Dr. Schurig was present to discuss his requests with the Board, along with: Dr Lynn Carlson, his current supervising physician; Dr. Ardiss Fisch, his proposed new supervising physician, and Mr. Scott Carlson, Clinic Director for MediCenter.

Upon a motion duly made by Dr. Miller, seconded by Dr. Cullen, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the Memorandum of Agreement with Dr. Samuel H. Schurig.

The Board entered executive session at 10:10 a.m.; staff remained for the session.

The Board went back on the record at 10:23 a.m.

Upon a motion duly made by Ms. Millar, seconded by Dr. Cullen, and approved by roll call vote, it was:

RESOLVED to approve Dr. Fisch as an additional supervising physician for the Memorandum of Agreement with Samuel H. Schurig, DO.

Roll Call Vote:

**Ms. Carlson – Yea
Dr. Cullen – Yea
Dr. Kohnen – Yea
Ms. Millar – Yea
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Hall – Yea**

Upon a motion duly made by Ms. Millar, seconded by Dr. Cullen, and approved by roll call vote, it was:

RESOLVED to adopt the draft order, as amended, to modify the Memorandum of Agreement with Samuel H. Schurig, DO.

Roll Call Vote:

Ms. Carlson – Yea

Dr. Cullen – Yea

Dr. Kohnen – Yea

Ms. Millar – Yea

Dr. Miller - Yea

Dr. Powers – Yea

Dr. Resinger – Yea

Mr. Hall – Yea

Agenda Item Division Update

Division Director Don Habeger joined the meeting to discuss Board and Division issues. He reported that the Division has recently completed a historical budget analysis, reconciling to the State accounting system. The budget report with that 10-year data was included in the Board packet for review. Mr. Habeger noted that the report includes the Board's share of the 3.4 million dollar appropriation to the Division to reimburse professional licensing programs for previous year administrative costs incurred by the corporations and business licensing programs. The Division will again be providing quarterly budget reports to the Board.

Mr. Habeger reported the Board expenditures exceeded revenues for the past fiscal year, which is normal for the second year of the biennial licensing cycle. However, he intends to keep licensing fees level because the Board's current surplus will accommodate that budget trend, and will minimize fee changes from one licensing period to the next. The Board supported that plan, and also reiterated their desire to spend some of the surplus on additional administrative support.

Mr. Habeger was asked about more resources for board services, as requested in the Board's letter to him last year. He noted that the Division has been focusing on responding to audit recommendations and accounting processes, but is now able to consider additional items such as:

- Moving board staff to the Anchorage office for greater efficiency and availability of work force;
- Upgrading the pay scale for licensing examiners;
- Increase staff and make use of non-permanent assistance during seasonal increases in work load;
- Obtain spending authority for fines and disciplinary fees collected by Boards (that income currently goes to the general fund).

Agenda Item 4 Board Review of Requests (continued)

Pre-review of Modification Requests

The Board had previously reviewed a modification request by Dr. Beirne.

Upon a motion duly made by Dr. Miller, seconded by Ms. Carlson, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with

AS 44.62.310(c) for the purpose of discussing the modification request by Dr. Mark Beirne.

The Board entered executive session at 11:13 a.m.; staff remained for the session.
The Board went back on the record at 12:01 p.m.

Upon a motion duly made by Dr. Miller, seconded by Dr. Powers, and approved by roll call vote, it was:

RESOLVED to allow an additional six months to reinstate the Arizona license as required by the provision in the Consent Agreement with Mark Beirne, M.D.

Roll Call Vote:

**Ms. Carlson – No
Dr. Cullen – Yea
Dr. Kohnen – Yea
Ms. Millar – No
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Hall – Yea**

Recess for lunch

The Board recessed for lunch at 12:05 p.m.
The Board resumed the meeting at 1:30 p.m.

Board members present:

Edward A. Hall, PA-C, Chair
Cam Carlson, Public Member
John S. Cullen, MD
Elizabeth Kohnen, MD

David A. Miller, MD
Kathleen Millar, Public Member
David J. Powers, MD
William W. Resinger, MD

Board staff present:

Debora Stovern, Executive Administrator

Visitors present:

Jim Lipinski, Alaska Academy of Physician Assistants

Agenda Item 6 Board Actions

Investigator David Newman joined the meeting by teleconference to present proposed actions for Board consideration.

Upon a motion duly made by Ms. Carlson, seconded by Dr. Cullen, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing investigative matters.

The Board entered executive session at 1:38 p.m.; Board staff remained for the session. The Board went back on the record at 2:02 p.m.

In the Matter of Case No. 2012-000617

The Board reviewed a proposed agreement from an investigation of nondisclosure of license information, as well as nondisclosure of a fine by another board, on a new license application. The agreement included an imposition of civil fine of \$2,000 and a reprimand. Dr. Resinger noted that he would recuse himself from the vote because he was the consulting Board member during the investigation.

Upon a motion duly made by Ms. Carlson, seconded by Dr. Cullen, and approved by roll call vote, it was:

RESOLVED to adopt the consent agreement, Case No. 2012-000617, signed by John Hasenauer, PA-C.

Roll Call Vote:

**Ms. Carlson – Yea
Dr. Cullen – Yea
Dr. Kohnen – Yea
Ms. Millar – Yea
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Recused
Mr. Hall – Yea**

In the Matter of Case No. 2010-000495, 2011-000187/188/189

The Board reviewed a proposed consent agreement from an investigation of improper prescribing issues and overprescribing pain medications. The agreement includes a reprimand and fine of \$14,000, five years of probation, and additional education in pain management. Dr. Powers noted that he would recuse himself from the vote because he was the consulting Board member during the investigation.

Upon a motion duly made by Dr. Miller, seconded by Dr. Resinger, and approved by roll call vote, it was:

RESOLVED to adopt the consent agreement, Case Nos. 2010-000498, 2011-000187, 2011-000188, and 2011-000189, signed by Gary Kindell, MD.

Roll Call Vote:

**Ms. Carlson – Yea
Dr. Cullen – Yea
Dr. Kohnen – Yea
Ms. Millar – Yea
Dr. Miller - Absent
Dr. Powers – Recused**

Dr. Resinger – Yea
Mr. Hall – Yea

The adoption orders were signed by the Chair.

Agenda Item 7 Investigative Unit

Investigative Report

Investigator David Newman reviewed the investigative report provided to the Board. The report included 14 open medical cases, 2 open physician assistant cases, and 2 closed medical cases.

Mr. Newman also reported that he would be leaving his position for a promotion to another Division. The Board thanked him for his excellent work and noted that he would be missed.

Probation Monitoring Report

A current probation status report was included in the board packet for further review. It was noted that all individuals on the report were in compliance with their agreements. Ms. Stovern reminded the Board that annual probation interviews would be on the agenda for the October 2012 meeting.

Agenda Item 8 Full Board Interviews

Daniel M. Andress, MD

Dr. Andress was present to discuss his license application with the board. He declined the opportunity to enter into executive session to discuss the “yes” answers on his application regarding a previous misdemeanor conviction, malpractice issues, and an investigation by another state board. He explained his academic probation during a postgraduate program, and noted that he may have overlooked the question on the application regarding academic probation; he did not intend to withhold that information when he answered “no” to that question.

The Board determined that an imposition of civil fine was appropriate and consistent with their disciplinary guidelines.

Upon a motion duly made by Dr. Cullen, seconded by Dr. Miller, and approved by roll call vote, it was:

RESOLVED to refer the application of Daniel M. Andress, M.D. to investigators for processing of an Imposition of Civil Fine for inconsistencies in his license application.

Roll Call Vote:

Ms. Carlson – Yea
Dr. Cullen – Yea
Dr. Kohnen – Yea
Ms. Millar – Yea
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Hall – Yea

Andrea Trescot, MD

Dr. Trescot was present to discuss her license application with the board.

Upon a motion duly made by Dr. Cullen, seconded by Dr. Resinger, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Dr. Trescot.

The Board entered executive session at 2:40 p.m.; staff remained for the session.

The Board went back on the record at 2:53 p.m.

Upon a motion duly made by Dr. Cullen, seconded by Dr. Kohnen, and approved by roll call vote, it was:

RESOLVED to grant an unrestricted license to Andrea Trescot, MD.

Roll Call Vote:

Ms. Carlson – Yea

Dr. Cullen – Yea

Dr. Kohnen – Yea

Ms. Millar – Yea

Dr. Miller - Yea

Dr. Powers – Yea

Dr. Resinger – Yea

Mr. Hall – Yea

Wilfred Welby Cox, MD

Dr. Cox was present to discuss his license application with the board.

Upon a motion duly made by Dr. Kohnen, seconded by Ms. Carlson, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Dr. Cox.

The Board entered executive session at 2:55 p.m.; staff remained for the session.

The Board went back on the record at 3:15 p.m.

Upon a motion duly made by Dr. Miller, seconded by Dr. Powers, and approved by roll call vote, it was:

RESOLVED to grant an unrestricted license to Wilfred Welby Cox, MD.

Roll Call Vote:

Ms. Carlson – Yea

Dr. Cullen – Yea

Dr. Kohnen – Yea

Ms. Millar – Yea

Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Hall – Yea

Julian Anthony Mattiello, MD

Dr. Mattiello was present at the May meeting to discuss his license application with the board. At that time the Board declined to take action on his application, as it was incomplete. Additional information had since been provided for consideration by the Board.

Upon a motion duly made by Dr. Kohnen, seconded by Ms. Carlson, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Dr. Mattiello.

The Board entered executive session at 3:20 p.m.; staff remained for the session. The Board went back on the record at 3:50 p.m.

The Board declined to take action on Dr. Mattiello’s license application.

Agenda Item Public Comment Forum

There were no members of the public present to speak with the Board.

Dr. Cullen reported that Dr. Tsigonis, past president of the Board, had been named Family Physician of the Year by the American Academy of Family Physicians. The Board directed Ms. Stovern to send congratulations to Dr. Tsigonis on their behalf.

Agenda Item 9 Continuing Medical Education (CME) Audit

Ms. Stovern provided statistics for the audit from the last license renewal:

	Physicians	MICP	Total
Total number licenses audited	270	37	307
Number of audited licenses not renewed	28	5	33
Number of approved audits	230	27	257
Noncompliant audits referred to Paralegal	12	5	17
Noncompliant audits resolved	5	1	6
Noncompliant audits outstanding	7	4	11

Agenda Item 10 Licensing Exemptions for Tribal Health Programs

With guidance from the Office of the Attorney General, the Division has historically taken the position that native corporations are private corporations and, like any other private enterprise company, are not exempt from state licensing requirements. Their employees are not contractors with or employees of the federal government and, therefore, must comply with state licensing requirements. Only those employees directly employed by the federal government (i.e.; commissioned corps, Indian Health Services, VA, military, etc.) are not subject to state licensing requirements. The fact that a facility is non-profit or federally funded does not give it an exempt status.

A federal law enacted in March 2010, the Patient Protection and Affordable Care Act, includes a provision under Section 221 exempting licensed health professionals employed by a tribal health program from Alaska licensing requirements. A health professional may qualify for the exemption if they are employed by a tribal health program that has a self-determination contract with the federal government, and the employee has a current, active license issued by another state Board.

At the May 2012 meeting, the Board reviewed an April 17, 2012 opinion issued by the Office of the Attorney General addressed to the Board of Pharmacy and relating to the licensing exemption for pharmacists working for Alaska Native tribal health programs. However, the same analysis is applicable to all health care professionals, including those under the jurisdiction of the Medical Board. The opinion noted that state licensing boards still maintain authority over the practice of these individuals because these tribal health professionals are not federal employees; and they must either meet the Section 221 requirements or comply with state licensing requirements. In addition, a state licensing board may require proof of meeting the Section 221 provisions before recognizing the exemption, and may cease recognizing the exemption if the other state license is suspended or revoked.

At the May 2012 meeting, the Board determined that they would like to pursue an application process whereby health care professionals employed by a tribal health program would request recognition of their Section 221 exemption, and the Board would review those requests for approval. That way, tribal health care professionals under the jurisdiction of the Board would either need a license or an exemption granted by the Board in order to work in a tribal health care program. The exemption determinations would not be made by the employer programs.

The Board directed Ms. Stovern to draft such a proposal for review at the July 2012 meeting, and to invite guidance from the Office of the Attorney General. A draft proposal was included in the July meeting Board packet for review. Dan Branch, Assistant Attorney General, joined the meeting by teleconference to discuss the issue.

Mr. Branch cautioned the Board to ensure that their regulations do not preempt the licensing exemption by creating a pseudo licensing program under a different name. The Board noted that they do not wish to exceed their jurisdiction, but do wish to exercise their authority and responsibility to ensure that individuals practicing under the exemption are entitled to do so. Mr. Branch proposed a number of revisions to the draft. Ms. Stovern volunteered to distribute his proposal to Board members for review and feedback. In the interest of time, the Board tabled the discussion.

Agenda Item 11 Renewal Applications

The Board reviewed a request from the Alaska State Medical Association (ASMA) to revise the questions on the renewal applications. They were concerned about maintaining confidentiality for licensees that are in good standing in the Physician Health Committee (PHC) program. Generally those individuals would be required to answer “yes” to one or more of the application questions. Although their explanation and documentation would normally be considered confidential, the application itself is not, and may be provided under a public records request.

Dan Branch, Assistant Attorney General, joined the meeting by teleconference to discuss the issue. Mr. Branch described the public records request process and noted that there is extensive review by various legal staff before any information is released, including his office. It was his opinion that the application question and “yes” answer would be redacted due to confidentiality concerns, as well as the explanation and documentation provided by the applicant.

It was also noted that the same issues may relate to applicants participating in other programs, and there should not be differing requirements for applicants in different programs; they all need to be disclosed to the Board. While the Board was sensitive to the confidentiality concerns, they noted that the questions were developed in consultation with the Department of Law and in compliance with their statutory authority. Therefore, they declined to make the requested changes. Ms. Stovern will notify ASMA.

The meeting was recessed at 4:57 p.m.

Friday, July 27, 2012

Call to Order

The meeting was called to order at 9:03 a.m.

Roll Call

Board members present:

Edward A. Hall, PA-C, Chair
Cam Carlson, Public Member
John S. Cullen, MD
Elizabeth Kohnen, MD

Kathleen Millar, Public Member
David Miller, MD
David J. Powers, MD
William W. Resinger, MD

Board staff present:

Debora Stovern, Executive Administrator

There were no visitors present.

Mr. Hall reported that Dr. Katy Sheridan offered to give a tour of the Central Peninsula Hospital at noon.

Agenda Item 12 Full Board Interviews

Michael Harold Ward, MD

Dr. Ward was present to discuss his license application with the board. He declined the opportunity to enter into executive session to discuss the adverse information on a hospital privileges verification. He explained the circumstances of his departure from that facility and discussed his background and experience in clinical psychology. It was noted that his application had been reviewed at the January meeting, but the Board declined to consider the application pending his appearance for a full board interview.

Upon a motion duly made by Dr. Miller, seconded by Dr. Powers, and approved by roll call vote, it was:

RESOLVED to grant an unrestricted license to Michael Harold Ward, MD.

Roll Call Vote:

Ms. Carlson – Yea

Dr. Cullen – Yea

Dr. Kohnen – Yea

Ms. Millar – Yea

Dr. Miller - Yea

Dr. Powers – Yea

Dr. Resinger – Yea

Mr. Hall – Yea

Kevin D. Fradkin, MD

Dr. Fradkin was present to discuss his license application with the board.

Upon a motion duly made by Dr. Cullen, seconded by Ms. Carlson, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Dr. Fradkin.

The Board entered executive session at 9:40 a.m.; staff remained for the session.
The Board went back on the record at 10:00 a.m.

The Board noted that a previous letter to Dr. Fradkin from the DEA, which was voluntarily disclosed during the application process, did not rise to the level of disciplinary action. Therefore, there was no application discrepancy.

Upon a motion duly made by Dr. Miller, seconded by Ms. Carlson, and approved by roll call vote, it was:

RESOLVED to grant an unrestricted license to Kevin D. Fradkin, MD.

Roll Call Vote:

Ms. Carlson – Yea

Dr. Cullen – Yea

Dr. Kohnen – Yea

Ms. Millar – Yea
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Hall – Yea

Agenda Item New Business

CLEAR Board Training

Dr. Resinger and Ms. Stovern attended the June 25-27, 2012 Board training program provided by the Division and the Council on Licensure, Enforcement and Regulation (CLEAR). Dr. Resinger reported that the program was particularly good for new board members but was useful for all who attended. He appreciated the opportunity to interact with other member boards and referred several inquires to Ms. Stovern for information on Medical Board procedures. He also noted that the Division was publishing a generic Board manual as a resource to members. It was noted that the Medical Board has their own publications specific to their business (i.e.; Policies and Procedures Manual, New Member Orientation Manual), but welcomed the addition of information regarding general Division procedures. Ms. Stovern will distribute the new manual to Board members when it is finalized.

Ms. Stovern also noted that CLEAR offers webinars for new Board members. She will distribute further information as it becomes available.

SPEX Examination

The Federation of State Medical Boards (FSMB) offered a member of each board the opportunity to take the SPEX exam at no charge so that Boards may assess the effectiveness of the exam for physician reentering practice. Dr. Powers recently took the exam and he reported that it is a good, rigorous test covering current topics on general medicine. The exam is a useful tool for assessing clinical knowledge, but does not cover specialty practice. It was noted that the SPEX exam is meant to assess only general knowledge; specialists undergo a maintenance of certification process that ensures their continuing competency in that specialty.

Agenda Item 14 Correspondence

Distribution of Survey Questions

The Board reviewed a letter from the Alaska HER Alliance requesting to include their survey questions on new and renewal license applications. The Board determined that would not be an appropriate use of official application processes. Ms. Stovern will respond to the inquiry and suggest that they contact the Alaska State Medical Association.

Accreditation Council on Continuing Medical Education (ACCME)

An update from ACCME, including resource and newsletter information, was included in the Board packet for further review.

Agenda Item 15 Federation of State Medical Boards (FSMB) Updates

The following information from FSMB was included in the Board packet for further review.

- Call for amendments to by-laws

- Draft minutes of April 28, 2012 meeting
- Tri-regulator symposium
- Survey for Uniform Application

Agenda Item 16 Administrative Business

Review Minutes

It has been the Board's practice to review and approve of meeting minutes at the next-regularly scheduled meeting. Final approved minutes are published on the Board website, and made generally available to the public. In the meantime, draft minutes are not made generally available to the public, unless requested under a public records request. The reasons for this policy include liability issues in the event of misinformation or misinterpretation by the author of the draft minutes, which may impact board actions, setting incorrect precedent for future actions, or legal problems with legislation, hearings or court cases; as well as misleading and confusing applicants or other interested parties.

The Division is revising its policy, in the interest of transparency, to require posting of draft minutes on Board websites, and making draft minutes readily available to the public. The Board determined that it does not concur with the Division revised policy.

Upon a motion duly made by Dr. Miller, seconded by Ms. Carlson, and approved unanimously, it was:

RESOLVED to delay posting of minutes on the Board website, or otherwise publishing draft minutes, until final minutes have been reviewed and approved by the Board at their next regularly-scheduled meeting.

The Board reviewed the minutes of the May 17-18, 2012 meeting, and made some minor corrections.

Upon a motion duly made by Ms. Millar, seconded by Dr. Resinger, and approved unanimously, it was:

RESOLVED to approve the minutes of the May 17-18, 2012 meeting, as corrected.

The Chair signed the approved minutes.

Reports

The budget report with the Board's 10-year revenue and expenditure data was included in the Board packet; it was discussed during the Division Update agenda item. Ms. Stovern will distribute an electronic copy to Board members for further review. Updated reports will be available on a quarterly basis, for Board review at their regularly-scheduled meetings. The Medical Board expects to continue to be financially sound, and continue to carry a surplus during the upcoming biennial licensing cycle.

The Board reviewed the Executive Administrator's Report, presented by Ms. Stovern, including an update on the following:

- Outreach efforts – Ms. Stovern participated in the Federation of State Medical Boards (FSMB) May 21, 2012 New Executives Orientation (topics included an overview of FSMB, products and services, and a tour of FSMB headquarters); the Alaska Healthcare Commission June 13-14, 2012 meeting (participated on a reactor panel regarding telemedicine); and CLEAR Board Training June 25-27, 2012
- Status on uniform application – Ms. Stovern continues to work with the Federation of State Medical Boards (FSMB) to implement the uniform application.
- Tracking of Board actions – a report of the Board’s second quarter 2012 actions was provided for Board review; the report included confirmation of appropriate reporting of all actions.
- Tracking of licensing process – statistics and a detailed spreadsheet covering processing of applications for the second quarter of 2012 was provided for Board review.
- Annual Report – Ms. Stovern completed the Board’s required Annual Report for submission by the Division to the Legislature.
- Updated checklists – Ms. Stovern has been working on revising and updating the checklists used for review and approval of license applications.

Upon a motion duly made by Dr. Miller, seconded by Dr. Cullen, and approved unanimously, it was:

RESOLVED to approve the 07/2012 revised checklists 08-4390 Temporary Permit, 08-4458 Courtesy License, 08-676 Resident permit, and 08-4324 Temporary Permit for Physician Assistant.

- Regulations projects – at their last meeting, the Board approved a comprehensive regulation project to go out for public comment following any additional regulations changes from this meeting.

The Board recognized Dr. Cullen for continuing to serve on the Board until his position may be reappointed. Although he was eligible for reappointment, he chose not to seek it due to his other commitments.

The Board recognized Ms. Stovern for exemplary commitment to her job without assistance at the recent two board meetings, noting that it required uncompensated overtime to complete the duties normally assumed by two people. The Board determined that they do not want their executive staff to take on these types of additional duties without just compensation.

Upon a motion duly made by Dr. Miller, seconded by Dr. Cullen, and approved unanimously, it was:

RESOLVED to make every effort to properly compensate Ms. Stovern for additional time and commitment devoted to Board business during staff shortages.

The Board also determined to continue efforts toward increasing administrative support for Board business. They directed Ms. Stovern to distribute their previous letter to the Division, so that it may be updated and re-addressed to the Division, Legislature, and Governor.

Meeting Scheduling

The Board confirmed the schedule for upcoming meetings:

- October 25-26, 2012 in Fairbanks
- January 17-18, 2013 in Juneau
- March 28-29, 2013 in Fairbanks
- July 18-19, 2013 in Dillingham
- October 17-18, 2013 in Anchorage

Agenda Item 13 License Application Review

Board members reviewed license application files.

Upon a motion duly made by Dr. Cullen, seconded by Ms. Carlson, and approved unanimously, it was:

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Dr. Bost.

The Board entered executive session at 11:10 a.m.; staff remained for the session.
The Board went back on the record at 11:15 a.m.

The Board declined to take action on the application of Dr. Bost

Upon a motion duly made by Dr. Resinger, seconded Dr. Cullen, and approved unanimously, it was:

RESOLVED to approve the following physicians for licensure in Alaska:

<i>Ackerman, Lani Kay</i>	<i>Keane, Thomas Earl</i>
<i>Alvarez, Ann Margarette</i>	<i>Keenan, Andrew George</i>
<i>Amos, Joseph Edward</i>	<i>Komorowski, Leanne Kristin</i>
<i>Anderson, Ruth Kay</i>	<i>Kowal, Andrew George</i>
<i>Calone, John Michael</i>	<i>Lawson, Frances Katherine</i>
<i>Chu, Jeffrey Ting-Yuan</i>	<i>Lea, Megan Elizabeth</i>
<i>Clifford, Mark Andrew</i>	<i>Livengood, Joseph</i>
<i>Fineman, Alvin Jay</i>	<i>Magill, Christina Bray</i>
<i>Fink, John Gilmore</i>	<i>Miller, Kellan Robert</i>
<i>Forward, Paul Andre</i>	<i>Mower, Mark William</i>
<i>Fraser JR, Michael Robson</i>	<i>Nelson, Jared Wynn</i>
<i>Gerry, Ryan Richard</i>	<i>O'Brien, Colin James</i>
<i>Guillermo, Louis Quilala</i>	<i>Perry, Jordan</i>
<i>Hemmer, Nathan Michael</i>	<i>Quinn, Gene Ryan</i>
<i>Hernandez, Anita Katherine</i>	<i>Ragle, Ryan Lawrence</i>
<i>Hightower, Charles David</i>	<i>Reddy, Madhusudhan Pothireddy</i>
<i>Horrace-Voight, Kathie</i>	<i>Rholl, Mark Allen</i>

Rubin, Allen David
Schneider, Kathryn Rose
Sears, Scott Edward
Shields, Julianna Kathleen
Shotwell, Joyce Merle

Smith, John Winfred
Sturges, Zachary Scott
Thompson, Michael Gregory
Walker, Jeanette A
Walters, Susan Jennett

Upon a motion duly made by Dr. Resinger, seconded Dr. Cullen, and approved unanimously, it was:

RESOLVED to approve the following doctors of osteopathy for licensure in Alaska:

Brown, Christina Carole
Buchman, Clifford Michael
Fischer, Timothy Lee
Olson, Erik Arthur

Sarnwick, Richard
Steiner, Zachary John
Wagner, Beth Ellen
Zamora, Sergio

Upon a motion duly made by Dr. Resinger, seconded Dr. Cullen, and approved unanimously, it was:

RESOLVED to approve the following mobile intensive care paramedics for licensure in Alaska:

Brookes, Sean Lee
Denham, Mary Falgout
Latrimurti, Ebin Daniele
McNeese, Adam John
Myers, Jason William

Philips, Christopher Mark
Quigley, David Benjamin
Rogers, Shane Alan
Young, Drew Tyler

Upon a motion duly made by Dr. Resinger, seconded Dr. Cullen, and approved unanimously, it was:

RESOLVED to approve the following physician assistants for licensure in Alaska:

Aicken, Sara Martell
Casy, Christopher John
Felix, Hans Christian
Hilleman, Robert Bruce
Leas, Edward Matthew
Mackiernan, Megan Cara

Martin, Shannon LaVonne
Metzger, Jonathan Amos
Spencer, Dennis Lee
Swann, Allyson Paige
Sy, Gregory Co

Upon a motion duly made by Dr. Resinger, seconded Dr. Powers, and approved unanimously, it was:

RESOLVED to approve the following physician for licensure in Alaska:
Kadiyala, Madhuri

Upon a motion duly made by Ms. Millar, seconded by Dr. Cullen, and approved by roll call vote, it was:

RESOLVED to grant a license to John William Hasenauer, PA-C, subject to the adopted Consent Agreement.

Roll Call Vote:

- Ms. Carlson – Yea**
- Dr. Cullen – Yea**
- Dr. Kohnen – Yea**
- Ms. Millar – Yea**
- Dr. Miller - Yea**
- Dr. Powers – Yea**
- Dr. Resinger – Yea**
- Mr. Hall – Yea**

Adjournment

Upon a motion duly made by Dr. Miller, seconded by Ms. Carlson, and approved unanimously, it was:

RESOLVED to adjourn the meeting of the Alaska State Medical Board.

The meeting adjourned at 11:32 a.m.

Respectfully submitted:

Approved:

s/ _____
Debora Stovern, Executive Administrator
Alaska State Medical Board

s/ _____
Edward A. Hall, PA-C, Chair
Alaska State Medical Board

10/26/12 _____
Date

10/26/12 _____
Date