

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

STATE MEDICAL BOARD

**MINUTES OF MEETING
November 5-6, 2015**

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, November 5-6, 2015 in Anchorage, Alaska.

Thursday, November 5, 2015

Call to Order

The meeting was called to order by David A. Miller, MD, Chair, at 9:12 a.m.

Roll Call

Board members present:

Cam Carlson, Public Member
Craig Humphreys, MD
Sai-Ling Liu, DO
Kevin Luppen, PA-C

Grant T. Roderer, MD
Kathleen Millar, Public Member
David J. Powers, MD
David A. Miller, MD

Board staff present:

Debora Stovern, Executive Administrator
Aiko Zaguirre, Licensing Examiner

There were no visitors present.

Mr. Luppen, Safety Officer, noted appropriate emergency exits and gathering location.

Agenda Item 1 Review Agenda

The Board reviewed the agenda. No changes were made.

Agenda Item 2 Board Business

Announcements

There were no announcements

Ethics Reporting

There were no ethics conflicts to report.

Board Reappointments

The Board reviewed a letter from the Governor's Boards and Commissions Office regarding a new requirement for continuing Board members to apply online for reappointment.

Agenda Item 3 Continuing Medical Education (CME) Audit

Statistics for the audit from the last license renewal period were included in the board packet for further review. Ms. Stovern reported that responses have been received for all audits, and she has begun reviewing documents for approval or referral of noncompliant audits to Division's paralegal for action.

Agenda Item 4 Board Actions

Board investigative staff joined the meeting, including Investigators Susan Winton, Brian Howes, July Lam, Sonia Lipker, and Senior Investigator Ed Riefle.

In the Matter of Case No. 2015-000660

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a physician assistant who failed to file a collaborative plan with the Division within the required timeframe.

Upon a motion duly made by Mr. Luppen, seconded by Dr. Powers, and approved by unanimous consent, the Board adopted the consent agreement, Case No. 2015-000660, signed by Rebecca Andrew, PA-C.

The adoption order was signed by the Chair.

In the Matter of Case No. 2015-000908

The Board reviewed a proposed license surrender agreement with a physician who was under investigation for failure to disclose a disciplinary action taken by another jurisdiction.

Upon a motion duly made by Dr. Roderer, seconded by Mrs. Carlson, and approved by unanimous consent, the Board adopted the surrender agreement, Case No. 2015-000908, signed by Jeffrey Foss, MD.

The adoption order was signed by the Chair.

In the Matter of Case No. 2015-000529

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a physician assistant who failed to file a collaborative plan with the Division within the required timeframe.

Upon a motion duly made by Dr. Powers, seconded by Mr. Luppen, and approved by unanimous consent, the Board adopted the imposition of civil fine agreement, Case No. 2015-000529, signed by Joshua Samuels, PA-C.

The adoption order was signed by the Chair.

In the Matter of Case No. 2015-000869

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a physician applicant who failed to disclose material information on a new license application.

Upon a motion duly made by Dr. Liu, seconded by Dr. Roderer, and approved by unanimous consent, the Board adopted the imposition of civil fine agreement, Case No. 2015-000869, signed by Karen Levy, MD.

The adoption order was signed by the Chair.

In the Matter of Case No. 2015-000872

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a mobile intensive care paramedic who failed to file a change in physician sponsorship with the Division within the required timeframe.

Upon a motion duly made by Dr. Humphreys, seconded by Dr. Roderer, and approved by unanimous consent, the Board adopted the imposition of civil fine agreement, Case No. 2015-000872, signed by Peter Carpenter, MICP.

The adoption order was signed by the Chair.

In the Matter of Case No. 2014-001577

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a physician assistant who failed to file a collaborative plan with the Division within the required timeframe.

Upon a motion duly made by Dr. Powers, seconded by Mr. Luppen, and approved by unanimous consent, the Board adopted the imposition of civil fine agreement, Case No. 2014-001577, signed by Carl. L. Brown, PA-C.

The adoption order was signed by the Chair.

In the Matter of Case No. 2014-001116

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a physician who failed to report hospital privileges action with the Division within the required timeframe.

Upon a motion duly made by Dr. Liu, seconded by Dr. Humphreys, and approved by unanimous consent, the Board adopted the imposition of civil fine agreement, Case No. 2014-001116, signed by John W. Zwiacher, MD.

The adoption order was signed by the Chair.

In the Matter of Case No. 2015-001621

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a physician applicant who failed to disclose material information on a new license application.

Upon a motion duly made by Dr. Powers, seconded by Dr. Roderer, and approved by unanimous consent, the Board adopted the imposition of civil fine agreement, Case No. 2015-001621 signed by Cody Augdahl, MD.

The adoption order was signed by the Chair.

In the Matter of Case No. 2014-001768

Upon a motion duly made by Dr. Powers, seconded by Dr. Roderer, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2014-001768.

Board staff remained for the session. The Board entered executive session at 9:39 a.m.; and went back on the record at 9:58 a.m.

Upon a motion duly made by Dr. Roderer, seconded by Mrs. Carlson, and approved by unanimous consent, the Board rejected the consent agreement, Case No. 2014-001768, and referred it for further investigation.

The Board designated Dr. Humphreys as the reviewing Board member to work with investigators.

Agenda Item 5 Investigative Unit

Investigative Report

Investigator Winton reviewed the investigative report provided to the Board. The report included ten open cases and 26 closed cases/complaints with 14 actions. She noted that, since the report, six cases/complaints have been opened, and six have been closed.

Probation Report

A current probation monitoring report was included in the board packet for further review. Investigator Lipker had additional information for Board consideration.

Upon a motion duly made by Ms. Millar, seconded by Dr. Humphreys, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing probation matters.

Board staff remained for the session. The Board entered executive session at 10:01 a.m.; and went back on the record at 10:15 a.m.

Application matter

The Board reviewed the resident permit application of Sunhil Bhat, DO, including the investigative report regarding his failure to disclose material information on the application. The reviewing Board member had found insufficient evidence that he had intended to deceive the Board and recommended a

\$1,000 imposition of civil fine without censure or reprimand. Dr. Bhat had rejected the civil fine agreement.

Upon a motion duly made by Dr. Roderer, seconded by Dr. Humphreys, and approved by unanimous consent, the Board tabled the application of Sunhil Bhat, DO, pending his agreement to an imposition of a civil fine of \$1000.

Agenda Item 6 Probation Monitoring

- Brian Donaldson, MD, was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement.
- Dennis Mickleson, MD, was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement.
- Peter Osterbauer, MD, was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement.
- Olga I. Wasile, MD, was present for her probation interview. She declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that she was in compliance with her agreement.
- Samuel Schurig, MD, was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement. He had submitted a request for Board approval of an additional supervising physician.

Upon a motion duly made by Dr. Powers, seconded by Ms. Millar, and approved by unanimous consent, the Board approved Dr. Haskell as an additional supervising physician under the terms of Dr. Schurig's Memorandum of Agreement, Case No. 2802-07-005.

Dr. Schurig's employer had also submitted a request to allow for some modified supervision. The Board directed him to submit his request through staff, in accordance with Board procedures.

The following licensees are not on probation, but were present for an interview regarding confidential non-disciplinary consent agreements: Roger Spencer, MD; Paul Patton, PA-C; and John Ditzler (MICP).

Upon a motion duly made by Mr. Luppen, seconded by Dr. Powers, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing confidential matters.

Board staff remained for the session. The Board entered executive session at 11:25 a.m.; and went back on the record at 11:46 a.m.

Recess for lunch

The Board recessed for lunch at 11:47 a.m.
The Board went back on the record at 1:00 p.m.

Board members present:

Cam Carlson, Public Member
Craig Humphreys, MD
Sai-Ling Liu, DO
Kevin Luppen, PA-C

Grant T. Roderer, MD
Kathleen Millar, Public Member
David J. Powers, MD
David A. Miller, MD

Board staff present:

Debora Stovern, Executive Administrator
Aiko Zaguirre, Licensing Examiner

There were no visitors present.

Agenda Item 7 Malpractice Report Review

The Board reviewed malpractice reports, Case No. A-14-702533-C, Case No. 42298/10, Case No. 13-KV-0039-J, Case No. 3:12-cv-00192-JWS, Case No. 106270/CV2009092421, and Case No. CV 12-71-GF-SHE.

The Board expressed concern with the response on Case No. A-14-702533-C regarding the technique or outcome for the patient and recommended that the physician considers modifying the technique.

Upon a motion duly made by Ms. Millar, seconded by Dr. Powers, and approved by unanimous consent, the Board accepted malpractice reports, Case No. A-14-702533-C, Case No. 42298/10, Case No. 13-KV-0039-J, Case No. 3:12-cv-00192-JWS, Case No. 106270/CV2009092421, and Case No. CV 12-71-GF-SHE, with no further action at this time.

Agenda Item 9 Board Review of Requests/Issues

In the matter of Erik Kohler, MD

The Board reviewed a request to remove restrictions placed on his license as ordered by the Board in July 2011, along with recent email communication with the Division, and a copy of the Board's Decision and Order from 2011.

The matter was initially brought before the Board in July 2011 as a proposed decision by the Hearing Officer, following a hearing. At that meeting, the Board chose a non-adoption option of the proposed decision, and issued a revised order, as follows:

As a condition of his license to practice medicine in Alaska, Dr. Kohler shall conduct no surgery in which the operative instruments are visualized by fluoroscopy unless he does so in the presence of and under the direction of a surgeon or radiologist licensed to practice medicine in this state who is experienced in the surgery being performed.

Additionally, to address documentation issues, all charts of operative patients will be subject to peer review, with results forwarded to the board on a quarterly basis.

Dr. Kohler may petition the board for modification or cancellation of these restrictions one year or more from the date of adoption of this order. Any such petition must detail any steps Dr. Kohler has taken to improve his competency in relevant techniques, and must propose a means by which his competency can be tested or demonstrated, at his expense, to the satisfaction of the board.

In July 2013, the Board reviewed a request from Dr. Kohler to remove the restrictions placed on his license. The Board determined that the request from Dr. Kohler contained only subjective information; he did not provide objective documentation of additional ACGME-accredited education and/or training in the procedures.

In March 2014, the Board reviewed another request from Dr. Kohler to remove the restrictions placed on his license. In reviewing that proposed educational program, the Board noted that it was not ACMGE-accredited, and that it appeared to be a weekend course sponsored by the product manufacturer, rather than a comprehensive training program.

Upon a motion duly made by Dr. Powers, seconded by Dr. Humphreys, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the request by Dr. Kohler.

Board staff remained for the session. The Board entered executive session at 1:25 p.m.; and went back on the record at 1:46 p.m.

The Board determined that they would consider a petition to modify the restrictions on the license of Dr. Kohler, upon satisfactory documentation of successful completion of

- A one-year accredited spinal fellowship program; or
- Another program that is substantially similar may be presented to the Board for consideration.

The Board further noted that this is only a clarification of their previous determination; it does not represent a change to what they require from Dr. Kohler in order to consider a petition to modify the restrictions on his license.

Agenda Item 10 Statues/Regulation Updates

Pending regulation projects:

Delegation to medical assistants (MAs): The Board had previously adopted regulations setting standards for delegation of routine duties to unlicensed assistive personnel. Upon review by the Department of Law, it had been determined that a statute change is required in order to allow such delegation of routine duties. The Board has requested assistance from Senator Olsen and the Alaska State Medical

Association to initiate a statute change. The Board will consider re-adopting the regulations once the legislation is enacted.

Approved Regulation Projects:

The Board had previously approved regulations changes regarding reporting requirements and tribal health program exemptions. The regulations were public noticed on September 30, 2015, and the public comment period ended on October 30, 2015.

The Board reviewed the comments that were received by the Division during the comment period. It was noted that several of the comments were related to a misunderstanding of the regulations based on a federal licensing exemption.

The Board clarified that the federal government has authorized the licensing exemption under the Affordable Care Act, and the Alaska State Medical Board has no jurisdiction or authority to impact that exemption. In order to practice in a tribal health facility, a practitioner must either be licensed in the State of Alaska, or must qualify to practice under another state license in accordance with the federal exemption. The Board regulations simply require that practitioners notify the Board that they are practicing legally under the federal exemption.

The Board noted that they are sensitive to the concerns expressed in the public comments, and that they have no desire to overstep their authority or to diminish the availability of practitioners in rural areas.

In considering public comments, the Board paid special attention to the cost to private persons, and does not expect there to be an additional cost as a result of the regulatory action being taken.

Upon a motion duly made by Dr. Powers, seconded by Mrs. Carlson, and approved by roll call vote, the Board adopted the proposed regulation I2 AAC 40.067(26) regarding reporting requirements.

Roll Call Vote:

Dr. Powers-Yea
Dr. Roderer-Yea
Mrs. Carlson-Yea
Dr. Humphreys-Yea
Dr. Liu-Yea
Mr. Luppen-Yea
Ms. Millar-Yea
Dr. Miller-Yea

Upon a motion duly made by Dr. Humphreys, seconded by Dr. Powers, and approved by roll call vote, the Board adopted the proposed regulation I2 AAC 40.981 regarding reporting requirements.

Roll Call Vote:

Dr. Roderer-Yea
Mrs. Carlson-Yea
Dr. Humphreys-Yea
Dr. Liu-Yea

Mr. Luppen-Yea
Ms. Millar-Yea
Dr. Powers-Yea
Dr. Miller-Yea

The adoption order was signed by the Chair.

Legislative information

- The Board reviewed Senate Bill (SB) 98, relating to the expansion of telemedicine practice. The bill proposes to allow not only prescriptions without an in-person physical examination, but also to allow diagnosis and treatment without an in-person physical examination. It also expands telemedicine practice to out-of-state physicians, and allows for prescription of controlled substances.

The Board had previously drafted a position statement opposing the legislation; no changes were made to the position statement.

- The Board reviewed Senate Bill (SB) 55, relating to optometry scope of practice. They noted that the Alaska Society of Eye Physicians and Surgeons oppose the bill.

The Board had previously drafted a position statement opposing the legislation; no changes were made to the position statement.

- The Board reviewed Senate Bill (SB) 71, relating to the administration of vaccines by pharmacists. The Board currently allows for physicians to supervise such pharmacist-administered vaccine programs under Board-approved physician-pharmacist cooperative practice plans. The Board previously determined that they do not support expansion of these programs to include unsupervised practice by pharmacists.

The Board had previously drafted a position statement opposing the legislation; no changes were made to the position statement.

- The Board reviewed Senate Bill (SB) 14, relating to the appointment of a Mobile Intensive Care Paramedic (MICP) to the Medical Board, as well as other emergency medical services items. The Board had previously determined to support the Alaska Paramedic Association resolution to add an MICP seat to the Board. However, it was noted that the current version of the bill proposes to replace one of the two public members with an MICP member.

The Board expressed the need for the public to be fully represented in the Board composition and do not support replacing a public member with an MICP member. They further determined that they would be neutral on the proposal adding an MICP member to the Board.

The Board had previously drafted a position statement opposing the current version of the bill, and taking a neutral position on the proposal to add an MICP member to the Board. No changes were made to the position statement.

- The Board reviewed House Bill (HB) 29, which proposes to establish a licensing program for radiologic technologists, to be administered by the Division. The Board had previously considered this matter when similar legislation was previously introduced. They were concerned that the bill may affect patient care negatively, creating an extra layer of bureaucracy by requiring a license program, and additional (proprietary) training. It was unclear who would be approving training programs and how it would affect remote practitioners

The Board had previously expressed concerns with the proposed program, including the vague certification process and the impact on rural areas. It was also not clear what problem the bill is attempting to correct and there was no information to indicate that patient care is currently at risk. Other than expressing concern, the Board did not take a position.

Agenda Item 8 Full Board Interviews

Charles E. Lopez, MD

Dr. Lopez was present to discuss his license application with the Board.

Upon a motion duly made by Dr. Liu, seconded by Dr. Humphreys, and approved by roll call vote, the Board granted an unrestricted license to Charles E. Lopez, MD.

Roll Call Vote:

Dr. Liu-Yea
Mr. Luppen-Yea
Ms. Millar-Yea
Dr. Powers-Yea
Dr. Roderer-Yea
Mrs. Carlson-Yea
Dr. Humphreys-Yea
Dr. Miller-Yea

Daniel Robert Sparks, MD

Dr. Sparks was present to discuss his license application with the Board.

Upon a motion duly made by Dr. Roderer, seconded by Mrs. Carlson, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Daniel Robert Sparks, MD.

Board staff remained for the session. The Board entered executive session at 2:20 p.m.; and went back on the record at 2:36 p.m.

Upon a motion duly made by Dr. Roderer, seconded by Dr. Liu, and approved by roll call vote, the Board granted an unrestricted license to Daniel Robert Sparks, MD.

Roll Call Vote:

Dr. Humphreys-Yea
Dr. Liu-Yea
Mr. Luppen-Yea

Ms. Millar-Yea
Dr. Powers-Yea
Dr. Roderer-Yea
Mrs. Carlson-Yea
Dr. Miller-Yea

Lawrence J. Jedlicka, MD

Dr. Jedlicka was present to discuss his license application with the Board.

Upon a motion duly made by Dr. Liu, seconded by Mr. Luppen, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Lawrence Jedlicka, MD.

Board staff remained for the session. The Board entered executive session at 2:39 p.m.; and went back on the record at 2:46 p.m.

Upon a motion duly made by Dr. Humphreys, seconded by Mr. Luppen, and approved by roll call vote, the Board granted an unrestricted license to Lawrence J. Jedlicka, MD.

Roll Call Vote:

Dr. Liu-Yea
Mr. Luppen-Yea
Ms. Millar-Yea
Dr. Powers-Yea
Dr. Roderer-Yea
Mrs. Carlson-Yea
Dr. Humphreys-Yea
Dr. Miller-Yea

Cody M. Augdahl, MD

Dr. Augdahl was present to discuss his license application with the Board.

Upon a motion duly made by Dr. Powers, seconded by Ms. Millar, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Cody M. Augdahl, MD.

Board staff remained for the session. The Board entered executive session at 2:49 p.m.; and went back on the record at 2:54 p.m.

Upon a motion duly made by Mr. Luppen, seconded by Dr. Powers, and approved by roll call vote, the Board granted an unrestricted license to Cody M. Augdahl, MD.

Roll Call Vote:

Mr. Luppen-Yea
Ms. Millar-Yea
Dr. Powers-Yea
Dr. Roderer-Yea
Mrs. Carlson-Yea

Dr. Humphreys-Yea
Dr. Liu-Yea
Dr. Miller-Yea

Agenda Item Public Comment Forum

The following visitors joined the meeting:

- Frank Bickford, Executive Director for the Alaska Society of Eye Physicians and Surgeons – thanked the Board for providing a position statement opposing Senate Bill (SB) 55.
- Caroline Bolar – commented on an issue with a medical procedure. The Board referred her to their investigative unit to file a formal complaint.

Visitors departed from the meeting.

Agenda Item 14 Federation of State Medical Boards (FSMB) updates

The next annual meeting of the Federation of State Medical Boards (FSMB) is scheduled for April 28-30, 2016 in San Diego, CA. The Board directed Ms. Stovern to attend the meeting, along with Dr. Liu, as their voting delegate. Ms. Stovern will research the availability of public member scholarship funding; if available, Mrs. Carlson may also attend.

The following additional FSMB items were included in the Board packet for further review:

- 1) Notice of the inaugural meeting of the Interstate Medical Licensure Compact Commission. The Board had previously discussed the status of the interstate compact and may be interested in participating. They directed Ms. Stovern to contact the Alaska State Medical Association for their feedback, support and advocacy.
- 2) Notice regarding Member Board Symposium on antitrust issues
- 3) Medscape article on PHP's and responses
- 4) USMLE Informational Overview for State Boards
- 5) Highlights of Board of Directors meetings
- 6) Call for annual meeting submissions
 - a. Call for resolutions
 - b. Call for bylaws amendments
 - c. Call for associate member nominations
 - d. Call for committee appointments
 - e. Call for awards nominations

- 7) E-news (August through October editions)
- 8) Newsline (Fall 2015 edition)

Agenda Item 12 License Application Review

Board members began reviewing license application files.

The Board recessed at 4:25 p.m.

Friday, November 6, 2015

Call to Order

The meeting was called to order by Kathleen Millar, Chair at 9:30 a.m.

Roll Call

Board members present:

Cam Carlson, Public Member
Craig Humphreys, MD
Kevin Luppen, PA-C

Grant T. Roderer, MD
Kathleen Millar, Public Member
David J. Powers, MD

Board President David A. Miller was unable to attend the meeting and had asked Board Secretary Kathleen Millar to chair the meeting. Board member Sai-Ling Liu, DO was unable to attend the meeting.

Board staff present:

Debra Stovern, Executive Administrator
Aiko Zaguirre, Licensing Examiner

There were no visitors present.

Agenda item 11 Full Board Interviews:

Jehangir W. Gowani, MD

Dr. Gowani was present to discuss his license application with the Board.

Upon a motion duly made by Mrs. Carlson, seconded by Mr. Luppen, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Jehangir W. Gowani, MD.

Board staff remained for the session. The Board entered executive session at 9:32 a.m.; and went back on the record at 9:46 a.m.

Upon a motion duly made by Dr. Roderer, seconded by Mr. Luppen, and approved by roll call vote, the Board granted an unrestricted license to Jehangir W. Gowani, MD.

Roll Call Vote:

Mr. Luppen-Yea
Ms. Millar-Yea
Dr. Powers-Yea
Dr. Roderer-Yea
Mrs. Carlson-Yea
Dr. Humphreys-Yea
Dr. Liu-Absent
Dr. Miller-Absent

David B. Lippincott, DO

Dr. Lippincott was present to discuss his license application with the Board.

Upon a motion duly made by Dr. Humphreys, seconded by Mr. Luppen, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of David B. Lippincott, DO.

Board staff remained for the session. The Board entered executive session at 9:48 a.m.; and went back on the record at 10:03 a.m.

Upon a motion duly made by Dr. Humphreys, seconded by Dr. Powers, and approved by roll call vote, the Board granted an unrestricted license to David B. Lippincott, MD.

Roll Call Vote:

Dr. Humphreys-Yea
Dr. Liu-Absent
Mr. Luppen-Yea
Ms. Millar-Yea
Dr. Powers-Yea
Dr. Roderer-Yea
Mrs. Carlson-Yea
Dr. Miller-Absent

Debra Anne Kontny, DO

Dr. Kontny was present to discuss her license application with the Board.

Upon a motion duly made by Mr. Luppen, seconded by Dr. Roderer, and approved by unanimous consent, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Debra Anne Kontny, DO.

Board staff remained for the session. The Board entered executive session at 10:14 a.m.; and went back on the record at 10:22 a.m.

Upon a motion duly made by Dr. Powers, seconded by Dr. Humphreys, and approved by roll call vote, the Board granted an unrestricted license to Debra Anne Kontny, DO.

Roll Call Vote:

Dr. Roderer-Yea
Mrs. Carlson-Yea
Dr. Humphreys-Yea
Dr. Liu-Absent
Mr. Luppen-Yea
Ms. Millar-Yea
Dr. Powers-Yea
Dr. Miller-Absent

Philip M. Hobbs, MD

Dr. Hobbs did not appear for his scheduled interview.

Agenda Item Division Update

Division Director Janey Hovenden, Administrative Officer Martha Hewlett, and Licensing Supervisor Dawn Hannasch, joined the meeting by teleconference to discuss Board and Division matters.

Ms. Hewlett reviewed the Fiscal Year 2015 year-end financial report that was included in the Board packet. She noted that the Division Annual Financial Report would be available soon, as well as the financial report for the first quarter of Fiscal Year 2016.

Ms. Hannasch provided an update on staffing issues and application delays. She reported that there were currently 4-1/2 full time staff persons dedicated to the Medical Board. The additional resources provided by the Division have resulted in acceptable application response times. Although the volume of new applications remains high, current staffing is adequate for current volume and some increase.

Ms. Hannasch further reported that staff has been working on streamlining process, including updating application forms, establishing electronic renewals, and working with the new paperless database. She noted that Ms. Stovern was also working on streamlining projects, including implementing the Uniform Application and researching the Interstate Licensure Compact.

Ms. Hovenden addressed Board concerns with scanned applications, such as unclear copies of photos, inability to discern notary and other seals, no flags in irregularities or derogatory information, etc.

Agenda Item 12 License Application Review

Board members reviewed license application files.

The Board declined to consider the application of William M. Magnuson, MD, pending further information.

Due to difficulty with FedEx delivery of meeting materials, the Board was unable to review the application files for the following applicants, and determined to consider them by mail vote following the meeting: Scott D. Smith, MD; Glenn R. Stryjewski, MD; Melissa R. Weston, MD; Nicholas A. Weida, DO; and Julie L. Wynne, MD.

Upon a motion duly made by Dr. Roderer, seconded by Mr. Luppen, and approved by unanimous consent, the Board approved the following applicant for licensure in Alaska subject to an agreement adopted by the Board on November 5, 2015:

Karen Levy, MD

Upon a motion duly made by Dr. Roderer, and seconded by Mr. Luppen, and approved by unanimous consent, the Board approved the following physicians for licensure in Alaska, pending completion of their application files:

*Linda Adepoju
Luisa F Aguiar
Dmitriy Grigoriy Akselrod
David Alan Alexander
Kevin P Banks
Yekaterina V Batilova
Amanda L Beery
Paul Jerome Bernard
Manpreet S Bhandal
John P Block
James C Bommarito
David A Brice
Elisha G Brownson
Stephanie Y Chen
Andrea M Clark
Deborah J Cohen
Matthew D Cohn
Nancy L Covington
Mark R Dambro
William J Drury
Guillermo E Espinoza
Lisa M Evans
Cydney L Fenton
Stephen K Frankel
Stanley R Fuller
Daniel Richards Fullmer
Nikita Gill
Paul Benjamin Gloe
Greta T Go
Spencer Greendyke
Randi W Hart
John H Hawes
Lucas S Henry*

*Jason Hicks
Andrew William Hing
Kevin A Hinkle
John D Horton
Tristan J Huie
Jerrell L Ingalls
Andrew G Janssen
Andrea G Janssen
Alice B Josafat
Charlene V Kakimoto
Jeffrey B Knox
Marc Gerhard Koenig
Christopher M Krol
Aaron S Kusano
Mikael D Lagwinski
Jeffrey A Larsen
Luciano B Lemos-Filho
Marc W Levin
Joseph S Livingston
Robert J Lovrich
Katherine J Magnuson
Mark D Mayhle
Jennifer R McEvoy
Rodney K Mckeever
Valerie C McWhorter
Matthew R Minor
Mohammad Mobayed
Michael B Montano
Laura M Moore
Roy L Moss
Radha Nandagopal
Derek P Nathan
Robin L Ninfeldt*

*Rachel L O'Connor
Emily Anne Olsen
Ross M Ondersma
Moirra Anne O'Riordan
Catherine E Otten
Anjali P Parish
Joe Arthur Pastrano
Luke H Porsi
Hammad Qadir
Mohammed F Quraishi
Robert M Refowitz
Glenn Reynolds
Alan M Rubin
Michael J Russell
Jon G Ryckman
Chad E Sarver
Alina N Schneider
Lisa A Seeber
Amem Sergew*

*Justin A Siegal
Charles P Singstad
Mackenzie C Slater
Kristopher A Spinning
Claire M Stoltz
Lisa V Thomassen
Benjamin Albert Thompson III
Brian Vacca
Timothy P Vanderbilt
Dmitri V Vasin
Pooja Ramnath Voria
James F Walery
Sara A Warzecka
Jonathan M Waters
Ryan G Webb
Thomas Weismueller
Edwin J Yau
Mancong Zhang*

Upon a motion duly made by Dr. Roderer, seconded by Mrs. Carlson, and approved by unanimous consent, the Board approved the following osteopathic physicians for licensure in Alaska, pending completion of their application files:

*Renato Aller-Zumaeta
Anna S Bereziewicz
Margaret E Carlson-Cosentino
Nicholas H Flickinger
Jerome M Guanciale
Erin S Hill
Gretchen H Jones
Anna Konicek*

*Jason A Koskinen
Katie E Kunnen
Laura E Michael
Tracy Slager
Teejay Tripp
Kathryn M Turner
James J Vodvarka
Richard Green Walton*

Upon a motion duly made by Mr. Luppen, seconded by Mrs. Carlson, and approved by unanimous consent, the Board approved the following physician assistants for licensure in Alaska, pending completion of their application files:

*Michael C Adams
Christopher G Albert
Jacqueline L Beeler
Christie A Bentz
Carlene Kay Boden
Sarah K Boles aka Baldwin
Michael Craig
Andrew T Gardner
Rhonda Gleason
Karin D Gnegy*

*Tommy L Jackson
Zachary Johnson
Donald Rex Kelly
Benjamin L Kennah
Sylvia Marx
April R McAnly
Jeanette L Nienaber
Brian T O'Loughlin
Angela Oltman
Stephen Poggi*

*Jordan Porkryfki
Melinda A Rawcliffe
Harriett L Rice
Emily L Seidl*

*Yuriy O Tretyak
Tracy L Vacca
Levi J Zellers
Cami Zobel*

Upon a motion duly made by Mr. Luppen, seconded by Mrs. Carlson, and approved by unanimous consent, the Board approved the following mobile intensive care paramedics for licensure in Alaska, pending completion of their application files:

*Matthew I Bierer
Brett H Davis
Joshua K Erwin
Jack M Fletcher
Shawn M Foster
Jody L Gross
John Jones
Gregory Karlik*

*Jacob R Keller
Christopher Michael Mondloch
Gretchen B O'Sullivan
Gunnar J Romatz
Samuel Russell
Jenna K Steege
Justin R Yurong*

Agenda Item New Businss

Shalome Cederberg, Boards and Commissions Assistant, from the Office of the Governor, briefly visited the meeting to introduce herself and meet the Board members.

Agenda Item 13 Correspondences

The following correspondence was included in the Board packet for review:

- 1) Legislative Research letter regarding licensing process and delays. The Board was satisfied with staff response.
- 2) Legislator concern regarding licensing process and delays. The Board was satisfied with staff response.
- 3) Legislator concern regarding the Board policy on telemedicine practice. The Board noted that the guideline was previously updated to reflect the withdrawn regulations project, and were comfortable with the current guideline. They directed Ms. Stovern to respond.
- 4) Oregon Medical Board newsletter regarding telemedicine practice and requirements.
- 5) Journal of Medical Regulation article "Legalization of Marijuana in Colorado."
- 6) Opioids and Pain Guideline information.
- 7) American Osteopathic Association October news.
- 8) National Board of Osteopathic Examiners newsletter.

- 9) International Association of Medical Regulatory Authorities (IAMRA) annual conference notice.
- 10) Accreditation Council for Continuing Medical Education (ACCME) news reports.
- 11) State of Reform notice re: Health Policy Conference
- 12) Alaska Department of Health and Social Services press releases
- 13) American Telemedicine Association (ATA) fall forum notice
- 14) cTel notice of Executive Telehealth Fall Summit

Agenda Item 15 Administrative Businesses

Financial Report

The Board year-end financial report for Fiscal Year 2015 was included in the Board packet for review.

Executive Administrator's Report

The Executive Administrator's Report was included in the Board packet for review, including updates on the following:

- Outreach efforts – Ms. Stovern responded to numerous inquiries, complaints, and requests for expedited processing, regarding application delays and staff shortages; she responded to inquiries regarding telemedicine practice (from practitioners, legislators, telemed providers, etc.); and she responded to AIM inquiries/polls by other state boards.
- Participation activities of national organizations – Ms. Stovern continued work with FSMB to implement Uniform Application (she is currently working on Board-specific forms and procedures); she attended FSMB webinars (topics included advocacy issues, disciplinary reports); she attended American Telemedicine Association (ATA) videocasts (topics included status of proposed telemedicine legislation, state policy developments, healthcare reform, and the impact of telemedicine efforts); and she attended CTel webinar regarding telehealth and e-health issues.
- Tracking of Board actions – a report of the Board's recent actions was included for Board review.
- Tracking of licensing process – statistics and a detailed spreadsheet covering processing of recent applications was included for Board review, along with a flowchart of the licensing process.
- Annual Report – a copy of the Board's annual report was included for Board review.
- Status of CME Audit – Ms. Stovern has begun work on the audit of the December 2014 renewals; documents have been received and are under review for approval or referral of noncompliant audits to the Division paralegal for action.
- Status of regulations projects – the Division has provided public comments for Board consideration regarding the Board's proposed regulations for reporting requirements and tribal health program exemptions; and Ms. Stovern will continue to request assistance from the Alaska State Medical

Association and interested legislators for the Board's request regarding statutory authority for delegation of routine duties.

- Board Policies and Procedures – Ms. Stovern continues to update the Board website as needed; she is working on updates and revisions to the applications forms; she continues to revise and update the Board policies and procedures as changes are made (copies of the updated telemedicine guidelines and draft pain policy guidelines were included for further review); she updates and distributes the orientation manual to new Board members; she regularly attends Division meetings regarding Medical Board application delays and staffing needs, the new database, policies, mission, finances, travel, and the legislative session; and she continues to work on the follow-up for the recent renewal period including review of “yes” answer renewals and completing the continuing medical education (CME) audit.

The Board reviewed the updated telemedicine guidelines, and directed Ms. Stovern to publish them on the website.

The Board reviewed the proposed draft for updating the guideline for prescribing controlled substances.

Upon a motion duly made by Mr. Luppen, seconded by Dr. Humphreys, and approved by unanimous consent, the Board adopted the proposed guidelines for prescribing controlled substances.

Review Minutes

The Board reviewed the minutes of their recent meetings.

Upon a motion duly made by Dr. Roderer, seconded by Dr. Powers, and approved by unanimous consent, the Board approved the minutes of the September 17, 2015 teleconference meeting and the August 6-7, 2015 meeting.

Meeting Scheduling

The Board confirmed the schedule for upcoming meetings:

- February 11-12, 2016 in Ketchikan
- May 5-6, 2016 in Soldotna
- August 4-5, 2016 in Fairbanks
- November 3-4, 2016 in Anchorage

Adjournment

There being no further business, the meeting was adjourned at 12:30 p.m.

Respectfully submitted:

/s/

Debora Stovern, Executive Administrator
Alaska State Medical Board

February 12, 2016

Date

Approved:

/s/

David A. Miller, President
Alaska State Medical Board

February 12, 2016

Date