

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

STATE MEDICAL BOARD

**MINUTES OF MEETING
February 1-2, 2018**

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, February 1-2, 2018 in Anchorage, Alaska.

Thursday, February 1, 2018

Call to Order

The meeting was called to order by Craig Humphreys, MD, Chair, at 9:05 a.m.

Roll Call

Board members present:

Cam Carlson, Public Member
Brück A. Clift, MD
Sai-Ling Liu, DO
Doug Mertz, Public Member (by teleconference)
Joy M. Neyhart, DO
Craig Humphreys, MD

Board members Catherine Hyndman, MD, and Timothy Olson, PA-C, were unable to attend.

Board staff present: Debora Stovern, Executive Administrator

There were no visitors present.

- Report from safety officer – Ms. Stovern noted appropriate emergency exits and gathering location.
- Announcements – Dr. Hyndman has been appointed to the Board seat vacated by Dr. Roderer; due to a previously-scheduled engagement, she was unable to attend the meeting. The Board will welcome her at the May meeting.

Agenda Item 1 Review Agenda

The Board reviewed the agenda.

Agenda Item 2 Board Business

The following Board Business was addressed:

- Ethics Reporting – there were no ethics conflicts to report.
- Delegation of Authority – In accordance with 12 AAC 40.910, the Board must take formal action annually to identify a designee to perform duties on behalf of the Board.

Upon a motion duly made by Mrs. Carlson, seconded by Dr. Neyhart, and approved unanimously, the Board appointed Debora Stovern as their designee under 12 AAC 40.910.

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 there were 12 noncompliant audits – two were resolved by Board action, five were referred to the Division Paralegal; there are currently five cases outstanding and they are working with staff to provide acceptable documentation to resolve their audits.

Agenda item 4 Board Actions

In the Matter of Case No. 2017-001004

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

Upon a motion duly made by Dr. Clift, seconded by Dr. Liu, and approved unanimously, the Board adopted the imposition of civil fine agreement, Case No. 2017-001004, signed by Ralph E. Steele, MD.

The adoption order was signed by the Chair.

In the Matter of Case No. 2017-001180

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 within the required timeframe.

Upon a motion duly made by Dr. Liu, seconded by Dr. Neyhart, and approved unanimously, the Board adopted the imposition of civil fine agreement, Case No. 2017-001180, signed by Donald E. Smith, PA-C.

The adoption order was signed by the Chair.

In the Matter of Case No. 2017-001149

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a physician who failed to report another state licensing sanction within the required timeframe.

Upon a motion duly made by Dr. Neyhart, seconded by Mrs. Carlson, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2017-001149; with Board staff remaining during the session.

The Board entered executive session at 9:20 a.m. The Board went back on the record at 9:24 a.m.

Upon a motion duly made by Dr. Neyhart, seconded by Dr. Clift, and approved unanimously, the Board adopted the imposition of civil fine agreement, Case No. 2017-001149, signed by Christopher J. Jensen, MD.

The adoption order was signed by the Chair.

In the Matter of Case No. 2017-000878

The Board reviewed a proposed consent agreement from an investigation of a physician with previous impairment issues, and license actions and restrictions by other state boards. The agreement included conditions consistent with Board disciplinary history and guidelines, including two years of probation and monitoring.

Upon a motion duly made by Dr. Clift, seconded by Dr. Neyhart, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2017-000878; with Board staff remaining during the session.

The Board entered executive session at 9:25 a.m. The Board went back on the record at 9:30 a.m.

Upon a motion duly made by Dr. Neyhart, seconded by Dr. Liu, and approved unanimously, the Board adopted the consent agreement, Case No. 2017-000878 signed by Brian J. Iutzi, MD.

The adoption order was signed by the Chair.

Agenda Item 5 Investigative Unit

Investigators Sonia Lipker, Michelle Wall-Rood, Shyla Consalo, and Amber Whaley joined the meeting to review investigations and probation reports.

Inv. Wall-Rood presented the investigative report. Inv. Whaley presented the probation report.

In the Matter of Molly Hutsinpiller, MD

Dr. Hutsinpiller joined the meeting. The Board reviewed a request from Dr. Hutsinpiller for early release from the probation required under her August 5, 2016 consent agreement. Dr. Hutsinpiller has been residing and practicing in Utah, in compliance with an Agreement with the Utah Medical Board, and her probation has been primarily monitored by the Utah Department of Professional Licensing. She had satisfied and was released from the terms and conditions of the Utah agreement on January 24, 2018.

Upon a motion duly made by Dr. Neyhart, seconded by Dr. Clift, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing a probation request from Dr. Hutsinpillar; with Board executive and investigative staff remaining during the session.

The Board entered executive session at 9:35 a.m. The Board went back on the record at 9:50 a.m.

Upon a motion duly made by Dr. Clift, seconded by Dr. Neyhart, and approved by a majority vote, the Board granted Dr. Hutsinpillar's request for early release from probation, effective immediately.

The motion passed with Dr. Clift, Dr. Liu, Mr. Mertz, Dr. Neyhart, and Dr. Humphreys voting in favor, and Mrs. Carlson voting against.

In the Matter of Christopher J. Jensen, MD

The Board reviewed a probation report regarding Dr. Jensen's violation of his November 2, 2017 consent agreement.

Upon a motion duly made by Dr. Clift, seconded by Mrs. Carlson, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Dr. Jensen's probation; with Board executive and investigative staff remaining during the session.

The Board entered executive session at 9:52 a.m. The Board went back on the record at 10:10 a.m.

Upon a motion duly made by Mrs. Carlson, seconded by Dr. Clift, and approved unanimously, the Board approved of the Division action to suspend the license of Dr. Jensen for violation of his consent agreement.

Agenda Item 7 Malpractice Report Review

The Board reviewed malpractice reports for Case No. 4FA-15-01382-CI, Case No. 3:10-CV-00204-RRB, Case No. 24-C-16-000468, Case No. L-1229-15, Case No. 3KN-16-00664-CI, Case No. 3:15-CV-00105-HRH, Case No. 3:14-CV-00249-MDL, and Case No. GCL-8922.

It was noted that Case No. GCL-8922 had previously been reviewed by the Board at the February 2, 2017 meeting, with no further action recommended at that time. The licensee has recently provided additional information for further review and recommendation by the Board.

Upon a motion duly made by Dr. Clift, seconded by Dr. Liu, and approved unanimously, the Board accepted the malpractice reports for Case No. 4FA-15-01382-CI, Case No. 3:10-CV-00204-RRB, Case No. 24-C-16-000468, Case No. L-1229-15, Case No. 3KN-16-00664-CI, Case No. 3:15-CV-00105-HRH, Case No. 3:14-CV-00249-MDL, and Case No. GCL-8922, with no further action at this time.

Agenda Item 6 Probation Monitoring

The Board typically conducts in-person interviews at their autumn meeting for licensees on probation. The Board routinely requires an interview for anyone currently on probation that is practicing in Alaska, and had not appeared before the Board within the past year.

John Pappenheim, MD

Dr. Pappenheim was present for his interview. Although probation interviews were conducted at the Board's November meeting, Dr. Pappenheim had a scheduling conflict – since he is a new probationee and this was his first interview, he was allowed to reschedule.

Upon a motion duly made by Dr. Clift, seconded by Dr. Neyhart, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Dr. Pappenheim's probation; with Board executive and investigative staff remaining during the session.

The Board entered executive session at 10:50 a.m. The Board went back on the record at 11:10 a.m.

Agenda Item 9 Board Review of Requests/Issues

In the matter of Howard Thomas Cusick, MD

The Board reviewed a request from Dr. Cusick for approval of one year of active duty military service as a flight surgeon to meet the requirement for the second year of postgraduate training in order to qualify for licensure, in accordance with Professional Regulation 12 AAC 40.022:

Upon a motion duly made by Dr. Clift, seconded by Dr. Liu, and approved unanimously, the Board approved one year of Dr. Cusick's active duty military service as a flight surgeon as meeting the second year of postgraduate training required to qualify for an Alaska physician licensure, under the provisions of Professional Regulations 12 AAC 40.022

In the matter of Soheil Najibi, MD

The Board reviewed the request from Dr. Najibi for acceptance of his specialty certification issued on January 1, 2017 as meeting the continuing medical education (CME) requirements for his November 11, 2016, renewal under Professional Regulations 12 AAC 40.210.

The Board determined that his documentation did not satisfy the CME requirements for renewal, and that there is no provision to accept his specialty certification dated January 1, 2017 or to grant credit for preparing for and taking certification exams.

Upon a motion duly made by Dr. Clift, seconded by Mrs. Carlson, and approved unanimously, the Board denied the request from Dr. Najibi and referred his continuing medical education (CME) audit back to the Division paralegal to resolve in accordance with Board guidelines.

The Board directed Ms. Stovern to send a reminder to licensees of the upcoming continuing medical education (CME) requirements for renewal.

Agenda Item 10 Regulations Information and Updates

Regulation Process

A Division publication regarding the steps in the regulation process was included in the Board packet for further review.

Pending/potential regulation projects

- Updates to licensing checklists: The Board adopts checklists for use by the Board or Board staff to confirm that an applicant has demonstrated the necessary qualifications when approving issuance of a temporary permit, residency permit, or courtesy licenses.

The Board and Legislature have made some application changes, which were included in updated versions of the checklists, along with formatting changes.

Upon a motion duly made by Dr. Clift, seconded by Dr. Liu, and approved unanimously, the Board approved the proposed regulations changes to 12 AAC 40.058 and 12 AAC 40.405 to go out for public comment.

The Board noted that they would like to add this to their current regulations project (related to opioid prescriptions, PDMP requirements, opioid education for new and renewal licenses) so that they all go out for public comment together. The Board will need to review the public comments and consider adopting the regulations package at the May 3-4, 2018 meeting.

- Delegation to medical assistants: The Board had previously reviewed and approved a proposal from Senator Giessel that would implement a licensing program for Certified Medical Assistants (CMAs), under regulations adopted by the Board, and would implement authority for the Board to set standards for delegation of routine duties to unlicensed assistive personnel. Those provisions had been added to Senate Bill 108, currently pending before the Legislature.

Pending/potential regulation projects

- Implementation of opioid legislation: The Board had previously approved a regulations package related to prescribing controlled substances, application for licensure, training requirements, and continuing medical education requirements for license renewal, to go out for public comment as a regulations project. The Board will plan to review public comments and consider adopting the regulations at the May 3-4, 2018 meeting, in order to implement provisions that are required by July 1, 2018.

Division regulations projects

- Fees for registration with the Prescription Drug Monitoring Program (PDMP): The Board reviewed the proposed regulation to implement a \$50 fee for initial registration and for biennial registration renewal.

Although the Board supports the PDMP, and requires its use by prescribers, the Board expressed concern with requiring additional fees for this mandatory requirement, which seems punitive to

prescribers. They would like to see a proposed budget for the program, including its impact on medical licensees. Dr. Humphreys volunteered to write a letter of concern to the Division.

Recess for lunch

The Board recessed for lunch at 12:00 p.m.
The Board went back on the record at 1:30 p.m.

Board members present:

Cam Carlson, Public Member
Brück A. Clift, MD
Sai-Ling Liu, DO
Doug Mertz, Public Member (by teleconference)
Joy M. Neyhart, DO
Craig Humphreys, MD

Board members Catherine Hyndman, MD, and Timothy Olson, PA-C, were unable to attend.

Board staff present: Debora Stovern, Executive Administrator

Agenda item 8 Full Board Interviews

Upon a motion duly made by Dr. Clift, seconded by Dr. Liu, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the applications for full board interviews; with Board staff remaining during the session.

The Board entered executive session at 1:35 p.m., and went back on the record at 1:45 p.m.

Mary Johanna Dailey Wright, MD

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

Upon a motion duly made by Dr. Clift, seconded by Mrs. Carlson, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the application of Dr. Wright; with Board staff remaining during the session.

The Board entered executive session at 1:50 p.m., and went back on the record at 2:05 p.m.

Upon a motion duly made by Dr. Clift, seconded by Dr. Neyhart, and approved unanimously, the Board granted a full unrestricted license to Mary Johanna Dailey Wright, MD.

Barry Joseph Mills, MD

Dr. Mills was unable to appear for his scheduled interview and will reschedule for a later date.

David Anthony Calvert, MICP

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

Upon a motion duly made by Mrs. Carlson, seconded by Dr. Clift, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the application of Mr. Calvert; with Board staff remaining during the session.

The Board entered executive session at 2:00 p.m., and went back on the record at 2:16 p.m.

Upon a motion duly made by Dr. Liu, seconded by Dr. Clift, and approved unanimously, the Board granted a full unrestricted MICP license to David Anthony Calvert.

Agenda Item 11 Legislative Information and Updates

Guidance for Board Members

A Division publication regarding participation in the Legislative process was included in the Board packet for further review.

Medicaid Reform Workgroup

Correspondence from the Department of Health and Social Services regarding a workgroup of stakeholders to review Medicaid Reform, as passed under the recently enacted Senate Bill (SB) 74, was included in the Board packet for further review.

Legislative Updates

The Board reviewed the following legislative items:

- The Board reviewed Senate Bill (SB) 108, which proposes to streamline the medical application process, allow the executive secretary to grant licenses to qualified applicants, establish a licensing program for certified medical assistants, and authorize the Board to set standards for delegation of routine duties to unlicensed assistive personnel.

The Board had taken a position in support of the proposed legislation. A copy of their letter to the bill sponsor was included in the Board packet for further review.

The Board continues to support the proposal to streamline the licensing process, which will improve licensure processing times, while ensuring public safety, by allowing the board to grant additional authority to their executive staff for the issuance of medical licenses and temporary permits.

It was noted that the Board has for some time supported a statute change to allow them to set standards for delegation of routine duties to unlicensed assistive personnel.

The Board also noted that it has previously opposed a new licensing/registration program for medical assistants. However, the Board understands and appreciates the intent to establish

jurisdiction for those that have earned a national certification and may be appropriately delegated specific, supervised duties, including acting as delegates for reviewing the Prescription Drug Monitoring Program (PDMP.) Although the Board did express concern that the cost and resources needed for such a program be carefully considered in moving forward with the legislation, they support the introduction of such legislation.

The Board was also interested in the suggestion to use the State of Washington licensing program for medical assistants as a guideline for drafting regulations to implement both pieces of legislation.

It was noted that the bill will specifically change the Medical Board licensing program by increasing the number of applications received and processed by division staff, increasing the workload for the executive secretary (to review and approve license applications, to educate regarding practice of certified medical assistants and unlicensed assistive personnel), and adding additional responsibility for staff approval of temporary permits. The board will also need to implement new regulations to establish licensing requirements and professional standards for certified medical assistants, standards for the delegation of routine duties to unlicensed assistive personnel, authority for the executive secretary to grant licenses, and authority for board staff to issue temporary permits.

Ms. Stovern reported that the Division would be working on a fiscal note regarding this bill. She recommended that the Division consider adding one permanent full time licensing examiner and one permanent full time project assistant, as well as to plan for a regulations project, and additional legal costs for the added licensing program. The Board determined to support that recommendation and noted that the added license fees should offset those additional costs to the Board. The Board prefers that the new staff should be located in the Anchorage office, and noted that they had previously requested the Department to consolidate the medical licensing program in the Anchorage office, to be more accessible to more licenses, training programs, and other stakeholders.

- The Board reviewed Senate Bill (SB) 124 and House Bill (HB) 266, which propose to revise the abortion laws and the child welfare laws (regulated by DHSS). It was noted that the bills do reference medical practitioners performing the procedure, but is clearly defined and may not require any Medical Board regulations, as it appears to fall under existing Medical Board regulations. The Board did not take an official position on the bill.
- The Board reviewed Senate Bill (SB) 126, which proposes to create a licensing exemption specifically for out-of-state physicians who are employed by an athletic team to provide medical services to members of the team while traveling with them to participate in a sporting event in Alaska. It was noted that the bill does not alter the courtesy licensing program, which would remain as an alternative for these sports physicians, as well as for other physicians temporarily practicing in the State of Alaska for a specific limited purpose.

While the Board did not take an official position on the bill, they did note that they have no concerns with the proposed legislation.

- The Board reviewed House Bill (HB) 268, which proposes to create a Consumer Advisory on Potential Heroin Addiction from Opioid Use, require an oral and written warning about the risks of opioids from the licensee or licensee's agent anytime an opioid is prescribed, and adds a section to each healthcare board's specific statute under "grounds for discipline, suspension or revocation of license" if the licensee fails to do so repeatedly or without good cause.

The Board recognized and supported the intention of the proposed legislation to protect the public. However they expressed concern with unintended consequences of seemingly arbitrary rules that may not accomplish their stated intent, and may be redundant or superfluous. They noted that current professional standards already require patient notice of drug interactions and side effects, and the Board already has the authority to discipline a prescriber for not meeting the professional standards.

The Board also discussed the change in professional standards for pain management – where in years past, physicians were expected to use available medications to treat pain completely, but now are expected to manage pain adequately with lower doses. The Board supported recent legislation regarding the Prescription Drug Monitoring Program (PDMP) and required education in pain management and opioid use and addiction. In addition, the Board has implemented professional standards that require prescribers to use the available tools for risk mitigation, including participation in the PDMP, and practice in accordance with specific national standards for opioid prescriptions and the treatment of pain.

- The Board reviewed Senate Bill (SB) 19 and House Bill (HB) 43, which propose to provide immunity for, and prohibit disciplinary action of, physicians for prescribing, dispensing, or administering an experimental drug to terminally ill patients that have considered all other treatment options approved by the FDA and is ineligible or unable to participate in a current clinical trial.

The Board previously reviewed these bills and noted that they are nearly identical, except that HB 43 includes provisions for either the use or non-use of these drugs. The Board had taken a neutral position on SB 19 because it does not include the “nonuse” clause; the Board supports HB 43 as written. A copy of their position statement was included in the Board packet for further review.

- The Board reviewed House Bill (HB) 191, which proposes to prohibit the entities from requiring Maintenance of Certification as a condition for licensure, reimbursement, employment, or hospital privileges. The Board previously reviewed this bill and determined general support for it, but did not take an official position on the bill.
- The Board reviewed House Bill (HB) 54, which proposes to implement “death with dignity” provisions. The Board previously reviewed this bill and discussed whether to oppose the legislation based on the Hippocratic Oath to do no harm. However, the Board did not take an official position on the bill.
- The Board reviewed House Bill (HB) 89, which proposes to implement a new licensing program for radiological technologists. The Board previously reviewed this bill and noted concern that it may affect patient care negatively, creating an extra layer of bureaucracy by requiring a licensing program, and additional (proprietary) training. The Board also had concerns about vague certification processes and the impact on rural areas. It was also not clear what problem the bills were proposed to correct and there was no information to indicate that patient care is currently at risk. The Board did not take an official position on the bill.
- The Board reviewed House Bill (HB) 90, which proposes to assess a surcharge to all professional licensees to cover the legal and enforcement cost of investigations, rather than covering those costs with individual program licensing fees.

The Board previously reviewed this bill and discussed other legislative attempts to deal with the volatility of investigative and legal costs, and noted that the surcharge should be somewhat offset, at least initially, by a reduction in licensing fees, since investigative costs would no longer be assessed to individual licensing programs. However, it was unclear how the surcharge would be implemented or what the consequences may be. The Board determined to oppose the bill because it does not promote fiscal responsibility and accountability by individual Boards and programs. A copy of their position statement was included in the Board packet for further review. It was also noted that Director Hovenden indicated at the November 2017 meeting that the bill does not appear to be moving.

Agenda Item **Public Comment Forum**

Visitors present included:

Robin Wahto, member of the Alaska Medical Assistant Society (affiliated with the American Association of Medical Assistants) – she reported that she is the retired director of the medical assistant training program at the University of Alaska Anchorage and was pleased to see Board support of Senate Bill 108 regarding licensing of medical assistants.

The Board recessed at 3:36 p.m.

Friday, February 2, 2018

Call to Order

The meeting was called to order by Craig Humphreys, MD, Chair, at 9:05 a.m.

Roll Call

Board members present:

Cam Carlson, Public Member
Brück A. Clift, MD
Sai-Ling Liu, DO
Doug Mertz, Public Member (by teleconference)
Joy M. Neyhart, DO
Craig Humphreys, MD

Board members Catherine Hyndman, MD, and Timothy Olson, PA-C, were unable to attend.

Board staff present: Debora Stovern, Executive Administrator

There were no visitors present.

Agenda item 12 Full Board Interviews

Upon a motion duly made by Mrs. Carlson, seconded by Dr. Neyhart, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing applications for full board interviews; with Board staff remaining during the session.

The Board entered executive session at 9:08 a.m., and went back on the record at 9:15 a.m.

Andrew W. Hoyer, MD

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

Upon a motion duly made by Dr. Liu, seconded by Dr. Neyhart, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the application of Dr. Hoyer; with Board staff remaining during the session.

The Board entered executive session at 9:20 a.m., and went back on the record at 9:30 a.m.

Upon a motion duly made by Dr. Neyhart, seconded by Dr. Liu, and approved unanimously, the Board granted a full unrestricted license to Andrew W. Hoyer, MD.

Miranda Dawn Knight-Brown, MD

Dr. Knight-Brown was present to discuss her license application with the Board.

Upon a motion duly made by Dr. Neyhart, seconded by Dr. Clift, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the application of Dr. Knight-Brown; with Board staff remaining during the session.

The Board entered executive session at 9:38 a.m., and went back on the record at 9:50 a.m.

Upon a motion duly made by Dr. Neyhart, seconded by Dr. Clift, and approved unanimously, the Board granted a full unrestricted license to Miranda Dawn Knight-Brown, MD.

Agenda Item 11 Legislative Information and Updates (continued)

- The Board continued their discussion of House Bill (HB) 268 regarding opioid prescription warning. They recognized and support the sponsor's intention to protect the public, but noted that additional rules do not always accomplish their intent. However, Mr. Mertz believes there may be some logic to making a fairly specific requirement.

The Board determined to support the intent of the bill in dealing with the opioid epidemic, but to oppose the bill as written, because current professional standards already require patient notice of drug interactions and side effects, and the Board already has the authority to discipline a prescriber for not meeting the professional standards.

Upon a motion duly made by Dr. Clift, seconded by Dr. Liu, and approved by a majority vote, the adopted this position statement regarding House Bill 268, as read onto the record.

The motion passed with Mrs. Carlson, Dr. Clift, Dr. Liu, Dr. Neyhart, and Dr. Humphreys voting in favor, and Mr. Mertz voting against.

- The Board reviewed House Bill (HB) 312, which proposes to enhance the penalties for assault against medical professionals at a health care facility. The Board did not take an official position on the bill.

Agenda Item 13 License Application Review

Information about the license application process and Board approval process was included in board packets for further review

Board members reviewed license application files. They declined to consider the application of Cecilia Jeanne Sorensen, MD, pending further information.

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

*Angel Dario Acevedo
Harold Murray Alpert
Stacia C Baker
Rebecca Ann Beach-Beyer
John Logan Bennion
Nathaniel James Buffington
Steven Bryce Caldwell
Jason Andrew Call
Curtis Alan Cammarata
John Edward Carey
Jeanette Millner Carpenter
Kerri Melissa Charles
Wenjiang Chu
Melissa Lyn Chudnow
Anca Georgiana Croitoru
Stephen Christopher Crotty
Bernadette Rothermel Curtis
Scott Allen Deppe
Anagha A Deshmukh
Simone Welch Kantola
Raymond Scott Kelley
Stephen Patrick Kelly
Laura Jihyun Kim
Jerome Klein*

*Rodney James Duff
Benjamin Grant Ekstrom
Ammar El-Nachef
William Sherman Ervin
William James Finley
John Francis Forbes
Bruce Jay Gardner
Dominic Theodore Gomez-Leonardelli
Tushar Madhu Goradia
Eric James Gratias
Jason Richard Gray
Margaret Jane Grimley
Kevin Rene Grullon
Todd Richard Hansen
Le He
Rachelle Monastra Hippen
Mark Thomas Jaroch
Alexandar Jovanovich
Sara Kamalfar
Mary M Klix
Gene Kopelson
John Kresl
Michael Andrew Kron
Katrin Sarah Lamprecht*

*Eli Hahn Lessard
Brendan Michael Levy
Lori Kristine Lindsay
Kayla J Luhrs
Brian David Lum
Jac Daniel Marden
James Matthew Maxwell
Paula H Mayer
Mark William McCurry
Homer Jackson Moore
Michael Jacob Nasenbeny
Joshua Anderson Neal
Tony Nimeh
Claire Anna Nordeen
Holly Grace Novack
Michael Andrew O'Hara
Jeffrey George Ojemann
Huitzlin Mauricio Olmeca
Maia Ahmad Orabi
Rene Soriano Orquiza
Gregory Thomas Peters
Animesh Petkar
Georgi Pirumyan*

*Sandra Lea Ridings-Hesser
Everett Colin Riley
Christina Elaine Rodriguez
Wagh Allabdel Satar
Matthew Ira Schrage
Brett Jon Schulte
Anand Selvam
Sergey Shkurovich
Brian Keith Sloan
Ralph Earl Steele
Kent David Stuber
Essam Taymour
Kipp Douglas Voth
Arpan Waghray
Clifford Tau Wang
Grant Michael Warmouth
David Wai-Hung Wong
Stephen Preston Woods
Jonathan Woolery
Beth Elaine Yegerlehner
Bradley N Younggren
Richard Ira Zipnick*

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

*David Michael Abel
Joseph Francis Bachtold
Joshua Thomas Blunck
Vinson Michael DiSanto
Karoly John Dobay III
Maren Kelly Ness Gaul
Erin Marie Gutowski
Scott Mark Harrington
Deborah Rose Hellinger
Micheal Brent Johnson
Simeon Mingtack Kwan
Justin Matthew Lange*

*Stacey Dyan Maddox
Sara Elizabeth Medunick
Solomon Michael Pearce
Terry Lee Pexton
Troy Mac Phillips
Sean Wesley Richardson
Ruth Marie Thomson
Courtney Todd Tripp
Rebecca Rae Weicht Graves
Jason Christopher Weyer
Gregory James Wood*

Upon a motion duly made by Dr. Clift, seconded by Dr. Liu, and approved unanimously, the Board approved the following physician assistants for licensure in Alaska, pending completion of their application files:

*Kimberly Anne Aikey
Kathryn Elizabeth Albert*

*Kaleigh Marie Bishop
Angela Kimberly Britt*

Rebekah B Diky
Betsy Louise Douds-Paczan
Javier Fernando Festa
Jay Dean Francis
Stephanie Marie Guzman
Cathleen L Hernandez
David Alan Johnston
Megan Brown Kumm
Leslie E Landry
Meghan Dawn Lindquist
Marc Stephen Mayes
Melinda Jean Nelson
Abram Wolfe Nunn
Larry W Nye
Stacey Lee Pault
Chadwick Jay Perry

Brian Donald Pierce
Nathanael Patrick Ray
Gustavo Adolfo Rendon
Anthony James Rotello
Carolyn Louise Scott
Ksenia Yuryevna Sokolova
Luvae Southerland
Jordan Ashley Stancombe
Carly Lynn Thomas
H. Clay Thomas
Shadia Sarah Tolliver
Brady Richard Ulrich
Christina Jay Alexandra Waters
Cody Zane Williams
Tara Michelle Wood

Upon a motion duly made by Dr. Clift, seconded by Dr. Liu, and approved unanimously, the Board approved the following mobile intensive care paramedics for licensure in Alaska, pending completion of their application files:

Heather Dawn Buben
James P Chenoweth
Michael Seaver Crane
Aidan T Derrera
Katrina Joan Grant
Steven Frederick Jacobson

Christopher W Krebs
Jory R Moon
Matthew Lee Morrow
Sage Kipp Newcomb
Robert Troy Osborne
Wesley Paul Reynaud

Agenda Item Division Update

Division management staff were unable to join the meeting, due to legislative commitments.

The Board noted the following questions and concerns for discussion at the next meeting:

- Additional financial information to explain the disparity between the fee analysis and the current financial report showing a deficit
- Additional detailed financial information regarding the increase in indirect costs assessed to the Board
- Additional financial information regarding indirect and direct contractual expenses
- New fee analysis to show accurate projections regarding the fee changes recommended by the Board
- Fiscal note and staff proposals for Senate Bill (SB) 108
- Discuss the potential for increased fees for out-of-state licensees

Ms. Stovern reported the Division was testing OnBoard, a new Board meeting management process that is web based, and would be providing Wi-Fi access for its use during Board meetings.

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

The annual meeting of the Federation of State Medical Boards (FSMB) is scheduled for April 26-28, 2018 in Charlotte, North Carolina. The Board previously directed Ms. Stovern to attend the meeting, along with Dr. Neyhart, as their voting delegate. Dr. Clift will attend in the event Dr. Neyhart is unable to attend.

Dr. Neyhart reported that she had applied to serve on FSMB; she described the process, and their recommendation that she get more experience participating with FSMB and they will consider her for committee services.

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

- 1) Annual meeting information
 - Letter from the Chair
 - Second call for resolutions
 - Final call for award nominations
 - Final call for associate member nominations
 - First call for committee appointments
 - First call for award nominations
- 2) Highlights from Board of Directors meetings
- 3) Advocacy Information
- 4) Annual Report on USMLE
- 5) News from Interstate Medical Licensure Compact
- 6) Draft workgroup reports for comment
 - PDMP
 - Physician wellness and burnout
 - Physician compounding
 - Regenerative and stem cell practices
- 7) Draft guidelines for medical boards
- 8) Survey on opioid prescribing, telemedicine
- 9) Information sharing with VA
- 10) E-news (November - January editions)

Agenda Item 15 Correspondence

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

- 1) Accreditation Council for Continuing Medical Education (ACCME) reports, news
- 2) DEA-sponsored Training invitation
- 3) National Board of Osteopathic Medical Examiners (NBOME) meetings, news

- 4) Federation of Podiatric Medical Boards (FPMB) request for nominations
- 5) Alaska Department of Health and Social Services (DHSS) information, press releases
- 6) State of Reform news
- 7) Center for Telehealth (CTel) news briefs
- 8) American Telemedicine Association (ATA) news briefs

New Business

There was no new business for discussion.

Agenda Item 19 Administrative Business

Financial Report

The following Board financial reports were included in the Board packet for review:

- Current report (1st quarter of FY 2018)
- Year-end Report for Fiscal Year 2017
- Division Annual Fiscal Report to the Legislature for Fiscal Year 2017

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 inquiries regarding telemedicine, Prescription Drug Monitoring Program, opioid education requirements; she responded to inquiries regarding the continuing medical education audit; she responded to inquiries regarding application timeframe and requests for expedited processing; and she responded to Administrators in Medicine (AIM) inquiries/polls by other state boards.
- Participation in activities of national organizations – Ms. Stovern attended Federation of State Medical Boards (FSMB) webinars (topics included changes to the Uniform Application, international accreditation issues for graduate education, update on Interstate Medical Licensure Compact, immigration issues and international medical graduates); and she followed activities of the Interstate Medical Compact Commission; 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 attend CTel webinar re: telehealth and e-health issues.
- Tracking of Board actions – a report of the Board's recent actions (including confirmation that the actions were properly reported) was provided for Board review.
- Tracking of licensing process – statistics and a detailed spreadsheet covering processing of recent applications was provided for Board review.

- Status of CME Audit – Ms. Stovern has been working on continuing medical education audits for the recent renewal, reviewing submittals for approval, following up on incomplete audits, and working with Division Paralegal on resolving noncompliant audits (a status report for the audit was included under Agenda Item 3.)
- Status of regulations projects – Ms. Stovern assisted the Board with draft regulations for the implementation of HB 159 (under Agenda Item 10) which the Board approved to go out for public comment; she has been working with the Division Regulations Specialist on the regulations project. Ms. Stovern has been researching Washington state requirements for certified medical assistant licensing, recommended by the bill sponsor as a model for regulations if SB 108 is enacted
- Board administrative tasks – Ms. Stovern continues to monitor the status of legislation, attend committee hearings, provide information to management regarding the impact on Medical Board programs, board position, etc.; she continues to update the Board website, as needed (including revised forms, regulations FAQ, opioid education requirements, Prescription Drug Monitoring Program info, telemedicine registry information, etc.); she continues to revise and update the Board policies and procedures as changes are made; she updates and distributes the orientation manual to new Board members; she regularly works with attorneys at the Department of Law on litigation, regulations projects, and noncompliant continuing medical education audits; and she regularly attends Division meetings regarding Medical Board matters, new Prescription Drug Monitoring Program requirements, new telemedicine business registry, process improvement project, board management processes, legislative matters, medical staff changes, travel and hiring changes, policies, mission, and finances.

Review Minutes

The Board reviewed the minutes of their last meeting.

Upon a motion duly made by Dr. Clift, seconded by Dr. Liu, and approved unanimously, the Board approved the minutes of the November 2-3, 2017 meeting.

Record of mail votes since the last meeting

- Regulations change for Paramedic CME – Board members voted on the following motion to approve MICP regulations changes to go out for public comment (changes in bold and underlined):

12 AAC 40.310. QUALIFICATIONS FOR INITIAL LICENSE. (a) An applicant for a mobile intensive care paramedic license must...

(9) submit verification of the applicant's completion of at least two hours of education in pain management and opioid use and addiction; education must be earned in a continuing medical education program approved by the National Registry of Emergency Medical Technicians, or offered by a paramedic training program approved by the Board, or Category I accredited by the American Medical Association, or Category I or II accredited by the American Osteopathic Association.

12 AAC 40.350. RENEWAL OF LICENSE. (a) An applicant for renewal of a mobile intensive care paramedic license shall submit...

(2) satisfactory evidence of completion of continuing medical education consisting of not less than 60 classroom or clinical hours, or combination of classroom and clinical hours, for each complete 12-month period the applicant has held a mobile intensive care paramedic license during the concluding license period; not more than one-quarter third of the total hours of continuing medical education required under this paragraph may be awarded for completion of a formal correspondence or other individual study program

Mail ballot vote:

Mrs. Carlson-Yea
Dr. Clift-Yea
Dr. Humphreys-Yea
Dr. Liu-Yea
Mr. Mertz-Yea
Dr. Neyhart-Yea
Mr. Olson (did not vote)
Dr. Roderer-Yea

- Guideline change for PA telemedicine practice – Board members voted on the following motion to adopt the revision to the Board-issued Guideline regarding Telemedicine (changes in bold and underlined):

A physician assistant may (subject to their collaborative plan) prescribe, dispense, or furnish a prescription medication to a person without first conducting a physical examination, only if there is an established patient-physician assistant relationship **based on an in-person physical exam**; except

- for use in emergency treatment
- for expedited partner therapy for sexually transmitted diseases; or
- in response to an infectious disease investigation, public health emergency, infectious disease outbreak, or act of bioterrorism.

A patient-physician assistant relationship is established when there is an in-person physician examination of the patient by the physician assistant, or by the collaborating physician, or by another physician.

Mail ballot vote:

Mrs. Carlson-Yea
Dr. Clift-Yea
Dr. Humphreys-Yea
Dr. Liu-Yea
Mr. Mertz-Yea
Dr. Neyhart-Yea
Mr. Olson (did not vote)
Dr. Roderer-Yea

- Licensing fee recommendations – Board members voted on the following motion to recommend fee changes:

12 AAC 02.250. STATE MEDICAL BOARD. (a) The following fees are established for physicians, podiatrists, and osteopaths:

- (1) nonrefundable application fee for initial license, \$200; – **increase to 225**
 - (2) temporary permit fee, \$75; – **increase to 100**
 - (3) initial or extended locum tenens permit fee, \$100; – **no change**
 - (4) license fee for all or part of the initial biennial license period, \$300; – **increase to 325**
 - (5) active biennial license renewal fee, \$300; – **increase to 325**
 - (6) inactive biennial license renewal fee, \$125; – **increase to 175**
 - (7) retired status license one-time fee, \$50; – **increase to 75**
 - (8) courtesy license fee, \$100; – **no change**
 - (9) residency permit nonrefundable application and permit fee, \$50; – **increase to 75**
 - (10) nonrefundable application fee for locum tenens permit, \$100; – **no change**
 - (11) nonrefundable application fee for courtesy license, \$100. – **no change**
- (b) The following fees are established for physician assistants:
- (1) nonrefundable application fee for initial license, \$150; – **no change**
 - (2) temporary license fee, \$50; – **no change**
 - (3) temporary authorization to practice fee, \$50; – **repeal (obsolete)**
 - (4) locum tenens authorization to practice fee, \$50; – **repeal (obsolete)**
 - (5) fee for establishing or changing a collaborative relationship, \$100; – **increase to 125**
 - (6) license fee for all or part of the initial biennial license period, \$200; – **increase to 225**
 - (7) biennial license renewal fee, \$200; – **increase to 225**
 - (8) graduate physician assistant nonrefundable application and license fee, \$50; – **increase to 75**
 - (9) inactive biennial license fee, \$100. – **increase to 125**
- (c) The following fees are established for mobile intensive care paramedics:
- (1) nonrefundable application fee for initial license, \$50; – **increase to 75**
 - (2) temporary permit fee, \$50; – **no change**
 - (3) provisional license fee, \$50; – **no change**
 - (4) license fee for all or part of the initial biennial license period, \$50; – **increase to 75**
 - (5) biennial license renewal fee, \$50. – **increase to 75**

Mail ballot vote:

Mrs. Carlson-Nay, prefers to retain the current fee structure
Dr. Clift-Yea
Dr. Humphreys-Yea
Dr. Liu-Nay, prefers to change the fees as proposed by the Division
Mr. Mertz-Yea
Dr. Neyhart-Yea
Mr. Olson (did not vote)
Dr. Roderer-Yea

- Case No. 2017-000426 /000839 Myers license surrender – Board members voted on a motion to adopt the License Surrender Agreement signed by Dr. Myers and dated November 20, 2017, Case No. 2017-000426 and 2017-000839.

Mail ballot vote:

Mrs. Carlson-Yea
Dr. Clift-Yea

Dr. Liu-Yea
Mr. Mertz-Yea
Dr. Neyhart-Yea
Mr. Olson (did not vote)
Dr. Humphreys-Yea

- Case No. 2017-000992 Delashaw license suspension – Board members voted on a motion to adopt the Suspension of Medical License Agreement signed by Dr. Delashaw and dated December 4, 2017, Case No. 2017-000992.

Mail ballot vote:

Mrs. Carlson-Yea
Dr. Clift-Yea
Dr. Liu-Yea
Mr. Mertz-Yea
Dr. Neyhart-Yea
Mr. Olson (did not vote)
Dr. Humphreys-Yea

Meeting Scheduling

The Board confirmed the schedule for upcoming meetings:

- May 3-4, 2018
- August 2-3, 2018
- November 1-2, 2018

Adjournment

There being no further business, the meeting was adjourned at 1:40 p.m.

Respectfully submitted:

Approved:

/s/

Debora Stovern, Executive Administrator
Alaska State Medical Board

/s/

S. Craig Humphreys, MD, President
Alaska State Medical Board

May 4, 2018

Date

May 4, 2018

Date