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

STATE MEDICAL BOARD

MINUTES OF MEETING
Thursday, June 4, 2020

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a special COVID-19 video-conference meeting of the Alaska State Medical Board was held on Thursday, June 4, 2020.

Thursday, June 4, 2020

1. Call to Order/ Roll Call

Due to technical issues, the start of the meeting was delayed. The meeting was called to order by Chair Wein at 4:18 p.m.

Roll Call

Board members present, constituting a quorum:

Sarah Bigelow Hood, PA
David Boswell, Public Member
Lydia Mielke, Public Member
Steve Parker, MD
Richard Wein, MD (Chair)

Dr. Larry Daugherty and Dr. Christopher Gay were unable to attend.

Board staff:

Alysia Jones, Executive Administrator
Steven Alvarado, Licensing Examiner

2. Review Agenda

The board reviewed the agenda.

Mr. Boswell asked if he could ask a question about follow up from the May 21-22, 2020 meeting. The Chair invited Mr. Boswell to speak. Mr. Boswell asked if the board could consider requesting funding through the CARES Act or if there may be other funding sources to consider since the board is unable to increase fees for the upcoming renewal cycle. Ms. Jones agreed to gather more information and follow up with the board.

**On a Motion duly made by Dr. Parker seconded by Ms. Mielke, and approved
unanimously, the Board approved the agenda as presented.**

1 **3. Review/Approve May 14th Meeting Minutes**

2 The board reviewed the meeting minutes from the May 14th meeting. Mr. Boswell requested a
3 correction to page 3, line 25 to specify the newspaper was the Fairbanks Daily News Miner.

4
5 **On a Motion duly made by Mr. Boswell, seconded by Dr. Parker, and approved**
6 **unanimously, the Board approved the minutes of the May 14th meeting as amended.**
7

8 **4. Public Comment**

9 There were no persons scheduled for public comment.

10
11 **5. Correspondence (Sent / Received)**

12 There was no correspondence for the board's review.

13
14 **6. Revised Health Mandates**

15 The Chair asked the board if there were any questions or concerns on the updates to Health Mandate
16 010 or Health Mandate 015.

17
18 **A. Health Mandate 010: International and Interstate Travel – Order for Self-Quarantine**

19 The Chair expressed his concerns regarding compliance and enforcement with self-quarantine.
20

21 **B. Health Mandate 015: Services by Health Care Providers**

22 The Chair explained the updates pertained to active clinical practice, end of life visitations, adjusting
23 acceptable turnaround for testing timeframes to consider remote areas.
24

25 **7. PDMP Regulation Project**

26 The Chair explained that the current regulations do not require registration with the PDMP and this
27 omission was called out in the sunset audit report. Ms. Jones provided a brief overview of the regulation
28 process and walked through the steps of a typical regulation project, using the *Steps in the Board*
29 *Regulation Adoption Process*, included in the *Boards & Commissions Guide to Excellence in Regulation for*
30 *Professional Licensing*.

31
32 The board reviewed a drug classification schedule table that included a description of what substances
33 fell within each schedule and examples.

34
35 Ms. Jones shared draft language for the board's consideration. The board reviewed the initial draft.
36 Mr. Boswell asked if the draft had been reviewed by the Department of Law (LAW) to confirm that it
37 adequately addressed the requirements of the sunset audit. Ms. Jones explained that the Division's
38 regulation specialists are aware of the situation and will ensure LAW review the language with that
39 understanding and advise the board as to whether it meets that requirement.
40 with the understanding of the board's intent to review the draft language.

41
42 **Upon a motion duly made by Dr. Parker, seconded by Mr. Boswell and approved**
43 **unanimously, the board resolved to start a regulation project regarding registration and**
44 **reporting with the prescription drug monitoring program controlled substance prescription**
45 **database**
46

1 In terms of next steps, the Chair suggested having a representative from the LAW at the next meeting
2 and indicated that updated drafts may be presented at the next meeting. Ms. Jones offered to invite the
3 regulation specialist and request an assistant attorney general attend the next meeting.
4

5 At the Chairs request, Dr. Parker summarized his thoughts regarding the PDMP registration. He
6 explained that the statute says they need to check the PDMP, but there is no requirement or
7 punishment language in statute. Dr. Parker reiterated his concern regarding the breadth of the
8 substances providers are being asked to check and the potential harm to medical providers over non-
9 troubling medications, while not having a strong impact on the opioid epidemic. Dr. Parker suggested
10 focusing the PDMP requirements on those medications that are of the greatest concern and integrating
11 the PDMP with EMR.
12

13 The Chair thanked Dr. Parker for his comments and noted that the current regulations do not require
14 licensees to sign up is the biggest gap. He suggested the process is multifaceted and includes:

- 15 1) putting the requirement to register in regulation
- 16 2) how do we enforce it
- 17 3) how do we regulate which drugs are monitored and need to be reported on.
18

19 Dr. Parker asked if the board can adopt regulations that specify discipline for certain schedules even
20 though the state is requiring PDMP inspections for all scheduled medications. The Chair encouraged the
21 board to raise questions and suggested reaching out to the Chair of the Board of Pharmacy and other
22 programs that use PDMP.
23

24 The board reviewed the regulation FAQ worksheet. The Chair offered that he would work with staff on
25 completing the worksheet and bringing a completed version to the board for comments.
26

27 **8. Follow up on Previously Asked Questions**

28 Ms. Jones provided an update on the following topics:

- 29 • **Emergency regulations re: 12 AAC 40.943 Standards of Practice for Telemedicine**
30 A supplemental notice was sent out on 5/14/2020 explaining the additional changes to the
31 adopted emergency regulations pertaining to 12 AAC 40.943(b) The effective date of the
32 emergency regulations (and the amendment adopted 5/7/2020) were back dated to 5/5/2020,
33 and will expire September 1, 2020 unless made permanent.
34

35 Ms. Jones explained that the public comment period would close on June 16, 2020 and that the
36 board would have an opportunity after that date to review the comments and determine
37 whether to make the regulations permanent or not, as well as decide if any revisions should be
38 made.
39

- 40 • **Emergency Courtesy License Applications** – Ms. Jones shared a spreadsheet containing
41 information on emergency courtesy license applications (ECLs) to date. Ms. Jones reported **13**
42 emergency courtesy licenses (ECLs) have been issued to date, including:

- 43 ○ 12 physicians
- 44 ○ 1 physician assistant

45 Ms. Jones stated a total of three ECLs (1 PA/ 2 MD) were volunteers with Samaritan’s Purse.
46

- 47 • **PDMP Work Group** - Dr. Parker and Dr. Gay provided comments and recommendations to Ms.

1 Jones on 5/15. The comments were then compiled into a draft letter and submitted to Dr.
2 Parker and Dr. Gay for review on 6/2/2020. Following the work group's review, the draft letter
3 will be presented to the full board for consideration.
4

- 5 • **Quarterly Meeting Tasks** (short list) – Ms. Jones explained that the following was a short list of
6 follow up items from the May 21-22, 2020 meeting. A full list of tasks/ to do items will be
7 provided once meeting minutes are complete.
 - 8 ○ **Applications** – Ms. Jones stated that staff have been issuing licenses all week and
9 encouraged board members to submit any outstanding check sheets.
 - 10 ○ **Interviews / Scheduling** – Interviews would be scheduled once check sheets were
11 received. Ms. Jones confirmed the board's intent to hold interviews during their
12 Thursday meetings in June.
 - 13 ○ **Professional Fitness Questions** – The Chair reiterated that his main concern was
14 confidentiality. At the May 21-22, 2020 meeting the board requested further
15 clarification from LAW on HIPPA requirements and keeping this section confidential
16 despite the Alaska records law. Ms. Jones explained that she is working on compiling
17 data and following up on the board's request and would follow up in the coming weeks.
- 18 • **Annual Report** -Ms. Jones reminded the board that she would be preparing the annual report
19 once the May 21-22 meeting minutes were complete and would present to the board for review
20 and comment later this month.
- 21 • The Chair encouraged the board to submit any tasks or follow up items from the quarterly
22 meeting to Ms. Jones.
23

24 Ms. Jones invited the board members to provide feedback on the meetings and share any thoughts on
25 how the meetings and/or presentation of materials may be improved.
26

27 The following topics remain on the board's radar:

- 28 • Asset Data
- 29 • Data collection of health care staffing needs
- 30 • Why Alaska is the only state not to require licensure for respiratory therapist
- 31 • SB 173 Transfer of MICPs to DHSS/EMS
32

33 The board discussed the meeting schedule and agreed to continue meeting weekly during June to
34 conduct interviews with applicants.
35

36 Mr. Boswell inquired about the two emergency OnBoard votes regarding permanent licensure that had
37 been requested this week and asked if there were any other outstanding matters to address. Ms. Jones
38 thanked the board for their responsiveness on the two emergency requests and stated that she is
39 pulling information from the database to confirm there are no additional time sensitive application
40 matters that have been overlooked due to the recent change over in staff. Ms. Jones explained that she
41 is working with staff on updating processes to ensure that applications that require additional follow up
42 and/or are missing information are more closely monitored going forward.
43

44 **9. Adjourn**

45 There being no further business, the meeting was adjourned at **5:21 p.m.**
46
47

1 Respectfully submitted:
2
3
4 /s/ _____
5 Alysia D. Jones, Executive Administrator
6 Alaska State Medical Board
7
8 6/21/2020
9 Date

Approved:

/s/ Richard J. Wein, M.D.
Richard Wein, MD, President
Alaska State Medical Board

6/20/20
Date