

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING
4

5 STATE MEDICAL BOARD
6

7 MINUTES OF MEETING
8 Thursday, July 23, 2020
9

10 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a video-conference
11 meeting of the Alaska State Medical Board was held on Thursday, July 23, 2020.
12

13 Thursday, July 23, 2020
14

15 **1. Call to Order/ Roll Call**

16 The Chair called the meeting to order at 4:04 p.m.
17

18 **Roll Call**

19 Board members present, constituting a quorum:

20 David Boswell, Public Member
21 Larry Daugherty, MD
22 Christopher Gay, MD
23 Lydia Mielke, Public Member
24 Richard Wein, MD (Chair)
25

26 Dr. Freeman joined the meeting at 4:11 p.m. Dr. Parker joined the meeting at 4:36 p.m. Ms. Bigelow
27 Hood was not in attendance.
28

29 Board staff:

30 Alysia Jones, Executive Administrator
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32 The following visitors attended portions of the meeting:

33 Paul Perry, UAA Kenai Peninsula College, Paramedic Program Director
34 Annette Alfonsi, Unmasking Brain Injury
35 Dr. Sarah Spencer
36 Sher Zinn, Regulations Specialist, Division of Corporation, Business and Professional Licensing
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38 **2. Review Agenda**

39 The board reviewed the agenda.
40

41 **On a motion duly made by Dr. Daugherty, seconded by Dr. Gay, and approved**
42 **unanimously by acclamation, the Board approved the agenda as presented.**
43

44 **3. Review/Approve July 9, 2020 Meeting Minutes**

45 The board reviewed the meeting minutes from the July 9, 2020 meeting.
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47 **On a motion duly made by Dr. Daugherty, seconded by Ms. Mielke and approved**
48 **unanimously, the Board accepted the minutes of the July 9th meeting as presented.**

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Dr. Freeman joined the meeting.

4. Proposed changes to 12 AAC 40.943 Standards of Practice for Telemedicine.

Ms. Jones and Ms. Zinn explained the procedures for public comment review and adoption of regulations, including the statement regarding public comment and costs to the public.

Ms. Jones presented two options for amendments, based upon Department of Law’s recommendations. The amendments removed the citation to the specific statutes and replaced it with a more generic “during an emergency” phrase. Ms. Jones confirmed that the suggested amendments were not considered substantive changes as it keeps the regulation limited to emergency situations.

The board discussed the difference between the two phrases “during a public health emergency” and “during a disaster emergency”, noting that the second phrase would expand the regulation slightly. Ms. Jones shared the definitions for emergency and disaster emergency per Alaska Statute 26.23.900. Ms. Zinn explained that LAW recommended expanding it to include other emergency situations such as a tsunami, earthquake, etc. beyond a public health emergency.

Dr. Daugherty requested some additional clarification on the need to expedite the process. Ms. Jones explained that the emergency regulation will expire on September 1, 2020 and if the board wished to continue to allow initiation of MAT during a public health emergency it would need to adopt the regulations. Ms. Jones also explained that the urgency was in part to ensure the paperwork could be filed with the Lt. Governor’s office in time to avoid any gaps in the regulations.

Mr. Boswell asked about consequences for allowing the regulations to expire. The Chair responded that an in-person examination would be required. Mr. Boswell asked about the process for future emergency regulations. Ms. Zinn clarified that if the board allowed this emergency regulation to expire, the board would not be allowed to make the same emergency regulation again and it will need to go through the regular process, which can take six to nine months.

The Chair stated that the board reviewed the public comments relating to proposed changes to 12 AAC 40.943 at their July 9th meeting and determined the comments warranted a separate, more in-depth discussion at a future meeting.

Additionally, the board determined there is no additional cost to the public for the proposed regulations.

On a motion duly made by Dr. Daugherty, seconded by Dr. Freeman, and approved by the majority, the Board revised the proposed changes, new subsection (b) of 12 AAC 40.943 Standards of Practice for Telemedicine by implementing the following amendments:

Strike “Declared by the Governor of this state under AS 26.23.020” and replace with “During a disaster emergency”

Dr. Daugherty, Dr. Freeman, Dr. Gay, Ms. Mielke, and Dr. Wein vote “Yes”, Mr. Boswell voted “No”. Motion carried.

Dr. Parker joined the meeting,

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5. Public Comment

The Chair invited Paul Perry to speak to the Board. Dr. Perry introduced himself as the Paramedic Program Director for the University of Alaska – Anchorage, Kenai Peninsula College Campus. Dr. Perry explained that there is a critical problem facing paramedic students and indicated that he was submitting a request through the State of Alaska Health and Social Services EMS Office concerning out-of-state field internships that have been suspended due to COVID-19. Dr. Perry also noted that all student ride-alongs have been cancelled with no estimation of a reopen date. Dr. Perry explained all students must have a capstone internship to complete the program. The proposal requests a waiver of the 480-hour internship requirement and allow for an on-campus competency based internship using high fidelity mannequins. It was noted that this recommendation is based upon the Commission on Accreditation of EMS Programs and is supported by the National Association of EMS State Officials, including the Alaska EMS Office. Dr. Perry stated that the plan has been reviewed by the program’s medical director, Dr. Cooper, national accreditors, and several Kenai Peninsula fire chiefs.

Dr. Perry requested that the proposed internship be deemed acceptable for full, unstructured paramedic licensure.

The Chair thanked Dr. Perry for his comments and indicated that the Board intended to consider the proposal at their August 6th meeting.

The Chair invited Annette Alfonsi to speak to the Board. Ms. Alfonsi stated that she was representing herself and is also the Alaska partner for Unmasking Brain Injury, a global brain injury awareness project. Ms. Alfonsi commented on the lack of information on the State Medical Board’s website regarding the process for filing a complaint. Ms. Alfonsi suggested the Board add a tab to the website that is tailored to the patients’ perspective, explaining that patients may be fearful about submitting a complaint and additional details about the process and what information is required may help alleviate some of their anxiety.

The Chair thanked Ms. Alfonsi for her timely comments and noted that the board intends to recommend updates to the website.

The Chair invited Sarah Spencer to speak to the Board. Dr. Spencer introduced herself as a family physician, board certified in addiction medicine. Dr. Spencer explained she is a consultant for the State of Alaska for the Substance Abuse and Mental Health Services Administration (SAMHSA) Opioid Response Network and provides training and consulting to clinics, hospitals, and individuals throughout the state on their opioid treatment programs. Dr. Spencer explained that she is currently working with the State of Alaska on revising the state guide to treatment of opioid use disorder. Dr. Spencer commented that confusion on how to interpret the telemedicine statutes has led many providers to avoid providing any telemedicine for addiction and is causing a huge barrier in providing that care, particularly to people in remote areas.

Dr. Spencer thanked the board for their work on the emergency regulations related to telemedicine, but added that there are a lot of questions about what happens after the emergency ends. She also asked about federal exemptions related to IHS provider and qualified staff in remote villages.

1 Dr. Spencer encouraged the board to provide guidance on how to interpret the telemedicine statutes in
2 the coming months. It was noted that the guide, which includes a section on telemedicine, will be
3 republished in the fall and Dr. Spencer wants to ensure the information is in alignment with the statutes.
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5 The Chair thanked Dr. Spencer for her timely comments and indicated that a broader discussion on
6 telemedicine was scheduled for the Board's quarterly meeting, scheduled for August 20-21.
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8 **6. Adjourn**

9 As discussed at the July 9th meeting, the Board is transitioning to monthly meetings. The next board
10 meeting is scheduled for August 6th at 4:00 p.m. The quarterly meeting will be held August 20 -21, times
11 to be determined.
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13 There being no further business, the meeting adjourned at **5:54 p.m.**
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16 Respectfully submitted:

Approved:

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19 /s/ _____
20 Alysia D. Jones, Executive Administrator
21 Alaska State Medical Board

22
23 /s/ *Richard J. Wein, M.D.*
24 Richard Wein, MD, President
Alaska State Medical Board

25 _____
26 August 11, 2020
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28 Date

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30 August 10, 2020
31 _____
32 Date