

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

STATE MEDICAL BOARD

**MINUTES OF MEETING
January 26-27, 2012**

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

Thursday, January 26, 2012

Call to Order

The meeting was called to order by Dr. Jean Tsigonis, Chair, at 9:02 a.m.

Roll Call

Board members present:

Jean M. Tsigonis, MD, Chair	David A. Miller, MD
Edward A. Hall, Physician Assistant	David J. Powers, MD
Kathleen Millar, Public Member	William W. Resinger, MD

Board member David A. Miller, MD, was in attendance by teleconference. Board member John S. Cullen, MD, was unable to attend the first day of the meeting. Public Member, Michael J. Tauriainen joined the meeting at 9:15 a.m.

Board staff present:

Debora Stovern, Executive Administrator
D.J. Kyser, Licensing Examiner

Visitors present:

Jim Lipinski, Alaska Academy of Physician Assistants
Jane Wilkes, Clapp Peterson Law

Agenda Item 1 Review Agenda

The Board reviewed the agenda. Ms. Stovern reported that there were several additions to the agenda, including Board actions for consideration under Agenda Item 3, a probation status report for review under Agenda Item 4, and election of officers under Agenda Item 15.

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

RESOLVED to accept the agenda, as revised.

Agenda Item 2 Board Business

Announcements

Ms. Stovern introduced Licensing Examiner D.J. Kyser, who has been on staff for approximately three months.

Ethics Reporting

There were no ethics conflicts to report.

Agenda Item 3 Board Actions

Investigative staff Susan Winton and David Newman joined the meeting, along with attorneys Robert Auth and Greg Silvey from the office of the Attorney General. The Board reviewed the additional actions for consideration.

In the Matter of Case No. 2800-10-003

The Board reviewed a proposed consent agreement from an investigation of a standard of care complaint. The licensee initially declined to sign a consent agreement so the case was referred to the office of the Attorney General for filing of an accusation with the Office of Administrative Hearings. A hearing has not yet been held, and the parties have agreed to the terms in the consent agreement, which will resolve the case, if adopted by the Board. The agreement includes a civil fine of \$1,000 for nondisclosure of the investigation on his renewal application, a reprimand for both the standard of care issue and the nondisclosure, and a continuing education requirement to correct the standard of care issue. Dr. Resinger noted that he would recuse himself from the vote because he was the consulting Board member during the investigation.

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

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2800-10-003.

The Board entered executive session at 9:49 a.m.; Board staff, Investigative staff, and Attorney General staff remained for the session. The Board went back on the record at 10:02 a.m.

Upon a motion duly made by Mr. Hall, seconded by Mr. Tauriainen, and approved by roll call vote, it was:

RESOLVED to adopt the consent agreement, Case No. 2800-10-003, signed by John Zwiacher, MD.

Roll Call Vote:

**Dr. Cullen – Absent
Mr. Hall – Yea
Ms. Millar – Yea
Dr. Miller – Yea
Dr. Powers – Yea
Dr. Resinger – Recused**

Mr. Tauriainen – Yea
Dr. Tsigonis – Yea

The adoption order was signed by the Chair.

In the Matter of Case No. 2800-05-004

The Board reviewed a proposed consent agreement from an investigation of the suspension of the licensee's hospital privileges. The Board had previously revoked the license and declined to reconsider the revocation. The appeal of those actions is currently pending and the parties have agreed to the terms in the consent agreement which will resolve the case if adopted by the Board. The agreement will vacate the prior revocation order and will impose a civil fine of \$1,000 and a reprimand for nondisclosure of the investigation on his renewal application. The agreement also notes that any new application for licensure may be subject to Board action. Dr. Miller and Mr. Hall noted that they would recuse themselves from the vote because of involvement during the investigation and prior actions.

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

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2800-05-004

The Board entered executive session at 10:05 a.m.; Board staff, Investigative staff, and Attorney General staff remained for the session. Dr. Miller recused himself from the executive session and disconnected from the meeting. The Board went back on the record at 10:20 a.m.

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

RESOLVED to adopt the consent agreement, Case No. 2800-05-004, signed by James B. Borden, MD.

Roll Call Vote:

Dr. Cullen – Absent
Mr. Hall – Recused
Ms. Millar – Yea
Dr. Miller - Recused
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Tauriainen – Yea
Dr. Tsigonis – Yea

The adoption order was signed by the Chair.
Dr. Miller re-joined to the meeting by teleconference.

In the Matter of Case No. 2011-000437

The Board reviewed a request for order for suspension from an investigation of the revocation of the licensee's license in another state after their investigation and hearing on standard of care issues, fraud, and false reporting. Dr. Resinger noted that he would recuse himself from the vote because he was the consulting Board member during the investigation.

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

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2011-000437.

The Board entered executive session at 10:35 a.m.; Board staff, Investigative staff, and Attorney General staff remained for the session. The Board went back on the record at 10:47 a.m.

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

RESOLVED to adopt the order of suspension, Case No. 2011-000437, for Corey John Meyers, MD, License #S-4973.

Roll Call Vote:

**Dr. Cullen – Absent
Mr. Hall – Yea
Ms. Millar – Yea
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Recused
Mr. Tauriainen – Yea
Dr. Tsigonis – Yea**

The adoption order was signed by the Chair.

In the Matter of Case No. 2011-001212

The Board reviewed a proposed consent agreement from an investigation of a licensee's failure to disclose academic, licensing, and investigation information on an application for licensure. The agreement includes a reprimand and fine of \$1000. Dr. Resinger recused himself from the vote because he was the consulting Board member during the investigation.

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

RESOLVED to adopt the consent agreement, Case No. 2011-001212, signed by Timothy S. Whitaker, MD.

Roll Call Vote:

**Dr. Cullen – Absent
Mr. Hall – Yea
Ms. Millar – Yea
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Recused
Mr. Tauriainen – Yea
Dr. Tsigonis – Yea**

The adoption order was signed by the Chair. The Board also reviewed the license application file.

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

RESOLVED to grant an unrestricted license to Timothy S. Whitaker, MD.

Roll Call Vote:

**Dr. Cullen – Absent
Mr. Hall – Yea
Ms. Millar – Absent
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Tauriainen – Yea
Dr. Tsigonis – Yea**

In the Matter of Case No. 2012-000073

The Board reviewed a proposed consent agreement regarding a licensee's disclosure of confidential issues that were not practice-related. The signed nondisciplinary consent agreement is a confidential document.

Upon a motion duly made by Mr. Hall, seconded by Mr. Tauriainen, and approved by roll call vote, it was:

RESOLVED to adopt the confidential nondisciplinary consent agreement, Case No. 2012-000073, signed by Eric Youngstrom, MD.

Roll Call Vote:

**Dr. Cullen – Absent
Mr. Hall – Yea
Ms. Millar – Yea
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Tauriainen – Yea
Dr. Tsigonis – Yea**

The adoption order was signed by the Chair.

In the Matter of Case No. 2011-000109

The Board reviewed a proposed consent agreement from an investigation of practicing while the license was lapsed. The agreement includes a reprimand and fine of \$1000.

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

RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2011-000109.

The Board entered executive session at 10:54 a.m.; Board staff remained for the session. The Board went back on the record at 11:10 a.m.

The Board discussed their disciplinary guidelines and the proposed sanction for unlicensed practice based on the how long the unlicensed practice continued. It was noted that this licensee self-reported the unlicensed practice, that it was a short lapse period, and that there was confusion regarding licensing requirements under federal personal services contracts. Dr. Resinger recused himself from the vote because he was the consulting Board member during the investigation.

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

RESOLVED to adopt the consent agreement, Case No. 2011-000109, signed by Claudette A. Zaremba, MD.

Roll Call Vote:

Dr. Cullen – Absent
Mr. Hall – Yea
Ms. Millar – Yea
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Recused
Mr. Tauriainen – Yea
Dr. Tsigonis – Yea

The adoption order was signed by the Chair.

Agenda Item 4 Investigative Unit

Investigative Report

Investigative staff Susan Winton and David Newman reviewed the investigative report provided to the Board. The report included 16 open medical cases, 3 closed medical cases, 1 open PA case, 1 closed PA case, and 2 license actions. Senior Investigator Winton noted that they have since closed one medical case and are in the process of resolving 4 other medical cases.

Ms. Winton distributed a quarterly report of Investigative performance measures and accomplishments for Board review. She noted that they have continued reviewing and updating investigative policies and procedures, as well as cross-training investigators, and working on the case management data base system. She also reported that several other Alaska State Boards have begun implementing civil fines for technical violations, following the example of the State Medical Board.

Probation Monitoring Report

A current probation status report was included in the board packet for further review.

Agenda Item 5 Pre-review of Modification Requests

Ms. Stovern noted the Board policy regarding review of petitions to change or release from probationary conditions of disciplinary agreements: All such petitions are heard annually at the regularly-scheduled October Board meeting. Petitioners may submit a written request for pre-review at any regularly-scheduled Board meeting. Upon review of the request, the Board will

determine whether they will hear the request at their October meeting, and whether additional information is required.

The Board agreed to pre-review modification requests from Dr. Killebrew, Dr. Donaldson, and Dr. Schurig. Dr. Killebrew and Dr. Schurig were present to discuss their requests with the board.

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

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

The Board entered executive session at 11:18 a.m.; Board staff remained for the session. The Board went back on the record at 12:36 p.m.

The Board directed Ms. Stovern to notify the petitioners regarding consideration of their requests at the October meeting. It was also noted that probation length is based on the circumstances of each individual case and that probationers are expected to comply with probation requirements for the full time frame. It is not the Board's intent to terminate probation early simply because a probationer is in compliance – early release may be considered only when progress is exceptional.

Recess for lunch

The Board recessed for lunch at 12:37 p.m.
The Board resumed the meeting at 1:44 p.m.

Board members present:

Jean M. Tsigonis, MD, Chair
Edward A. Hall, Physician Assistant
David A. Miller, MD

David J. Powers, MD
William W. Resinger, MD
Michael J. Tauriainen, Public Member

Board member David A. Miller, MD, was in attendance by teleconference. Board member John S. Cullen, MD, was unable to attend the first day of the meeting. Kathleen Millar, Public Member, was unable to attend the afternoon session of the meeting.

Board staff present:

Debora Stovern, Executive Administrator
D.J. Kyser, Licensing Examiner

Visitors present:

Jim Lipinski, Alaska Academy of Physician Assistants

Agenda Item 8 Full Board Interviews

Natalie Velasquez, MD

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

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

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

The Board entered executive session at 1:46 p.m.; staff remained for the session.
The Board went back on the record at 2:00 p.m.

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

RESOLVED to grant an unrestricted license to Natalie Velasquez, MD.

Roll Call Vote:

**Dr. Cullen – Absent
Mr. Hall – Yea
Ms. Millar – Absent
Dr. Miller – Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Tauriainen – Yea
Dr. Tsigonis – Yea**

Agenda Item 6 Malpractice Case Review

Case No. 4FA-09-2059-CT

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

RESOLVED to accept the malpractice report with no further action, Case No. 4FA-09-2059-CT .

Case No. 3AN-08-10140

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

RESOLVED to accept the malpractice report with no further action, Case No. 3AN-08-10140.

Case No. 3:09-CV-00144-TMB

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

RESOLVED to accept the malpractice report with no further action, Case No. 3:09-CV-00144-TMB.

Case No. 09-C-130

The Board discussed the standard of care for this case and noted that there was no previous pattern for this type of claim.

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

RESOLVED to accept the malpractice report with no further action, Case No. 09-C-130.

Case No. 3AN-10-6951-CI

The Board directed Ms. Stovern to learn if there are additional or pending malpractice claims. If there are no others, then it will be reviewed by the Board at the next meeting. If there are others, then the report will be reviewed by a Board member to determine whether to refer it for investigation or to review by Board at the next meeting.

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

RESOLVED to table the malpractice report for Case No. 3AN-10-6951-CI, pending receipt of information regarding other medical malpractice claims.

Agenda Item 7 Review License Verification Issues

Ms. Stovern reported that two recent applicants, who are foreign medical graduates, have been licensed in a foreign jurisdiction but unable to obtain verification of those licenses due to political unrest in those countries. They are not able to qualify for licensure by credentials because of the license verification requirement in 12 AAC 40.010(b)(2)(B).

When reviewing for licensure by exam, there is an implied requirement for such verifications. However, since it is not a specified requirement, the Board may have the discretion to waive it in these specific circumstances. The Board previously approved such a waiver for one applicant, limited only for the temporary permit.

Ms. Stovern confirmed with Attorney Robert Auth, Office of the Attorney General, that staff may first consider applications for licensure by exam unless they do not meet the exam requirement, in which case they would then be considered for licensure by credentials. It is not necessary for an applicant to re-apply when that occurs.

Ms. Stovern requested a Board determination on the issue and asked if they wish to consider a waiver for both applications for permanent licensure. If the Board wishes to correct the issue for the future, a regulation change is recommended to specifically allow such a waiver. A draft for such a proposal is included under Agenda Item 12.

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

RESOLVED to waive the requirement for verification of a foreign license and grant licensure by exam to applicants Salah E. Aboubakr, MD and Mandana Mahmoodi, MD.

The Board directed staff to consider an applicant for whichever method of licensure they select on their application, but to reconsider the application for whichever method will qualify them for licensure, when necessary.

Agenda Item 9 Continuing Medical Education (CME) Audit

Status of Audit

Ms. Stovern provided statistics for the audit of last year's renewals:

	Physicians	MICP	Total
Total number licenses audited	270	37	307
Number of audited licenses not renewed	28	5	33
Number of approved audits	230	27	257
Noncompliant audits referred to Paralegal	12	5	17
Noncompliant audits resolved	4	1	5
Noncompliant audits outstanding	8	4	12

It was noted that two of the outstanding noncompliant audits may be resolved when the Board considers the proposed consent agreements.

In the Matter of Case No. 2011-000628

The Board reviewed a proposed consent agreement with a licensee who failed to verify compliance with the continuing medical education requirements of his recent license renewal. The agreement provides for sanctions consistent with Board disciplinary history and guidelines, including a reprimand, fine of \$3,500 (with \$2,000 suspended), a requirement to complete the deficient coursework, and a mandatory audit for the next two licensing renewals.

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

RESOLVED to adopt the consent agreement, Case No. 2011-000628, signed by Thomas R. Bender, MD.

In the Matter of Case No. 2011-000632

The Board reviewed a proposed consent agreement with a licensee who failed to verify compliance with the continuing medical education requirements of his recent license renewal. The agreement provides for sanctions consistent with Board disciplinary history and guidelines, including a reprimand, fine of \$3,500, a requirement to complete the deficient coursework, and a mandatory audit for the next two licensing renewals.

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

RESOLVED to adopt the consent agreement, Case No. 2011-000632, signed by David A. Hemry, MD.

Agenda Item Public Comment Forum

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

Agenda Item 10 Statutes and Regulations

Legislative Update

The Board reviewed a copy of House Bill 38 regarding the establishment of institutes of medicine and law at the University of Alaska. Ms. Stovern reported that the bill had been introduced last year and was still in the committee process. The Board is supportive of expanding programs for medical education in Alaska.

They noted that the existing WWAMI program is expected to expand to include more Alaska credits. The WWAMI program is a collaborative medical school among universities in the states of Washington, Wyoming, Alaska, Montana, and Idaho. Students enter the University of Washington School of Medicine program, attend their first year at their home school, attend their second year at the University of Washington, and complete their third and fourth years in clerkship rotations at any of the five WWAMI schools.

WWAMI also includes a similar physician assistant training program, MEDEX Northwest, offered by the University of Washington School of Medicine. Mr. Hall and Ms. Stovern attended the commencement ceremony for the first class graduated from the program in August 2011.

Regulations update

The Board had previously considered several regulations changes:

- MICP continuing medical education requirements for renewal – In accordance with Professional Regulation 12 AAC 40.350, mobile intensive care paramedics are required to complete 60 classroom or clinical hours of continuing medical education in order to qualify for license renewal. The Board reviewed and approved of the proposed regulation change to allow some of the required hours to be completed by internet, correspondence, or other distance education. They were also interested in considering a change to requirement for MICPs, similar to that of physician assistants – to require maintaining their national certification and accepting that CME. Mr. Hall and Ms. Stovern will work with Mr. Lipinski to draft a proposal for Board review at the May meeting.
- Physician Assistant certification – In accordance with Professional Regulation 12 AAC 40.400, a physician assistant must have a current certification issued by the National Commission on Certification of Physician Assistants (NCCPA), and one of the requirements to qualify for licensure is to submit a “certified copy” of the certification. The Board reviewed and approved of the proposed regulation change allowing for a “verification” of the certification and adding a requirement for physician assistants to maintain a current certification as long as they are actively practicing.

- Physician Assistant assessment – In accordance with Professional Regulation 12 AAC 40.430, a physician assistant must participate in a periodic method of assessment and be subjected to a random audit of compliance with the assessment requirement. The Board had previously considered removing the audit requirement and reviewed that proposed regulation change. Upon further discussion, they determined to maintain the audit requirement but changing it to a Board-directed process on an as-needed basis. They were also interested in a more meaningful assessment tool and reviewed an assessment form proposed by Mr. Hall.

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

RESOLVED to adopt the proposed assessment form for physician assistants.

- Patient medical records – In accordance with Professional Regulation 12 AAC 40.967(10), patient medical records must be maintained “for at least seven years from the date of creation of the record.” The Board reviewed and approved of the proposed regulation change to clarify the requirement by changing it to read “for at least seven years from the date of the last entry.” They were also interested in requiring a licensee to notify the board of the location of patient records after retiring, closing a practice, or leaving a group practice.
- USMLE attempt limits – The Board previously reviewed a letter from the Federation of State Medical Boards (FSMB) regarding the Alaska eligibility requirements and attempt limits for the USMLE examination. They reviewed and approved of the proposed regulation change to clarify that an applicant who fails any step or step component on the second attempt must complete a study course before retaking the exam.
- Application verification waivers - Under agenda item 9, the Board reviewed an issue whereby some applicants are unable to verify their licenses in foreign jurisdictions. They reviewed and approved of a proposed regulation change allowing for a waiver of the requirement under specific circumstances.
- Delegation to unlicensed assistive personnel - Board staff continue to receive inquiries regarding appropriate delegation of duties to unlicensed assistive personnel (such as MAs and CMAs). The Board has previously determined that they are *not* interested in a licensing program, and have directed staff to provide information regarding scope of practice and lack of delegation authority. Ms. Stovern reported that there may be some legislative effort to implement a licensing program for medical assistants; it is unknown if the intent is to form a separate program or to include it under Medical Board authority.

The Board noted that there is currently no consistent standard for training or testing of medical assistants and it would be difficult to establish requirements to ensure competency under such a licensing program. They determined that it may be more effective to implement regulations for delegating, rather than implementing an entire licensing program. They tabled the item for discussion at tomorrow’s meeting.

The meeting was recessed at 4:30 p.m.

Friday, January 27, 2012

Call to Order

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

Roll Call

Board members present:

Jean M. Tsigonis, MD, Chair	David J. Powers, MD
John S. Cullen, MD	William W. Resinger, MD
Edward A. Hall, Physician Assistant	Michael J. Tauriainen, Public Member
Kathleen Millar, Public Member	

Board member David A. Miller, MD, joined the meeting by teleconference at 9:09 a.m.

Board staff present:

Debora Stovern, Executive Administrator
D.J. Kyser, Licensing Examiner

Visitors present:

Jim Lipinski, Alaska Academy of Physician Assistants

Agenda Item 11 Full Board Interviews

Marcia Davenport Kent, MD

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

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

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

The Board entered executive session at 9:06 a.m.; staff remained for the session.

The Board went back on the record at 9:18 a.m.

Upon a motion duly made by Mr. Hall, seconded by Mr. Tauriainen, and approved by roll call vote, it was:

RESOLVED to grant an unrestricted license to Marcia Davenport Kent, MD.

Roll Call Vote:

Dr. Cullen – Yea

Mr. Hall – Yea

Ms. Millar – Yea

Dr. Miller - Yea
Dr. Powers - Yea
Dr. Resinger - Yea
Mr. Tauriainen - Yea
Dr. Tsigonis - Yea

Donald Brock, MD

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

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

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

The Board entered executive session at 9:24 a.m.; staff remained for the session.
The Board went back on the record at 9:42 a.m.

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

RESOLVED to grant an unrestricted license to Donald Brock, MD.

Roll Call Vote:

Dr. Cullen - Yea
Mr. Hall - Yea
Ms. Millar - Yea
Dr. Miller - Yea
Dr. Powers - Yea
Dr. Resinger - Yea
Mr. Tauriainen - Yea
Dr. Tsigonis - Yea

Agenda Item Division Update

At their October meeting, the Board discussed their administrative needs, including the ability to attract and retain competent staff, to maintain adequate administrative support, to provide comprehensive training for staff, and to compensate staff appropriately. It was noted that they had a budget surplus that is more than adequate to realize these needs. The Board had discussed the appropriate channels for accomplishing these changes, including approaching the Division, the Department, the Governor's Office, or the Legislature, and determined to first contact the Division.

Following that meeting, Dr. Cullen and Mr. Hall worked with Dr. Tsigonis to write a letter outlining the Board needs to the Division Director. The Division Director had distributed a letter of response to Board members, indicating that the division is not able to immediately impact many of the issues the Board has raised. The letter of response was read onto the record. The Board determined that it would be appropriate to approach the Governor's Office and Legislators, as well as contacting the Alaska State Medical Association for assistance.

Division Director Don Habeger joined the meeting by teleconference to discuss Board and Division issues. He commented on the Board letter regarding their staffing and resources. He noted that the Division supports the Board and its needs, but is limited in its ability to provide all that has been requested. He agreed to contract temporary personnel for the renewal process, similar to what occurred for the 2010 renewal. He supports fair compensation for staff, and will revisit the classification for Licensing Examiners within approximately 12 months. He is unable to re-class the Executive Administrator position at this time, due to Division cost control policies. He recommended that the Board take that issue directly to the Legislature, as the CPA Board was recently successful with that process. Mr. Habeger asked for, and received, permission to use a copy of the Board letter in cost discussion with Legislators.

Mr. Habeger also reported that the Division is making progress on program cost issues revealed in recent audits – there has been a 16% reallocation of costs back to the business and corporate sections, and work is proceeding on the cost allocation study. He also reported that he has undertaken a 5-year and 10-year budget analysis, using historical data to make projections about future Board income and expenditures. He noted that the Board's current surplus will be gradually eliminated over the next several licensing cycles, as long as the recent fee reduction remains in place.

Agenda Item 10 Regulations Projects (continued)

The Board continued their review of proposed regulations regarding delegation of routine duties to unlicensed assistive personnel. They reviewed a draft modeled after nursing standards for delegation of routine duties, and made a number of changes. They directed Ms. Stovern to research local medical assistant programs and curriculum for report at the May meeting, along with an updated draft of the proposed regulations.

Agenda Item 13 Correspondence

Courtesy copy of Board letter in lieu of interview

At their October meeting, the Board discussed the criteria for full Board interviews, which are required when an application includes a “yes” answer that needs further explanation or understanding. It was noted that when an applicant documents depression or other issues that are resolved or managed with medication, the resulting interview merely serves to advise the applicant to maintain appropriate professional and personal support systems and to take care when considering practice in remote areas. They determined that if the reviewing Board member feels the applicant's explanation and letter from their treating physician is adequate, a letter from the Board may substitute for an in-person interview. Ms. Stovern and Dr. Tsigonis drafted a letter, now in use. A copy of the new letter was provided in the Board packet for further review.

Providence Hospital inquiry re: outdated medications

The Board reviewed a letter from Providence Alaska Medical Center regarding emergency use of expired medications when no other reasonable alternative is available. The Board determined that they are unable to take a position on the issue and recommended that they contact the Food and Drug Administration for assistance. They also suggested that the Board of Nursing and the Pharmacy Board review the issue.

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

Board of Directors Meeting

The published “Highlights” from the recent Federation of State Medical Boards (FSMB) board of directors meeting was included in the Board packet for further review. It was noted that the annual FSMB Meeting was scheduled for April 2012; Mr. Hall and Ms. Stovern will be attending.

FCVS updates

A letter noting updates from the Federation Credentials Verification Service program was included in the Board packet for further review.

Telemedicine Symposium updates

A summary report from the recent Federation of State Medical Boards (FSMB) symposium on telemedicine was included in the Board packet for further review. Due to travel budget constraints, there was no representation from the Alaska State Medical Board at that meeting.

Tri-regulator statement on national licensure

The Board reviewed an update from FSMB regarding an upcoming Congressional briefing to focus on state-based licensure, focusing on state jurisdiction and overcoming challenges. The FSMB, along with the National Association of Boards of Pharmacy (NABP) and the National Council of State Boards of Nursing (NCSBN) issued a joint statement in support of state’s jurisdiction and opposing a national licensure system. A copy of those documents were included in the Board packet for further review.

Agenda Item New Business

There was no new business for consideration.

Agenda Item 15 Administrative Business

Reports

The Board reviewed their Financial Report, prepared by the Division Administrative Officer. The State Medical Board appears to be financially sound, and continues to carry a surplus during the current biennial licensing cycle. Ms. Stovern distributed the detailed information regarding the expenditures included in the report.

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

- Outreach efforts – Ms. Stovern participated in the recent meetings of the Alaska Health Care Commission (discuss/address public comments on Draft 2011 Findings and Recommendations) and the Alaska Health Workforce Coalition (discuss licensing concerns in 2012-2015 White Paper).
- Status on uniform application – Ms. Stovern continues to work with the Federation of State Medical Board to implement the uniform application, and will be participating in an upcoming webinar regarding that process.

- Tracking of licensing process – statistics and a detailed spreadsheet covering processing of applications for the most recent two quarters was provided for Board review.
- Tracking of Board actions – a report of the Board’s 2011 actions was provided for Board review; the report included confirmation of appropriate reporting of all actions.
- Status of Board member appointments – Ms. Stovern has met with the Director of Boards and Commissions regarding reappointment of current Board members and new appointments for seats expiring in March 2012; he has been busy recruiting and interviewing potential candidates and expects to announce appointments soon.

Review Minutes

The Board reviewed the minutes of the October 27-28, 2011 meeting.

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

RESOLVED to approve the meeting minutes, as presented.

The Chair signed the approved minutes.

Meeting Scheduling

The Board confirmed the schedule for upcoming meetings:

- May 17-18, 2012 in Petersburg
- July 26-27, 2012 in Soldotna
- October 25-26, 2012 in Fairbanks

Election of Officers

In accordance with Alaska Statute (AS) 08.64.070, the Board elects a president and secretary from among its members; Board policy is to have an annual election. Currently, Dr. Tsigonis serves as president and Mr. Hall serves as secretary.

Dr. Miller nominated Mr. Hall for the position of Board President and Dr. Powers for the position of Board Secretary. Dr. Powers declined the nomination and nominated Dr. Miller for the position of Board Secretary.

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

RESOLVED to appoint Ed Hall as Board President.

Roll Call Vote:

Dr. Cullen – Yea

Mr. Hall – Yea

Ms. Millar – Yea

Dr. Miller - Yea

Dr. Powers – Yea

Dr. Resinger – Yea

Mr. Tauriainen – Yea

Dr. Tsigonis – Yea

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

RESOLVED to appoint Dave Miller as Board Secretary.

Roll Call Vote:

**Dr. Cullen – Yea
Mr. Hall – Yea
Ms. Millar – Yea
Dr. Miller - Yea
Dr. Powers – Yea
Dr. Resinger – Yea
Mr. Tauriainen – Yea
Dr. Tsigonis – Yea**

It was noted that this would be the last meeting for Dr. Tsigonis, Dr. Cullen, and Mr. Tauriainen, as their appointments expire in March 2012. The Board thanked them for their service.

Agenda Item 10 License Application Review

Board members reviewed license application files. They declined to consider the applications submitted by Richard Charles Moore, MD and Michael Harold Ward, MD, pending their appearance for a full board interview.

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

RESOLVED to approve the following physicians for licensure in Alaska:

Jesse William Atwood	William Jordan McDermott
Noelle Lynn Bertelson	Jerry Alexander Michel
Edward Orland Brooks III	Richard Charles Moore
Ellen Hartman Chirichella	Barbara Anne Newman
Paul James Eastvold	Shannon Rochelle Norman
Nikolai Alexis Furmansky	Eric Stephen Postal
Nancy Marie Greenwell	Szilvia Salamon
Matthew, Charles Gummerson	Jerry Paul Seiler
Steven Victor Gurland	Sukhpreit Kaur Sohi
Aicha Maria Hull	Cheryl Nelson Soronen
Johane Cecile LaPorte-Aertker	Joshua Owen Stream
Chuong Minh Le	Vanessa Angelina Urban
Winston Irving Levy	Morgan Alexandra VanDerHorst
David Roland Mack	Scott Abbott Walker
Martha Elizabeth Maier	Eric Gerard Young
Maria Manning	Syed Sajjad Husain Zaidi
Alice Lorraine McCauley	

Upon a motion duly made by Mr. Tauriainen, seconded Mr. Hall, and approved unanimously, it was:

RESOLVED to approve the following physicians for licensure in Alaska, pending completion of their application files:

John Joseph McGroarty
Jessica Katherine Splane Veltkamp

Upon a motion duly made by Mr. Tauriainen, seconded Mr. Hall, and approved unanimously, it was:

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

Sulaiman Omar Abawi
Talat Memood Nazir

Jesse Sandoval
Matthew Todd Warren

Upon a motion duly made by Mr. Tauriainen, seconded Mr. Hall, and approved unanimously, it was:

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

Jessica Lee Anthony
Peter James Casey
Jeffrey Dale Fair
Richard Paul Gunick
Ryan Zachary Groeneweg
Christan Dane Haworth
Jonathan Noah Jordahal
Garrett Mitchell Lamay

Jacob Preston Lamphier
Kevin Lee McCoy
Jacob G. Ohms
Christopher J. Robertson
James Michael Schaaf
Kendra Lee Sontag
Jonathon Christopher Squires
Traci C. Watts

Upon a motion duly made by Mr. Tauriainen, seconded Mr. Hall, and approved unanimously, it was:

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

Heather Shelton Burnell
Katie Marie Copps-Wilson
Kenric Brian Craver
Kimberly Ann Cray
Jannelle Marie Dupuis
Even Robert Evanson
Heidi Nichole Felton
Laura Marie Lubke
Timothy Lee MacCurdy
Michael Charles Mallat
Jacqueline Joy McInnis

Lloyd Mark McKinney
Jolynn Montgomery
Alison Chancellor Pell
Ray Matsu Queenville
Megan Melissa Rolinger
Cordelia Sewall
Gray Philip Shaneberger
Lisa Cathleen Shindler
Donna Marie Strigle
Morwenna Theresa Unger
Dale William Welsh

Upon a motion duly made by Mr. Hall, seconded by Mr. Tauriainen, and approved unanimously, it was:

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

The meeting adjourned at 1:37 p.m.

Respectfully submitted:

Approved:

Debora Stovern, Executive Administrator
Alaska State Medical Board

Ed Hall, PA-C, Chair
Alaska State Medical Board

Date

Date