



Medical Quality Assurance Commission

Capital Event Center
6005 Tyee Drive SW
Tumwater, WA 98512
(360) 464-6700

Business Meeting Minutes **April 7, 2017**

Medical Commission Members

James E. Anderson, PA-C
Toni Borlas, Public Member
Charlie Browne, MD – Absent
William Brueggemann, Jr., MD
Jason Cheung, MD
Mike Concannon, JD, Public Member
Harry Harrison, Jr., MD
Bruce G. Hopkins, MD
Warren Howe, MD, Chair
Mark Johnson, MD, 1st Vice Chair
Charlotte Lewis, MD

John Maldon, Public Member
Peter Marsh, MD
Kathleen O'Connor, Public Member
Alden Roberts, MD, 2nd Vice Chair
Theresa Schimmels, PA-C
Robert Small, MD
Michelle Terry, MD
Claire Trescott, MD
Mimi Winslow, JD, Public Member
Yanling Yu, PhD, Public Member

Medical Commission Staff

Morgan Barrett, MD, Medical Consultant
Jennifer Batey, Paralegal Supervisor
Larry Berg, Staff Attorney
Renee Bruess, Investigator
Karen Caille, Staff Attorney
Anna Clavel, Staff Attorney
Melanie de Leon, Executive Director
Mike Farrell, Policy Development Manager
Denise Gruchalla, Director of Investigations
George Heye, MD, Medical Consultant
Ariele Landstrom, Staff Attorney

Kayla LaRue, Compliance Officer
Christine Lawrence, Paralegal
Micah Matthews, Deputy Executive Director
Melissa McEachron, Director of Operations
and Informatics
Freda Pace, Investigator Supervisor
Kimberly Romero, Licensing Lead
Dawn Thompson, Licensing Manager
Daidria Underwood, Program Manager
Chris Waterman, Health Services Consultant
Gordon Wright, Staff Attorney

Others in Attendance

Heather Carter, Assistant Attorney General (AAG)
Tierney Edwards, Washington State Medical Association
(WSMA)

Denny Maher, WSMA

Call to Order

Warren Howe, MD, Chair, called the meeting of the Washington State Medical Quality Assurance Commission (Commission) to order at 8:01 a.m. on April 7, 2017, at the Capital Event Center, 6005 Tyee Drive SW, Tumwater, WA 98512.

1.0 Chair Report

Dr. Howe welcomed everyone to the meeting.

2.0 Consent Agenda

The Consent Agenda contained the following items for approval:

- 2.1** Minutes from the February 24, 2017 Business Meeting.
- 2.2** Agenda for April 7, 2017.
- 2.3** Ratification of the licenses issued to Physicians, Limited Physicians and Physician Assistants From February 24, 2017 through April 6, 2017.

Motion: The Chair entertained a motion to approve the Consent Agenda. The motion was seconded and approved unanimously.

3.0 Old Business

3.1 Suicide Prevention Training Approval Subcommittee

Robert Small, MD, Subcommittee Chair, reported that the subcommittee met recently and considered two requests for approval. One was approved and the second was denied due to lack of information.

The subcommittee receives applications from trainers who would like to provide suicide assessment, treatment, and management training that meets the requirements laid out in RCW 43.70.442. The subcommittee reviews the applications and included training materials, and either approves or denies that the training meets the RCW requirements. Mike Farrell, Policy Development Manager is the point of contact for applications.

As of February 9, 2017, 14 trainings have been approved. This subcommittee will continue to approve or deny trainings until June 30, 2017. Beginning July 1, 2017 a model list of trainings will be available from the Department of Health (DOH).

3.2 Telemedicine Workgroup

Toni Borlas, Public Member, Co-Chair, asked Micah Matthews, Deputy Executive Director, to report on this item. Mr. Matthews stated that Ms. Borlas as well as Co-Chair Charlie Browne, MD had reviewed the Workgroup charter and will ask for volunteers to join at the next meeting.

3.3 2017 Educational Conference Planning Committee

Toni Borlas, Public Member, Committee Chair, reported that the theme of the conference will be Addiction. The draft agenda will be sent out for feedback soon.

3.4 Rulemaking Activities

Daidria Underwood, Program Manager, reported on the following rules:

Suicide Prevention – Both the MD and PA rules are effective April 8, 2017.

Military Spouse Temporary Permits – The CR-102 is in preliminary review with Health Services Quality Assurance (HSQA).

Temporary Permits – The CR-102 is in preliminary review with Health Services Quality Assurance (HSQA).

Hearings are tentatively scheduled for June 28, 2017 for Military Spouse Temporary Permits, Temporary Permits, and Office-Based Surgery in Kennewick, Washington. As soon as those are

set, Ms. Underwood will request volunteers to sit on those hearing panels.

3.5 Health Equity Workgroup

James Anderson, PA-C, Workgroup Chair, reported there is a Health Equity section in the Commission's *Update!* newsletter.

3.6 Citizen Engagement Workgroup

Yanling Yu, PhD, Workgroup Co-Chair, reported the survey they have been working on was sent out in late March. Jimi Bush, Performance Development Manager reported a link to the survey is on the Commission's Facebook page as well so it can be shared.

3.7 Reduction of Medical Errors Subcommittee

Mark Johnson, Subcommittee Chair, reported the subcommittee continues their research. He also stated the Communication and Resolution Program is looking for cases.

3.8 Practitioner Competence Workgroup

Dr. Johnson, Workgroup Chair, reported the Workgroup recently had a conference call where they discussed the following:

- Workgroup should continue their research.
- British Columbia has a model the Workgroup is researching. Mr. Matthews reported it is a physician led practice improvement model.

3.9 Lists & Labels Requests

The following lists and labels requests were discussed for possible approval or denial. Approval or denial of these requests is based on whether the entity meets the requirements of a "professional association" or an "educational organization" as noted on the application ([RCW 42.56.070\(9\)](#)).

1. College of Long Term Care

Motion: The Chair entertained a motion to deny the request due to lack of information. The motion was seconded and approved unanimously.

2. Oregon Pain Guidance

Motion: The Chair entertained a motion to approve the request. The motion was seconded and approved unanimously.

3. Pivot Careers LLC

Motion: The Chair entertained a motion to deny the request. The motion was seconded and approved unanimously.

4.0 Public Comment

No member of the public was signed up to speak therefore no public comment was given.

5.0 Committee Reports

Policy Committee

Mimi Winslow, JD, Public Member, Policy Committee Chair reported on the items discussed at the Policy Committee meeting held on April 6, 2017:

Mandating use of the Electronic Death Registration System

Ms. Winslow reported that Christie Spice from the DOH's Department of Vital Statistics presented proposed rules of the Washington State Electronic Death Records System and the benefits for the proposed rule.

Upcoming 2019 request legislation to modernize vital records statutes

Ms. Winslow reported that Ms. Spice shared the proposed changes to legislation for the Model Vital Statistics Act Law.

Proposed Revision of the A-12 Closure Code

Refer to Chair Report.

Offering Settlement Conference for STID Procedure

Ms. Winslow reported the Committee voted not to recommend the procedure.

Interactive and Transparent Development of Evidence-based Policies and Guidelines Procedure

Ms. Winslow reported the Committee voted to defer this procedure until more information could be gathered.

Obtaining Multiple Experts Procedure

Ms. Winslow reported the Committee voted to not recommend this procedure.

The Opioid Crisis: Commission Response and Models of Treatment Policy

Ms. Winslow reported the Committee voted to defer this policy until a redraft is completed.

X: Drive Procedure

Ms. Winslow asked Ms. Underwood to report on this topic. Ms. Underwood reported that the procedure is meant to streamline the X: drive and to also lay out the process to clean up the X: drive. Ms. Underwood asked if anyone has feedback on this procedure to please email her.

Clinical Support Program Rule

Ms. Winslow asked Ms. Underwood to report on this topic. Ms. Underwood requested the Commission approve going forward with a CR-101, the first step in the rulemaking process, to propose a rule for clinical support for MDs and PAs. The proposed rule would allow the Commission to provide technical assistance in those cases where the practitioner's deficiencies could be corrected with education and/or practice monitoring and not formal discipline. Ms. Winslow reported the Committee recommended the Commission approve this rulemaking proposal.

Motion: The Chair entertained a motion to begin rulemaking. The motion was passed unanimously.

6.0 MEMBER REPORTS

Yanling Yu, PhD, Public Member, reported that she attended the [Consumers United for Evidence-Based Healthcare Advocacy Summit](#).

7.0 STAFF MEMBER REPORTS

7.1 Executive Director

Melanie de Leon, Executive Director, provided updates on the following:

- *Budget:* Ms. de Leon reported the budget continues to do well for this biennium.

- *Travel:* Ms. de Leon stated the biennium ends on June 30th and Commissioners have seven to 10 days to get their travel in to Dani. The last Commission meeting of this biennium is scheduled for June 29-30 and Ms. de Leon asked that all Commissioners get their travel for that meeting in as soon as possible afterwards.
- *Staff Updates:* Ms. de Leon reported that Denise Gruchalla will retire at the end of April. Ms. Gruchalla has been with the Commission for 10 years. We are actively recruiting to fill this upcoming vacancy.

Deborah Taellious, JD, has been hired to fill the Supervising Staff Attorney vacancy.
- *Strategic Plan:* Ms. de Leon gave an update on the items which have been completed.
 1. Continue the Citizen Engagement Workgroup: The survey developed by the Workgroup is out and available for comment.
 2. Define and improve communication standards and performance expectations between legal staff, investigative staff, and Commissioners: A proposal for an employee council has been reviewed and approved by the Union. The council will consist of one employee from each business unit and two from the larger business units. The council will meet with Ms. de Leon on a monthly basis to discuss how to communicate better between management and staff. They will also discuss the current organizational culture and how improvements can be made from an employee viewpoint.
 3. Decrease the use of paper: The Investigative Unit is currently working on an electronic case file. The electronic Case Management Team (CMT) packet was recently instituted. Because of this change, Commissioners will see larger CMT packets as we move forward with this process.
 4. Tighten the timelines between Panel authorization and issuing of disciplinary documents: The process has been value stream mapped and will be reviewed soon.
 5. Develop and make operational a Commission website and branding. This is moving forward. Once the logo and web screens are obtained work will begin to create an independent Commission website.
 6. Continuously improve Commission effectiveness by developing and monitoring a training plan for each staff member: A staff member has been assigned the duty of sitting down with each staff member and coming up with an individualized training plan for them. A training plan for Commissioners is also in the works.
 7. Develop a robust Commissioner orientation: Ms. Bush recently finished the online orientation for Commissioners. We will also have a more robust in-person orientation when new Commissioners are appointed.
 8. Evaluate the Expert Witness Process: This process has been value stream mapped and updated.

7.2 Assistant Attorney General

Heather Carter, AAG, reminded everyone that anytime there is a quorum of the Commission present and it is not an open public meeting Commission business should not be discussed.

7.3 Deputy Executive Director

Micah Matthews, Deputy Executive Director, reported on the following:

- *Travel Cancellations:* The Commissioner Travel Coordinator, Sarah Chenvert, asks that whether a Commissioner needs to cancel a hotel, flight, or car rental to please give her at least 24 hours' notice.
- *Legislation:*
 1. [Senate Bill \(SB\) 5413](#) concerning physician limited licenses has been passed by the House and is on its way to the Governor's office.
 2. [House Bill \(HB\) 1337](#) which creates the interstate medical licensure compact has passed both the House and the Senate.
 3. [SB5248](#) concerning persons to whom the department of health may provide prescription monitoring program data. If passed, the bill will require rulemaking by the regulatory authorities to adopt rules relating to prescribing and treatment of all pain spectrums.
- *Budget Request:* The staffing request has now been included in the Governor's amended budget as well as the House budget.

7.4 Program Manager

Ms. Underwood reported the Commission continues to accept applications for the June 30, 2017 vacancies, which are as follows:

1. Congressional District 1
2. Congressional District 7
3. Physician Assistant
4. Public Member

Recruitment for these vacancies began in the winter edition of the *Update!* Newsletter and will continue until April 28, 2017. This year we will interview the top candidates before sending the ranking list to the Governor's office.

7.5 Director of Operations and Informatics

Melissa McEachron, Director of Operations and Informatics, reported she is available for questions on contracts and demographics. Ms. McEachron also introduced Kimberly Romero, Licensing Lead.

7.6 Medical Consultant, Dr. Heye

George Heye, MD, Medical Consultant, reported there will be an increase in cases to be reviewed for CMT.

7.7 Medical Consultant, Dr. Barrett

Morgan Barrett, MD, Medical Consultant, had nothing to report.

7.8 Director of Legal Services

Rick Glein, Director of Legal Services, was absent.

7.9 Director of Investigations

Denise Gruchalla, Director of Investigations, introduced Chris Waterman, Health Services Consultant, who will be working in Complaint Intake.

Ms. Gruchalla stated she is retiring and thanked the Commission for the time she has spent working with everyone.

7.10 Policy Development Manager

Mr. Farrell reported he is going to work with the Reduction of Medical Errors Committee; Heather Carter, AAG; and the Foundation for Healthcare Quality on the Communication and Resolution Program (CRP) on language about how the process works and what documents will be disclosed and what documents will be exempt from disclosure.

7.11 Performance and Outreach Manager

Jimi Bush, Performance and Outreach Manager, reported she has been working to make our social media and the Commission itself more engaging to practitioners and the public. She asked if anyone sees anything that they would like to have posted to the Commission's social media to please send it to her via email.

Ms. Bush also reported she has been trying to engage our stakeholders by increasing our speaking engagements. By the end of FY 2017 we will have an almost 150% increase from last year. She asked if anyone is part of an association, organization, or group that would like to have a representative come to a meeting to speak, please let her know. If a Commissioner would like to speak at an event, please also contact Ms. Bush and she can work with them to develop

9.0 ADJOURNMENT

The Chair called the meeting adjourned at 9:50 a.m.

Submitted by

(Signature on file)

Daidria Underwood, Program Manager

(Signature on file)

Warren Howe, MD, Chair
Medical Quality Assurance Commission

Approved May 19, 2017