



Medical Quality Assurance Commission

Radisson Hotel Seattle Airport
18118 International Blvd
Seattle, WA 98188
(206) 244-6666

Business Meeting Minutes May 19, 2017

Medical Commission Members

James E. Anderson, PA-C – Absent
Toni Borlas, Public Member
Charlie Browne, MD
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 – Absent
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
Larry Berg, Staff Attorney
Renee Bruess, Investigator
Jimi Bush, Performance and Outreach Manager
Karen Caille, Staff Attorney
Anna Clavel, Staff Attorney
Melanie de Leon, Executive Director
Mike Farrell, Policy Development Manager
Rick Glein, Director of Legal Services
George Heye, MD, Medical Consultant

Ariele Landstrom, Staff Attorney
Kayla LaRue, Compliance Officer
Micah Matthews, Deputy Executive Director
Melissa McEachron, Director of Operations
and Informatics
Patty Melody, Investigator Supervisor
Freda Pace, Director of Investigations
Deborah Taellious, Supervising Staff Attorney
Daidria Underwood, Program Manager
Gordon Wright, Staff Attorney

Others in Attendance

Heather Carter, Assistant Attorney General (AAG)
Maura Craig, Department of Health
Tierney Edwards, Washington State Medical Association
(WSMA)
Thomas Fairchild, MD, Pro Tem Member
William Gotthold, MD, Pro Tem Member

Lyle Larson, Washington Academy of Physician
Assistants (WAPA)
Mimi Pattison, MD, Pro Tem Member
Jim Rooks, Jr., MD, Pro Tem Member
Kate White Tudor, WAPA

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 May 19, 2017, at the Radisson Hotel Seattle Airport, 18118 International Blvd, Seattle, WA 98188.

1.0 Chair Report

Dr. Howe welcomed everyone to the meeting.

Dr. Howe presented the Federation of State Medical Boards' Award of Merit to former Commissioner, now a Pro Tem member of the Commission, William Gotthold, MD.

2.0 Consent Agenda

The Consent Agenda contained the following items for approval:

2.1 Minutes from the April 7, 2017 Business Meeting.

2.2 Agenda for May 19, 2017.

Removed item 3.1: Nominating Committee as the slate of candidates should be announced at the June meeting to abide by the Bylaws.

2.3 Ratification of the licenses issued to Physicians, Limited Physicians and Physician Assistants From April 7, 2017 through May 18, 2017.

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

3.0 Old Business

3.1 Nominating Committee

Removed from agenda.

3.2 Suicide Prevention Training Approval Subcommittee

Robert Small, MD, Subcommittee Chair, reported that the subcommittee has not met since the April Commission meeting.

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 May 19, 2017, 15 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).

3.3 Telemedicine Workgroup

Toni Borlas, Public Member, Co-Chair, stated there was nothing new to report.

3.4 2017 Educational Conference Planning Committee

Ms. Borlas, Committee Chair, reported the paperwork requesting Continuing Medical Education credits for the conference has been submitted. She also reported they are looking for a couple of speakers.

3.5 Rulemaking Activities

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

Temporary Permits and Military Spouse Temporary Permits (PA) each have a hearing

scheduled for Wednesday, June 28, 2017, in Pasco, Washington.

Office-Based Surgery – under Secretary review. A hearing is tentatively scheduled for June 28, 2017.

Chapter 246-919 is still on track to be opened for rulemaking to update the chapter this fall.

Suicide Prevention – Both the MD and PA sections have been completed and are now in rule.

3.6 Citizen Engagement Workgroup

Yanling Yu, PhD, Workgroup Co-Chair, reported they have extended the deadline for the survey.

3.7 Reduction of Medical Errors Subcommittee

Mark Johnson, MD, 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, stated there was nothing new to report.

4.0 Public Comment

Tierney Edwards, WSMA, thanked the Commission and Micah Matthews, Deputy Executive Director, for coming to speak at the upcoming WSMA meeting regarding Physician Assistant (PA) independence. She also stated that the WSMA “would also like to urge the Commission to approach this complicated issue with the thoughtfulness, deliberateness, and openness that an issue of this complexity merits.” She went on to say that the “Commission and PAs will benefit from the thorough discussion of a proposal for independent practice of PAs, including adequate time to illicit input from all stakeholders.”

Lyle Larson, WAPA President, reported Providence Medical Center will not hire PAs as hospitalists, they will only hire Nurse Practitioners. In his institution, University of Washington Medical Center, they have lost approximately 50% of the PAs practicing there. Meanwhile, the ratio of Nurse Practitioners to PAs being hired is 4:1. He also stated that in other areas of Washington, “Nurse Practitioners are pushing PAs out of the marketplace.” The immediate past president of WAPA has opened an urgent care center in Ellensburg and due to the current law, he can only hire Nurse Practitioners because of the supervision limit in law. He stated that PAs do not want to practice independently without collaborating with physicians. He’s hoping the Commission will help them remove the barriers to PA practice in the state of Washington.

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 May 18, 2017:

Electromyography (EMG) - Needle and Surface, MD2000-01

Ms. Winslow reported the committee recommended reaffirming the interpretive statement as written.

Motion: The Chair entertained a motion to reaffirm the interpretive statement. The motion was approved unanimously.

Complainant Opportunity to be Heard Through an Impact Statement, MD2013-07

Ms. Winslow reported the committee recommended adoption of the draft with minor edits. The Commission suggested returning the procedure to the committee for clarification.

Motion: The Chair entertained a motion to refer the procedure back to the Policy Committee for further clarification. The motion was approved unanimously.

Professionalism Policy

Ms. Winslow reported the committee recommended approving this as a policy and to approve it to go through the review process.

Motion: The Chair entertained a motion to submit the policy to the Secretary of Department of Health for review per RCW 18.130.065. The motion was approved unanimously.

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

Ms. Winslow reported the committee recommended approval of the draft procedure.

Motion: The Chair entertained a motion to approve the procedure. The motion was approved unanimously.

Guidelines on Retention of Medical Records when Closing a Practice, MD2013-08

Ms. Winslow reported the draft includes language improvements and elimination of incorrect information. The committee recommended approving the guideline with a few changes. Ms. Winslow further reported that in the discussion of this guideline it was discussed that another document may need to be developed to consider physician death and incompatible Electronic Health Records. The Commission requested further clarification for one-time patients.

Motion: The Chair entertained a motion to postpone the guideline for further clarification. The motion was approved unanimously.

Physician Assistant Initiative

Ms. Winslow reported the committee recommended the Commission send the draft letter to WAPA and WSMA inviting a collaborative process on the PA initiative, with minor grammatical changes.

Motion: The Chair entertained a motion to approve sending the letter with the noted revisions. The motion was approved unanimously.

Delegation of Signature Authority for Credentialing, Disciplinary and Rulemaking, MD2016-05

Ms. Winslow reported the changes to the delegation are due to a changes in personnel. The committee recommended the adoption of the draft as written.

Motion: The Chair entertained a motion to approve the draft delegation. The motion was approved unanimously.

Self-Treatment or Treatment of Immediate Family Members, MD2013-03

Ms. Winslow reported the committee recommended to reaffirm the policy as written.

Motion: The Chair entertained a motion to reaffirm the policy as written. The motion was approved unanimously.

6.0 MEMBER REPORTS

Dr. Small reported he has completed a one-year term on the FSMB's professionalism and ethics committee.

Dr. Johnson reported that recently he, with the assistance of Jimi Bush, Performance and Outreach Manager, made a presentation on the guidelines for physician and patient communication to a patient advocacy group.

Claire Trescott, MD, reported that in April she attended the American Society of Addiction Medicine conference.

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.
- *State Budget*: If a budget has not been agreed upon by the Legislature by midnight on June 30, 2017 Commissioners must stop all work they are doing for the Commission.
- *Interstate Medical Licensure Compact Commission meeting*: Ms. de Leon will attend the meeting as Washington is now part of the Compact.
- *Director of Investigations*: Ms. de Leon introduced Freda Pace as the new Director of Investigations.
- *Vacant Positions*: Ms. de Leon reported we are actively recruiting to fill an Administrative Assistant position in the Legal Unit as well as a Supervising Investigator position in the Investigations Unit.
- *Assistant Secretary for Health Systems Quality Assurance (HSQA)*: Martin Muller, Assistant Secretary of HSQA is leaving in June and they are actively recruiting for his position.
- *Employee Council*: The Employee Council was formed recently and is currently working on our organizational culture. They are also working on a formal, week-long new employee orientation for Commission staff, which will also be developed for Commissioners.
- *SMART Training*: Sexual Misconduct Analysis Review Team (SMART) Training will be held on August 9, 2017.

7.2 Assistant Attorney General

Heather Carter, AAG, had nothing to report.

7.3 Deputy Executive Director

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

- *Practitioner Competence Workgroup*: Mr. Matthews reported he has sent an email out to the workgroup members asking for input and reminded the members to please respond to that email.

- *Legislation:*
 - The Interstate Medical Licensure Compact ([HB 1337](#)) bill was passed.
 - The bill concerning Physician Limited Licenses ([SB 5413](#)) was passed.
 - Bills to watch:
 - [HB 1427](#) – Concerning opioid treatment programs.
 - [HB 2114](#) – Protecting consumers from charges for out-of-network health services.
- *Website and Logo:* A Request for Proposal (RFP) has been submitted for design services for a Medical Commission website and logo.

7.4 Program Manager

Ms. Underwood reported the packet with the upcoming Commission vacancy applications has been sent to the Executive Committee.

Recruitment for these vacancies began in the winter edition of the *Update!* Newsletter and continued until April 28, 2017.

7.5 Director of Operations and Informatics

Melissa McEachron, Director of Operations and Informatics, had nothing to report.

7.6 Medical Consultant, Dr. Heye

George Heye, MD, Medical Consultant, had nothing to report.

7.7 Medical Consultant, Dr. Barrett

Morgan Barrett, MD, Medical Consultant, asked that if a Commissioner would like only the electronic version of the compliance packet to please let the Compliance staff know.

7.8 Director of Legal Services

Rick Glein, Director of Legal Services, introduced Deborah Taellious as the new Supervising Staff Attorney.

7.9 Director of Investigations

Freda Pace, Director of Investigations, had nothing to report.

7.10 Policy Development Manager

Mr. Farrell reported he attended the FSMB annual meeting where he attended a presentation in which they discussed a study on the likelihood of disciplinary action against those physicians who have less than two years of post-graduate training.

7.11 Performance and Outreach Manager

Ms. Bush asked that if anyone has an opportunity within their association, hospital, and etc. for someone from the Commission to come speak, please let her know. Ms. Bush also reported that Chris Bundy, Director of the Washington Physicians Health Program, will speak at the Educational Conference in October.

8.0 ADJOURNMENT

The Chair called the meeting adjourned at 9:46 a.m.

Submitted by

(Signature on file)

Daidria Underwood, Program Manager

(Signature on file)

Warren Howe, MD, Chair
Medical Quality Assurance Commission

Approved June 30, 2017