



Medical Quality Assurance Commission

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

Business Meeting Minutes November 3, 2017

Medical Commission Members

James E. Anderson, PA-C
Toni Borlas, Public Member
Charlie Browne, MD
William Brueggemann, Jr., MD
Jason Cheung, MD
Jimmy Chung, MD
Patrick España, JD, Public Member - Absent
Harry Harrison, Jr., MD
Bruce G. Hopkins, MD
Warren Howe, MD, Chair

Charlotte Lewis, MD
John Maldon, Public Member, 2nd Vice Chair
Peter Marsh, MD
Kathleen O'Connor, Public Member
Alden Roberts, MD, 1st Vice Chair - Absent
Theresa Schimmels, PA-C
Robert Small, 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
Carolynn Bradley, Health Services Consultant
Jim Burkholder, Investigator Supervisor
Jimi Bush, Performance and Outreach Manager
Sarah Chenvert, Administrative Assistant
Anna Clavel, Staff Attorney
Melanie de Leon, Executive Director
Mike Farrell, Policy Development Manager
Kathy Franks, Forms and Records Analyst
Rick Glein, Director of Legal Services
George Heye, MD, Medical Consultant

Kyle Karinen, Staff Attorney
Ariele Page Landstrom, Staff Attorney
Sherrise Martin, Administrative Assistant
Micah Matthews, Deputy Executive Director
Melissa McEachron, Director of Operations
and Informatics
Joe Mihelich, Licensing Specialist
Freda Pace, Director of Investigations
Deborah Taellious, Supervising Staff Attorney
Dawn Thompson, Licensing Manager
Daidria Underwood, Program Manager
Gordon Wright, Staff Attorney

Others in Attendance

Jack Bucknell, Assistant Attorney General (AAG)
Ken Saunderson, Saunderson Marketing Group

Debra Defreyn, AAG

Call to Order

Warren Howe, MD, Chair, called the meeting of the Washington State Medical Quality Assurance Commission (Commission) to order at 8:00 a.m. on November 3, 2017, at the Capital Event Center, 6005 Tye Drive SW, Tumwater, WA 98512.

1.0 Chair Report

Dr. Howe welcomed everyone to the meeting.

He introduced a new Commissioner: Jimmy Chung, MD. Dr. Chung gave some background on himself.

Dr. Howe reported that moving forward the Staff Reports will be handed out to the Commissioners at the Business Meeting.

2.0 Consent Agenda

The Consent Agenda contained the following items for approval:

- 2.1 Minutes from the August 11, 2017 Business Meeting.
- 2.2 Agenda for November 3, 2017.
- 2.3 Ratification of the licenses issued to Physicians, Limited Physicians and Physician Assistants From August 11, 2017 through November 2, 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 Opioids: Prescribing & Monitoring Rules Committee

In the absence of Alden Roberts, MD, Chair, Dr. Claire Trescott reported that she and Dr. Roberts are participating in the ESHB 1427 Task Force meetings. Dr. Trescott reported that ESHB 1427 requires the boards and commissions to adopt rules for prescribing opioids by January 1, 2019. In developing the rules the Agency Medical Director's Group and the Center for Disease Control guidelines must be considered. The Task Force consists of two members from each of the following Boards or Commissions:

- Podiatric Medical Board
- Dental Quality Assurance Commission
- Board of Osteopathic Medicine and Surgery
- Medical Quality Assurance Commission
- Nursing Care Quality Assurance Commission

There is a sub-group of the Task Force working on expanding the use of the Prescription Monitoring Program.

The Task Force is holding monthly meetings from September 2017 to March 2018 which are open to the public.

All of the information related to the ESHB 1427 Task Force meetings can be found at www.doh.wa.gov/opioidprescribing.

3.2 Telemedicine Workgroup

Toni Borlas, Public Member, Co-Chair, had nothing to report.

3.3 2017 Educational Conference Planning Committee

Jimi Bush, Performance and Outreach Manager, presented statistics from the October 4-5, 2017 Medical Commission Educational Conference. She stated that there were 141 attendees which was a 42% increase from last year. We issued 666 Continuing Medical Education credits. We were also able to offer Continuing Legal Education credits.

Ms. Bush reported that this year's conference cost 19% less than last year.

Ms. Bush asked for volunteers for the 2018 Educational Conference Planning Committee. Jason Cheung, MD; Jimmy Chung, MD; and Harry Harrison, MD volunteered to be on the committee. Ms. Bush asked if anyone else would like to be a part of the committee to contact her.

3.4 Rulemaking Activities

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

Clinical Support Program – The CR-101 is currently under review. We hope to get it filed before the end of the year.

3.5 Health Equity Workgroup

James Anderson, PA-C, Workgroup Chair, had nothing to report.

3.6 Citizen Engagement Workgroup

Dr. Howe reported that Yanling Yu, PhD, Workgroup Co-Chair, gave an excellent presentation at the Council on Licensure Enforcement and Regulation (CLEAR) annual conference on the work of the group.

3.7 Reduction of Medical Errors Subcommittee

Dr. Howe reported the subcommittee met on November 2, 2017 to bring the newest member, Dr. Jimmy Chung, up to speed on their work.

3.8 Practitioner Competence Workgroup

Dr. Howe reported that a report will be given on the workgroup later in the meeting.

3.9 Lists & Labels Requests

The following lists and labels request was discussed for possible approval or denial. Approval or denial of this request 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\(9\)](#)).

- Kindred at Home

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

- Vancouver Radiologists

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

- Washington Chapter of the American College of Cardology

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

4.0 New Business

4.1 2018 Educational Conference Dates

Ms. Bush requested the conference dates for 2018 be changed from October 3-5 to October 4-6.

Motion: The Chair entertained a motion to approve changing the dates of the 2018 Educational Conference to October 4-6, 2018. The motion was approved unanimously.

4.2 Proposed Dates for 2020

Ms. Underwood presented the proposed dates for the 2020 Commission meetings.

Motion: The Chair entertained a motion to approve the proposed dates for the Commission meetings in 2020. The motion was approved unanimously.

4.3 Commission Logo and Website

Ken Saunderson of Saunderson Marketing Group presented information regarding the progress in the development of a logo and website for the Commission.

4.4 Appreciation Presentation

Ms. Underwood presented an appreciation certificate to Sherrise Martin, Administrative Assistant for her excellent assistance in recent months.

5.0 Public Comment

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

6.0 Policy Committee Report

Mimi Winslow, JD, Public Member, Policy Committee Chair reported on the items discussed at the Policy Committee meeting held on November 2, 2017:

Whistleblower Procedure, MD2013-02

Ms. Winslow reported the committee recommended adoption of the procedure as revised.

Motion: The Chair entertained a motion to approve the Whistleblower Procedure as revised. The motion was approved unanimously.

Bylaws

Ms. Winslow reported the proposed changes to the composition of the Executive Committee and stated the committee recommended adoption of the changes.

Motion: The Chair entertained a motion to approve the changes to the composition of the Executive Committee in the Bylaws. The motion was approved unanimously.

Ms. Winslow reported the proposed changes to the nominating committee process and stated the committee recommended adoption of the changes.

Motion: The Chair entertained a motion to approve the changes to the nominating committee process in the Bylaws. The motion was approved unanimously.

Telemedicine & Continuity of Care

Ms. Winslow asked Mr. Matthews to report on this topic and stated the committee does not recommend action at this time but to support Mr. Matthews' suggestion. Mr. Matthews presented the draft policy and asked that he be allowed to share the draft with various associations as well as the Washington State Telemedicine Collaborative for their feedback.

Motion: The Chair entertained a motion to approve Mr. Matthews sharing the draft policy. The motion was approved unanimously.

Practitioner Competence

Ms. Winslow presented the draft guideline and asked that the Commissioners review and provide feedback to Mr. Matthews and Mike Farrell, Policy Development Manager.

Physician Assistants Prescribing Buprenorphine

Ms. Winslow asked Jim Anderson, PA-C to present on this topic and stated the committee recommended approving the interpretive statement to. Mr. Anderson presented the draft interpretive statement and asked the Commission to approve sending the draft through the Secretary of the Department of Health's review.

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

7.0 MEMBER REPORTS

No member reports were given.

8.0 STAFF MEMBER REPORTS

8.1 Executive Director

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

- *Staff Reports:* The Staff Reports will now be part of the meeting packet.
- *Budget:* Ms. de Leon reported the budget is not set yet.
- *CLEAR:* Dr. Howe, Dr. Yu and several staff attended the CLEAR annual conference in September. CLEAR is a group of international regulators. There is a licensing track, a discipline track, and an administrative track. She stated we will be purchasing CLEAR's Introduction to Regulatory Governance webinar to provide to all Commissioners and those interested in becoming a Commissioner.
- *Media Programs:* Developing pro-active media programs related to the following subjects:
 - Moral Turpitude
 - Use of Practice Advisors in Lieu of Discipline
 - Eliminating Bias
- *Electronic Case Files:* Cases are now being processed electronically only. This will change what Commissioners receive to review. There will no longer be a left side and a right side, instead it will be one PDF document with relevant bookmarks.
- *Strategic Plan:* At the end of every biennium the Strategic Plan along with the Mission, Vision, and Values are reviewed. She encouraged Commissioners to participate in this review which is coming up soon.

Ms. de Leon provided an update on the following Strategic Plan goals:

- Improve Electronic Communications – Piloting a new program
- Develop Templates for Disciplinary Order – A team is working on this item
- Update the Website and Branding – In progress

- Impact of Orders on Board Certification – A team is researching this item
- Formalize Lean Process Improvement Program – In progress
- Develop an Online and In-Person Orientation for New Commissioners – In progress
- Expert Witnesses – A team is researching this item

8.2 Assistant Attorney General

Jack Bucknell, AAG, had nothing to report.

8.3 Deputy Executive Director

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

- *Travel and Payroll:* Please submit travel and payroll to Dani Newman in a timely fashion.
- *Hearings:* There are high-profile hearings occurring over the next several months. Mr. Matthews encouraged participation on these hearing panels.
- *OnBoard:* We are testing a new platform that we hope will replace Citrix and the X:drive with a web-based portal. Several Commissioners and staff will be part of the 60 day trial of OnBoard. More information on this will be sent out to those Commissioners and staff soon.
- *Legislative:* No bills or budgets will be submitted from the Commission.
- *Opioid Epidemic:* The Presidential Committee recently released their plan for how to address the opioid epidemic. The key there is getting federal money aligned to the states.
- *Presentations:* Presented at the Washington Academy of Physician Assistants (WAPA) fall conference as well as the Washington State Medical Association (WSMA) annual conference on a resolution regarding Physician Assistant practice. Also presented on the Seattle Pain Center issue and the differences between the Drug Enforcement Agency (DEA) and the Commission at the 10th Annual John D. Loeser Pain Conference.

Will present on the latest updates to the Interstate Medical Licensure Compact and how we are issuing licenses through the Compact.

Received an invite to present as a panel to the American Academy of Pain Management Annual meeting to speak about the Seattle Pain Center issue as well as opioid regulation in Washington which will be held in April in British Columbia.

- *CLEAR:* As well as being on the CLEAR board of directors he was selected to be their Programming Chair for the 2018 annual conference to be held in Philadelphia.

8.4 Program Manager

Ms. Underwood reported we have received 64 applications for the Physician-At-Large vacancy. The top candidates will be interviewed by Ms. de Leon, Ms. Underwood, and a current Commissioner.

On October 26, 2017 a notice of recruitment was sent to the *Update!* Newsletter email list for the following positions which are due to expire on June 30, 2018:

- One physician representing Congressional District 3
- One physician representing Congressional District 5
- One physician representing Congressional District 9
- Dr. Browne – eligible for reappointment)
- One physician assistant
- Three public members

Seven of the eight positions are eligible for reappointment. Bruce Hopkins, MD – Congressional District 5 – is not eligible for reappointment. We will send a recruitment letter to all of the active and retired active physicians in Congressional District 5. A recruitment notice for these upcoming vacancies will also be included in the winter edition of the *Update!* Newsletter.

8.5 Director of Operations and Informatics

Melissa McEachron, Director of Operations and Informatics, introduced Kathy Franks, Forms & Records Analyst and Joe Mihelich, Licensing Specialist.

8.6 Medical Consultant, Dr. Heye

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

8.7 Medical Consultant, Dr. Barrett

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

8.8 Director of Legal Services

Rick Glein, Director of Legal Services, reported he along with Ms. de Leon, Mike Farrell, and some other Staff Attorneys will soon attend the annual Federation of State Medical Boards Board Attorney Workshop.

8.9 Director of Investigations

Freda Pace, Director of Investigations, introduced Jim Burkholder as the Healthcare Investigator Supervisor.

8.10 Policy Development Manager

Mike Farrell, Policy Development Manager, reported he is part of the workgroup that is researching the collateral effects of discipline on board certified physicians. He also reported he is looking at demographic data for discipline population and comparing that to our total population.

8.11 Performance and Outreach Manager

Jimi Bush, Performance and Outreach Manager, asked that if Commissioners or staff are presenting as a representative of the Commission, to please let her know so she can make sure all of the presentations are consistent.

Ms. Bush also reported she will be adding all of the national anniversary days to the SharePoint calendar. She asked that Commissioners look at those items and let her know if they would like to write an article for the newsletter or possibly for our social media sites on the topic.

9.0 ADJOURNMENT

The Chair called the meeting adjourned at 10:10 a.m.

Submitted by

Daidria Underwood, Program Manager

Warren Howe, MD, Chair
Medical Quality Assurance Commission

Approved January 19, 2018