

Business Meeting Minutes

April 26, 2024



WASHINGTON
**Medical
Commission**
Licensing. Accountability. Leadership.

Virtual Meeting via Teams Webinar

Link to recording: <https://youtu.be/KIfGDgllgEE?si=xuVYeggzXMaPm8X>

Commission Members

Michael Bailey, Public Member
Christine Blake, Public Member
Toni Borlas, Public Member – Absent
Po-Shen Chang, MD
Jimmy Chung, MD
Diana Currie, MD
Karen Domino, MD, Chair
Arlene Dorrough, PA-C
Anjali D’Souza, MD
Harlan Gallinger, MD

April Jaeger, MD – Absent
Jamie Koop, Public Member – Absent
Ed Lopez, PA-C, Officer-at-Large
Sarah Lyle, MD
Terry Murphy, MD, Vice Chair
Elisha Mvundura, MD
Robert Pullen, Public Member – Absent
Scott Rodgers, JD, Public Member
Claire Trescott, MD – Absent
Richard Wohns, MD – Absent

WMC Staff in Attendance

Colleen Balatbat, Staff Attorney
Jennifer Batey, Legal Support Staff Manager
Anjali Bhatt, Bus. Practices & Productivity Manager
Alexander Bielaski, Case Manager
Amelia Boyd, Program Manager
Renee Bruess, Investigator
Kayla Bryson, Executive Assistant
Jimi Bush, Director of Quality & Engagement
Adam Calica, Chief Investigator
Emily Cason, Licensing Specialist
Carmen Challender, Health Services Consultant
Marisa Courtney, Licensing Manager
Joel DeFazio, Staff Attorney
Sylke Dixon, IMLC Licensing Specialist
Kelly Elder, Staff Attorney
Anthony Elders, Compliance Officer
Mike Farrell, Supervising Staff Attorney
Gina Fino, Director of Compliance
Ryan Furbush, Paralegal
Rick Glein, Director of Legal Services
Mike Hively, Director of Operations & Informatics
Jenelle Houser, Investigator

Meghan Howell, Health Services Coordinator
Ken Imes, Information Liaison
Kyle Karinen, Executive Director
Shelley Kilmer-Ready, Legal Assistant
Pamela Kohlmeier, MD, JD, Staff Attorney
Mike Kramer, Compliance Officer
Lisa Krynicki, Staff Attorney
Joanna Mallard, Health Services Coordinator
Emma Mariantal, Licensing Lead
Stephanie Mason, PR & Legislative Liaison
Micah Matthews, Deputy Executive Director
Joe Mihelich, Health Services Coordinator
Lynne Miller, Paralegal
Fatima Mirza, Program Case Manager
Marne Nelson, Investigator
Taylor Bacharach-Nixon, Administrative Assistant
Freda Pace, Director of Investigations
Ariel Pierpoint, Renewal Specialist
Stormie Redden, Legal Assistant
Chris Waterman, Complaint Intake Manager
Mahi Zeru, Equity & Social Justice Manager

Others in Attendance

Akanksha Arora	Maria Higginbotham
Amy Brackenbury	Jason Hussey
Angela Ross, ND, Executive Director, Washington Association of Naturopathic Physicians	Rommie Johnson
Marlon Basco-Rodillas, Dept. of Health (DOH)	Shannon Klein
Heather Carter, Assistant Attorney General	Susan Kvern
Patrick Delaney, MD	Dr. Nikzad
Billie Dickinson	Susan Olson
Chelsea Hager	Gina Robertshaw
Tessa Harvey, DOH	Sjardo Steneker
John Hebert, Dept. of Social & Health Services	Ledeane Stewart
	Duane Whitaker

1.0 Call to Order

Karen Domino, MD, Chair, called the meeting of the Washington Medical Commission (WMC) to order at 9:03 a.m. on April 26, 2024.

2.0 Public Comment

Maria Higginbotham, thanked the WMC for their revisions to the opioid prescribing guidelines. She stated that adding patients with Sickle Cell Disease to the list of those that are excluded from the opioid prescribing rules is “awesome” and requested the WMC consider excluding patients with other rare diseases.

Susan Olsen, a chronic pain patient, asked that the WMC keep patients in mind when making changes to the opioid prescribing rules and guidelines.

3.0 Chair Report

Dr. Domino reported she recently attended the annual Federation of State Medical Boards meeting. She stated that one major issue that was presented was the demographic shift leading to a diminishing physician workforce over the next 10 years, prompting some states like Tennessee to allow internationally trained physicians to practice. There was also concern over unlicensed individuals providing IV therapies, with a reported death in Texas from a large dose of potassium. Additionally, there was a discussion on how to reduce stress for healthcare providers under investigation, with suggestions including providing perspective on the investigation process.

Rules Hearings

At 9:15 am the Business portion of the meeting was suspended to conduct the following rules hearings:

- General provisions for opioid prescribing – [WSR #24-07-106](#)
 - This hearing concluded without adopting any rules. Additional workshops to be held for this rulemaking.
- Postgraduate medical training for physicians – [WSR #24-07-107](#)
 - These rules were adopted. Permanent Rules, the next step in the rulemaking process, will be finalized shortly, and they will soon become effective.

At 10:24 am the Business meeting reconvened.

4.0 Consent Agenda

The Consent Agenda contained the following items for approval:

4.1 Agenda for April 26, 2024.

This item was pulled from the consent agenda at the request of Amelia Boyd, Program Manager. Ms. Boyd requested the Outstanding Performance Awards be added to New Business as item 5.5.

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

4.2 Minutes from the January 19, 2024, Business Meeting

Motion: The Chair entertained a motion to approve the January 19, 2024, business meeting minutes. The motion was seconded and approved unanimously.

5.0 New Business

5.1 Joint Operating Agreement

Kyle Karinen, Executive Director, gave some background on the Joint Operating Agreement. In summary: The WMC, along with other disciplinary authorities, operates quasi-independently within the Department of Health (DOH), with authority over its budget and direct communication with the legislature. They rely on the department for support with administrative tasks. The joint operating agreement between the WMC and DOH defines their roles and expectations, with a major change regarding Public Records Act requests. The WMC has negotiated the ability to handle these requests ourselves, as we handle a significant portion of them and have had concerns about the DOH's handling of requests. This agreement has been heavily negotiated and has taken a long time to finalize, with the chair of the WMC and the Secretary of DOH signing off on it.

Dr. Domino opened the floor for the Commissioners to discuss this item.

Motion: The Chair entertained a motion to accept the Joint Operating Agreement as presented. The motion was seconded and approved unanimously.

5.2 Bylaws

Mr. Karinen stated that the Executive Committee met virtually on April 1st to discuss amending the bylaws related to the election of WMC leadership. The current bylaws, based on an older version of the WMC's calendar, have become untenable since moving to quarterly business meetings. The Executive Committee recommended that the nominating committee make its recommendations at the second business meeting of each calendar year, and that the election of officers occur at the conclusion of the third business meeting of each year, with new officers assuming their roles immediately thereafter. These changes are being submitted for review and approval.

Dr. Domino opened the floor for the Commissioners to discuss this item.

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

5.3 Nominating Committee

Dr. Jimmy Chung, Committee Chair, announced the candidates for the following leadership positions:

- Chair – Dr. Karen Domino
- Vice Chair – Dr. Terry Murphy
- Officer-at-Large – Ed Lopez, PA-C

The election of leadership will take place at the July 19, 2024, Business meeting.

5.4 **Approved Entities for Accreditation or Certification of Facilities for Office-Based Procedures Under WAC 246-919-601 Requests**

As directed by WAC 246-919-601, the WMC reviews requests from accrediting entities to accredit or certify facilities where physicians perform surgical procedures in office-based settings requiring moderate sedation or analgesia, deep sedation or analgesia, or major conduction anesthesia. The WMC then approves or denies these requests for inclusion on the list of approved accrediting entities. The following accrediting entity requested to be added to list:

The Accreditation Commission for Health Care (ACHC)

Motion: The Chair entertained a motion to approve adding ACHC to the list of approved accrediting entities. The motion was seconded and approved unanimously.

The following approved accrediting entity is no longer in business. Amelia Boyd, Program Manager, requested the entity be removed from the list:

Institute for Medical Quality (IMQ)

Motion: The Chair entertained a motion to remove IMQ from the list of approved accrediting entities. The motion was seconded and approved unanimously.

The following item was added to the agenda under item 4.1.

5.5 **Outstanding Performance Awards**

Mr. Karinen presented the awards as follows:

- Administrative/Licensing Staff – Emma Marienthal, Licensing Lead
- Investigative Staff – Marne Nelson, Investigator
- Legal Staff – Lynne Miller, Paralegal

6.0 **Old Business**

6.1 **Committee/Workgroup Reports**

These reports were provided in writing and included in the meeting packet. There were no additional reports.

6.2 **Rulemaking Activities**

The rulemaking progress report was provided in the meeting packet. In addition to the written report the following requests were made:

- Initiate standard rulemaking in response to [SB 5184](#) Concerning licensure of certified anesthesiologist assistants

Motion: The Chair entertained a motion to initiate standard rulemaking. The motion was seconded and approved unanimously.

- A committee be set up for certified anesthesiologist assistants rulemaking. The following Commissioners volunteered to be members of this committee:
Dr. Domino
Dr. Chung
Dr. Diana Currie
- Initiate CR-105, expedited rulemaking, in response to [ESHB 2041](#) Concerning physician assistant collaborative practice.
Motion: The Chair entertained a motion to initiate expedited rulemaking. The motion was seconded and approved unanimously.
- Initiate CR-105, expedited rulemaking, to do some technical edits to [WAC 246-919-945](#) and [WAC 246-918-895](#).
Motion: The Chair entertained a motion to initiate expedited rulemaking. The motion was seconded and approved unanimously.
- Initiate CR-102, proposed rules, regarding [Second Substitute House Bill 1009](#) Concerning military spouse employment. Proposed revisions to [WAC 246-918-076](#) (physician assistants) and [WAC 246-919-397](#) (physicians).
Motion: The Chair entertained a motion to initiate the CR-102, proposed rules. The motion was seconded and approved unanimously.

7.0 Policy Committee Report

Christine Blake, Public Member, Policy Committee Chair, reported on the items discussed at the Policy Committee meeting held on April 11, 2024. The agenda was as follows:

Guidance Document: Medical Records: Documentation, Access, Retention, Storage, Disposal, and Closing a Practice

Ms. Blake presented the amended document, stating that the Committee recommended its approval as amended. She then asked Dr. Kohlmeier to explain the amendments, which Dr. Kohlmeier proceeded to do. Dr. Kohlmeier also provided some history about the document.

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

Procedure: Compensation and Reimbursement for Commission Duties

Ms. Blake presented the amended document, stating that the Committee recommended its approval as amended. She then asked Dr. Kohlmeier to explain the amendments, which Dr. Kohlmeier proceeded to do. Mr. Matthews also spoke about the cut-off dates for reimbursement requests nearing the end of the fiscal year.

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

Procedure: Processing Complaints Against Medical Students, Residents, and Fellows

Ms. Blake stated this document has been deferred and will be presented at a future meeting.

Proposed Procedure: Approving Accrediting Entities to Accredite or Certify the Use of Anesthesia in Office-Based Surgical Settings

Ms. Blake

Change to Policy Committee Meeting Day/Time

Ms. Blake stated the Committee has changed the time of their meetings from 10 am to 4 pm.

Policy Development Request: Recusal

Ms. Blake stated the Committee approved developing a policy regarding recusal.

Policy Development Request: Artificial Intelligence

Ms. Blake stated the Committee approved developing a policy regarding artificial intelligence.

8.0 Member Reports

No member reports were provided.

9.0 Staff Reports

The reports below are in addition to the written reports that were included in the meeting packet.

Mr. Matthews gave an update to the Physician Assistant Compact and stated that Oklahoma has now joined the Compact.

10.0 AAG Report

Heather Carter, AAG, had nothing to report.

11.0 Adjournment

The Chair called the meeting adjourned at 11:37 am.

Submitted by

(signature on file)

Amelia Boyd, Program Manager

(signature on file)

Karen Domino, MD, Chair
Washington Medical Commission

Approved July 19, 2024

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