

# Business Meeting Minutes

## March 4, 2022



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

Virtual Meeting via GoToWebinar – Link to recording: <https://youtu.be/KV1PdW3IUxM>

### Commission Members

James E. Anderson, PA-C  
Michael Bailey, Public Member  
Christine Blake, Public Member  
Toni Borlas, Public Member  
Charlie Browne, MD  
Jimmy Chung, MD, 2<sup>nd</sup> Vice Chair  
Diana Currie, MD  
Arlene Dorough, PA-C  
Anjali D'Souza, MD – Absent  
Karen Domino, MD  
Harlan Gallinger, MD

April Jaeger, MD  
Sarah Lyle, MD  
John Maldon, Public Member, Chair  
Terry Murphy, MD – Absent  
Alden Roberts, MD  
Scott Rodgers, JD, Public Member  
Robert Small, MD – Absent  
Claire Trescott, MD, 1<sup>st</sup> Vice Chair  
Richard Wohns, MD  
Yanling Yu, PhD, Public Member

### Commission Staff

Christine Babb, Investigator  
Colleen Balatbat, Staff Attorney  
Morgan Barrett, MD, Director of Compliance  
Jennifer Batey, Legal Support Staff Manager  
Amelia Boyd, Program Manager  
Kayla Bryson, Executive Assistant  
Sarah Chenvert, Performance Manager  
Marisa Courtney, Licensing Manager  
Melanie de Leon, Executive Director  
Joel DeFazio, Staff Attorney  
Anthony Elders, Compliance Officer  
Michael Farrell, Policy Development Manager  
Gina Fino, MD, Investigator

Rick Glein, Director of Legal Services  
George Heye, MD, Medical Consultant  
Mike Hively, Director of Operations & Informatics  
Jenelle Houser, Legal Assistant  
Kyle Karinen, Staff Attorney  
Shelley Kilmer-Ready, Legal Assistant  
Pam Kohlmeier, MD, JD, Attorney  
Micah Matthews, Deputy Executive Director  
Lynne Miller, Paralegal  
Trisha Wolf, Staff Attorney  
Gordon Wright, Staff Attorney  
Mahlet Zeru, Equity & Social Justice Manager

### Others in Attendance

Heather Cantrell, Policy Analyst, Department of Health  
Heather Carter, Assistant Attorney General  
Mary Curtis, MD, Pro Tem Commissioner  
Katerina LaMarche, Washington State Medical Association

Jodi Rook  
Theresa Schimmels, PA, Pro Tem Commissioner  
Gregory Terman, MD, Pro Tem Commissioner  
Francine Wiest

### 1.0 Call to Order

John Maldon, Public Member, Chair, called the meeting of the Washington Medical Commission (Commission) to order at 8:00 a.m. on March 4, 2022.

## 2.0 Housekeeping

Amelia Boyd, Program Manager, gave an overview of how the meeting would proceed.

## 3.0 Chair Report

Mr. Maldon stated that there is a gender imbalance on the two panels, A and B. He thanked Jim Anderson, PA, and Arlene Dorrough, PA, for their willingness to switch panels to help with the imbalance. He went on to say that there are seven Commissioner terms which will expire in June and there will be more adjustments to panels A and B as new Commissioners are added.

Mr. Maldon introduced the new Public Member Commissioner, Michael Bailey. Mr. Maldon asked Mr. Bailey to give a little background on himself. Mr. Bailey provided a brief history. Mr. Maldon stated that Mr. Bailey has been assigned to Panel B.

Mr. Maldon recognized Jimi Bush, Director of Quality and Engagement, as the recipient of the Federation of State Medical Board's (FSMB) Aware of Merit for 2021. He asked Micah Matthews, Deputy Executive Director, to share about Ms. Bush and this award. Mr. Matthews stated that Ms. Bush is involved in many areas of the WMC. She oversees the Quality and Engagement unit. Ms. Bush oversees the following for the WMC:

- Continuing Medical Education (CME)
- Practitioner Education
- Annual Educational Conference
- *Update!* Newsletter – practitioner focused
- *Commission Connection* – patient focused newsletter

## 4.0 Consent Agenda

The Consent Agenda contained the following items for approval:

- 4.1 Minutes from the January 14, 2022 Business Meeting.
- 4.2 Agenda for March 4, 2022.

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

## 5.0 Old Business

### 5.1 Committee/Workgroup Reports

These reports were provided in writing and included in the meeting packet.

In addition to the written reports, Melanie de Leon, Executive Director, reported she has asked the WMC staff to provide topics for the Commission Education Committee's Lunch & Learn sessions. She stated she will also invite FSMB to present at least once a year. She asked if the Commissioners have any topics they would like presented to send her an email.

Mr. Matthews recommended the Executive Committee review the list of workgroups/committees to determine if any can be disbanded. He suggested the Osteopathic Manipulative Therapy Workgroup is one that can be reviewed.

## 5.2 Nominating Committee

Alden Roberts, MD, announced the members of the Nominating Committee as follows:

- Alden Roberts, MD
- Christine Blake, Public Member
- John Maldon, Public Member

Dr. Roberts stated that the recommendations at this time are:

Chair – Jimmy Chung, MD

1<sup>st</sup> Vice Chair – Karen Domino, MD

2<sup>nd</sup> Vice Chair – to be announced at the April 15, 2022 meeting

Official nominations will be made at the April 15, 2022 meeting and the vote for leadership will be held at the May 27, 2022 meeting.

## 5.3 Rulemaking Activities

The rulemaking progress report was provided in the meeting packet.

### **Request to approve the revised draft language and initiating the CR-102 rulemaking process related to [Senate Bill 6551](#) Regarding International Medical Graduates**

Ms. Boyd explained that the revised draft language incorporates language from an approved Interpretive Statement, [Requiring the Filing of a Practice Agreement Before Beginning to Practice Under and IMG Limited License, INS2021-01](#), as well as an Interpretive Statement which will be considered for approval during the Policy Committee report of this meeting, Establishing Approval Criteria for Defining Appropriate Medical Practices for IMG Nomination – [Page 42 of the March Meeting Packet](#).

**Motion:** The Chair entertained a motion to approve the revised draft language and initiating the CR-102 rulemaking process. The motion was approved unanimously.

### **Request to initiate rulemaking regarding a physician’s obligation to keep and maintain medical records.**

Mike Farrell, Policy Development Manager, explained the WMC has a [guideline](#) regarding medical records which discusses the documentation, access, retention, storage, disposal, and closing of a practice. He stated the guideline lays out a physician’s obligation to retain medical records for a certain period of time. He stated there is no legal requirement for a physician to retain medical records. He requested that the WMC initiate rulemaking on this subject.

**Motion:** The Chair entertained a motion to initiate rulemaking regarding a physician’s obligation to retain and provide medical records. The motion was approved unanimously.

## 5.4 Lists & Labels Request

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\(9\)](#)).

- Agility COHE SPC  
***Motion:*** The Chair entertained a motion to deny the request. The motion was seconded and approved unanimously.
- Oregon Chapter American College of Cardiology  
***Motion:*** The Chair entertained a motion to approve the request. The motion was seconded and approved unanimously.
- Pacific Lutheran University  
***Motion:*** The Chair entertained a motion to approve the request. The motion was seconded and approved unanimously.
- University of Washington School of Nursing  
***Motion:*** The Chair entertained a motion to approve the request. The motion was seconded and approved unanimously.

## 7.0 Public Comment

Jodi Rook, PA, provided comments.

## 8.0 Policy Committee Report

Dr. Karen Domino, Policy Committee Chair, reported on the items discussed at the Policy Committee meeting held on March 3, 2022:

### **Proposed Interpretive Statement: Establishing Approval Criteria for Defining Appropriate Medical Practices for IMG Nomination**

Dr. Domino stated this document had been approved previously to be sent for Secretary review. It was returned with some minor edits, as seen on the document in the packet. Dr. Domino reported the Committee recommended approval of the revised document.

***Motion:*** The Chair entertained a motion to approve the interpretive statement as revised. The motion was approved unanimously.

### **Proposed Policy: Discrimination in Health Care**

Dr. Domino stated that this document had been reviewed previously and a workgroup was formed to improve the language. Dr. Domino stated that the Committee made a few minor changes to the revised document and she presented those changes. Dr. Domino reported the Committee recommended approval of the revised document.

***Motion:*** The Chair entertained a motion to approve the policy as revised to be sent for Secretary review. The motion was approved unanimously.

### **Proposed Guideline: Termination of the Practitioner-Patient Relationship**

Dr. Domino stated that this document had been reviewed previously and a workgroup was formed to improve the language. Dr. Domino stated that the document as revised by the workgroup was available in the packet. Dr. Domino reported the Committee recommended approval of the revised document.

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

**Policy: Self-Treatment or Treatment of Immediate Family Members**

Dr. Domino stated that this document had been reviewed previously. Dr. Domino presented the proposed revisions. Dr. Domino reported the Committee recommended approval of the revised document.

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

**9.0 Member Reports**

Yanling Yu, PhD, Public Member, reported that she and her husband were awarded Jacksonville University’s [Robert L. Wears Patient Safety Leadership Award](#).

Claire Trescott, MD, reported that the Executive Committee has asked Executive Director, Melanie de Leon, to look into the cost of providing [UpToDate](#) and other resources for Commissioners reviewing cases. Jim Anderson, PA, stated that a tool available to practitioners as part of their licensing fees is [DynaMed](#).

**10.0 Staff Reports**

Micah Matthews, Deputy Executive Director, stated that the 2022 legislative session is coming to a close. He reported the WMC will likely not be impacted by any of the bills that have passed. He wanted to make the Commissioners aware of [Substitute Senate Bill \(SSB\) 5753](#), an act relating to enhancing the capacity of health profession boards, commissions, and advisory committees. He stated that the revised bill will make executive director employment more uniform across the boards and commissions of the Department of Health.

**11.0 AAG Report**

Heather Carter, AAG, gave a brief introduction of herself for the benefit of the new Commissioners.

**12.0 Adjournment**

The Chair called the meeting adjourned at 9:16 am.

Submitted by

(signature on file)

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Amelia Boyd, Program Manager

(signature on file)

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John Maldon, Public Member, Chair  
Washington Medical Commission

Approved April 15, 2022

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