

Business Meeting Minutes

October 20, 2023



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

Virtual Meeting via Teams Webinar

Link to recording: <https://youtu.be/KlfNNTgJMjk?si=oWEG73TiM-vForWb>

Commission Members

Michael Bailey, Public Member – Absent
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 – Absent

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

WMC Staff in Attendance

Christine Babb, Investigator
Taylor Bacharach-Nixon, Admin. Assistant
Colleen Balatbat, Staff Attorney
Amelia Boyd, Program Manager
Kayla Bryson, Executive Assistant
Jimi Bush, Director of Quality & Engagement
Carmen Challender, Health Services Consultant
Marisa Courtney, Licensing Manager
Joel DeFazio, Staff Attorney
Kelly Elder, Staff Attorney
Mike Farrell, Supervising Staff Attorney
Ryan Furbush, Paralegal
Rick Glein, Director of Legal Services
Mike Hively, Director of Operations & Informatics
Jenelle Houser, Investigator

Ken Imes, Information Liaison
Kyle Karinen, Executive Director
Shelley Kilmer-Ready, Legal Assistant
Christopher Knight, Management Analyst
Joanna Mallard, Health Services Coordinator
Emma Marienthal, Licensing Lead
Stephanie Mason, PR & Legislative Liaison
Sherrise Martin, Health Services Coordinator
Micah Matthews, Deputy Executive Director
Joe Mihelich, Health Services Coordinator
Lynne Miller, Paralegal
Fatima Mirza, Program Case Manager
Freda Pace, Director of Investigations
Stormie Redden, Legal Assistant
Mahi Zeru, Equity & Social Justice Manager

Others in Attendance

Marlon Basco-Rodillas, Dept. of Health (DOH)
Rose Bigham
Chris Bundy, MD, Executive Medical Director,
Washington Physicians Health Program
Heather Carter, AAG
Tessa Harvey, DOH
Heather Carter, Assistant Attorney General

Brian Hunsicker, WAFP
Amy McCargar Davis, Multicare
Casey Morris
Hillary Norris, Policy Analyst, WSMA
Rachel Phipps, DOH
Angela Ross, ND, WANP Executive Director
Ledeane Stewart, Kadlec Regional Med. Center

1.0 Call to Order

Karen Domino, MD, Chair, called the meeting of the Washington Medical Commission (WMC) to order at 9:00 a.m. on October 20, 2023.

2.0 Public Comment

Angela Ross, ND, Washington Association of Naturopathic Physicians (WANP) Executive Director, stated she would like to be a resource for questions related to the bill the WANP is bringing forward during the next legislative session, [Senate Bill 5411](#). She went on to state the WANP would welcome the WMC's support and collaboration on this bill.

3.0 Chair Report

Dr. Domino reported that most of the Commissioners attended the Commissioner retreat which was held recently. She thought the retreat was excellent and that the staff arranged things well. She stated they had really good discussions and a lot of good ideas to modify the new strategic plan.

4.0 Consent Agenda

The Consent Agenda contained the following items for approval:

- 4.1 Minutes from the July 14, 2023, Business Meeting
- 4.2 Agenda for October 20, 2023.

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

5.0 Old Business

5.1 Senate Bill (SB) 5411 – Increasing the scope of practice of naturopathic physicians

Kyle Karinen, Executive Director, presented the following:

- [SB 5411](#), Increasing the scope of practice of naturopathic physicians;
- [Naturopathy Sunrise Application Report](#);
- Washington Association of Naturopathic Physicians Comment; and
- MQAC Naturopath Sunrise Comment 2014.

Mr. Karinen provided some history on this item and explained the WMC has two options:

1. Do nothing; or
2. Provide comment to the Sunrise Review committee.

He stated if the Commissioners decide to provide comment, staff would like to have feedback from them on what those comments should be. Micah Matthews, Deputy Executive Director, explained the history of opioid prescribing rules in Washington state as well as the complexities of regulating opioid prescribing. The Commissioners had a robust discussion about the bill. Mr. Matthews explained that staff are requesting the Commissioners to authorize Mr. Karinen to write a letter in response to the sunrise review process.

Motion: The Chair entertained a motion to authorize a letter, which includes the Commissioners comments and concerns regarding the sunrise review, to be

reviewed by the Executive Committee. The motion was approved unanimously.

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.

High Reliability Organizations (HiRO) Workgroup

Mike Farrell, Supervising Staff Attorney, presented the Foundation for Health Care Quality Patient Safety Collaboration Statement of Understanding revised document. He explained the history of the document and the revisions.

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

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:

- Amelia Boyd, Program Manager, requested the WMC initiate the next step in the rulemaking process, CR-102, for [WAC 246-919-330](#) Postgraduate medical training. Ms. Boyd explained that emergency rulemaking, filed as [WSR 23-15-056](#) on July 13, 2023, has already been completed on this subject. She went on to say that this request is to make the emergency rules permanent through standard rulemaking and that this rulemaking is removing a barrier to licensure for MDs.

Motion: The Chair entertained a motion to initiate the CR-102 process for this rulemaking. The motion was approved unanimously.

- Ms. Boyd requested the WMC initiate the next step in the rulemaking process, CR-102, for Physicians and Physician Assistants general provisions for opioid prescribing and tapering rules. She presented the draft language for review and discussion. The Commissioners proposed a revision to the draft language.

Motion: The Chair entertained a motion to approve the proposed revision to the draft language. The motion was approved unanimously.

Motion: The Chair entertained a motion to initiate the CR-102 process for this rulemaking. The motion was approved unanimously.

6.3 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\(9\)](#)).

- Recruiting Resources

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

- Washington State Medical Association

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

6.4 Delegation of Signature Authority

Micah Matthews, Deputy Executive Director, presented the revised document and provided a history of its use.

Motion: The Chair entertained a motion to approve the document as revised. 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 October 13, 2023. The agenda was as follows:

Proposed Interpretive Statement: Application of the Office-based Surgery Rule, WAC 246-919-601, to the Use of Nitrous Oxide

Ms. Blake stated the committee discussed the document at length. Ms. Blake asked Mike Farrell, Policy Development Manager, to provide more information on this item. Mr. Farrell presented the revisions from the previous document as well as one additional revision. Ms. Blake stated the committee recommended approving the document as well as initiating rulemaking on this subject.

Motion: The Chair entertained a motion to approve the interpretive statement for DOH Secretary review. The motion was approved unanimously.

Motion: The Chair entertained a motion to approve to initiate rulemaking on this subject. The motion was approved unanimously.

Rulemaking Proposal: Define “Qualified Physician”

Ms. Blake stated the committee recommended initiating rulemaking to define “qualified physician” under new optometry law: [Enrolled Substitute Senate Bill 5389, Chapter 400, Laws of 2023](#).

Motion: The Chair entertained a motion to initiate standard rulemaking on this subject. The motion was approved unanimously.

8.0 Member Reports

Ms. Blake thanked Mike Farrell for his assistance with the Policy Committee and congratulated him on being chosen as the Supervising Staff Attorney.

9.0 Staff Reports

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

Mr. Karinen reported that the WMC case disposition meeting scheduled for February 15, 2024, will be cancelled as the workload does not warrant 9 case disposition meetings next year.

10.0 AAG Report

Heather Carter, AAG, provided information regarding litigation holds, which is a request to preserve potential evidence related to a lawsuit. She explained that if a Commissioner receives a litigation hold they should read the request, search for any related records they may have, and set those aside in a file. She recommended turning off the auto delete function in their email as well. Once the Commissioner discovers records and puts them aside, let Mike Hively know they have records.

11.0 Adjournment

The Chair called the meeting adjourned at 10:26 am.

Submitted by

(signature on file)

Amelia Boyd, Program Manager

(signature on file)

Karen Domino, MD, Chair
Washington Medical Commission

Approved January 19, 2024

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