

Draft
Virginia Board of Health Professions
Department of Health Professions
FULL BOARD MEETING
November 6, 2014

TIME AND PLACE: The meeting was called to order at 9:59 a.m. on Thursday, November 6, 2014 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 2, Henrico, VA, 23233

PRESIDING OFFICER: Virginia Van de Water, appointed today

MEMBERS PRESENT: James Watkins, Dentistry
J. Paul Welch II, Funeral Directors & Embalmers
Frazier Frantz, Medicine
Trula Minton, Nursing
Helene Clayton-Jeter, Optometry
Allen Jones Jr, Physical Therapy
Virginia Van de Water, Psychology
Yvonne Haynes, Social Work
Robert Catron, Citizen
Robert Logan III, Citizen
Martha Perry, Citizen
Jacquelyn Tyler, Citizen
James Wells, Citizen

MEMBERS NOT PRESENT: Vacant-ASLP
Vacant-Counseling
Vacant-Veterinary Medicine
Ellen Shinaberry, Pharmacy
Amanda Gannon, Long-Term Care Administrators

STAFF PRESENT: Elizabeth A. Carter, Ph.D., Executive Director for the Board
David Brown, DC, DHP Director
Elaine Yeatts, DHP Senior Policy Analyst
Charles Giles, DHP Budget Manager
Jason Brown, Deputy Director for Administration
Lisa Hahn, Executive Director Funeral Directors and Embalmers
Jay Douglas, Executive Director Board of Nursing
Leslie Knachel, Executive Director Board of Veterinary Medicine
Justin Crow, Deputy Executive Director for the Board
Laura Jackson, Operations Manager

BOARD COUNSEL: Not present

OTHERS PRESENT: Tyler Cox, MSV
Paul Speidell, Sentara

QUORUM: With 13 members present a quorum was established.

EMERGENCY EGRESS: Dr. Carter read aloud the Emergency Evacuation instructions.

AGENDA: No changes or additions were made to the agenda.

PUBLIC COMMENT: There was no public comment.

BOARD MEMBER INTRODUCTION & WELCOME All Board members introduced themselves for the benefit of newly appointed Board members.

APPROVAL OF MINUTES: Meeting minutes from September 25, 2014 were approved with an edit on page 3, paragraph 2, it should read “Dr. Van de Water.” On properly seconded motion by Mr. Catron, the revised minutes were unanimously approved.

DEPARTMENT DIRECTOR’S REPORT: Ms. Hoyle presented the Directors Report.

Governor’s Task Force
September 26, 2014 Governor McAuliffe signed Executive Order 29 establishing the Governor’s Task Force on Prescription Drug and Heroin Abuse. The task force will recommend immediate steps to address a growing and dangerous epidemic of prescription opioid and heroin abuse in the Commonwealth at a meeting to be held Wednesday, November 12, 2014. Dr. Brown is coordinating the work on this project and the Prescription Monitoring Program is heavily involved.

At the first meeting of the **Mid Level Provider Licensing** invited stakeholders in September, the group determined that there is no current need for a separate form of licensure in Virginia. DHP’s report to the Joint Commission on Health Care is being drafted and will be submitted to them shortly.

LEGISLATIVE/REGULATORY UPDATE: Ms. Yeatts provided handouts regarding the Departments regulatory actions, stating that DHP has several regulations in process along with 14 pieces of legislation. She is currently following 85 pieces of legislation that could affect DHP. (See Attachment 1.)

FINANCE DEPARTMENT: Mr. Brown and Mr. Giles provided a thorough overview of the DHP budget development process. They noted that DHP employs internal and external processes to project and manage budget revenues and expenditures. (See Attachment 2.)

EXECUTIVE DIRECTOR’S REPORT: **Board Budget**
Dr. Carter reviewed the FY 2015 Board of Health Professions budget and noted that the first quarter results were on target.

Bylaws Revision

Dr. Carter noted that Article III of the the Board's Bylaws Article VIII relating to meetings require amendment to reflect the statutory amendment which shifted from a mandatory quarterly meeting schedule to once a year and at other times deemed appropriate by the Board to accomplish its work. The revised draft will be on the agenda for final vote at the next full Board meeting.

Regulatory Research Committee Update (Mr. Crow)

Mr. Crow provided an update to the Board regarding the recent Joint Commission on Health Care meeting regarding their Dental Safety Net Capacity and Opportunities for Improving Oral Health study. JCHC did not take action.

On properly seconded motion by Mr. Catron, the Board of Health Professions voted unanimously to continue its **Dental Hygienist Scope of Practice Review** with a public hearing to be held in January 2015.

Study on Funeral Licensure Categories

Mr. Crow provided an overview of the workplan developed in response to Senator Kenneth Alexander's request. Appendix 3 provides the workplan.

On properly seconded motion by Mr. Catron, the Board voted unanimously to proceed with the workplan as presented.

2014-2015 Work Plan & Calendar

Dr. Carter reviewed the overall 2014-2015 workplan and advised that the plan will likely evolve if additional studies are requested in response to General Assembly action or other requests.

The 2015 meeting calendar dates were discussed and several board members expressed concern that they would be unable to attend due to scheduling conflicts. Alternative dates will be researched and shared with the members to establish the formal calendar.

Military Credentialing & NGA Grant

Dr. Carter provided the Board with an overview of the Military Credentialing Review's progress. Virginia's participation in the National Governors' Association Veterans' Licensure and Certification Demonstration Policy Academy's has been focusing on the Commonwealth's existing veterans-related data sources and on improvements that could be made to better inform policies across agencies and states. DHP is hosting a meeting scheduled for November 7, 2014 with Tidewater

Community College and NGA to review the military to LPN bridge program. Requested DMDC data has been received and reviewed to assist in this process.

The Board will be updated as progress is made.

HWDC-Healthcare Workforce Data Center

Dr. Carter updated the Board and advised that the HWDC currently has 26 surveys developed and collecting data, with more to come this fall. Dr. Carter and Mr. Crow participated in a HRSA Technical Assistance webinar on October 28, 2014 and another is scheduled for November 19, 2014 with SUNY-Albany. With our population aging and many set to retire, it is imperative that we know who is going to retire, and when. At this time, the federal government is not collecting workforce data on healthcare practitioners who are, themselves, employers. DHP HWDC surveys provide a standard means to gather and analyze key workforce information from all licensees for surveyed professions.

PRACTITIONER SELF REFERRAL:

The Board reviewed the Practitioner Self-Referral Advisory Opinion for the Center for Weight Loss Success.

On properly seconded motion by Dr. Clayton-Jeter, the Advisory Opinion was ratified by the Board unanimously.

ELECTION OF OFFICERS:

The following individuals were nominated from the floor for the vacant positions of Board Chair, and Board Vice Chair. Dr. Virginia Van de Water for Board Chair; Mr. Catron for Board Vice Chair and Dr. Clayton-Jeter for Board Vice Chair.

A motion was made by Mr. Catron and properly seconded by Mr. Jones to accept the nomination of Dr. Virginia Van de Water as Board Chair.

Voting for Vice Chair was through paper ballot. With the majority of votes in favor of Mr. Catron, on properly seconded motion by Ms. Minton, Mr. Catron was accepted as Board Vice Chair.

BOARD REPORTS

Board of Optometry

Dr. Clayton-Jeter stated that the Virginia Board of Optometry is working to amplify the US Food and Drug Administration (FDA) efforts to raise public awareness regarding the hazards of non-corrective, decorative contact lenses sold without prescription. Since many people dressing up for Halloween purchase the non-corrective decorative lenses, the FDA has partnered with the American Optometric Association and the Entertainment Industry Council to provide consumer education materials to people nationwide.

Board of Medicine

Dr. Frantz informed the Board that telemedicine is an area that is being reviewed by the Board of Medicine as it is a national issue. The Board is reviewing regulations, licensing criteria and the doctor/patient relationship. Dr. Frantz stated that developing a coalition for multi-state licensure would change the landscape of our states borders. He offered that telehealth and telemedicine will affect not just the Board of Medicine but many of the Boards here at DHP.

Board of Psychology

Dr. Van de Water stated that the Board of Psychology is also addressing teletherapy concerns. Current issues under consideration relate to state jurisdiction and privacy, especially the confidentiality of messages that could be overheard.

Board of Nursing

Ms. Minton stated that the Board of Nursing is discussing conscious sedation and updating the guidance documents that pertain to it. This affects both CRNAs and nurses.

Board of Funeral Directors and Embalmers

Mr. Welch stated that there are many areas of concern in regards to “virtual” funeral homes. He stated that many are not licensed and that there is very little authority to be able to stop this harmful act against consumers.

NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting adjourned at 1:58 p.m.

Virginia Van de Water
Board Chair

Elizabeth A. Carter, Ph.D.
Executive Director for the Board