

**BOARD OF MEDICINE  
CALLED MEETING OF THE EXECUTIVE COMMITTEE**

**MINUTES**

**APRIL 16, 2003**

Harry C. Beaver, M.D., Chair, called the meeting of Executive Committee to order at 8:00 a.m., at the Department of Health Professions ("DHP").

**MEMBERS PRESENT:** Harry C. Beaver, M.D., Chair  
J. Kirkwood Allen, Public Member  
Cheryl Jordan, M.D.  
Dianne L. Reynolds-Cane, M.D.  
Kenneth J. Walker, M.D.

**MEMBERS ABSENT:** Robert P. Nirschl, M.D.  
Jerry R. Willis, D.C.

**STAFF PRESENT:** William L. Harp, M.D., Executive Director  
Karen Perrine, Deputy Executive Director of Discipline  
Ola Powers, Deputy Executive Director of Licensing  
Roscoe Roberts, Assistant Attorney General

**GUESTS PRESENT:** Jeff Buthe, Medical Society of Virginia

**ADOPTION OF AGENDA**

Dr. Walker moved to adopt the agenda. The motion was seconded and carried unanimously.

**PUBLIC COMMENT ON AGENDA ITEMS**

There was no public comment.

**FINAL PROFILING REGULATIONS**

Mr. Roberts instructed that only underlined or stricken language in the regulations could be addressed. Dr. Harp began the review. The Committee suggested the following as it appears in bold and underlined:

1. 18 VAC 85-20-280. A – In compliance with requirements of Section 54.1-2910.1 of the Code of Virginia, a doctor of medicine, **osteopathic medicine**, or podiatry licensed by the board shall provide, upon initial request or whenever there is a change in **the information that** has been entered on the profile, the following information within 30 days.
2. 18 VAC 85 -20-280. A (12) – Final orders of any regulatory board of another jurisdiction that result in the denial, probation, revocation, suspension, or restriction of any license or that results in the reprimand or censure of any license or the voluntary surrender of a license **while under investigation**, in a state other **than** Virginia, as well as any disciplinary action taken by a federal health institution or federal agency.
3. 18 VAC 85-20-280. B – Adjudicated notices and final orders or decision documents, subject to Section 54.1-2400.2 **F** of the Code of Virginia, shall be made available on the profile. Information shall be posted indicating the availability of unadjudicated notices and of orders that **have not yet become final**.
4. **Add new section for Emergency Contact Information** – For the sole purpose of expediting dissemination of information about a public health emergency, **emergency contact** email addresses or facsimile numbers shall be provided, if available. Such addresses or numbers **provided shall not be published** on the profile, and shall not be released or made available for any other purpose.
5. 18 VAC 85-20-285. B – The doctor may provide additional information on hours of continuing education earned, subspecialties obtained **and** honors or awards received.
6. 18 VAC 85-20-290. B – **The board shall not release individually identifiable numeric values of reported paid claims.** The board shall use the information provided to determine the relative frequency of paid claims described in terms of the number of doctors in each specialty and percentage who have made malpractice payments within the most recent ten year period. The statistical methodology used will include any specialty with more than 10 paid claims. For each specialty with more than 10 paid claims, the top 16% of the paid claims will be displayed as above average payments, the next 68% of the paid claims will be displayed as average payments, and last 16% of the paid claims will be displayed as below average payments.
7. 18 VAC 85-20-300. A – The failure to provide the information required by 18 VAC 85-20-280, 18 VAC 85-20-290 **and (new section)** within 30 days of the request for information by the board or within 30 days of a change in the information on the profile may constitute unprofessional conduct and may subject the licensee to disciplinary action by the board.

## ADJOURNMENT

With no further business to discuss, the Executive Committee of the Board of Medicine was adjourned.

---

Harry C. Beaver, M.D.  
Chair

---

William L. Harp, M.D.  
Executive Director

---

Ola Powers  
Recording Secretary