

**VIRGINIA BOARD OF MEDICINE  
FULL BOARD MINUTES**

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February 17, 2022

Department of Health Professions

Henrico, VA 23233

- CALL TO ORDER:** Mr. Marchese called the meeting to order at 8:30 a.m.
- ROLL CALL:** Ms. Opher called the roll; a quorum was established.
- MEMBERS PRESENT:** Blanton Marchese – President, Chair  
David Archer, MD – Vice-President  
James Arnold, DPM  
Amanda Barner, MD - Secretary-Treasurer  
Manjit Dhillon, MD  
Madge Ellis, MD  
Jane Hickey, JD  
Oliver Kim, JD, LLM  
Jacob Miller, DO  
Pradeep Pradhan, MD  
Milly Rambhia, MD  
Karen Ransone, MD  
Jennifer Rathmann, DC  
Joel Silverman, MD  
Brenda Stokes, MD  
Ryan Williams, MD  
Khalique Zahir, MD
- MEMBERS ABSENT:** Alvin Edwards, MDiv, PhD
- STAFF PRESENT:** William L. Harp, MD - Executive Director  
Jennifer Deschenes, JD - Deputy Exec. Director for Discipline  
Colanthia Morton Opher - Deputy Exec. Director for Administration  
Michael Sobowale, LLM - Deputy Exec. Director for Licensure  
Barbara Matusiak, MD - Medical Review Coordinator  
Deirdre Brown - Executive Assistant  
Barbara Allison-Bryan, MD - DHP Deputy Director  
Elaine Yeatts - DHP Senior Policy Analyst  
Erin Barrett – DHP Senior Policy Analyst  
Charis Mitchell, JD – Assistant Attorney General
- OTHERS PRESENT:** Jennie Wood – Discipline Case Manager  
Sean Murphy, JD – Assistant Attorney General  
Scott Castro - MSV

## **EMERGENCY EGRESS INSTRUCTIONS**

Dr. Archer provided the emergency egress instructions for Board Room 4.

## **COVID INSTRUCTIONS**

Mr. Marchese reminded members about the policy of wearing a mask while in the building unless eating, drinking or speaking.

## **DISCIPLINARY MATTER FOR THE BOARD'S CONSIDERATION**

The Board received information from Sean Murphy, JD, Assistant Attorney General, regarding Michael D. Pollock, DC, license number 0104-000305, in order to determine whether Dr. Pollock's continued practice of chiropractic constituted a substantial danger to public health and safety. Mr. Murphy provided details of the case to the Board for its consideration.

On a motion by Dr. Williams and duly seconded by Dr. Arnold, the Board voted unanimously to summarily suspend Dr. Pollock's license simultaneous with the institution of proceedings for a formal administrative hearing pursuant to Section 54.1-2408.1 of Code of Virginia.

## **APPROVAL OF MINUTES OF OCTOBER 14, 2021**

Dr. Ransone moved to approve the minutes from October 14, 2021 as presented. The motion was properly seconded and carried unanimously.

## **INTRODUCTION OF NEW BOARD COUNSEL**

Mr. Marchese announced Elaine Yeatts' retirement from the Department of Health Professions and stated that Erin Barrett will become the Senior Policy Analyst for DHP.

## **ADOPTION OF AGENDA**

The agenda was approved as presented.

## **PUBLIC COMMENT**

None.

## **DHP DIRECTOR'S REPORT**

Dr. Allison-Bryan reviewed the statistics on COVID, stating that the Commonwealth has overcome the second peak of the Omicron variant. She said that the second peak was 288% higher than the first peak of COVID, but deaths were significantly lower. She also shared that 81% of Virginians are vaccinated, and COVID cases in Virginia are currently down 70%.

She also addressed teleworking, hybrid meetings, and other changes that came with COVID. She noted that the attitude towards telemedicine has changed in a positive way, and it may be time to take another look at existing guidance documents.

Lastly, she reiterated the earlier announcement of Elaine Yeatts' retirement and added that she will also be resigning from her position as DHP Senior Deputy on March 1, 2022.

## **REPORTS OF OFFICERS AND EXECUTIVE DIRECTOR**

### **PRESIDENT**

Mr. Marchese had no report.

### **VICE-PRESIDENT**

Dr. Archer had no report.

### **SECRETARY-TREASURER**

Dr. Barner had no report.

### **EXECUTIVE DIRECTOR**

Dr. Harp reviewed the following topics:

- Office of the Chief Medical Examiner Fatal Drug Overdose Report for the 3<sup>rd</sup> Quarter of 2021
  - o Dr. Harp briefly reviewed the report on the top 3 methods for unnatural death. He noted that in 2013, drug overdose became the number 1 method of unnatural death, ahead of motor vehicle accidents and guns. Data also showed that in 2015, fentanyl and/or heroin surpassed prescription opioids as the cause of overdose death. The rise in overdose deaths since is chiefly driven by illicit fentanyl and heroin. There were 471 deaths from illicit substances in 2015, and this year it is expected to be 2061. The total number of deaths from overdose for 2021 is projected to be 2660.
  - o This report was for informational purposes only and did not require action.
- US Food & Drug Administration (FDA) Ivermectin Letter
  - o This report was for informational purposes only and did not require action.
- Reciprocity Update

**---FINAL APPROVED---**

- Dr. Harp provided an update on the reciprocity efforts with Maryland and Washington, DC. He stated that all applications will ask their own questions. Maryland and DC both require background checks, and DC requires COVID vaccination.
- This report was for informational purposes only and did not require action.
  
- Occupational Therapy Compact
  - Dr. Harp stated that Virginia was the first state to join the OT Compact and it appears that the required number of jurisdictions (10) has joined, so efforts to develop parameters for the Compact can now begin. Michael Sobowale is a possibility to serve as the Board's representative. How to proceed will be discussed at the Advisory Board on Occupational Therapy meeting in May.
  - This report was for informational purposes only and did not require action.
  
- Website Ranking
  - The ranking of state boards for transparency of information on their websites, a joint effort of the Patient Safety Action Network and the Informed Patient Institute, indicates that Virginia meets 10 of the 16 criteria used in the ranking. That places Virginia at #11 in the ranking of 64 medical board websites.
  - This report was for informational purposes only and did not require action.
  
- Board Member Reappointments
  - Dr. Harp noted the members whose terms will expire on June 30, 2022 and are eligible for reappointment. He said that Board staff has provided a response to the Office of the Secretary of the Commonwealth that all members eligible for reappointment wished to continue their service on the Board. Board staff has not yet gotten specific instructions about whether applications for reappointment are required or not.

## **COMMITTEE AND ADVISORY BOARD REPORTS**

Dr. Miller moved to accept all reports en bloc. The motion was properly seconded and carried unanimously.

## **OTHER REPORTS**

### **Board of Health Professions**

Meeting Minutes for the December 2, 2021 Board of Health Professions meeting were provided in the packet. Dr. Stokes made brief comment.  
This report was for informational purposes only.

## **Podiatry Report**

Dr. Arnold shared the Federation of Podiatric Medical Boards (FPMB) 2021 Fall Meeting agenda packet. He noted that FPMB would like to have podiatric medical students take the USMLE, without changing the podiatric scope of practice.

## **Chiropractic Report**

No report.

## **Committee of the Joint Boards of Nursing and Medicine**

The written report was for informational purposes only.

## **NEW BUSINESS**

### **REGULATORY AND LEGISLATIVE ISSUES – Elaine Yeatts**

#### **CHART OF REGULATORY ACTIONS**

Elaine Yeatts presented the chart of regulatory actions as of February 17, 2022. She noted that the fast-track regulations for 18 VAC 85-20 Licensure by Endorsement – expedited process, will take effect on April 1, 2022.

#### **BREAK**

Mr. Marchese called for a recess at 10:17 a.m.; the meeting reconvened at 10:30 a.m.

#### **REGULATORY/POLICY ACTIONS – 2022 GENERAL ASSEMBLY**

Elaine Yeatts gave a quick overview on the 2022 General Assembly and fielded questions from the members on topics of interest.

#### **GUIDANCE DOCUMENT 85-5 - GUIDANCE ON QUESTIONS CONCERNING MEDICAL RECORDS**

Ms. Yeatts presented Guidance Document 85-5, Guidance on Questions about Medical Records, stating it was last reviewed on August 10, 2017. Board staff reviewed the current document and believes that it is consistent with the current Code of Virginia and still provides helpful guidance to the public and practitioners alike.

Dr. Miller moved to retain the document as written. The motion was properly seconded and carried unanimously.

## **2021 NURSE PRACTITIONERS WORKFORCE/SPECIALTY COMPARISON PRESENTATION**

Dr. Yetty Shobo gave a PowerPoint presentation on “The Nurse Practitioner Workforce”, highlighting trends in age, gender, educational attainment, specialties and retirement intentions.

## **LICENSING REPORT**

Michael Sobowale noted the increase in the number of licensees at the Board. As of February 15, 2022, the Board had 79,724 licensees, not counting nurse practitioners. He said that thus far in 2022, the Board has licensed 342 new MDs and DOs, 50 by endorsement. And so far in 2022, a total of 925 new licenses for all professions have been issued. Lastly he stated that the number of current active in-state MDs and DOs is 25,023. Current out-of-state MDs and DOs are 19,459. Current inactive MDs and DOs total 1,763.

## **DISCIPLINE REPORT**

Ms. Deschenes provided a brief report on the status of disciplinary cases as of February 1, 2022.

## **APPOINTMENT OF THE NOMINATING COMMITTEE**

Mr. Marchese asked for volunteers who wished to serve on the Committee. Dr. Ransone, Ms. Hickey, Dr. Miller, and Dr. Zahir volunteered and were approved by acclamation.

## **SPECIAL RECOGNITION**

Mr. Marchese led a special recognition for Dr. Barbara Allison-Bryan and Elaine Yeatts for their years of service with the Department of Health Professions. Both were presented with flowers and given a standing ovation for all they had done for the Board of Medicine.

## **ANNOUNCEMENTS**

Mr. Marchese reminded the members to submit their Travel Expense Reimbursement Vouchers within 30 days after completion of their trip. Additionally, all should see Ms. Opher for badge verification after the meeting.

## **ADJOURNMENT**

With no additional business, the meeting adjourned at 11:06 a.m.

**---FINAL APPROVED---**

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William L. Harp, MD  
Executive Director