

**APPROVED**  
**VIRGINIA BOARD OF HEALTH PROFESSIONS**  
**DEPARTMENT OF HEALTH PROFESSIONS**  
**FULL BOARD MEETING**  
**October 18, 2006**

**TIME AND PLACE:** The meeting was called to order at 4:10 p.m. on Wednesday, October 18, 2006, at the Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia 23185

**PRESIDING OFFICER:** David H. Hettler, O.D., Presiding Board Member

**MEMBERS PRESENT:** David R. Boehm, L.C.S.W.  
Susan G. Chadwick, Au.D.  
Lynne Cooper, Citizen Member  
Meera A. Gokli, D.D.S.  
Mary Gregerson, Ph.D.  
Damien Howell, P.T.  
Juan M. Montero, II, M.D.  
Mary M. Smith, N.H.A.  
Joanne Taylor, Citizen Member  
Lucia Anna Trigiani, Esq., Citizen Member  
John P. Turner, L.P.C.  
John T. Wise, D.V.M.

**MEMBERS NOT PRESENT:** Billie W. Hughes, F.S.L.  
Demis L. Stewart, Citizen Member

**STAFF PRESENT:** Sandra Ryals, Agency Director  
Emily Wingfield, Chief Deputy Director  
Elizabeth A. Carter, Ph.D., Executive Director for the Board  
Betty Jolly, Assistant Director for Policy Education  
Elaine Yeatts, Senior Regulatory Analyst  
Carol Stamey, Administrative Assistant

**OTHERS PRESENT:** There were no others present.

**QUORUM:** With thirteen (13) members present, a quorum was established.

**PUBLIC COMMENT:** No public comment was presented.

**APPROVAL OF MINUTES:** On properly seconded motion by Mr. Howell, the Board voted unanimously to adopt the minutes of the

September 19, 2006 meeting.

**ELECTIONS:**

Ms. Trigiani presented the Nominating Committee's slate of recommended candidates for the position of Chair as follows:

David Boehm, LCSW  
Mary Gregerson, Ph.D.  
David Hettler, O.D.

Ms. Trigiani requested that each candidate present a brief summary of why he or she wishes to serve. Upon completion of the summaries, the Board voted by ballot and elected David Boehm, LCSW, as Chair of the Board.

Ms. Trigiani reported that she had submitted her name to serve as Vice-Chair and also requesting additional nominations from the floor. There being no additional names and on properly seconded motion by Dr. Wise, the Board voted to close the nominations.

On properly seconded motion by Ms. Smith, the Board voted by acclamation to elect Ms. Lucia Trigiani as Vice-Chair of the Board.

**DEPARTMENT DIRECTOR'S REPORT:**

Ms. Ryals thanked the candidates for their service and also presented a brief summary of her credentials and background in public service.

Ms. Ryals introduced and welcomed Ms. Emily Wingfield as Chief Deputy Director of the Agency.

Ms. Ryals apprised the Board of the Governor's Executive Order 31, Establishing the Health Reform Commission. The Commission is scheduled to meet October 11, 2006 and will be reviewing the following five issues:

- (1) Improving access to healthcare;
- (2) Strengthen long-term care;
- (3) Quality, safety and transparency;
- (4) Healthcare workforce – nursing, physician and pharmacy shortages, physician specialties, ancillary staff and mental health; and
- (5) Healthier Virginians.

Further, Ms. Ryals informed the Board that William Harp and Jay Douglas had been invited to serve on work groups for the Commission. A report is expected in September 2007 and all updates will be posted to the Governor's website.

Lastly, Ms. Ryals noted that she would be presenting a report tomorrow at the Citizens Advocacy Center meeting on how the various boards within the Department collaborate through the Board of Health Professions.

**PRACTITIONER SELF-REFERRAL  
REGULATORY AMENDMENT:**

Ms. Yeatts informed the Board of the need for amendment to the Practitioner Self-Referral Regulations to allow delegation of hearings on advisory opinions to an agency subordinate. Due to the need for legal and financial expertise, the Committee requested the ability to delegate a hearing to an agency trained subordinate rather than to continue to rely exclusively on Committee informals.

On properly seconded motion by Dr. Turner, the Board voted unanimously to adopt the Notice of Intended Regulatory Action (NOIRA) as presented.

**REGULATORY REVIEW:**

Ms. Yeatts reported that Executive Order 36 required the review of existing regulations every four years. Additionally, the Order requires that all NOIRA's be reviewed by the Governor prior to publishing.

Ms. Yeatts also presented a brief overview of the regulatory process and the current regulatory actions.

**EXECUTIVE DIRECTOR'S  
REPORT:**

**Report on Committee Memberships**

Dr. Carter requested that the board members review the Committee assignments and advise of any changes or additions as soon as possible.

**Workplan Overview**

Dr. Carter presented an overview of the workplan for each Committee of the Board. The Workplan is incorporated into the minutes as Attachment 1.

Dr. Carter reported that new board member training for the entire agency had been scheduled for October 24, 2006.

## **COMMITTEE BREAKOUT SESSIONS:**

Ms. Jolly requested that the members break out into the three standing committees to further develop their key goals for 2007. The three Committees were as follows:

Regulatory Research, Moderator - Elaine Yeatts  
Enforcement, Moderator - Elizabeth Carter  
Education, Moderator - Betty Jolly.

At the conclusion of the breakout sessions, the Committees presented their 2007 Workplan goals as follows.

### **Education Committee**

(1) Enhanced Public Outreach through the development of the following methods:

- a. Web portal;
- b. Education Forums;
- c. Partner w/VA Business;
- d. Publications;
- e. Speaking engagements.

(2) Continued Board Member Education via

- a. CE Credit
- b. Virtual Health Professions Guide

### **Regulatory Research Committee**

(1) The Committee recommended to the full board that the sunrise review of Ayurvedic Medicine be deleted from the workplan. Dr. Hettler noted that the sunrise review was previously addressed through the study of naturopathy. The full board unanimously agreed.

(2) Agency involvement in Criminal background checks.

(3) Review of scope of practice issues relating to emerging professions.

(4) Conduct an inventory of unlicensed practice relating to:

- a. the shortages of licensed personnel, and
- b. identification of the need for required occupational regulation.

### **Enforcement Committee**

(1) Provide avenues for ongoing dialog between the Boards and key Enforcement staff regarding greater consistency in investigative reports;

(2) Provide avenues for ongoing dialog between the Boards and the Administrative Proceedings Division to

attain greater consistency in case presentations

(3) Obtain ongoing analyses of Source type of received complaints.

(4) Provide avenues for ongoing dialog between Boards conducting inspections and the Inspectors and Investigators involved in facility-related cases.

The full board unanimously approved the recommendations of each committee and requested that the goals be disseminated by e-mail.

**NEW BUSINESS:**

No new business was presented.

**ADJOURNMENT:**

The meeting adjourned at 6:10 p.m.

---

David R. Boehm, L.C.S.W.  
Chair

---

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