

**VIRGINIA BOARD OF MEDICINE  
EXECUTIVE COMMITTEE MINUTES**

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Friday, April 4, 2025

Department of Health Professions

Henrico, VA

**CALL TO ORDER:** Dr. Clements called the Executive Committee to order at 8:34 a.m.

**ROLL CALL:** Ms. Brown called the roll; a quorum was established.

**MEMBERS PRESENT:** John R. Clements, DPM – President, Chair  
Peter Apel, MD – Vice President  
Leroy Vaughan, Jr., MD – Secretary-Treasurer  
William Hutchens, MD  
L. Blanton Marchese  
Jennifer Rathmann, DC

**MEMBERS ABSENT:** Oliver Kim, JD  
Deborah DeMoss Fonseca

**COUNSEL PRESENT:** Jim Rutkowski, JD – Senior Assistant Attorney General

**STAFF PRESENT:** William L. Harp, MD - Executive Director  
Jennifer Deschenes, JD - Deputy Exec. Director for Discipline  
Michael Sobowale, LLM - Deputy Exec. Director for Licensure  
Colanthia Morton Opher - Deputy Exec. Director  
Barbara Matusiak, MD - Medical Review Coordinator  
Arnie Owens - DHP Director  
Erin Barrett - Director for DHP Legislative and Regulatory Affairs  
Matt Novak – Policy and Economic Analyst  
Deirdre Brown - Executive Assistant

**OTHERS PRESENT:** Tamika Hines – Discipline and Compliance Case Manager  
Roslyn Nickens – Licensing Supervisor  
Sonya Armstead – Licensing Specialist  
Allyson Flinn – Medical Society of Virginia  
Ben Traynham – Hancock, Daniel & Johnson, P.C.  
Meredith Joyner – Virginia Nurses Association

**EMERGENCY EGRESS INSTRUCTIONS**

Dr. Clements provided the emergency egress instructions for all in the meeting.

## **APPROVAL OF MINUTES FROM APRIL 5, 2024**

Dr. Apel moved to approve the meeting minutes from April 5, 2024, as presented. The motion was seconded by Mr. Marchese and carried unanimously.

## **ADOPTION OF AGENDA**

Dr. Apel moved to adopt the agenda as presented. The motion was seconded by Dr. Hutchens and carried unanimously.

## **PUBLIC COMMENT**

There was no public comment.

## **DHP DIRECTOR'S REPORT**

Mr. Owens, DHP Director, remarked that in Washington, DC, a lot of reorganization and restructuring is occurring which also affects the Department of Health and Human Services. He directed those interested in further information to the HHS website. Mr. Owens noted that former Board of Medicine member, Tom Corry, is no longer with HHS.

Mr. Owens shared that DHP's current budget has been approved. Staff are preparing the next biennial budget for presentation to the 2026 Session of the General Assembly. Currently, there are no operational problems with any of DHP's boards. He stated that a couple of boards are working on an increase in licensing fees.

Mr. Owens said that the DHP bill to eliminate the Board of Health Professions was passed by the General Assembly. He reported that legislation was passed to expand Licensure by Endorsement for all professions that don't currently have such a pathway.

Lastly, Mr. Owens shared that former Chief Deputy, Jim Jenkins, is now with the Virginia Department of Health as the Deputy Director for the Office of Licensure and Certification.

## **PRESIDENT'S REPORT**

None.

## **EXECUTIVE DIRECTOR'S REPORT**

Dr. Harp thanked Deputies Michael Sobowale, Jennifer Deschenes and Co-Co Morton Opher for running their sections so well.

## **Budget Report**

Dr. Harp reviewed the Board's FY2025 budget which began July 1, 2024 and ends June 30, 2025. The numbers reviewed were from July 1, 2024, to February 28, 2025. He stated that the Board has 33% of the budget year left. He pointed out that the Board was projected to bring in \$11,712,510.52. On February 28, 2025, \$9,409,345.00 had been received, which is 80% of

projected revenue. Dr. Harp then reviewed the direct expenditures, stating that the Board was budgeted for \$4,144,468.00. As of February 28, 2025, the Board has expended \$2,452,180.73, which leaves 41% of budgeted funds remaining. This puts the Board ahead in revenue and behind in expenditures.

## **License Count Report**

Dr. Harp reviewed the counts for various professions and noted that people tend to keep their license in Virginia, as evidenced by a large percentage of out-of-state licensees. Current MD active licenses in Virginia number 23,218 with an additional 20,302 current active out-of-state licenses for a total of 44,868 current active MD licenses. This pattern holds for many professions. Dr. Harp noted that the business of telemedicine has increased the number of out-of-state professionals licensed in Virginia. The total number of Board licensees is now 93,796, which does not include Advanced Practice Registered Nurses, Licensed Certified Midwives, and the newest profession, Anesthesiologist Assistants.

## **Case Action Update**

Dr. Harp reviewed the disciplinary actions that have been taken since July 1, 2024. He explained that a Mandatory Suspension is effected by the DHP Director when someone's license is suspended or revoked by another state or is convicted of a felony in Virginia or another state.

## **NEW BUSINESS**

### 1. 2025 General Assembly Report

Ms. Barrett stated that the General Assembly reconvened on Wednesday, April 2, 2025 to consider the Governor's amendments or vetoes. The Governor will take action on any pending legislation between May 1-3, 2025.

This report was for informational purposes only and did not require any action.

### 2. Current Regulatory Actions

Mr. Novak reviewed the Current Regulatory Actions as of March 14, 2025, and provided updates as some statuses had changed in the last 3 weeks. One updated regulation from the Governor's Office, 18VAC85-80 (elimination of active practice for renewal for Occupational Therapists), has been approved and will be published on April 21, 2025, to become effective on June 5, 2025.

This report was for informational purposes only and did not require any action.

### 3. Adoption of Proposed Regulatory changes - Respiratory Therapist

Mr. Novak reported that a legislator had objected to the Board's proposed amendments to the scope of practice for respiratory therapists as a fast-track action. Substitute language was

proposed regarding the 2022 periodic review of 18VAC85-40.

**MOTION:** Mr. Marchese moved to adopt the proposed regulatory action amending Chapter 40 as presented. The motion was seconded by Dr. Hutchens and carried unanimously.

4. Adoption of Notice of Intended Regulatory Action (NOIRA) to Implement PA Licensure Compact

Mr. Novak stated that the 2024 General Assembly entered Virginia in the PA Licensure Compact. The Board's first step towards implementation of the Compact is the adoption of a Notice of Intended Regulatory Action.

**MOTION:** Mr. Marchese moved to adopt a Notice of Intended Regulatory Action to implement the PA Licensure Compact and make all regulatory changes required consistent with the Compact. The motion was seconded by Dr. Apel and carried unanimously.

5. Revision of Guidance Document 85-16

Ms. Barrett stated that changes to 18VAC85-20-235 became effective on February 27, 2025 which included a reduction in continuing education hours. Previously it was 30 hours of Type 1 and 30 hours of Type 2, for a total of 60 hours each biennium. Type 2 has been removed, and Guidance Document 85-16 needs to be amended to reflect this change and remove any references to audits.

**MOTION:** Dr. Apel moved to revise Guidance Document 85-16 as presented. The motion was seconded by Mr. Marchese and carried unanimously.

6. Adoption of Fast-Track Regulatory Amendment to Clean up Reference to Continuing Education

Ms. Barrett said that when the 60 hours of continuing education was reduced to 30 hours of Type 1 per biennium, the language was revised in Chapter 20 but now needs to be amended in 18VAC85-20-330.

**MOTION:** Mr. Marchese moved to adopt Fast-Track regulatory changes to 18VAC85-20-330 for consistency with the reduced continuing education hours. The motion was seconded by Dr. Rathmann and carried unanimously.

## ANNOUNCEMENTS

Dr. Clements informed the Board of the updated guideline for travel reimbursement. Effective immediately, Board members need to submit their request for reimbursement within 30 days for approval. After the 30-day deadline, no exceptions will be granted.

The next meeting of the Executive Committee will be August 1, 2025, at 8:30 a.m.

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

## **ADJOURNMENT**

With no additional business, the meeting adjourned at 9:49 a.m.

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William L. Harp, MD  
Executive Director