

**VIRGINIA BOARD OF MEDICINE
FULL BOARD MINUTES**

February 19, 2026

Department of Health Professions

Henrico, VA 23233

- CALL TO ORDER:** Dr. Apel called the meeting to order at 8:34 a.m.
- ROLL CALL:** Ms. Brown called the roll; a quorum was established.
- MEMBERS PRESENT:** Peter J. Apel, MD – President & Chair
The Honorable David Christian, RPh
John R. Clements, DPM
Kamlesh Dave, MD
Hazem Elariny, MD
Deborah DeMoss Fonseca
William Hutchens, MD
Elliott Lucas, MD
Krishna P. Madiraju, MD
L. Blanton Marchese
Ken McDowell, DO – Secretary-Treasurer
Patrick McManus, MD
Michele Nedelka, MD
Jennifer Rathmann, DC
Gertude Shahady, MD
Leroy Brown Vaughan, Jr., MD– Vice-President
- MEMBERS ABSENT:** Dee D. Gilmore
Mark Simcox, MD
- COUNSEL PRESENT:** M. Brent Saunders, 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 of Allied Professions
Colanthia Opher - Deputy Exec. Director for Administration & Licensure of Doctors
Barbara Matusiak, MD - Medical Review Coordinator
David Bown, DC – DHP Agency Director
Matt Novak - DHP Policy and Economic Analyst
Deirdre Brown - Executive Assistant

OTHERS PRESENT: Tamika Hines – Discipline and Compliance Case Manager
Roslyn Nickens – Licensing Supervisor
Coralyn Kirby - Discipline Case Specialist
Allison Still – Sr. Administrative Assistant
Laura Booberg, JD – APD Deputy Director
Barbara Hodgdon, PhD – HWDC Deputy Director
Yetty Shobo, PhD – HWDC Director
Scott Castro – Medical Society of Virginia

EMERGENCY EGRESS INSTRUCTIONS

Dr. Apel provided the emergency egress instructions for Board Room 2.

INTRODUCTION OF NEW DHP DIRECTOR AND TWO NEW BOARD MEMBERS

Dr. Apel welcomed Dr. David Brown back in his role as DHP’s Agency Director and extended a welcome to new Board member, the Honorable David Christian, RPh. Dr. Harp added that Ms. Dee Gilmore had also joined the Board but was unable to attend the meeting.

CONSIDERATION OF POSSIBLE ADMINISTRATION PROCEEDINGS UNDER §54.1-2408.1

The Board received information from Valerie L. Cheatham, Adjudication Specialist, regarding Dr. Nicholas A. Klaiber, License No. 0101256787, in order to determine whether his ability to practice medicine constituted a substantial danger to the public health and safety. Ms. Cheatham provided details of the case for the Board’s consideration.

On a motion by Dr. Hutchens and duly seconded by Dr. Nedelka, the Board determined that Dr. Nicholas A. Klaiber’s ability to practice constituted a substantial danger to the public health and safety and voted to summarily suspend his license simultaneously with the institution of proceedings for a formal administrative hearing pursuant to Section 54.1-2408.1 of the Code of Virginia. The vote was unanimous.

The Board received information from Valerie Cheatham, Adjudication Specialist, regarding Dr. Michael K. Patrick, License No. 0101221326, in order to determine whether his ability to practice medicine constituted a substantial danger to the public health and safety. Ms. Cheatham provided details of the case for the Board’s consideration.

On a motion by Mr. Marchese and duly seconded by Dr. Rathmann, the Board determined that Dr. Michael K. Patrick’s ability to practice constituted a substantial danger to the public health and safety and voted to summarily suspend his license simultaneously with the institution of proceedings for a formal administrative hearing pursuant to Section 54.1-2408.1 of the Code of Virginia. The vote was unanimous.

The Board received information from Carolann McNicol, Adjudication Consultant, regarding Dr. Frank Edgar Ramsey, License No. 0101036784, in order to determine whether his ability to practice medicine constituted a substantial danger to the public health and safety. Ms. McNicol provided details of the case for the Board's consideration.

On a motion by Dr. McDowell and duly seconded by Dr. Vaughan, the Board determined that Dr. Frank Edgar Ramsey's ability to practice constituted a substantial danger to the public health and safety and voted to summarily suspend his license simultaneously with the institution of proceedings for a formal administrative hearing pursuant to Section 54.1-2408.1 of the Code of Virginia. The vote was unanimous.

The Board received information from Scott Pearl, Adjudication Specialist, regarding Dr. Atif Abdel-Moneam Atyia, License No. 0101058440, in order to determine whether his ability to practice medicine constituted a substantial danger to the public health and safety. Mr. Pearl provided details of the case for the Board's consideration.

On a motion by Ms. DeMoss Fonseca and duly seconded by Dr. Lucas, the Board determined that Dr. Atif Abdel-Moneam Atyia's ability to practice constituted a substantial danger to the public health and safety and voted to summarily suspend his license simultaneously with the institution of proceedings for a formal administrative hearing pursuant to Section 54.1-2408.1 of the Code of Virginia. The vote was unanimous.

APPROVAL OF MINUTES OF OCTOBER 30, 2025

Dr. Vaughan moved to approve the minutes of the October 30, 2025 meeting. The motion was properly seconded by Dr. Hutchens and carried unanimously.

ADOPTION OF AGENDA

Mr. Novak requested an amendment to the agenda to include an update on legislation in the General Assembly as the first item under New Business with all subsequent items shifted accordingly. The Board unanimously agreed to the amendment.

PUBLIC COMMENT

No public comments.

HEALTHCARE WORKFORCE DATA CENTER PRESENTATIONS

- Virginia's Licensed Advanced Practice Registered Nurse Workforce: 2025
- Virginia's Licensed Advanced Practice Registered Nurse Workforce: Comparison by Specialty

Barbara Hodgdon, PhD, Deputy Director for the Healthcare Workforce Data Center, provided the Board with the updates. Board members asked questions of Dr. Hodgdon and Dr. Shobo after the presentations.

DHP DIRECTOR'S REPORT

Dr. Brown stated that he was pleased to return to DHP. He noted that changes in administration are typical when there is a new Governor and accompanying leadership team; however, these transitions do not affect the agency's core functions. He explained that the primary change occurs within the Executive Branch, as the agency reflects the position of the Governor.

Dr. Brown shared that he is a chiropractor regulated by the Board of Medicine and previously served as a Board member in the 1990s. He reminded members that individual Board members may not speak on behalf of the Board.

He encouraged members to be actively engaged during their service, emphasizing that they will benefit to the extent that they invest in it. He also recommended participation in Federation of State Medical Boards meetings and events as a valuable component of Board service.

Dr. Brown concluded by expressing his appreciation for the opportunity to serve and stated that he looks forward to getting to know each of the Board members.

REPORTS OF OFFICERS AND EXECUTIVE DIRECTOR

PRESIDENT

None.

VICE-PRESIDENT

None.

SECRETARY-TREASURER

None.

EXECUTIVE DIRECTOR

FY2026 Budget

Dr. Harp reviewed the FY2026 budget, reminding the Board that all revenues are generated from licensee fees, including initial licensure, renewals, and reinstatements. He noted that the Board is in an even year when the doctors renew, so 2026 will be a big revenue year.

He then reviewed the expenditure categories explaining that there are two types: direct and allocated.

- *Direct expenditure* covers the Board’s daily operational needs, including staff salaries. There are about 75 cost codes associated with direct expenditures.
- *Allocated expenditure* encompasses shared agency services such as Enforcement, HR, IT, Communications, etc.

Dr. Harp noted that the FY2026 budget projects direct expenditures to be \$2.7M. On 12/31/2025, \$1.4M remained in the direct expenditures column. The Board is within budget and currently in a strong financial position.

Federation of State Medical Boards (FSMB) 2026 Annual Meeting

Dr. Harp announced that the FSMB Annual Meeting will take place in Baltimore, Maryland from April 30th to May 2nd. The Board received four FSMB scholarships which will be utilized by Mr. Marchese, Dr. Simcox, Dr. McDowell, and Dr. Harp.

COMMITTEE AND ADVISORY BOARD REPORTS

Mr. Marchese moved to accept, en bloc, all Committee and Advisory Board meeting minutes since November 7, 2025. The motion was properly seconded by Dr. Vaughan and carried unanimously.

OTHER REPORTS

Board Counsel – Brent Saunders, JD – Senior Assistant Attorney General

Mr. Saunders provided updates on 8 ongoing legal cases.

Podiatry Report

No report.

Chiropractic Report

No report.

Committee of the Joint Boards of Nursing and Medicine

No report.

NEW BUSINESS

1. Legislative Update as of February 19, 2026

Mr. Novak provided a legislative update as of February 19, noting that the General Assembly Session is now halfway complete.

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

2. Regulatory Chart

Mr. Novak presented the chart of regulatory actions as of February 5, 2026, stating that there are currently only two regulatory actions in the Secretary's Office.

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

3. Amendments to Guidance Document 90-56 following General Assembly Action

Mr. Novak reviewed the amendments to Guidance Document 90-56 with the Board.

MOTION: Mr. Marchese moved to amend guidance document 90-56. Dr. Clements seconded, and the motion carried unanimously.

4. Initiation of Periodic Review for 18VAC90-30 and 18VAC90-40

Mr. Novak informed the Board that the Board of Nursing voted in September 2025 to initiate a periodic review of regulations. He stated that the Board of Medicine is required to officially open a periodic review as well since these chapters govern APRNs.

MOTION: Mr. Marchese moved to initiate a periodic review of 18VAC90-30 and 18VAC90-40. Dr. Elariny seconded, and the motion carried unanimously.

5. Licensure by Endorsement for Acupuncturists

Mr. Novak reviewed the draft amendments to create a license by endorsement pathway. The recommended language has been approved by the Advisory Board.

Mr. Saunders, Board counsel, advised that 18VAC85-110-150-C should be amended to state: "A licensed acupuncturist whose license has not been renewed by the first day of the month following the month in which the renewal is required, ~~shall not be licensed in Virginia~~ the license shall expire on that date."

MOTION: Mr. Marchese moved to amend 18VAC85-110 by exempt action. Dr. Vaughan seconded, and the motion carried unanimously.

6. Licensure by Endorsement for Athletic Trainers

Mr. Novak reviewed the draft amendments to create a license by endorsement pathway. The language has been approved by the Advisory Board.

MOTION: Dr. Rathmann moved to amend 18VAC85-120 by exempt action. Mr. Marchese seconded, and the motion carried unanimously.

7. Licensure by Endorsement for Physician Assistants

Mr. Novak reviewed the draft amendments to create a license by endorsement pathway. The language has been approved by the Advisory Board.

MOTION: Mr. Marchese moved to amend 18VAC85-50 by exempt action. Dr. Rathmann seconded and the motion carried unanimously.

8. Licensure by Endorsement for Radiologic Technologists

Mr. Novak reviewed the draft amendments to create a license by endorsement pathway. Two members of the Advisory Board discussed the language for the amendments at the recent meeting. Although a quorum did not exist and a vote was not taken, the recommendations were deemed sound and are being presented to the Board.

Board members noted that there was a typo in 18VAC85-101-29(4) which should state “Hold a current...”.

MOTION: Dr. Vaughan moved to recommend to the full Board the adoption of an exempt regulatory action to amend regulations pursuant to SB1438, with the amendment to 18VAC85-101-29(4). Mr. Marchese seconded and the motion carried unanimously.

9. Consideration of Proposed Action for Reduction of Requirements for Consultation and Collaboration

Mr. Novak reviewed the draft language that was approved by the PA Advisory Board, along with comments received on Town Hall during the NOIRA stage.

After much discussion, Dr. McDowell suggested to amend the proposed language of 18VAC85-50-110 as follows:

A patient care team physician or podiatrist shall:

1. Review the clinical course and treatment plan for any patient who presents for the same acute complaint twice ~~in a single episode of care~~ and has failed to improve as expected for physician assistants with less than one year of experience in the field of practice in

~~which they are working. A physician or podiatrist shall be involved with any patient with a continuing illness as noted in the written or electronic practice agreement for the evaluation process.~~

MOTION: Dr. McDowell moved to adopt the above amended proposed stage regulations for reduction of requirements for consultation and collaboration. Ms. DeMoss Fonseca seconded and the motion carried unanimously.

LICENSING REPORT

Mr. Sobowale reported that the number of licensees is currently 98,116, with an average time to licensure of 26 days.

DISCIPLINE REPORT

Ms. Deschenes provided a brief report on the status of open cases as of February 5, 2026, stating that the total across all stages is 913. During the 4th Quarter of FY2025, the Board received 645 cases and closed 602.

APPOINTMENT OF A NOMINATING COMMITTEE

Dr. Apel stated that the current officers' terms will expire at the June 2026 Board meeting, therefore a Nominating Committee needs to be formed to consider a slate of officers for 2026-2027. Board members were reminded that if they are considering running for office, they will not be on the Nominating Committee.

Ms. DeMoss Fonseca requested that the Board consider amending the bylaws to move the election of officers to October. This change would allow members interested in being nominated for an officer position to participate with the assurance that they will remain on the Board after their terms expire in June. Mr. Novak stated that, since this is part of policy, it could be amended if the Board wishes to consider it.

Mr. Marchese nominated Dr. Apel and Dr. Rathmann to serve on the Nominating Committee. Ms. DeMoss Fonseca nominated Dr. Clements. The Board unanimously agreed with these nominees to develop the slate for the June 2026 meeting.

ANNOUNCEMENTS

Dr. Apel announced that the next Full Board meeting will be held June 4, 2026, at 8:30 a.m.

ADJOURNMENT

With no additional business, Dr. Apel adjourned the meeting at 10:54 a.m.

William L. Harp, MD
Executive Director

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