

August 18, 2016

11:00 a.m. - Board Room 2

9960 Mayland Dr, Henrico, VA
23233

Full Board Meeting

In Attendance

Barbara Allison-Bryan, MD, Board of Medicine
 CHAIRMAN: Robert J. Catron, Citizen Member
 Helene D. Clayton-Jeter, OD, Board of Optometry
 Kevin Doyle, Ed.D., LPC, LSATP, Board of Counseling
 Yvonne Haynes, LCSW, Board of Social Work
 Mark Johnson, DVM, Board of Veterinary Medicine
 Allen R. Jones, Jr., DPT, PT
 Robert H. Logan, III, Ph.D., Citizen Member
 Ryan Logan, Board of Pharmacy
 Martha S. Perry, MS, Citizen Member
 Jacquelyn M. Tyler, RN, Citizen Member
 Laura P. Verdun, MA, CCC-SLP, Board of Audiology & Speech-Language Pathology
 James D. Watkins, DDS, Board of Dentistry
 James Wells, RPH, Citizen Member

Absent

Trula E. Minton, MS, RN, Board of Nursing

DHP Staff

David E. Brown, D.C., Director DHP
 Elizabeth A. Carter, Ph.D., Executive Director BHP
 Charles Giles, Budget Manager
 Elaine Yeatts, Senior Policy Analyst DHP
 Laura L. Jackson, Operations Manager BHP

Observers

Dr. William Ward, Virginia Chiropractic Association
 Laura McHale, Keeney Group/VCA

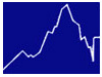
Call to Order

Acting Chair Mr. Catron **Time** 11:05 a.m.

Quorum Established

Public Comment

Comment Dr. William Ward, Virginia Chiropractic Association



Discussion

Dr. Ward thanked the Board for its work on the Chiropractor review and extended his wishes that the committee agree with the addition of this item to the scope of practice.

Approval of Minutes

Presenter Mr. Catron

Discussion

The May 5, 2016 10:00 a.m. Full Board meeting minutes were approved with one amendment: remove the DHP logo from the Telehealth Review update report, and properly seconded. All members in favor, none opposed.

Directors Report

Presenter Dr. Brown

Discussion

Dr. Brown provided an update on the agency's internal training activities and plans for the fall board member training day. In addition, he mentioned the agency's continued efforts in activities related to reduction of opiate abuse. DHP will be submitting three (3) bills this year to the General Assembly. DHP Boards are reviewing statutes and making revisions as necessary. The Board of Medicine is hosting a website for the Prescription Drug Task Force which will go live in early September.

Legislative and Regulatory Report

Presenter Ms. Yeatts

Discussion

Ms. Yeatts advised the Board that *18VAC 75-30-10 et seq.*, regulations governing standards for dietitians and nutritionists require appeal because the language is now incorporated into statute.

Motion

A motion was made to repeal *18VAC 75-30-10 et seq.*, regulations governing standards for dietitians and nutritionists. The motion was properly seconded by Dr. Watkins. All members were in favor, none opposed.

Discussion

Ms. Yeatts advised the Board that *18VAC 75-11-10 et seq.* needs to be amended to include a requirement for the Board to afford interested persons an opportunity to present their views and be accompanied by and represented by counsel or other representative in the promulgation of any regulatory action. This amendment reflects statutory update.

Motion

A motion was made to amend *18VAC 75-11-10 et seq.* The motion was properly seconded by Dr. Logan, III. All members were in favor, none opposed.



DHP Budget Review

Presenter Mr. Giles

Discussion

Mr. Giles provided an overview of DHPs FY17 budget. He stated that DHP is a non-general fund agency and that revenue is generated by issuing licensees and not tax dollars. 83% of the agency's revenue is budgeted based on then number of renewals forecasted for a given fiscal year. The remaining 17% of revenue is budgeted based on historical data.

Lunch Break

Presenter Mr. Catron

Mr. Catron announced a lunch break at 11:55 a.m. The meeting reconvened at 12:14 p.m.

Executive Directors Report

Presenter Dr. Carter

Agency Performance

Dr. Carter reviewed the agencies performance measures in relation to clearance rate, age of pending caseload and time to disposition.

Board Budget

Dr. Carter stated that the Board utilized 95.57% of its yearly budget. Staff turnover in early FY2016 accounted for the 4.43% difference.

Healthcare Workforce Data Center

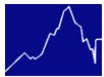
Dr. Carter provided an update on the Data Center. The latest Dentist and Dental Hygienist reports will be presented to the Board of Dentistry in September. She will also be presenting at the Council on Licensure, Enforcement and Regulation annual conference in September. The presentation will focus on Virginia's minimum data set standard approach as a model for other states' professional licensing boards.

Regulatory Research Committee Report

Presenter Mr. Wells

Chair

Mr. Wells updated the Board on the progress that was made regarding the Chiropractor/CLD review at the August 18, 2016 10:00 a.m. Regulatory Research Committee meeting. The Committee concluded the following: (1) It affirms that health care providers should be allowed to practice to the highest level of their education and training. (2) Chiropractors licensed by the Virginia Board of Medicine who successfully complete the Federal Motor Carrier Safety Administration Medical Examiner training and testing do have the requisite education and training. (3) Virginia's chiropractor scope of practice statutory language is dated and does not reflect current circumstances. The General Assembly may wish to consider a comprehensive scope of practice update to avoid single-issue amendments in the future. Board staff will create a letter in response to Delegate Orrock's original request by November 1, 2016.



Motion

A motion was made to create a response letter to Delegate Orrock to include the three items as discussed. The motion was properly seconded by Dr. Allison-Bryan. All in favor, none opposed.

Board Reports

Presenter Mr. Catron

Board of Physical Therapy

Dr. Jones stated reported that the new Board of Physical Therapy's Executive Director has been hired and will begin August 25. He thanked Ms. Russell for her service.

Board of Medicine

Dr. Allison-Bryan reported on the Board of Medicine's Legislative Committee's recommendation not to participate in the Interstate Medical Licensure Compact in its current form. Dr. Allison-Bryan stated that the purpose of the Compact was three-fold: 1) promote access to underserved states, 2) avoid duplication of the licensing work by boards, and 3) preempt a need for the federal government to issue a national license. She advised there were several factors discussed at length that were not consistent with the Board's current operations, including language that conflicts with Virginia laws and regulations. She also stated that the Board of Medicine is looking into decreasing the current licensing fee.

Board of Social Work

Ms. Haynes stated that the Board of Social Work completed fast track regulations to lessen the burden for future licensure by endorsement applicants.

Board of Audiology & Speech-Language Pathology

Ms. Verdun reported that regulations are being refined to stream line the language for SLP Assistants.

Board of Counseling

Dr. Doyle reported that the Board has scheduled a Supervisor Summit and Education Summit for September 9, 2016. In a matter of three hours after posting the invitation, 150 people had signed-up to attend. At this time, there will additional summits scheduled, as this is too many people to attend at one time.

Board of Pharmacy

Mr. Logan stated that the Board of Pharmacy's Regulatory Advisory Panel is reviewing regulations for processors of cannabidiol oil and THC-A oil to treat epilepsy patients who experience seizures. This work is extensive and ongoing at this time.

New Business

Presenter Mr. Catron

There was no new business to discuss.



Adjourned

Adjourned 12:48 p.m.

Acting Chair Robert Catron

Signature: _____ Date: ____/____/____

**Board Executive
Director** Elizabeth A. Carter, Ph.D.

Signature: _____ Date: ____/____/____