

**VIRGINIA BOARD OF HEALTH PROFESSIONS
ENFORCEMENT COMMITTEE
FEBRUARY 18, 2003**

TIME AND PLACE: Due to inclement weather, the meeting was called to order at 11:30 a.m., rather than at 10:00 a.m., on Tuesday, February 18, 2003 at the Department of Health Professions, 6603 W. Broad St., 5th Floor, Room 2, Richmond, VA.

PRESIDING OFFICER: Charles W. Bristow, Jr., F.S.L.

MEMBERS PRESENT: Alan E. Mayer
Diane L. Reynolds-Cane, M.D.

MEMBERS NOT PRESENT: Krishan D. Mathur, Ph.D
Richard Teske

STAFF PRESENT: Robert A. Nebiker, Director
Elizabeth A. Carter, Ph.D., Executive Director for the Board
Faye Lemon, Director of Enforcement
Sammy Johnson, Deputy Director of Enforcement
Carol Stamey, Administrative Assistant

OTHERS PRESENT: Neal Kauder, Visual Research
William L. Harp, M.D.
Mark Monson

QUORUM: With three members present, a quorum was established.

PUBLIC COMMENT: No public comment was presented.

APPROVAL OF MINUTES: On properly seconded motion by Mr. Mayer, the Committee voted unanimously to approve the minutes of the meetings of June 4, 2002, March 5, 2001, August 14, 2001 and April 17, 2001.

**UPDATE ON THE SANCTION
REFERENCE STUDY:**

Neal Kauder overviewed the results of the Board of Medicine's sanction reference study. Mr. Kauder's slide presentation is incorporated into the minutes as Attachment 1.

It was noted for the record that the term "loss of license" referred to in the slide presentation had been revised to "removal from practice."

General discussion ensued concerning the desire to ascertain the impact on sanctioning in cases where there was intentional harm. Mr. Kauder explained that because of the inherently subjective nature of determining intent, it would be extraordinarily difficult to develop an objective, reliable measure.

NEW BUSINESS:

Dr. Carter presented a case category report by board that reflected cases that were non-clinical in nature. The report is incorporated into the minutes as Attachment 2. She informed the Committee that an in-depth report would be presented at the April meeting and the presentation will include facility cases with the aim of assisting the health regulatory boards in addressing the impact of HB1441 (2003).

ADJOURNMENT:

On properly seconded motion by Mr. Mayer, the Committee adjourned at ~~11:30~~ 12:15 p.m.

Charles W. Bristow, Jr., Chair

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