

Call to Order

The December 2, 2021, Virginia Board of Health Professions (Board) meeting was called to order at 9:46 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 2, Henrico, Virginia 23233.

Presiding Officer – James Wells, RPh, Chair

Board Members Present

Barry Alvarez, LMFT, Board of Counseling
Margaret Lemaster, RDH, Board of Dentistry
Mitchell Davis, NHA, Board of Long-Term Care Administrators
Brenda Stokes, MD, Board of Medicine
Sarah Melton, PHARMD, Board of Pharmacy
Allen Jones, Jr., DPT, PT, Board of Physical Therapy
Steve Karras, DVM, Board of Veterinary Medicine
Carmina Bautista, MSN, FNP-BC, BC-ADM, Citizen Member
Sahil Chaudhary, Citizen Member

Members Not Present

Alison King, PhD, CCC-SLP, Board of Audiology & Speech Language-Pathology
Kenneth Hickey, MD, Board of Funeral Directors and Embalmers
Ann Gleason, PhD, Board of Nursing
Helene Clayton-Jeter, OD, Board of Optometry
Susan Wallace, PhD, Board of Psychology
Michael Hayter, LCSW, CSAC, SAP, Board of Social Work
Sheila Battle, MHS, Citizen Member
Martha Rackets, PhD, Citizen Member

Staff Present

Leslie L. Knachel, Executive Director, Board of Health Professions
David E. Brown, DC, Agency Director
Barbara Allison-Bryan, MD, Chief Deputy Director
Elaine Yeatts, Sr. Policy Analyst
Charis Mitchell, Assistant Attorney General, Board Counsel
Sylvia Robinson, Administrative Assistant
Corie Tillman Wolf, JD, Executive Director, Boards of Funeral Directors & Embalmers, Long-Term Care Administrators and Physical Therapy
Jay Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing
Jaime Hoyle, JD, Executive Director, Boards of Counseling, Psychology and Social Work
Sandra Reen, Executive Director, Board of Dentistry
William Harp, MD, Executive Director, Board of Medicine

Public Present

No public attended.

Establishment of Quorum

With ten board members present, a quorum was established.

Mission Statement

Mr. Wells read the Department of Health Professions' mission statement.

Introductions

Since its last meeting, the Board received multiple new board member appointments, a new executive director and new board staff. Mr. Wells requested that all members in attendance introduce themselves.

Ordering of Agenda

The agenda was accepted as presented.

Public Comment

There were no requests to provide public comment.

Approval of Minutes

Mr. Wells opened the floor to any edits or corrections regarding the draft minutes from the January 21, 2021 Nominating Committee meeting minutes and the May 13, 2021 Full Board meeting minutes. Hearing none, Mr. Wells stated that the minutes were approved as presented.

Director's Report – David E. Brown, D.C., Director

Dr. Allison-Bryan provided an update on current COVID-19 statistics. Based on this information, Dr. Brown advised that DHP employees would not be returning to the office on January 3, 2022, as originally planned.

Dr. Brown presented Dr. Elizabeth Carter, Chief Data Scientist for the agency, with a plaque for her many years of service as the Executive Director for the Board of Health Professions.

Legislative and Regulatory Report – Elaine Yeatts

Ms. Yeatts provided an overview of the agency's regulatory boards' current actions, 2021 general assembly regulatory/policy actions and reports submitted to the general assembly.

Policy Action – Consideration of Electronic Meeting Policy

Ms. Yeatts provided information on the purpose of the Electronic Meeting policy.

Dr. Jones, Jr. made a motion to adopt the Electronic Meeting Policy as presented. Dr. Stokes seconded the motion. The motion carried unanimously.

Board Discussion Items

Review of § 54.1-2510. Powers and Duties of Board of Health Professions

Ms. Knachel provided a review of the Powers and Duties of the Board of Health Professions.

Practitioner Self Referral: Peninsula Vascular Center, PC

Closed Session - A motion was made by Dr. Karras to convene a closed meeting to reach a decision in the matter regarding the agency subordinate recommendation for the Application for Practitioner Self-

Referral Advisory Opinion for Peninsula Vascular Center, PC. Additionally, Dr. Karras moved that Ms. Knachel and Ms. Mitchell attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations. The motion was seconded by Dr. Stokes. The motion carried unanimously. Mr. Wells did not attend the closed meeting.

Reconvene – Dr. Karras moved that the Board certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded by Mr. Chaudhary. The motion carried unanimously.

Decision - Dr. Jones, Jr., made a motion to adopt the Practitioner Self-Referral recommendation for Peninsula Vascular Center, PC as presented. Dr. Stokes seconded the motion. The motion carried with nine votes in favor of the motion. Mr. Wells abstained.

Amendments to Guidance Document 75-4 Bylaws

Ms. Knachel reviewed the recommended amendments to Guidance Document 75-4 Bylaws. Based on the current bylaws, a vote on the proposed changes will be taken at the next meeting of the Board.

Board Member Training

Ms. Knachel asked that the Board discuss training recommendations for board members. The Board requested training be provided on Conflict of Interest, FOIA and Sanction Reference Points.

Format for Individual Board Reports

Ms. Knachel presented information regarding board reports and opened the floor to discussion. Meeting minutes, report topics and executive director recommendations were discussed. The Board requested that Ms. Knachel discuss format options with the Board Executive Directors and present options at the next meeting.

Board Counsel Report

Ms. Mitchell stated she had nothing to report.

Board Chair's Report

Mr. Wells thanked the board members for their attendance at the meeting and the good work that the Board does in service to the Commonwealth.

Staff Reports

Executive Director's Report

Ms. Knachel reviewed the proposed 2022 board meeting calendar dates. She was asked to review with Mr. Wells the committee assignments and provide an explanation of the responsibilities for each of the Board's Committees.

New Business

There was no new business to report.

Next Meeting

The next full board meeting is scheduled for Tuesday, March 29, 2022.

Adjournment

With no objection, Mr. Wells adjourned the meeting at 12:00 p.m.

Leslie L. Knachel, Executive Director Date