

==DRAFT UNAPPROVED==

**NOMINATING COMMITTEE
JUNE 13, 2024 @7:45 AM
PERIMETER CENTER - HEARING ROOM 3**

Thursday, June 13, 2024, at 7:45 AM Perimeter Center 9960 Mayland Drive, Henrico

Committee Members

- Jacob Miller, DO - Chair
- Deborah DeMoss Fonseca
- Pradeep Pradhan, MD
- Jennifer Rathmann, DC

The Committee interviewed the candidates in the following order.

- Randy Clements, DPM - seeking the Presidency
- Peter Apel, MD - seeking the Presidency
- Karen Ransone, MD - seeking the Vice-Presidency
- Tom Corry - seeking Secretary-Treasurer

The Committee discussed the candidates and arrived at the following slate.

- Randy Clements, DPM - President
- Peter Apel, MD or Karen Ransone, MD - Vice-President (Full Board to vote)
- Tom Corry - Secretary-Treasurer

The meeting was adjourned at 8:25 AM.

William L. Harp, MD
Executive Director

**VIRGINIA BOARD OF MEDICINE
FULL BOARD MINUTES**

June 13, 2024

Department of Health Professions

Henrico, VA 23233

- CALL TO ORDER:** Dr. Clements called the meeting to order at 8:40 a.m.
- ROLL CALL:** Ms. Brown called the roll; a quorum was established.
- MEMBERS PRESENT:** John R. Clements, DPM – President & Chair
Peter J. Apel, MD – Vice-President
Karen Ransone, MD – Secretary-Treasurer
Jacob W. Miller, DO
David Archer, MD
Hazem A. Elariny, MD
L. Blanton Marchese
Pradeep Pradhan, MD
Jennifer Rathmann, DC
Manjit Dhillon, MD
Madge Ellis, MD
William Hutchens, MD
Oliver Kim, JD, LLM
Elliott Lucas, MD
Thomas Corry
Deborah DeMoss Fonseca
- MEMBERS ABSENT:** Patrick McManus, MD
Krishna P. Madiraju, MD
- STAFF PRESENT:** William L. Harp, MD - Executive Director
Jennifer Deschenes, JD – Dep. Exec. Dir. for Discipline
Colanthia Morton Opher – Dep. Exec Dir. for Board Administration
Michael Sobowale, LLM – Dep. Exec. Dir. for Licensure
Barbara Matusiak, MD, Medical Review Coordinator
Deirdre Brown - Executive Assistant
Arne Owens – DHP Director
M. Brent Saunders, JD – Sr. Asst. Attorney General/Board Counsel
- OTHERS PRESENT:** Jennie Wood – Discipline Case Manager
Tamika Hines – Discipline Case Manager
Roslyn Nickens – Licensing Supervisor
Krystal Blanton - Discipline Compliance
Matt Novak – DHP Policy Analyst
Yetty Shobo – Director, Healthcare Workforce Data Center

Barbara Hodgdon – Dep. Dir., Healthcare Workforce Data Center
Robert Jenkins – Director of DHP IT
Neil Kauder – Visual Research, Inc.
Kim Small – Visual Research, Inc.
Scott Castro – Medical Society of Virginia
W. Scott Johnson – Hancock Daniel & Johnson
Elizabeth Lunn – Hancock Daniel & Johnson
Raza Glasgow, PA-C
Michele Satterlund – Macaulay Jamerson Satterlund & Sessa, PC
Jonathan Williams – Virginia Academy of Physician Assistants

EMERGENCY EGRESS INSTRUCTIONS

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

APPROVAL OF MINUTES OF FEBRUARY 15, 2024

ACTION: Dr. Miller moved to approve the minutes from February 15, 2024. The motion was properly seconded by Dr. Apel and carried unanimously.

ADOPTION OF AGENDA

Dr. Harp requested that the agenda be amended to include the meeting minutes of the Advisory Board of Surgical Assistants from June 10, 2024.

Dr. Miller moved to approve the agenda as amended. The motion was properly seconded by Dr. Apel and carried unanimously.

PUBLIC COMMENT

None.

PRESIDENTIAL COMMENT

Dr. Clements introduced and welcomed the Governor’s Fellow, Max Suskin, to the Board; Mr. Suskin thanked everyone for the warm welcome.

PRESENTATIONS:

“UPDATED SANCTIONING REFERENCE POINTS” – Kim Small – Visual Research

Ms. Small gave a presentation on the “Updated Sanctioning Reference Points”. She asked the Board to consider implementing the revised worksheets. Ms. Deschenes suggested, with this being a policy document, that the Board members could start using the new worksheets as a

trial run. Dr. Clements suggested to first pilot it with certain Board members. Dr. Clements then said that the adoption of the updated documents could occur at the next Executive Meeting.

DHP BOX SYSTEM – Rob Jenkins – DHP IT

Mr. Jenkins presented an update on procuring the Imaging Tools for the Box system. This was for informational purposes only.

ADVANCED PRACTICE REGISTERED NURSES – Barbara Hodgdon, PhD - HWDC

Dr. Hodgdon presented two PowerPoints. The first was on “Virginia’s Licensed Advanced Practice Registered Nurse Workforce: 2023”, and the second was “Virginia’s Licensed Advanced Practice Nurse Workforce: Comparison by Specialty.” These presentations were for informational purposes only.

DHP DIRECTOR’S REPORT

Mr. Owens welcomed all members of the Board. He said that the state budget has been agreed upon and will be effective July 1, 2024, the beginning of FY2025. The new budget allots DHP 12 new full-time positions. Mr. Owens reminded the Board that DHP does not get its funding from the General Fund through the General Assembly. However, the General Assembly does have to approve the DHP budget, even though it is funded by licensing fees.

Mr. Owens shared that ImpactMakers, the business practice analysts who are trying to improve the online experience of applying for a license at the Board of Medicine, is still working diligently with Board staff.

Mr. Owens stated that a salary structure study by Gallagher is now being conducted on Pay Grade 5 positions and for 6 different executive directors covering 13 boards. These studies are instrumental in ensuring that DHP salaries are comparable to other state agencies, which is important to attracting and retaining top quality staff.

Break

Dr. Clements called for a recess at 9:50 a.m.; the meeting reconvened at 10:01 a.m.

REPORTS OF OFFICERS AND EXECUTIVE DIRECTOR

PRESIDENT

Dr. Clements shared his experience of attending the April 2024 Federation of State Medical Boards Annual Meeting in Nashville. He then called upon others who attended the meeting to share their experiences.

Mr. Marchese said that he was not successful in his run for a seat on the FSMB Board of Directors. He stated that Denise Pines, MBA, a very qualified Board member from California, was re-elected as a public member. He thanked everyone for all their support.

Dr. Pradhan shared that this was his first time attending the meeting. He found it interesting hearing the different ways other states use to address common regulatory issues. He stated that it was a good experience and thanked the Board for supporting his attendance.

Mr. Corry, also a first-time attendee, agreed that it was a great experience that allowed him to get better acquainted with his fellow Board members. In the meetings, he got to hear about challenges other states face and how they are handling them. He thanked Dr. Harp and the Board for allowing him to attend.

VICE-PRESIDENT

No report.

SECRETARY-TREASURER

No report.

EXECUTIVE DIRECTOR

Budget Numbers as of April 30, 2024

Dr. Harp shared an update on the budget as of April 30, 2024, reflecting the 10-month mark of FY2024. He said that almost \$3,000,000 has been spent of the \$3,800,000 budgeted. He pointed out that 16.7% of FY2024 remains, and 22% of the funds budgeted for FY2024 remain. The Board is again succeeding in its frugality. The cash balance as of 4/30/24 was \$12,676,148, further underscoring the Board's favorable financial position.

Licensing Achievements

Dr. Harp gave a nod to Michael Sobowale and his licensing staff for their 100% Customer Satisfaction score for FY2024 Q3. In the last 2 years, the average time from receipt of application to the issuance of a license for all the Board's professions has dropped from 88 days to 45 days. Mr. Sobowale would like to see it at 30 days.

Occupational Therapy Compact

Dr. Harp stated that the Occupational Therapy Compact regulations became effective on May 22, 2024. The Board will be ready to issue authorizations to practice once the Compact Commission says all is ready for implementation.

Physician Assistant Reciprocity with Maryland and DC

Dr. Harp said that in March of 2023 the Virginia Board of Medicine began the reciprocity pathway with DC and Maryland for both MDs and DOs. The Maryland Board of Physicians has asked DC and Virginia if they would be interested in reciprocity for Physician's Assistants as well. Board staff has agreed. The Memorandum of Agreement for this effort is being reviewed by board counsels. Sometime in the month of August, the three jurisdictions should be ready to implement the reciprocity process for PA's.

Disciplinary Statistics

Dr. Harp reviewed some statistics of the Discipline Section, pointing out that during the 3rd quarter of the 2024 fiscal year, it had a case clearance rate of 119%. The average time for closing a case was 166.7 days. 92.4% of the cases received were being closed within one year, and 99% were closed within 415 days. Dr. Harp thanked the Discipline Section and all the Board members for their efforts in probable cause review and administrative proceedings.

Business Practices Project with ImpactMakers

Dr. Harp stated that the project with ImpactMakers is still ongoing for the development of streamlined applications and instructions across all professions at the Board of Medicine.

VDH Office of the Chief Medical Examiner 2023 3rd Quarter Overdose Death Statistics

Dr. Harp shared that overdose deaths from prescribed opioids did not substantially increase or decrease from 2007-2021. However, in 2022 there was a significant drop in prescription opioid deaths. The zenith was 507 overdose deaths in 2017. In 2022, they dropped to 340. The 2023 estimate stands at 266.

Personnel Changes

Dr. Harp announced that Jennie Wood, Case Manager for the Board of Medicine, will be retiring soon. He thanked Ms. Wood for her time with the Board and her great work. Ms. Wood will be succeeded by Tamika Hines. Dr. Harp then deferred to Jennifer Deschenes.

Ms. Deschenes shared that Ms. Wood has been with the Board of Medicine since 2006. Ms. Wood has been on the front lines taking calls and making people feel heard. She is a true treasure to the Board. Ms. Deschenes stated that Ms. Hines does great work, and the Board is very fortunate to have her stepping into the position of Case Manager.

Her colleagues on the Board staff presented Ms. Wood with a bouquet of flowers. Everyone applauded and thanked her for her time and service to the Board and the Commonwealth.

COMMITTEE AND ADVISORY BOARD REPORTS

Dr. Ransone moved to accept all reports and minutes since April 5, 2024, including those in the agenda packet and handouts, en bloc. The motion was properly seconded by Dr. Miller and carried unanimously.

OTHER REPORTS

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

Mr. Saunders, SAAG, provided an update on 6 pending legal cases.

Board of Health Professions

No report.

Podiatry Report

No report.

Chiropractic Report

No report.

Committee of the Joint Boards of Nursing and Medicine

Dr. Clements reported that the Joint Boards of Nursing and Medicine had a business meeting on February 28, 2024, at which Dr. Ransone, Mr. Marchese and he were present.

NEW BUSINESS

1. Current Regulatory Actions

Ms. Barrett presented the chart of regulatory actions as of May 22, 2024, stating that that there are currently 16 regulatory actions in the Secretary's Office.

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

2. Adoption of Exempt Regulatory Action Pursuant to SB113

Ms. Barrett reviewed the draft changes to 18VAC85-50-101 required by SB133 which was approved by the General Assembly on March 20, 2024.

MOTION: Mr. Marchese moved to adopt exempt regulatory changes to amend 18VAC85-50-101 as presented. Dr. Apel seconded, and the motion passed unanimously.

3. Adoption of Exempt Regulatory Action Pursuant to HB699

Ms. Barrett reviewed the draft changes to 18VAC85-21-22 and 18VAC90-40-21 required by HB699 which was approved by the General Assembly on April 4, 2024. Ms. Barrett said that the Board of Nursing will be voting on these changes regarding APRN prescribing at its next meeting.

MOTION: Mr. Marchese moved to adopt exempt regulatory changes to amend 18VAC85-21-22 as presented. Dr. Apel seconded, and the motion passed unanimously.

MOTION: Mr. Marchese moved to adopt exempt regulatory changes to amend 18VAC90-40-21 as presented. Dr. Apel seconded, and the motion passed unanimously.

4. Adoption of Exempt Regulatory Action Pursuant to HB971

Ms. Barrett presented the draft changes to 18VAC90-30-86, which are to implement the new law from the 2024 General Assembly that reduces the required time for autonomous practice 5 years to 3 years. HB971 also changed the requirement for the 3 years to be “experience”, dropping the descriptor “clinical.” Ms. Barrett pointed out that the Board of Nursing will vote on this action at its meeting in July.

MOTION: Dr. Apel moved to adopt exempt regulatory changes to amend 18VAC90-30-86 as presented. Mr. Marchese seconded, and the motion passed unanimously.

5. Consideration of Fast-Track Regulatory Action to Remove the “Active Practice” Requirement for Renewal of Licensure in Occupational Therapy

Ms. Barrett shared that the draft changes to 18VAC85-80-10 and 18VAC85-85-80-70 remove the attestation for having practiced at least 160 hours during the biennium prior to renewal. She said that this requirement is for Occupational Therapy and Occupational Therapy Assistants, but it is not required of many other professions for renewal. Ms. Barrett pointed out that removing this requirement will help retain OT’s and OTA’s in Virginia’s healthcare workforce.

MOTION: Dr. Miller moved to adopt the fast-track regulatory amendments to 18VAC85-80-10 and 18VAC85-80-70 to remove the active practice requirement for renewal as an occupational therapist or occupational therapist assistant. Dr. Ransone seconded, and the motion passed unanimously.

6. Licensing Report

Mr. Sobowale shared with the Board that during FY2024, the Licensing Unit has maintained a 97% rolling clearance rate for incoming applications.

Mr. Sobowale said he shared at the February Board meeting that the average timeframe for processing an application was 52 days. In the time since, the Licensing Section has reduced the average to 45 days with the goal of a 30-day processing time.

Mr. Sobowale said that applications through the reciprocity pathway have increased since June 2023, at which time there were 158 physicians. There are now 345.

Mr. Sobowale stated that August 15, 2024 is the target date for having reciprocal licensing of physician assistants in place with Maryland and the District.

Dr. Apel asked how is it that the number of processing days for licensure have come down? Mr. Sobowale responded that a full complement of licensing specialists and the streamlining of application requirements have reduced the processing time while still being able to ensure public safety. An example Mr. Sobowale gave was that instead of requiring applicants to submit license verifications from all the states in which they have been licensed, the Board now requires listing all states on the application and the submission of one state verification. Dr. Clements extended his thanks to the licensing staff for issuing all of the training licenses this year, since the July 1 start date for residencies is rapidly approaching.

7. Discipline Report

Ms. Deschenes clarified for the Board members what information can and cannot be included in advisory letters. The “advice” in the letter needs to be tied to the Board’s law and regulations. She directed Board members to the Disciplinary Case Report handout at their desks.

8. Approval of Draft 2025 Meeting Calendar

Dr. Clements asked the Board members to review the draft of the 2025 Meeting Calendar.

MOTION: Dr. Ransone moved to accept the 2025 Meeting Calendar. Dr. Miller seconded, and the motion passed unanimously.

9. Nominating Committee Report

Dr. Miller stated that the Nominating Committee met this morning at 7:45 a.m. and arrived at the following slate of officers for the Board’s consideration:

- J. Randy Clements, DPM – President
- Karen Ransone, MD & Peter J. Apel, MD – Vice-President
- Thomas Corry – Secretary-Treasurer

MOTION: Ms. DeMoss Fonseca moved to approve the nomination for President as presented. Dr. Pradhan seconded, and the motion passed unanimously.

MOTION: Ms. DeMoss Fonseca moved to approve the nomination for Secretary-Treasurer as presented. Mr. Kim seconded, and the motion was passed unanimously.

MOTION: Ms. DeMoss Fonseca moved to vote on the two candidates presented for Vice-President. Dr. Miller seconded, and the motion was passed unanimously.

Dr. Ransone and Dr. Apel spoke about their experience and their goals as Vice-President. Ms. Deschenes instructed the Board that the vote on the two candidates is required to be done openly. Ms. Opher conducted the vote by a raising of hands which resulted in Dr. Apel getting 9 votes and Dr. Ransone 7 votes. Dr. Apel was declared Vice-President for the coming year.

10. Acknowledgement of Members with Expiring Terms

Dr. Harp announced that the following Board members terms would expire on June 30, 2024.

- Dr. Archer – finishing 2nd term
- Dr. Dhillon – finishing 1st term
- Dr. Ellis – finishing 1st term
- Dr. Miller – finishing 1st term
- Dr. Ransone – finishing 1st term

Dr. Harp reminded the Board members that it is customary that they remain on the Board until their successor is appointed. He thanked all for their dedication to the Board and the citizens of the Commonwealth. Each received a small token of the Board's appreciation.

ANNOUNCEMENTS

Dr. Clements announced that the next Board meeting will be held on October 24, 2024, at 8:30 a.m.

ADJOURNMENT

With no additional business, the meeting adjourned at 11:01 a.m.

William L. Harp, MD
Executive Director