



Medical Quality Assurance Commission

April 6, 2012

Business Meeting Minutes

Medical Commission Members

Bruce Andison, MD
Les Burger, MD
Mike Concannon, Public Member
Jack Cvitanovic, Public Member
William Gotthold, MD, 2nd Vice Chair
Ellen Harder, PA-C
Frank Hensley, Public Member
Mark L. Johnson, MD
Mimi Pattison, MD, Chair
Anjan Sen, MD
Vacant Position

Richard Brantner, MD, 1st Vice Chair
Athalia Clower, PA-C
Bruce Cullen, MD - absent
Theresa Elders, Public Member
Thomas Green, MD - absent
Susan Harvey, MD - absent
Bruce G. Hopkins, MD
Peter Marsh, MD
Linda Ruiz, JD, Public Member
Mimi Winslow, JD, Public Member

Medical Commission Staff

Maryella Jansen, Executive Director
Julie Kitten, Program Operations Manager
Melissa McEachron, Program Administrator
Dani Newman, Disciplinary Manager
Mike Kramer, Compliance Officer
Vicki Creighton, Administrative Assistant

George Heye, MD, Medical Consultant
Jim Smith, Chief Investigator
Mike Farrell, Legal Unit Manager
Larry Berg, Staff Attorney
Micah Matthews, Research and Education Manager

Others in Attendance

Kim O'Neal, Assistant Attorney General (AAG)
Gary Carr, MD, Washington Physicians Health Program (WPHP)
Yanling Yu, Washington Advocates for Patient Safety

Heather Carter, AAG
Rex Johnson, Washington Advocates for Patient Safety

BUSINESS MEETING

CALL TO ORDER

Mimi Pattison, MD, Chair, called the meeting of the Washington State Medical Quality Assurance Commission (MQAC) to order at 8:00 a.m. on April 6, 2012, at the Blackriver Training & Conference Center, 800 Oakesdale Avenue SW, Renton, Washington 98057.

1.0 CHAIR REPORT

Dr. Pattison welcomed staff, Commission members and members of the public to the meeting. Dr. Pattison reported that it had been a very busy time with the special legislative session, budget, preparation for the staff move, planning for the August workshop, as well as the day-to-day office functions. Dr. Pattison acknowledged the Commissioners and staff for all of their hard work.

2.0 CONSENT AGENDA

The Consent Agenda contained the following items for approval:

- 2.1 Minutes from the February 24, 2012 Business Meeting.
- 2.2 Agenda for April 6, 2012.
- 2.3 Ratification of the licenses issued to Physicians, Limited Physicians and Physician Assistants February 24 through April 5, 2012.

MOTION: The Chair entertained a motion to approve the Consent Agenda as written. The motion was seconded and approved unanimously.

3.0 PUBLIC COMMENT

Dr. Pattison began this portion of the meeting by stating that the Commission would not be answering questions or responding to public comment. She further stated that Commission staff would be available after the meeting, and members of the public could contact staff during regular work hours.

Rex Johnson, Washington Advocates for Patient Safety, expressed gratitude to the Commission for allowing the public to make comments. Mr. Johnson asked that public comments be integrated into the agenda, possibly after each agenda item.

Yanling Yu, Washington Advocates for Patient Safety, stated she had come to Commission meetings several times, and appreciated everyone's hard work. Ms. Yu stated that ensuring competency of physicians, within their chosen field is extremely important.

Dr. Pattison thanked Mr. Johnson and Ms. Yu and reminded them that they could provide written comments to the Commission at any time.

4.0 NEW BUSINESS

4.1 Communications Plan

Dr. Pattison reported on a meeting with Department of Health (DOH) Secretary, Mary Selecky. Secretary Selecky expressed a great deal of pleasure with the Commission, and the collaboration across the agency.

Dr. Pattison reported on a meeting with Dr. Steven Spare, Chief Executive Officer and president of the Franciscan Health Group. Dr. Pattison also reported that a meeting with the Nursing Commission took place on April 4, and she felt it was a good interaction.

4.2 Maintenance of Licensure Task Group

William Gotthold, MD, reported that the position at this moment on maintenance of licensure is to wait and see what happens at the national level. The Commission needs to watch carefully as the Federation of State Medical Boards (FSMB) works with other national organizations on this topic.

4.3 Pain Management Rules

Dr. Pattison reported that activities were ongoing regarding pain management, and coverage was continuing in the press and medical journals. Work is currently underway on amendments to the interpretive statement, *Management of Chronic Noncancer Pain* MD2011-01-IS, and the plan is to have the amended document brought to the Commission for approval, at their May 17 Business Meeting. Dr. Pattison reported there are four more presentations coming up on pain management, and the Administrators in Medicine (AIM) Best of Boards award will be presented to the Commission on February 24 in Fort Worth, Texas. Dr. Pattison and Ms. Jansen will be present to accept that award. Dr. Pattison also reported that a letter from Governor Gregoire had been received, congratulating the Commission on this award.

4.4 Budget Report

Ms. Jansen reported budget expenditures continue to be within the established allotment for the 8th month of the 2011-13 Biennium Budget.

4.5 2012 Legislative Session

Ms. Jansen reported on the 2012 Special Legislative Session. To date, the legislature has not passed the budget. She will continue to monitor the progress of the Commission's decision package.

4.6 Disclosure and Resolution Process

This agenda item was deferred. Ms. Elders, Dr. Burger and Mark Johnson, MD, reported that the webinar on Just Culture was great, and that Bruce Cullen,

MD, did an excellent job representing the Commission as one of the presenters.

4.7 2012 Workshop Planning Committee

Micah Matthews, Research and Education Manager, reported that the “Save the Date” notices regarding the workshop would go out next week. Work is ongoing, and Mr. Matthews is pleased with the progress.

5.0 NEW BUSINESS

5.1 Medical Cannabis Petitions

Julie Kitten, Program Operations Manager, reported on the two petitions received to add menopause and Tourettes Syndrome to the list of terminal or debilitating conditions under the Medical cannabis law, RCW 69.51A. The Commission discussed the issue of considering petitions from individuals that are not residents of Washington State. Heather Carter, AAG Advisor, provided a written legal analysis. The Commission felt it was time to look at possible amendments to the statute.

MOTION: The Chair entertained a motion to deny consideration of the petition to add menopause to the list of terminal or debilitating conditions under the Medical cannabis law, RCW69.51A, on the grounds the petitioner resides out of state. The motion was seconded and approved unanimously.

5.2 Delegation of Signature Authority Policy/Procedure

Ms. Kitten reported that due to staff changes, the policy/procedure on *Delegation of Signature of Authority for Credentialing, Disciplinary and Rulemaking*, had been updated. Ms. Kitten asked the Commission to consider adoption of this revised policy/procedure.

MOTION: The Chair entertained a motion to adopt the revised *Delegation of Signature of Authority for Credentialing, Disciplinary and Rulemaking*, policy/procedure, MD2012-05. The motion was seconded and approved unanimously.

6.0 COMMITTEE REPORTS

5.1 Linda Ruiz, JD, Public Member, Policy Committee Chair, reported on items discussed at the Policy Committee meeting on April 5, 2012.

- Foreign Medical School Graduates. Ms. Ruiz reported that Mr. Matthews provided a flowchart outlining different methods of physician licensure. Mr. Matthews will do further research, and a subcommittee comprised of Bruce Hopkins, MD, Dr. Brantner, and Dr. Gotthold will work with Mr. Matthews and bring back information to the May Policy Committee meeting. Ms. Ruiz asked the Commission for authority to

seek legislation to make changes to the current statute, RCW 18.71.051.

MOTION: The Chair entertained a motion for authority to seek legislation to make changes to the current statute, RCW 18.71.051. The motion was seconded and passed unanimously.

- **Prescription Monitoring Program (PMP).** Ms. Ruiz reported that Dr. Gotthold is continuing work on the addition of information regarding practitioner utilization of the PMP, to the frequently asked questions. Dr. Gotthold will bring this back to the Policy Committee meeting in May.
- **Mandatory Reporting Rules.** Ms. Ruiz reported that the Policy Committee had recommended bringing to the full Commission for approval, the repeal of WACs 246-919-700 through 246-919-770. DOH had adopted rules that were currently being used by the Commission in place of the above named WACs.

MOTION: The chair entertained a motion to repeal WACs 246-919-700 through 246-919-770. The motion was seconded and approved unanimously.

7.0 MEMBER REPORTS –

Dr. Brantner reported there were approximately 1,500-2,000 participants at the American Academy of Pain Medicine 2012 Annual Meeting , which he attended in Palm Springs, California. Consensus opinion mimics what has been done in our pain rules.

Ms. Elders reported that in May the popular series, *Chicken Soup for the Soul*, would release several new anthologies compiled through a partnership with doctors of Harvard Medical School. Ms. Elders, who has written dozens of stories for this series as well as others, has stories in two of the new books, *Say Goodbye to Back Pain: How to Handle Flare-Ups, Injuries, and Everyday Back Health*, and *Say Hello to a Better Body: Weight Loss and Fitness for Women Over Fifty*. The release date for these books and others in the new medical series is May 22, 2012.

Ellen Harder, PA-C, stated that she has a copy of the book *Blind Eye* and if anyone was interested in reading it, to let her know.

Frank Hensley, Public Member reported on the FSMB Finance Committee, and that the Commission had been recognized as responsible for the creation of this committee. Mr. Hensley has been asked to continue as a member, and he reported that it is an interesting and challenging assignment.

Dr. Burger asked Melissa McEachron, Program Manager, to provide an update on the

demographics survey. Ms. McEachron reported that the demographic survey and renewal letter were currently going out with physician renewal notices, and there has been a very good renewal rate. Ms. McEachron also reported that the physician assistant (PA) survey was very close to being completed.

8.0 STAFF MEMBER REPORTS

8.1 Executive Director –

Ms. Jansen reported on the office move taking place on April 11. The two move coordinators, Ms. Kitten and Ms. McEachron would be assisting Facilities and moving staff in both the old and new office locations during the move. All other staff would be participating in a staff retreat. A speaker would be providing a presentation on change and team building at the retreat.

Ms. Jansen also provided an update on the research project funded by the FSMB Foundation. The researcher from the Urban Institute in Washington, DC has been selected and contract discussions are underway.

8.2 Assistant Attorney General –

Ms. Carter had nothing to report.

Kim O’Neal, AAG, had nothing to report.

8.3 Program Operations Manager –

Ms. Kitten reported that the recruitment process was still underway for upcoming Commission vacancies, and was pleased to report that several applications had been received.

8.4 Program Administrator -

Ms. McEachron asked that Commission members send their travel and payroll directly to her, and that more training sessions on the travel system would be forthcoming.

8.5 Medical Consultant –

George Heye, MD, reported that both of the physicians suggested by Dr. Hopkins had agreed to be pro tem members of the Commission. Appointment letters to these individuals would be sent out shortly.

8.6 Legal Manager –

Mike Farrell, JD, Legal Unit Manager reported that AIM performs assessments of medical boards, and that he had been selected to be on a team to assess the North Carolina Medical Board. He recently traveled to North Carolina, and spent three days interviewing board staff.

Mr. Farrell also reported that Larry Berg, Staff Attorney serves on the FSMB Journal Board, which helps generate leads for research, and develops articles for the journal.

8.7 Research and Education Manager –

Mr. Matthews reported that the newsletter should have been mailed out yesterday. The web redesign is underway, and the average across performance measures is 94 percent. With regard to the pain rules, Mr. Matthews reported that the opioid dosing calculator is now available on the web.

8.8 Chief Investigator –

Jim Smith, Chief Investigator thanked Mr. Matthews for his work on the statistics, and reported that Mary Creeley is now back working in the Investigations Unit.

8.9 Disciplinary Manager –

Dani Newman, Disciplinary Manager, reported that the hearing book was being circulated and asked members of Panel A to sign up. Case Management is being held on Thursday, April 12 due to the office move on April 11.

9.0 ADJOURNMENT

The Chair called the meeting adjourned at 9:35 a.m.

Submitted by





Vicki Creighton, Administrative Assistant and Julie Kitten, Program Operations Manager



Mimi Pattison, MD, FAAHPM, Chair
Medical Quality Assurance Commission

Approved May 18, 2012

