



Washington State  
Department of Health  
Board of Osteopathic Medicine and Surgery  
Meeting Minutes  
July 25, 2014

The meeting of the Washington State Board of Osteopathic Medicine and Surgery (board) was called to order by Catherine Hunter, DO, Chair, at 9:05 a.m. The meeting was held at: Blackriver Training and Conference Center, 800 Oakesdale Ave. SW Renton, WA 98057.

Board Members Present: Catherine Hunter, DO, Chair  
John Finch, Jr., DO, Vice Chair  
Sharon Gundersen, PhD, Public Member  
Peter Kilburn, DO  
Shannon Markegard, DO  
Alex Sobel, DO  
Juan Acosta, DO

Staff Present: Blake Maresh, Executive Director  
Brett Cain, Program Manager  
Judy Young, Staff Attorney  
Cece Zenker, Program Support  
Janelle Cognasso, Disciplinary Case Manager  
Taylor Linke, Operations Manager, Office of Customer Service  
Maura Craig, Policy Analyst  
Heather Carter, Assistant Attorney General

Guests Present: Kathie Itter, Washington Osteopathic Medical Association  
David Wood, Washington Academy of Physician Assistants  
Charles Meredith, MD, Washington Physicians Health Program  
Chris Bundy, MD, Washington Physicians Health Program

Open Session

1. Call to Order and introduction of board, staff, guests and audience

Board members, staff and guests gave brief introductions and the board's recently appointed member, Juan Acosta, DO was welcomed to the board.

1.1. Approval of Agenda

Mr. Cain requested that a review of draft alternatives to discipline language that the department intends to present as agency request legislation for the 2015 legislative session be reviewed as and placed on the agenda as item 14.4.

Ms. Carter requested that the board adds the discussion of a disciplinary matter to executive session as agenda item 15.1.

The board unanimously agreed to add the proposed agenda items and the agenda was approved as amended.

## 2. Approval of Minutes

All of the following minutes were approved as presented:

- 2.1. May 16, 2014 business meeting minutes
- 2.2. May 14, 2014 conference call minutes
- 2.3. May 28, 2014 conference call minutes
- 2.4. June 11, 2014 conference call minutes
- 2.5. June 25, 2014 conference call minutes
- 2.6. July 9, 2014 conference call minutes

## 3. Tommy Simpson, Military Program Manager, Office of Health Professions and Facilities

Mr. Simpson introduced himself to the board and explained his role within the department. He explained that his primary role is to assist service members with applicable military and training and experience in obtaining healthcare provider credentials so that they may transition to the civilian workforce. Mr. Simpson's presentation was followed by a brief question and answer period where he shared his contact information with the board and meeting audience.

## 4. Interstate Compact

Mr. Cain briefed the board on the current status of the draft interstate compact. The board then reviewed and discussed different section of the compact. Mr. Maresh and Mr. Cain then addressed some clarifying questions posed by board members.

**MOTION:** Dr. Finch moved that the board formally support pursuing the proposed Interstate Medical Licensee Compact in the State of Washington, and that the board demonstrate its support for the compact in a letter to the Medical Quality Assurance Commission who has voted to pursue the compact as part of its 2015 legislative agenda.

**ACTION:** Dr. Acosta seconded the motion and it was unanimously approved.

## 5. Osteopathic Physician Assistant Rules Modernization

The board reviewed the osteopathic physician assistant chapter and suggested several minor grammatical changes. Mr. Cain explained that the PA rules subcommittee had approved these rules and requested the board to move to approve the rules as written to continue the CR-102, or proposed rules stage.

**MOTION:** Dr. Kilburn moved that the board authorize the presented PA rules, with minor edits, to move to the proposed rules stage.

**ACTION:** Dr. Finch seconded the motion and it was unanimously approved.

## 6. Board Disciplinary Process

This agenda item was moved to closed session because the discussion may allude or refer to actual disciplinary cases under consideration by the board. This discussion took place as part of agenda item 16.

## 7. House Bill 2315 (2014)

House Bill 2315, signed into law following the 2014 legislative session, requires osteopathic physicians and osteopathic physician assistants, among other healthcare providers, to complete one-time training in suicide assessment, treatment, and management. The bill requires that various disciplining authorities must develop rules to implement the bill and work with the department to develop a model list of training programs. Rules may include recognizing training programs that satisfy the training requirement and exempting certain practitioners or specialists from doing the suicide training.

**MOTION:** Dr. Kilburn moved to authorize the department to open rules to comply with the legislation and that the board will work with the Medical Quality Assurance Commission throughout the rule development process so that the board and commission's rules are substantially equivalent.

**ACTION:** Dr. Acosta seconded the motion and it was unanimously approved.

Kathie Itter, Executive Director of the Washington Osteopathic Medical Association (WOMA), explained that WOMA is developing a program that is intended to satisfy the House Bill 2315's requirements for osteopathic physicians. Ms. Itter provided a handout to the board detailing various aspects of the program.

**MOTION:** Dr. Markegard moved that the handout and other information regarding the program be shared with department leadership and that the board formally recommends that the program be included on the model list of suicide prevention programs.

**ACTION:** Dr. Finch seconded the motion and it was unanimously approved.

## 8. 2015 Meeting Dates

The board set their 2015 business meeting dates. Dates are not official until filed with the Office of the Code Reviser. The locations are to be determined. The dates agreed upon are as follows:

January 23, 2015  
March 13, 2015  
May 15, 2015  
July 24, 2015  
September 25, 2015  
November 13, 2015

#### 9. Board Elections

In accordance with the board's bylaws, the board held elections for the positions of chair and vice chair. After a brief discussion, Dr. Markegard nominated Dr. Hunter to remain chair and Dr. Finch to remain vice-chair.

MOTION: Dr. Acosta motioned that Dr. Hunter remain chair and Dr. Finch remain vice-chair.

ACTION: Dr. Kilburn seconded the motion and it was unanimously approved.

#### 10. Naturopath Scope of Practice Sunrise Review

Mr. Cain explained that the Washington Association of Naturopathic Physicians requested a Sunrise Review to have the department evaluate whether the scope of practice for naturopaths should include prescriptive authority for controlled substances Schedule II – V. The board reviewed a letter submitted by WOMA and a letter submitted by the Washington State Medical Association (WSMA) opposing this expanded scope of practice. The board agreed with the statements made in both letters citing that naturopaths do not have the training or experience to safely prescribe Schedule II – V controlled substances.

MOTION: Dr. Acosta motioned that the board submit a letter to the department concurring with the statements and conclusion made in the letters of opposition submitted by WOMA and WSMA.

ACTION: Dr. Kilburn seconded the motion and it was unanimously approved.

#### 11. Hospital Investigative Letters

When applying for licensure as an osteopathic physician or osteopathic physician assistant in Washington State, the applicant must submit forms if he or she has had admitting or specialty privileges at a hospital. Mr. Cain explained that some hospitals outside of Washington refuse to use the forms required in the application packet. Instead, they provide their own forms with identical or similar information. Mr. Cain asked whether the board would accept these forms.

MOTION: Dr. Markegard moved to evaluate and possibly revise the hospital investigative forms currently in the Washington State osteopathic physician and osteopathic physician assistant application packets, and in the meantime, accept the other forms provided that they contain the required information.

ACTION: Dr. Gundersen seconded the motion and it was unanimously approved.

#### 12. Correspondence

The board reviewed a request for lists and labels submitted by Veeva.

MOTION: Dr. Sobel moved to deny citing that Veeva did not meet the definition of professional or educational institution.

ACTION: Dr. Acosta seconded the motion and it was unanimously approved.

The board reviewed an application for licensure from an osteopathic physician who had been out of practice since 2006.

MOTION: Dr. Finch moved to require the physician to take and pass either the Washington State Principals and Practices Exam or the COMVEX administered by the National Board of Osteopathic Medical Examiners prior to issuing the license.

ACTION: Dr. Acosta seconded the motion and it was unanimously approved.

Mr. Cain presented the board with three continuing medical education audits. Mr. Cain had reviewed the audits and indicated that one physician did not respond and two osteopathic physician assistants were deficient in reported hours.

MOTION: Dr. Markegard moved that the board send a certified letter to the physician who did not respond and allow 30 days for response and that a Notice of Correction be authorized for the two osteopathic physician assistants who were deficient in reported hours. She further motioned that the board develop a policy to send one certified letter to those who do not initially respond and allow 30 days for response.

ACTION: Dr. Acosta seconded the motion and it was unanimously approved.

### 13. Program Manager Report

- 13.1. Budget update – The board reviewed their current budget. There were no concerns or specific questions regarding the budget.
- 13.2. Board recruitment/appointment update – Mr. Cain explained that there was nothing to report under this agenda item as the Governor had made the anticipated appointment. The board again acknowledged and welcome Juan Acosta, DO to the board.
- 13.3. Rules update – Retired active credential, return to practice requirements, and other administrative amendments. Mr. Cain updated the board on the progress of the discretionary rules that the board is amending and developing. He explained that the CR-102 for this rules package would be filed as soon as possible but that the physician assistant rules project has a legislatively mandated adoption date and that CR-102 package would need to be completed and filed first.

### 14. Executive Director Report

- 14.1. Medical marijuana authorization guidelines workgroup  
Mr. Maresh thanked Dr. Finch for agreeing to participate on the workgroup and explained that the first meeting of the group was tentatively set for August 8, 2014 at the Department of Health in Tumwater.
- 14.2. American Board of Medical Specialties Maintenance of Certification

Mr. Maresh shared some correspondence he received from the American Board of Medical Specialties (ABMS) regarding ABMS's Maintenance of Certification program.

14.3. Possible State Auditor's Office performance audit

Mr. Maresh explained that the board and medical commission may be undergoing a performance audit from the State Auditor's Office and that he would share more information once it is available.

14.4. Alternatives to discipline draft language

Mr. Maresh shared some draft language that the department is developing to possibly take forward as part of its 2015 legislative agenda. The draft language would amend the chapter 18.130 RCW (the Uniform Disciplinary Act) to provide an alternative to discipline through a plan for remediation to resolve eligible complaints of unprofessional conduct.

MOTION: Dr. Acosta moved that the board formally support this draft language.

ACTION: Dr. Kilburn seconded the motion and it was unanimously approved.

15. Settlement Presentations

There were no settlement presentations

CLOSED SESSION:

16. Case Tracking Table Discussion

The board reviewed and discussed the open disciplinary cases to ensure that the cases were moving through the disciplinary stages in accordance with approved timelines.

17. Statement of Allegations/Stipulation to Informal Disposition presentations

Reviewing board members presented their findings from disciplinary case investigations and recommend to the full board whether action should be taken.

18. Panel Member Case Reviews and Compliance Presentations

Board members met to determine whether the cases presented should be further investigated, closed, or moved on to the informal or formal resolution process.

19. New Reports for Authorization or Closure

Board members met to determine whether the new reports should be authorized for investigation or closed prior to investigation.

Dr. Hunter, Chair adjourned the meeting at 3:55 p.m.

Respectfully Submitted

Brett Cain, Program Manager

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