



Washington State
Department of Health
Board of Osteopathic Medicine and Surgery
Meeting Minutes
July 24, 2015

The meeting of the Washington State Board of Osteopathic Medicine and Surgery (board) was called to order by Catherine Hunter, DO, Chair, at 8:32 a.m. The meeting was held at: Blackriver Training and Conference Center, 800 Oakesdale Ave SW, Renton, WA 98507.

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

Staff Present: Blake Maresh, Executive Director
Brett Cain, Program Manager
Cece Zenker, Program Support
Judy Young, Staff Attorney
Dianna Staley, Compliance Manager
Maura Craig, Policy Analyst
Kristi Weeks, Policy Counsel
Heather Carter, Assistant Attorney General
Colin Caywood, Assistant Attorney General

Guests Present: Kathie Itter, Washington Osteopathic Medical Association
Charles Meredith, MD, Washington Physicians Health Program
Kathy Ferris, Physicians Insurance
John Tomchick, Washington Academy of Physician Assistants

Open Session

1. Call to Order and Introduction of Board, Staff, Guests and Audience
 - 1.1. Approval of Agenda – Staff requested that discussion of the Federation of State Medical Boards (FSMB) Liaison Program be added under Correspondence. The agenda was approved as amended.
2. Approval of Minutes

All of the following minutes were approved as presented:

- 2.1 May 15, 2015 business meeting
- 2.2 May 15, 2015 disciplinary meeting (closed session)
- 2.3 June 11, 2015 conference call
- 2.4 June 25, 2015 conference call

2.5 July 9, 2015 conference call

3. Compliance Presentation – Dianna Staley from the Office of Legal Services presented the Compliance Unit’s roles and responsibilities in support of the board. Some information that Ms. Staley shared included that:
- The board currently has 14 cases in compliance;
 - The Compliance Unit has just under 400 total cases; and
 - The Compliance Unit has 5 staff members who are responsible for all compliance cases except for the medical and nursing commissions.

Ms. Staley also reported that she has a list of assessment and monitoring entities that the board may be interested in. The board indicated that they would be interested to see the list. Ms. Staley committed to getting the list to Mr. Cain who would forward it to the board.

4. Presentation on the Impacts of Senate Bill 5052 (Cannabis Patient Protection Act) – Kristi Weeks, JD from the Office Policy, Legislative and Constituent Relations discussed the implementation of this bill, which includes many significant changes affecting authorizing health care practitioners. Information shared during Ms. Week’s presentation included that:
- SB 5052 requires
 - All marijuana to be tested for potency, foreign matter inspection, and mold and fungus;
 - Accurate and informative labeling;
 - Child resistant packaging; and
 - Pesticide restrictions
 - The department has begun work to contract with a third party to create a confidential patient database;
 - Post-traumatic stress disorder and traumatic brain injury have been added as qualifying conditions;
 - Healthcare practitioners cannot have a practice that consists primarily of authorizing the medical use of marijuana;
 - Healthcare practitioners who write more than 30 authorizations per month must report the number to the department;
 - All new authorizations must be written on a form developed by the department and printed on tamper-resistant paper. Beginning July 2016 all authorizations must meet these requirements.
 - The department will begin rulemaking to define inventory requirements for stores with a medical marijuana requirement; and
 - Beginning July 2016 all marijuana producers, processors and retail stores must be licensed by the Liquor and Cannabis Board (LCB) and the database becomes operational.

In addition to sharing highlights from the recently enacted legislation, Ms. Weeks shared the department’s communication plan that will include a webpage, FAQ updates, listserv

messages, publications, speaking engagements and close coordination with LCB and the Governor's policy staff.

5. Medical Quality Assurance Commission Interpretive Statement – The board reviewed and discussed the draft interpretive statement regarding physician assistants ordering restraint and seclusion. The board agreed that they should adopt a similar interpretive statement. Mr. Cain committed to amend the document so that it is relevant to osteopathic physician assistants and will bring to the September 25 meeting for review and possible approval.
6. Medical Quality Assurance Commission Guideline – The board reviewed and discussed the guideline regarding ownership of clinics by physician assistants recently adopted by the commission. The board agreed that they should adopt a similar guideline. Mr. Cain committed to amend the document so that it is relevant to osteopathic physician assistants and will bring to the September 25 meeting for review and possible approval.
7. Delegation of Signature Authority Form for the 2015 – 2017 Biennium

MOTION: Dr. Finch made a motion to grant delegation for signature authority as presented on the form.

ACTION: Dr. Sobel seconded the motion and it was passed unanimously. Mr. Maresh and Dr. Hunter signed the form and gave it to Mr. Cain for filing.

8. Officer Position Elections – The board held elections for board officer positions. Dr. Hunter was nominated to stay on as chair and Dr. Finch was nominate to stay on as vice-chair.

MOTION: Dr. Gundersen made a motion to reelect Dr. Hunter as chair and Dr. Finch as vice-chair.

ACTION: Dr. Sobel seconded the motion and it was passed unanimously.

9. Suicide Prevention Continuing medical Education (CME) Rules – The board discussed the passage of HB 1424 and how to move forward with developing the required CME rules for osteopathic physicians and osteopathic physician assistants.

10. Correspondence

10.1. SHIRE petition to the Pharmacy Quality Assurance Commission (PQAC) – This petition requests that PQAC add Vyvanse as a recognized treatment for moderate to severe binge eating disorder in adults. After receiving clarification from Ms. Carter as to why this drug needed to be approved by PQAC when it is already approved by the FDA, the board agreed to support PQAC to move forward with rules to include Vyvanse as a recognized treatment for moderate to severe binge eating disorder in adults.

- 10.2. Nursing Care Quality Assurance Commission advanced registered nurse practitioner draft rule amendment – The draft rule amendment was shared with the board for informational purposes. The board had no concerns with the draft language.
- 10.3. Mr. Maresh asked the board if anyone was interested in being the board representative for the FSMB liaison program. The board agreed that since Mr. Maresh has worked closely with the FSMB in the past, he should serve as the liaison.

MOTION: Dr. Finch made a motion to name Mr. Maresh the board representative for the FSMB liaison program.

ACTION: Dr. Sobel seconded the motion and it was passed unanimously.

11. Program Manager Report
 - 11.1. Budget update – Mr. Cain provided the board with an update to their budget.
 - 11.2. Recruitment update – Mr. Cain notified board members that the Governor has appointed Roger Ludwig, DO to fill Dr. Peter Killburn’s physician position on the board.
 - 11.3. Rules update – Mr. Cain notified the board that the discretionary rules package that creates a retired active license for osteopathic physicians, creates return to practice requirements for osteopathic physicians, amends the light, laser, radiofrequency, and plasma delegation rules, and makes other housekeeping changes should be effective towards the end of summer.
12. Executive Director Report
 - 12.1. Performance audit update – Mr. Maresh provided the board with an update to the board’s performance audit being conducted by the State Auditor’s Office.
 - 12.2. Interstate Medical Licensure Compact update – Mr. Maresh informed the board that several states had adopted the compact and that the department is considering putting forth the compact as part of its agency request legislative agenda for next session.
 - 12.3. Board member CITRIX access update – Mr. Maresh explained that the department is working to provide board members with paperless and secure access to the department’s servers and would provide the board with updates on the project at future meetings.
13. Adjourn – Dr. Hunter, Chair adjourned the meeting at 1:32 p.m.

Respectfully Submitted

Brett Cain, Program Manager

