



# Medical Quality Assurance Commission

**Red Lion Hotel**  
1225 N Wenatchee Avenue  
Wenatchee, Washington 98801  
(509) 663-0711

## Business Meeting Minutes June 24, 2016

### Medical Commission Members

James E. Anderson, PA-C  
Toni Borlas, Public Member – Absent  
Charlie Browne, MD  
William Brueggemann, Jr., MD  
Mike Concannon, JD, Public Member  
William Gotthold, MD  
Bruce G. Hopkins, MD  
Warren Howe, MD, 2<sup>nd</sup> Vice Chair  
Mark Johnson, MD, 1<sup>st</sup> Vice Chair  
Charlotte Lewis, MD

John Maldon, Public Member  
Peter Marsh, MD  
Kathleen O'Connor, Public Member – Absent  
Mimi Pattison, MD  
Alden Roberts, MD  
Theresa Schimmels, PA-C  
Robert Small, MD  
Michelle Terry, MD, Chair  
Mimi Winslow, JD, Public Member  
Yanling Yu, PhD, Public Member

### Medical Commission Staff

Morgan Barrett, MD, Clinical Consultant  
Larry Berg, Staff Attorney  
Renee Bruess, Investigator  
Jimi Bush, Performance and Outreach Manager  
Karen Caille, Staff Attorney  
Melanie de Leon, Executive Director  
Eric Dore, Legal Intern  
Mike Farrell, Policy Development Manager  
Rick Glein, Director of Legal Services  
Denise Gruchalla, Director of Investigations  
George Heye, MD, Medical Consultant  
Julie Kitten, Operations Manager

Mike Kramer, Compliance Officer  
Kayla LaRue, Compliance Officer  
Micah Matthews, Deputy Executive Director  
Melissa McEachron, Director of Operations and Informatics  
Patty Melody, Investigator Supervisor  
Lisa Noonan, Investigator  
Freda Pace, Investigator Supervisor  
Seana Reichold, Staff Attorney  
Daidria Underwood, Program Manager  
Kelly Walcott, Investigator

### Others in Attendance

Kristin Brewer, Assistant Attorney General (AAG)  
Heather Carter, AAG  
Kathy Ferris, Physician's Insurance

Laura Moss, MD, Washington Physician's Health Program (WPHP)  
Arnold Peterson, MD, Pro Tem Commissioner

### Call to Order

Michelle Terry, MD, Chair, called the meeting of the Washington State Medical Quality Assurance Commission (MQAC) to order at 8:00 a.m. on June 24, 2016, at the Red Lion Hotel located at 1225 N. Wenatchee Avenue, Wenatchee, Washington 98801.

## 1.0 Chair Report

Dr. Terry welcomed everyone to the meeting. She thanked Mimi Pattison, MD and William Gotthold, MD for their service to the Commission.

## 2.0 Consent Agenda

The Consent Agenda contained the following items for approval:

- 2.1 Minutes from the May 13, 2016 Business Meeting.
- 2.2 Agenda for June 24, 2016.
- 2.3 Ratification of the licenses issued to Physicians, Limited Physicians and Physician Assistants from May 13, 2016 through June 23, 2016.

*Motion:* The Chair entertained a motion to approve the Consent Agenda. The motion was seconded and approved unanimously.

## 3.0 Old Business

- 3.1 **Nomination Committee for the 2016 Election of the Chair, 1st Vice-Chair and 2nd Vice-Chair**  
Bruce Hopkins, MD, Committee Chair, announced the nominations. They were:

Chair: Warren Howe, MD  
1<sup>st</sup> Vice Chair: Mark Johnson, MD  
2<sup>nd</sup> Vice Chair: Alden Roberts

The Chair asked for additional nominations from the floor. None were given.

*Motion:* The Chair entertained a motion to elect the nominees. The motion was seconded and approved unanimously.

- 3.2 **Suicide Prevention Training Approval Subcommittee**

Robert Small, MD, Subcommittee Chair, reminded everyone that the subcommittee receives applications from trainers who would like to provide suicide assessment, treatment, and management training that meets the requirements laid out in RCW 43.70.442. The subcommittee reviews the applications and included training materials, and either approves or denies that the training meets the RCW requirements. Mike Farrell, Policy Development Manager is the point of contact for applications.

As of June 23, 2016 eleven trainings have been approved. This subcommittee will continue to approve or deny trainings until June 30, 2017. Beginning July 1, 2017 a model list of trainings will be available from the Department of Health.

- 3.3 **2016 Educational Conference Planning Committee**

In the absence of Toni Borlas, Public Member, Committee Chair, Jimi Bush, Performance and Outreach Manager, reported that Kristina Toncray, MD of Seattle Children's Hospital, would be a speaker at the conference.

- 3.4 **Suicide Prevention Rulemaking**

Daidria Underwood, Program Manager, reported the hearing for the MD suicide prevention CR-102 was held on May 11, 2016. The panel did not approve the draft language at that

hearing. Ms. Underwood will soon submit a supplemental CR-102 for both the MD and PA suicide prevention rulemaking.

### **3.5 Maintenance of Licensure Rulemaking**

Ms. Underwood reported the CR-103, which is the last step in the rulemaking process, had recently been returned to her for technical edits. She stated she would complete the edits and return the CR-103 for review sometime in the next week.

### **3.6 Lists & Labels Requests**

The following lists and labels requests were discussed for possible approval or denial. Approval or denial of these applications is based on whether the entity meets the requirements of a “professional association” or an “educational organization” as noted on the application (RCW 42.56.070(9)).

- Center for Family Guidance

**Motion:** The Chair entertained a motion to approve the request. The motion was seconded and approved unanimously.

- The Emily Program

**Motion:** The Chair entertained a motion to approve the request. The motion was seconded and approved unanimously.

## **4.0 Public Comment**

No public comment was given.

## **5.0 Committee Reports**

### **5.1 Policy Committee**

Mimi Winslow, JD, Public Member, Policy Committee Chair, reported on the items discussed at the Policy Committee meeting held on June 23, 2016:

#### **Simultaneous Surgeries Policy**

Ms. Winslow referred to the documents regarding this subject that were in the packet, as well as an additional document, the Massachusetts’ draft rule, which Mr. Farrell handed out. She stated the Committee reviewed all of the documents and recommended that a draft guideline be brought back to the Committee at a future meeting. She stated if the Commissioners have more input to provide it to Mr. Farrell.

#### **Delegation of Signature Authority, MD2015-03**

Ms. Winslow reported the revised document, included in the packet, was reviewed by the Committee and they recommend approval.

**Motion:** The Chair entertained a motion to approve the revised document. The motion was seconded and approved unanimously.

#### **Team Based Regulation Procedure**

Ms. Winslow reported the Health Services Quality Assurance (HSQA) document, included in the packet, is intended to improve coordination among regulatory bodies in our state. She asked Mr. Farrell to explain the document further. Mr. Farrell stated the document is in process and he asked the Commission to review it and provide him with feedback.

**Management of Chronic Noncancer Pain, MD2012-01-IS**

Ms. Winslow reported the Committee recommended the Commission reaffirm the interpretive statement as written.

**Motion:** The Chair entertained a motion to reaffirm the interpretive statement. The motion was seconded and approved unanimously.

**Proposal for Rulemaking – Military Spouses, Endorsed Substitute Senate Bill (ESSB) 5969**

Ms. Winslow reported that ESSB 5969 mandated that the Commission complete rulemaking in regard to expediting licenses for military spouses. Since March 2012 the Licensing Unit has used a process put into place by HSQA, which follows the requirements in ESSB 5969, to expedite licenses for military spouses.

**Motion:** The Chair entertained a motion to begin the rulemaking process. The motion was seconded and approved unanimously.

**Protocol for Pro Tem Appointment for Medical Specialties Purposes, MD2013-06**

Ms. Winslow reported the revised document in the packet is the current process for appointing pro tems to the Commission. She stated the Committee recommended the Commission approve the document with the revisions.

**Motion:** The Chair entertained a motion to approve the revised document. The motion was seconded and approved unanimously.

**Continuing Education related to Medical Marijuana (MMJ)**

Ms. Winslow presented a report from a multi-regulatory workgroup which set out the issues related to state-required ([RCW 69.51A.300](#)) continuing education (CE) regarding treatment with MMJ, and identified four options for developing the CE. Of the options, the Committee recommended the Commission vote to support option four, which is that the boards and commissions jointly fund development of CE by an outside source.

**Motion:** The Chair entertained a motion to support option four. The motion was seconded and approved unanimously.

## 6.0 MEMBER REPORTS

Theresa Schimmels, PA-C, reported she recently participated in a focus group, in Atlanta, Georgia, to define core medical knowledge and skills for physician assistants.

Dr. Howe thanked the Commission for the confidence they showed in electing him Chair.

Ms. Winslow stated her appreciation to Dr. Terry for her service as Chair for the last year.

Dr. Johnson also stated his appreciation to Dr. Terry for her service as Chair for the last year.

Yanling Yu, Public Member, Co-chair of the Citizen Engagement Workgroup, thanked the Commission for creating the workgroup. She also reported she attended the Center for Disease Control meeting last month where she participated in a forum on antibiotics.

John Maldon, Public Member, Co-chair of the Citizen Engagement Workgroup, reported the workgroup has had two meetings so far. At the next meeting they will start putting together a work plan.

Jim Anderson, PA-C, Chair of the Health Equity Workgroup, asked the Commissioners to please check

out their website at [bit.ly/mgachdwg](http://bit.ly/mgachdwg). Mr. Anderson also reported he recently attended the national conference for the American Academy of Physician Assistants (AAPA). Lastly, he reported he was appointed to the Federation of State Medical Board's work group to revise the chronic pain and opiates guideline.

## **7.0 STAFF MEMBER REPORTS**

### **7.1 Executive Director**

Melanie de Leon, Executive Director, provided updates on the following:

*Fiscal Year End* – Ms. de Leon reminded Commissioners that the fiscal year ends June 30, 2016 and that travel needs to be submitted by then.

*Constant Contact* – This newsletter to the Commission and staff will report on budget, staff changes, IT, business processes, performance measures, and other work the staff is doing and will be delivered every other week. Ms. de Leon asked if anyone had something they wanted sent out to all Commissioners, email it to her and she will include it in the Constant Contact.

*Staffing:*

- Rick Glein has been promoted to the Director of Legal Services
- Actively recruiting for a Supervising Staff Attorney

*Licensing* – The Licensing Unit has been working overtime recently due to the increase in license applications. In May of 2016 the Licensing Unit processed 40% more licenses than in May of 2015.

*Investigations* – From January of 2015 to June of 2016 their workload has increased 30%. The average number of complaints per month is 128, and the average number of open investigations is 242 per month.

### **7.2 Assistant Attorney General**

Heather Carter, AAG, had nothing to report.

### **7.3 Deputy Executive Director**

Mr. Matthews reported on the following:

*Audit* – The technical draft was received and Mr. Matthews sent it out to all senior management staff for review. The Joint Legislative Audit and Review Committee (JLARC) hearing is now scheduled to be held on August 20, 2016 for the audit report.

*Legislative and Budget Requests* – Starting to develop the legislative and budget packages which were provisionally approved at the May 2016 meeting.

*Telemedicine* – Charlie Browne, MD and Toni Borlas, Public Member co-chair a telemedicine workgroup that has not yet met, but the intent is to have the workgroup revise the Commission's Telemedicine Guidelines and consider whether to put them into rule due to a law change.

*Media* – Mr. Matthews asked that if any Commissioner is contacted by the media to please refer them to him.

**7.4 Operations Manager**

Julie Kitten, Operations Manager, reported the Executive Committee recently completed their review and ranking of the applicants. Ms. Kitten hopes to complete the packet and submit it to the Governor's office within the next week.

**7.5 Program Manager**

Ms. Underwood reported the CR-101 for temporary permits was filed on June 20, 2016. She stated there will be workshops related to this rule sometime soon. Ms. Underwood continues to work on amending the CR-101 for the technical assistance rule. The CR-101 for the office-based surgery rule will need to be withdrawn and a new one submitted due to the Commission's decision to expand the scope of the rule. This process will be started soon.

**7.6 Director of Operations and Informatics**

Melissa McEachron, Director of Operations and Informatics, reported the new demographic census will roll out July 1, 2016. It will be mailed and will also be online. She thanked those that reviewed and tested the census. She gave special recognition to Nick Morris, Demographics and Informatics Specialist, and Dawn Thompson, Licensing Manager, for their tremendous work on this project.

**7.7 Medical Consultant**

George Heye, MD, Medical Consultant, reported he is still looking for a pro tem who specializes in radiology. He asked the Commissioners to contact him with suggestions.

**7.8 Director of Legal Services**

Rick Glein, Director of Legal Services, introduced Eric Dore who will serve as a legal intern for the summer.

**7.9 Director of Investigations**

Denise Gruchalla, Director of Investigations, introduced Kelly Walcott, RN as the new investigator out of the Spokane office.

**7.10 Policy Development Manager**

Mr. Farrell reported he is working on updating the retention of medical records guideline. He is considering development of a policy/guideline regarding providing lab results to patients.

**7.11 Performance and Outreach Manager**

Ms. Bush asked that Commissioners get back to her soon with their registration information if they would like to attend the Adobe class being held on August 10, 2016. She also asked the Commissioners to provide her with some frequently asked questions for the *Update!* newsletter.

**10.0 ADJOURNMENT**

The Chair called the meeting adjourned at 9:53 a.m.

Submitted by

(Signature on file)

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Daidria Underwood, Program Manager

(Signature on file)

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Michelle Terry, MD, Chair  
Medical Quality Assurance Commission

Approved August 12, 2016