The meeting of the Washington State Board of Osteopathic Medicine and Surgery (board) was held at the Department of Health Kent Regional Office, 20425 72nd Ave South, Building 2 Suite 309 Kent, WA 98032.

Board Members Present: Catherine Hunter, DO, Chair  
John Finch, DO, Vice-Chair  
Roger Ludwig, DO  
Alex Sobel, DO  
Sharon Gundersen, PhD, Public Member  

Staff Present: Blake Maresh, Executive Director  
Brett Cain, Program Manager  
Davis Hylkema, Program Support  
Sara Kirschenman, Supervising Staff Attorney  
Kitty Slater, Disciplinary Manager  
Maura Craig, Policy Analyst  
Heather Carter, Assistant Attorney General  

Guests Present: Jodi Perlmutter, Executive Director, Washington Osteopathic Medical Association  
Christina Pryor  

Open Session  
The open public meeting was called to order by Catherine Hunter, DO, Chair, at 9:05 a.m.

1. Call to Order and introduction of the board, staff, and audience. Board members, staff, and guests each provided a brief introduction  
1.1. Approval of agenda. It was moved to approve the agenda with the addition of Items 10.5 and 10.6 covering medical marijuana continuing education and authorization guidelines, and a discussion of the Yakima board meeting date within the Program Manager Report. The agenda was approved as amended.  

2. Approval of minutes  
The November 3, 2017 business meeting minutes were approved as presented.  

3. Update on implementation of Engrossed Substitute House Bill (ESHB) 1427 (2017)  
Mr. Maresh and Dr. Ludwig reported on the HB1427 task force achievements through the January 8, 2018 meeting and the prescribing and monitoring rules being considered.
Current information on the project is available on the DOH website on the Opioid Prescribing page, and email notices are also sent out to govDelivery subscribers.

4. Legislative Review. The board discussed bills of interest introduced during the 2018 legislative session.

4.1. House Bill (HB) 2257 – This bill prohibits the board and the medical commission from requiring the maintenance of certification as a condition for renewal. Mr. Cain pointed out that this bill would not allow the board to do what it already is not able to do. The value of certification for reasons of having current and specialty education was identified, but the board does not support requiring the maintenance of certification for license renewal.

4.2. HB 2264 – Mr. Cain explained this bill would require that physician assistants and advance practice nurses must be vetted to the same standard as MDs and DOs currently are before receiving initial or renewed hospital privileges.

4.3. HB 2272 – Mr. Maresh explained this bill would put restrictions on opiate prescriptions, specifically seven days for adults age 21 or over and three days for patients under the age of 21. Exceptions would be allowed by professional medical judgement of a patient’s specific need. Reasons for exceptions must be documented.

4.4. Senate Bill 6028 – Mr. Maresh explained this bill requires the physician to check the Prescription Monitoring Program (PMP) every time opioids are prescribed.

4.5. HB 2447 – Mr. Maresh explained this bill would require the Department of Health to create a statement on the risks of opioid use, abuse, addiction, and overdose. It also requires that a prescribing physician have a discussion with the patient (or parent guardian) about the risks of opioid use and provide literature and document it in the patient’s record. This bill is known as Jeremy’s Law. What it requires fits well with what the HB1427 task force is already putting together.

4.6. HB 2489 – Mr. Cain informed the board of this governor’s sponsored bill that aims to address the opioid epidemic noting that it will be unveiled in a press conference on January 15, and that it is presently posted on the website.

5. Rulemaking workshop (10:00 a.m.) – The board considered rule amendments to several sections of WAC 246-853 Osteopathic Physicians and Surgeons to ensure that the rules are current, and align with best practices.

- The board determined to keep with no change the following sections: -020, -025, -045, -050, -065, -080, -085, -09, -110, -120, -210, -220, -235, -245, -350, -500, -600, and -610.

- It was decided to keep section -060 Continuing Professional Education Required even though there is no explanatory text attached to it.

Changes were identified in the following sections:

- -070 – Staff will work on this section by adding AMA, AOA, updating to include online resources, and check for consistency, and bring a draft to the next board meeting.

- -100 – Add the language to subsection (2) Uses testimonials “that are false, fraudulent, deceptive, unethical, misleading, or compensated for in any form”.

- Sections -140 through 200 are out of date, redundant with current Secretary’s rules, and need to be removed.
-230 – Change “AIDS” to “HIV.”
-290 through -330 – Staff will examine and present draft with changes to board at next meeting.
-400 – Repeal because this procedure is already in place.
-630 – Add the language “high frequency ultrasound or other technologies deliver energy to or through the skin.” Staff will check that it aligns with MQAC.
-640 – The board identified that updating is needed but, because of its complexity, to open it for review at a later time.
-650 – Staff to align language with MQAC with special attention to subsection (5).

6. 2017 – 2019 Business Plan – As a standing item on the agenda, the board reviewed its current business plan. It was decided to add under Goal III. Objective G. “Publish a newsletter.”

7. Osteopathic Physician Assistant Delegation Agreements – Mr. Cain asked the board to consider whether submitted Physician Assistant Delegation Agreements indicating practice in any of the listed practice sites must require board review, or if approval can be delegated to credentialing staff.

MOTION: A motion was made to allow credentialing staff to approve agreements that identify any practice site listed on the form. The motion was seconded and approved.

8. Demographic Survey – Mr. Cain presented the board with a statistics report showing the highest monthly survey completion rate at 40.9% (and most recently at 30.8%) of the total licensure renewal count. Completion of the survey is required of osteopathic physicians and osteopathic physician assistants by legislature for renewal of licensure. The board discussed options and technical assistance to improve the response rate. The fact that the licensing program and the survey tool are not integrated systems is a challenge to enforcing this.

9. Resources for Board Members – Mr. Maresh explained reasons for issuing laptop computers or tablets to board members for board work. Primary points addressed were security risks, technical assistance needs, and locking down and wiping the drive of lost devices. This is a high priority issue for the department and more information will be shared as it evolves.

10. Correspondence –
10.1. Lists and Labels request from Washington State University, Vancouver campus.

MOTION: A motion was made to approve. The motion was seconded and passed.

10.2. Letter from Governor Inslee regarding the opioid prescribing rules required under House Bill 1427 (2017) – Mr. Cain shared Governor Inslee’s letter acknowledging the good work of the board in the HB1427 Opioid Prescribing and Monitoring project.
10.3. **Call for House of Delegates Resolutions for 2018 Federation of State Medical Boards (FSMB) Annual Meeting.** Because the Governor has decreed by executive order there will be no state travel to North Carolina for reasons of their restrictive bathroom policy toward transgender individuals, no one from Washington State will be attending the 2018 Federation of State Medical Boards Annual Meeting for state business. The FSMB has invited member medical boards who cannot attend in person to submit resolutions for consideration at the FSMB’s 2018 House of Delegates annual business meeting in writing.

**MOTION:** A motion was made to submit a resolution saying that FSMB meetings will not be held in states with discriminating laws. The motion was seconded and passed with three yes votes and two abstentions.

10.4. **Mr. Maresh reminded the board of its decision to invite a representative of the Federation to come to its July meeting.** Because of a schedule conflict the representative is unable to attend in July. The board agreed to have him come to the September 28, 2018 meeting.

10.5. **The Medical Cannabis Institute’s (TMCI) Continuing Education Course – Dr. Finch reported on his work, on behalf of the board, with TMCI’s development of an online educational course with examination on guidelines for practitioners who want to authorize the use of medical marijuana.** It was clarified that this is not a required course but does provide excellent training that covers history, chemistry, dosing practices, and legal issues.

**MOTION:** A motion was made to approve the TMCI medical marijuana course for continuing education. The motion was seconded and approved.

10.6. **Amendment to Medical Marijuana Authorization Guidelines – Mr. Cain presented proposed changes to the Medical Marijuana Authorization Guidelines.** Specifying PAs as Osteopathic Physician Assistants, using healthcare practitioners instead of professionals, and the inclusion of some statutory references were the changes noted.

**MOTION:** A motion was made to accept the changes as presented. The motion was seconded and passed.

11. **Program Manager Report/Executive Director Report**

11.1. **Budget review – Mr. Cain presented the 2019 Biennium-To-Date (Nov. 30, 2017) Budget noting that a beginning balance is still not available.**

11.2. **HEAL-WA introductory webinar – The board agreed to have Christina Pryor come to a future meeting to make a presentation on HEAL-WA a health information resource.**
11.3. Update on Interstate Medical Licensure Compact Commission activities and the implementation of the compact in Washington State – Mr. Cain reported that full implementation should be complete by March of this year.

11.4. Recruitment for the open physician position and the four new positions created by Substitute House Bill 1431 (2017) – Mr. Cain updated the board on the progress being made to fill the positions. It is expected that the Governor will make appointments for the physician positions before the board’s next meeting. Applicants who are not appointed will be invited to apply to be pro-tem members. Getting applicants for the public member position remains a challenge and the board members were encouraged to get the word out.

12. Settlement and/or Disciplinary Order Presentations – This is a standing agenda item and presentations are contingent upon agreements being reached between the parties prior to a board meeting. Deliberations are held in closed session.

13. Adjourn Business Meeting. Catherine Hunter, DO, Chair, adjourned the business portion of the meeting at 1:45 p.m.

Respectfully Submitted

Brett Cain, Program Manager

NOTE: PLEASE VISIT THE WEB SITE FOR FUTURE AGENDAS AND MINUTES - WWW.DOH.WA.GOV, GO TO LICENSING AND CERTIFICATION AND YOU WILL FIND A LIST OF THE HEALTH CARE PROFESSIONS, GO TO OSTEOPATHIC PHYSICIANS FOR AGENDAS AND MINUTES.