Washington State Department of Health  
Board of Osteopathic Medicine and Surgery  
Meeting Minutes  
March 23, 2018

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  
Sharon Gundersen, PhD, Public Member  
Roger Ludwig, DO  
Shannon Phipps, DO  
Alex Sobel, DO  
Lisa Galbraith, DO  
Kim Morrissette, DO  
Joel Quiroz, PA-C  
Kevin Ware, DO

Staff Present:  
Blake Maresh, Executive Director  
Brett Cain, Program Manager  
Davis Hylkema, Program Support  
Sara Kirschenman, Supervising Staff Attorney  
Heather Carter, Assistant Attorney General

Guests Present:  
John Bloomfield, Adapt Pharma  
Alex Marvel, Pacific Northwest University student

Open Session  
The open public meeting was called to order by Catherine Hunter, DO, Chair, at 9:03 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. The March 23, 2018 agenda was approved as amended with the addition of a discussion of Medical Marijuana Guidelines as Item 11.6.

2. Introduction of Newly Appointed Board Members  
2.1. Lisa Galbraith, DO  
2.2. Kim Morrissette, DO  
2.3. Joel Quiroz, PA-C  
2.4. Kevin Ware, DO

3. Approval of minutes  
The January 12, 2018 business meeting minutes were approved as presented.
4. Update on implementation of Engrossed Substitute House Bill (ESHB) 1427 (2017)
The board and staff reviewed and discussed the draft rule recommendations developed by
the opioid prescribing task force.

Mr. Maresh provided a synopsis of the HB1427 purpose, process and progress to date
covering the focus of the rules boilerplate that is now before the board for consideration.
Drs. Phipps and Ludwig walked the board through all the proposed rules and the board
identified sections in 246-XXX- to be addressed at future meetings. Those sections
include:

- **X03 Exclusions** – The board will consider language change in order to be
  consistent with definition in section X02. Add “in facility” to the definition
- **X06 Continuing education requirements** – The board will identify subjects of the
  rules to be cover in continuing education and then determine the number of hours
  needed.
- **X22 Treatment plan - Acute non-operative pain** – Subsections (7) and (8) will be
  considered to be covered in continued education requirement.
- **X23 Treatment plan - Acute perioperative pain** – The board asked Drs. Hunter,
  Sobel, and Galbraith as surgeons to closely review the language in this section
  and submit observations and suggestions to staff. The board will consider it at its
  April meeting.
- **X31 Patient evaluation and patient record** – The topic of risk assessment to be
  considered for coverage in continuing education requirement.
- **Feedback** – The DOH receives public feedback on HB1427 some of it addressed
  directly to the osteopathic medicine board, some to other boards or commissions,
  and some generally to the task force. Staff will disburse feedback as it is received
  to board members via email.
- **X41 Patient evaluation and patient record** – The board will consider identifying a
  low threshold (possibly 10mg of MED) under which risk assessment tools are not
  required.
- **X43 Written Agreement for Treatment** – It was recommended that DOH provide a
  template as a resource that could be used.
- **X91 Prescription monitoring program - Required registration, queries, and
  documentation** – The board’s delegates advocate the position that, and would like
  the section be shortened to simply say, if a practitioner prescribes an opioid they
  must refer to the PMP every time and document that they did so. Exceptions for
  when the PMP is not accessible due to system, equipment, or connection
  problems needs to be addressed.
- **X72 Episodic Care of Chronic Opioid Patients** – It was suggested to change the
  word “shall” to “should” so as to not create an onerous requirement.
- **X82 Co-prescribing of Opioid Agonists for Medication-Assisted Treatment** – The
  suggestion was made to remove the word “operative” from subsection (2).
- **X83 Co-prescribing of Naloxone** – The board was encouraged to consider this
  section more thoroughly and continue discussion at the April meeting.
• X48 Pain Management Specialist – Consideration was given to adding language in (1) (b) to read “…or the American Board of Pain Management; or…” Any other meritorious training program could apply for equivalency.

5. Legislative Wrap Up.
Mr. Cain highlighted bills of interest to the board that were passed during the 2018 legislative session.
5.1. House Bill 2257 – Prohibiting requirement for maintenance of certification
This a change in statute but does not affect the work of the board. It states that a physician cannot be required to maintain certification as a requirement for license renewal.

5.2. Engrossed Substitute House Bill 1047 – Disposal of unwanted medications
The board was encouraged to become familiar with the requirements set in place by this bill.

5.3. Second Engrossed Substitute House Bill 1388 – Behavioral health integration
This bill streamlines services.

5.4. Engrossed Substitute House Bill 2356 – Stem cell therapies not approved by FDA
This bill requires healthcare providers to post notification for patients that stem cell therapies have not been approved by the FDA.

6. 2017 – 2019 Business Plan – As a standing item on the agenda, the board reviewed its current business plan.
Mr. Cain noted the addition of publishing a newsletter as Objective G in Goal III which the board decided to do at its previous meeting.

7. Mobile Anesthesia Guidelines
The board reviewed discussions between the Department of Health and Health Care Authority to develop guidelines for providing mobile anesthesia services.

Ms. Carter, AAG, and Mr. Maresh introduced this item and provided background of the issues leading up to the need for developing guidelines. Two attentions being addressed are professions’ office based surgery rules that identify and delineate the responsibilities of the anesthesiologist and those of the doctor, and what is authorized from a payment point of view. The Health Care Authority is looking to the professions for direction on what to put in place. The board will mindfully address this issue in its future rulemaking workshops and coordinate with the Health Care Authority.

8. Presentation to Pacific Northwest University (PNWU) Students
The board reviewed, updated, and amended their draft Power Point presentation to osteopathic PNWU students following the April 30, 2018 business meeting. The presentation is scheduled to begin at 11:00am at the campus. Mr. Cain will send a suggestion of presenter assignments to the board prior to the next meeting.
9. Prescription Monitoring Program (PMP) and Gabapentin
Mr. Maresh provided background information on the increasing concern over Gabapentin contributing to drug overdose deaths in cases of polypharmacy. The board was asked whether or not to recommend that the PMP and Pharmacy Quality Assurance Commission classify and track Gabapentin as a drug of concern. Board members will individually research this topic and report to staff at the next meeting.

10. Correspondence.
10.1. Lists and Labels request from Alzheimer’s Association, WA State Chapter.

**MOTION:** The motion was made to approve the Alzheimer’s Association, WA State Chapter application. The motion was seconded and passed.

10.2. Review of 2018 Federation of State Medical Boards Annual Meeting reports and resolutions and remote voting delegate selection
Because of the governor’s executive order stating that no state employees may travel to North Carolina on behalf of the state due to NC’s discriminatory policies of the bathroom law, staff or board members will not be attending the FSMB Annual Meeting. Washington State can attend and participate remotely.

**MOTION:** The motion was made for Mr. Maresh to remotely attend the 2018 Federation of State Medical Boards Annual Meeting. The motion was seconded and passed.

The board provided advisory votes on the following subjects coming for vote at the meeting:
- Acute Opioid Prescribing Workgroup and Guidelines – No
- Testing Under Time Constraints of the Necessary and Explicit Component of the United States Medical Licensure Examination (USMLE) – No
- Supporting the Practice of Physician Assistants – No
- Permitting Out-of-State Practitioners to Provide Continuity of Care in Limited Situations – No (Yes - 3; No - 5)
- Interprofessional Continuing Education (IPCE) – Yes
- Workgroup on AI and its Potential Impact on Patient Safety and Quality of Care in Medical Practice – Yes
- Report of the Nominating Committee’s recommendations:
  - Chair-elect, Scott A. Steingard, DO – For
  - Treasurer, Jerry G. Landau, JD – For
  - Board of Directors (four fellows):
    - Anna Z. Hayden, DO
    - Shawn P. Parker, JD, MPA
    - Anita M. Steinbergh, DO
    - Joseph R. Willett, DO

11. Program Manager Report/Executive Director Report
11.1. Budget review
Mr. Cain presented the 2019 Biennium-To-Date Thru January 31, 2017. He noted that a beginning balance has been provided since the publication of the report and there is nothing of concern to report. There were no questions.

11.2. Discussion regarding hearing panel requests
Mr. Cain has been requested to emphasize with the board members the importance on notifying Michelle Singer of the Adjudicative Services Unit whether they can or cannot attend a hearing panel, and to do so as soon as possible.

Mr. Maresh brought up the issue of cases going right up to before hearing and then canceling noting that the Dental Commission has a guideline that there will be no settlement if a case comes to the deadline of ten days before the hearing. The Medical Quality Commission is considering a window of six weeks. The board will discuss this at a future meeting.

11.3. Update on Interstate Medical Licensure Compact Commission activities and the implementation of the compact in Washington state
Mr. Maresh reported that Washington State is now active in the Compact. Discussion was tabled until the April meeting.

11.4. Name badges for board members
Mr. Maresh clarified that name badges can only be worn in an official capacity at an official board function.

**MOTION:** The motion was made to have name badges made for all board members. The motion was seconded and approved.

11.5. Discussion regarding recruitment efforts for the open public member position
Mr. Cain reported that there is one position open on the board. He encouraged the board members to reach out to individuals they think of who might be interested in serving.

11.6. Discussion of Medical Marijuana Amendment to Guidelines
Mr. Cain reported the legislature requirement for the Osteopathic Board, the Naturopathy Board, the Medical Commission, and the Nursing Commission to consult in the development of practice guidelines for authorizing medical marijuana. Dr. Finch currently serves on behalf of the Osteopathic Board and Dr. Acosta served before him. Guidelines were developed and the board approved them at its last meeting. Mr. Cain presented the amendments that have been made since then that need to be approved before final adoption.

**MOTION:** The motion was made to accept the guidelines as amended. The motion was seconded and approved.
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. There were no presentations.

13. Adjourn Business Meeting. Catherine Hunter, DO, Chair, adjourned the business portion of the meeting at 2:19 p.m.

Respectfully Submitted

Brett Cain, Program Manager

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