Washington State Department of Health
Board of Osteopathic Medicine and Surgery
Meeting Minutes
July 19, 2019

The meeting of the Washington State Board of Osteopathic Medicine and Surgery was held at Department of Health, Creekside 2 at Center Point Suite 310, Room 309, 20425 72nd Ave South, Kent, WA 98032.

Board Members Present:  
John Finch, DO, Chair  
Roger Ludwig, DO, Vice-Chair  
Kevin Ware, DO  
Shannon Phipps, DO  
Lisa Galbraith, DO  
Joel Quiroz, PA-C  
Kim Morissette, DO  
Alex Sobel, DO

Staff Present:  
Tracie Drake, Program Manager  
Renee, Fullerton, Executive Director  
Brandon Williams, Program Associate  
Heather Carter, Assistant Attorney General  
Sara Kirschenman, Supervising Staff Attorney  
Kitty Slater, Disciplinary Manager  
Cori Tarzwell, Policy Analyst

Guests Present:  
Alden Roberts, Washington Medical Commission  
Chris Bundy, Medical Director, WPHP

Open Session

1. **Call to Order**: The open public meeting was called to order by John Finch, DO, Chair, at 9:00 a.m.
   1.1 Introduction of the board, staff, and guests. Board members and staff each provided a brief introduction.
   1.2 Approval of agenda. The July 19, 2019 agenda was approved.
   1.3 Approval of May 31, 2019 business meeting minutes. The May 31, 2019 business meeting minutes were approved as presented.

2. **Rules Workshop: SSB 5380 Concerning opioid use disorder treatment, prevention and related services**
The Board heard public comment on and discussed rule modifications to WA 246-853-675 and WAC 246-854-255 Patient notification, secure storage, and disposal, as required by Substitute Senate Bill 5380.

   **MOTION**: A motion was made to adopt the Washington Medical Commission exemptions portion of the rule language. The motion was seconded and passed.
3. **Washington Physicians Health Program (WPHP) Annual Report**
   Chris Bundy, MD, MPH, Medical Director for WPHP, provided the annual report.
   Dr. Bundy covered the WPHP’s purpose, relationship with boards, services, program
   process, and statistics. The presentation included interactive discussion of case studies.

   WPHP cosponsors with the Washington State Medical Association a new Mindfulness
   (stress reduction) for Health Professionals Tele-Training that qualifies for continuing
   education credit.

4. **Rules Project Update**
   The board heard an update on the following current rule projects:
   4.1 WAC 246-853-675 and WAC 246-854-255 Patient notification, secure storage, and
       disposal, as required by Substitute Senate Bill 5380.

       The CR101 has been filed, and the board is now moving forward with a CR102.
       The rules hearing is anticipated to be held in October 2019.

   4.2 Osteopathic physicians—full chapter review of chapter 246-853 WAC
   4.3 Osteopathic physician assistants:
       4.3.1 WAC 246-854-076—military spouse temporary permits, and
       4.3.2 WAC 246-854-086—re-entry to practice

       The CR102 for rules noted in Items 4.2 and 4.3 have been submitted and is now in
       agency review. A hearing on these rules may happen in September or October.

5. **Communication and Resolution Program (CRP)**
   The board had previously approved the initiation of a Statement of Understanding with the
   Foundation for Health Care Quality to enter into a Patient Safety Collaboration on cases
   that complete the Communication and Resolution Program (CRP). The board has also
   approved guidelines and a processing procedure policy. The Department of Health
   contracts office is reviewing the documents.

6. **House of Delegates Meeting**
   Dr. Ludwig represented the board at the Federation of State Medical Boards (FSMB)
   annual meeting and reported on the 2019 annual meeting held on April 27, 2019.
   Highlighted were two major discussions:
   - How to address issues related to aging physicians including competency requirements
     and measures for evaluation. More discussion is anticipated as the concern increases.
   - How much will artificial intelligence be a part of the future of medicine and how will it
     impact licensure, the monitoring of practice, and corrective actions?

7. **Washington Medical Commission (WMC) Meeting**
   Dr. Ludwig reported on the Washington Medical Commission meeting held on May 16,
   2019, that he was invited to attend. Observations included:
   - The Washington Medical Commission is more than twice the size of the Board of
     Osteopathic Medicine and Surgery.
• Having more case reviews, the WMC has two review panels. As Osteopathic practice increase in Washington state, it is conceivable that the board may eventually develop two panels.
• It was recommended that members from the WMC and from the board attend each other’s meetings annually. There is value in reviewing and comparing cases that are opened and those that are closed.
• The WMC is fully electronic and paperless. There is some progress being made that may impact the board.

8. **Summary Suspension Process**
Sara Kirschenman, staff attorney, presented the process to summarily suspend a license. A summary suspension is utilized in cases when there is evidence of imminent danger to the public health and safety. The WMC and the board has the authority to take action to summarily suspend a license while a hearing is pending.

There are two types of summary action cases. One is addressing an in state issue; the other is when another state, where that physician is licensed, has prohibited them from practicing. In the second type the board is mandated to summarily suspend the license.

The DOH Complaint Intake screens a complaint. If there appears to be an imminent risk of harm it is presented to the Expedited Case Management Team. If pursued, a meeting with the board is immediately called. The board may authorized it to be a Priority A case. It then moves to a top priority for investigation. The case is investigated and reviewed by a reviewing board member, and the board may approve for summary action at which time it moves into the further process toward summarily suspending the license, ultimately going to the Attorney General’s office on an accelerated timeline.

Realistically, it takes about 30 days from the time of the investigation to the point where a license may be summarily suspended.

9. **Newsletter**
The board confirmed that its newsletter would be published twice a year, in the spring and the fall. Each issue would have four to six articles. Articles identified for the next issue are:
  • A “What’s next” on the status of the SSB 530 rules
  • A short bio on Dr. Finch
  • Licensing and disciplinary statistics and board growth report
  • The Communication and Resolution Program (CRP)
  • The Mindfulness NW tele-training
  • The immunization law (with link)
  • The sexual misconduct law (with link)
  • The intent on opioid prescribing rules

10. **Correspondence**
The following correspondence had been received since the last meeting:
10.1 A request for lists/labels was received from Consilium Staffing, LLC.
MOTION: The motion was made to deny Consilium Staffing, LLC’s request for lists/labels. The motion was seconded and passed.

10.2 A request for lists/labels was received from Northwest Osteopathic Medical Association.

MOTION: The motion was made to approve Northwest Osteopathic Medical Association’s request for lists/labels. The motion was seconded and passed.

11. Program Reports—Renee Fullerton, Executive Director, Tracie Drake, Program Manager, Heather Carter, AAG Adviser

11.1 Budget and fee update – The fully reconciled 24 month report is not yet available. The board reviewed the 2019 Biennium-to-Date, June 30, 2019, budget report. The Fiscal Services office is being asked for clarification on the over spending shown for Grants and Subsidies. Other than that, the finances are as expected and in good shape. There is no new information on fees.

11.2 Statistics reports – There are currently 2,328 active osteopathic physician licensees. The practice continues to grow in Washington state.

11.3 Continuing medical education addition to renewal notices – The board reviewed language that it had requested to be added to license renewal notices. The language explains that certification with a specialty board within the previous six years is considered evidence of equivalent compliance with continuing medical education requirements.

The board suggested that the same language be added to audit letters. Staff will find out from the Credentialing office if it can be added.

11.4 Recruitment update
11.4.1 Board member – Dr. Sobel and Dr. Ware have applied for reappointment. Two applicants have been put forward for review for the one vacant position.

11.4.2 Public Member – Two applications have been received and have been put forward for review.

12. Open Forum
The purpose of the open forum is to provide the public an opportunity to address the board on issues of significance to or affecting osteopathic medical practice and that are not related to topics for which a rules hearing was or will be scheduled.

No public comments were offered.

The board discussed the issue of practitioners’ potential hesitance to address personal mental health conditions because of the licensure application question. Discussed was WMC’s adopting a statement that the licensure application’s mental condition question box pertains to having conditions less than six months, and does not need to be checked if the applicant is in a WPHP program.
13. **Future Business**
   The board identified the following agenda items for a future meeting:
   - Consideration of WMC’s language on disclosure of medical or physical condition on the licensure application.

14. **Settlement Presentations**
   Settlement and/or Agreed Order presentations are contingent upon agreements being reached between the parties prior to a board meeting. Decisions are made in closed session.

15. **Adjournment of public meeting**
   The public meeting was adjourned at 12:20 p.m.

16. **Discipline and Licensing**
   The board will attend to licensing and disciplinary matters.

   Respectfully Submitted

   ![Signature]

   Tracie Drake, Program Manager

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**NOTE:** please visit the web site for future agendas and minutes - [www.doh.wa.gov](http://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.