

**IOWA BOARD OF MEDICINE
400 SW 8th St. Suite C
Des Moines IA 50309**

PUBLIC SESSION MINUTES FOR JUNE 11, 2010

MEMBERS PRESENT:

**Siroos Shirazi, M.D., Chair
Rod Zeitler, M.D., Vice-Chair
Janice Galli, D.O., Secretary
Tom Drew
Amber Mian
Jeff Snyder, M.D.
Colleen Stockdale, M.D.
Paul Thurlow
Joyce Vista-Wayne, M.D.**

MEMBERS ABSENT:

Analisa Haberman, D.O.

STAFF PRESENT:

**Mark Bowden, Executive Director
Theresa Weeg, Assistant Attorney General
Julie Bussanmas, Assistant Attorney General
Kent M. Nebel, Director of Legal Affairs
John Olds, M.D., Medical Advisor
Russell Bardin, Chief Investigator
Ed Knapp, Investigator
James Machamer, Investigator
Cathy McCullough, Investigator
Teena Roush, Investigator
Amy VanMaanen, Director of Licensure
Sylvia Crook, License Specialist
Deb Anglin, Coordinator of IPHP
Teena Turnbaugh, Secretary**

PUBLIC PRESENT:

**Jeanine Freeman, Iowa Medical Society (IMS)
Heidi Goodman, IMS
Leah McWilliams, Iowa Osteopathic Medical Association (IOMA)
Lorinda Inman, Iowa Board of Nursing (IBON)
Kathy Weinberg, IBON
Kevin Kruse, Iowa Society of Anesthesiologists (ISA)
Tom Cope, Iowa Physician Assistant Association (IPAA)
Ed Friedmann, Physician Assistant Society (PAS)
Quinn Kurtz, Physician Assistant Society (PAS)
Laura Malone, Iowa Hospital Association (IHA)
Mary O'Brien, Iowa Association of Nurse Anesthetists (IANA)**

**Theresa Hegmann, University of Iowa Carver College of Medicine
Physician Assistant Program
Charles W. Burke
Michelle Lacher
Tom Fey**

The public session of the meeting was held at the Iowa Board of Medicine, 400 SW 8th Street, Suite C, Des Moines, Iowa.

The Board was in closed session.

On a motion by Rod Zeitler, M.D., and a second by Colleen Stockdale, M.D., the Board voted to go into open session.

Dr. Shirazi called the public session to order at 8:30 a.m.

A. Minutes

On a motion by Siroos Shirazi, M.D., and a second by Paul Thurlow, the Board approved the public and closed minutes for the May 6, 2010, teleconference and the voting and closed minutes for the September 4-5, 2009, meeting.

The September 4-5, 2009, public minutes were approved at the February 5, 2010, Board meeting.

B. Opportunity for Public Comment

Charles W. Burke and Michelle Lacher expressed their concerns regarding the RU486 medical abortions and procedures at Planned Parenthood Clinics in Iowa. Burke and Lacher believe Planned Parenthood is in violation of Iowa law as well as the manufacturer and FDA recommendations for the drug. Burke and Lacher request the Board review the Planned Parenthood procedures and physicians.

C. Chair's Report

Dr. Shirazi introduced Joyce Vista-Wayne, M.D. as a new Board member succeeding Yasyn Lee, M.D. Dr. Vista-Wayne is a psychiatrist in Ottumwa. Her term began May 1, 2010.

Two Board members, Dr. Siroos Shirazi and Paul Thurlow, and Executive Director Mark Bowden, attended the Federation of State Medical Boards annual meeting in Chicago, April 21-April 24, 2010. Bowden gave a presentation on public relations at the meeting.

D. Executive Committee

1. Executive Director's Report

The \$3.143 million spending plan for the 2011 fiscal year was accepted by the IDPH. This plan will allow for the filling of vacant positions, the maintenance of the new database and the pursuit of training for staff.

With the retirement of Bernard Jennisch, Mary Nelson, David Smith, and Teena Roush and the resignation of LaDee Piner, the Board will lose 95 years of experience.

The IBM database in cooperation with the Boards of Nursing and Dental will be operational in October 2010. IBM received a \$10,000 grant from the FSMB to write software to adopt the federation's uniform application.

The new IBM website is active. It provides 24/7 access to the Board with the public able to find a physician, make a complaint, etc. The website also provides the Board with tracking data, regarding how many people visit the site, how long they remain on the site, the location of the country and/or state of the visitor. Users from 39 countries visited the website during the month of May.

The IBM will be recognizing 125 years of state regulation of physicians in 2011. Staff and Board members are planning to mark the anniversary.

2. Administrative Rules

- a. **Chapter 13 –ICPM. Establishes standards of practice for interventional chronic pain management (ICPM) and defines ICPM as the practice of medicine. 653-13.9 through 13.9(3), NIA ARC 8579B, Adopt and File**

Mary O'Brien, IANA, submitted a letter of comment to the Board.

On a motion by Paul Thurlow and a second by Tom Drew, the Board voted to adopt and file the interventional chronic pain management rules as written.

- b. **Chapters 13, 23 –Med Spas – Delegation and Supervision. Establishes standard of practice for medical spa directors and the delegation and supervision of medical aesthetic service and define medical aesthetic services as the practice of medicine; establishes grounds for discipline. 653-13.8 through 13.8(4) and 6534-23.43 through 23.44 Notice of Intended Action**

Jeanine Freeman, Iowa Medical Society, stated that the Board made positive changes and direct clarification of the proposed rules. She said IMS wants further clarification as to who in terms of this rule does licensed personnel include.

A public hearing will be held on 11:00 a.m. on July 20 on the rules. Comments can be submitted until 4:30 p.m., July 20.

On a motion by Rod Zeitler, M.D., and seconded by Paul Thurlow, the Board voted to file the Notice of Intended Action regarding these rules.

- c. **Chapter 14 – Iowa Physician Health Committee (IPHC). Updates language in this chapter and provides for sharing of physician health program participant information to the Board in certain circumstances. ARC 8751C Adopt and File.**

On a motion by Paul Thurlow and a second by Colleen Stockdale, M.D., the Board voted to adopt and file the IPHC rules with slight modifications based upon public comment and legal review.

3. Other Boards

- a. Board of Pharmacy – Notice of Intended Action to amend Chapter 8, Universal Practice Standards, regarding administration of immunizations by pharmacists.**

The Board requested that Dr. John Olds and Dr. Carole Frier review the notice and make comments to the Board of Pharmacy by July 20. Drs. Olds and Frier previously worked with the pharmacy board staff to advise on the rules.

E. Iowa Physician Health Program

The Iowa Physician Health Committee held its last meeting on May 21, 2010. IPHP has 81 active cases with 69 physicians under contract.

Dr. Michael Flaum was elected Vice-Chair of the IPHC as Dr. Kent Croskey took the position of Chair in which was previously filled by Dr. Joyce Vista-Wayne who is now a member of the Board of Medicine.

F. Legal Update

Dr. Shirazi, Board Chair, and Mark Bowden, Executive Director, were sued by Adel S. Al-Jurf, M.D. The court dismissed the lawsuit.

Dr. Stephen Sparks sued the Board and complainant. The district court dismissed the lawsuit. Dr. Sparks appealed and the appeals court agreed with the district court and dismissed the lawsuit.

- G. A presentation was given by Theresa Hegmann, Physician Assistant, from the University of Iowa Carver College of Medicine Physician Assistants program.**

H. Licensure Committee Report

Paul Thurlow provided a summary of the licensure committees meeting. The committee granted one permanent license, one temporary license and one resident license. The committee also discussed the American Board of Medical Specialities, Maintenance of Certificate and the Guidance of Mandatory Training for Identifying and Reporting Abuse.

On a motion by Colleen Stockdale, M.D., and a second by Rod Zeitler, M.D., the Board voted to accept the Licensure Committee Report.

The meeting adjourned at 9:50 a.m.

These minutes are respectfully submitted by Teena Turnbaugh, secretary to the Board.