

**IOWA BOARD OF MEDICINE
REGULARLY SCHEDULED MEETING: June 27-28, 2013**

A G E N D A^{1, 3, 4, 5}

BOARD MEMBERS: Greg Hoversten, D.O., Chairperson; Hamed Tewfik, M.D., Vice Chairperson; Michael Thompson, D.O., Secretary; Robert Bender, M.D.; Frank Bognanno; Julie Carmody, M.D.; Diane Clark; Ann Gales; Julie Perkins, M.D.; Allison Schoenfelder, M.D.

THURSDAY, JUNE 27, 2013

7:30 a.m. **EXECUTIVE COMMITTEE** – Medical Conference Room B
Chair Hoversten, Clark, Gales, Tewfik, Thompson

7:30 a.m. **SCREENING COMMITTEE** – Board Room
Chair Perkins, Bender, Bognanno, Carmody, Schoenfelder

9:00 a.m. **MONITORING COMMITTEE** – Board Room
Chair Tewfik, Bognanno, Carmody, Hoversten, Perkins

9:00 a.m. **LICENSURE COMMITTEE** – Medical Conference Room B
Chair Thompson, Bender, Clark, Gales, Schoenfelder

BOARD – OPEN SESSION – Board Room
Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

BOARD – CLOSED SESSION¹ – Board Room
Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

- A. Review of closed minutes**
 - 1. April 4, 2013, teleconference**
 - 2. April 18, 2013, teleconference**
 - 3. April 25-26, 2013, Board meeting**
 - 4. May 23, 2013, teleconference**
 - 5. June 6, 2013, teleconference**

- B. Iowa Physician Health Committee**
 - 1. Notice of non-compliance**

LUNCH BREAK

BOARD – CLOSED SESSION¹ – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

3:30 p.m.

BOARD – OPEN SESSION – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

- A. Unlicensed practice of medicine**
 - 1. Kristie Burns**
- B. Vote on closed session cases**
- C. Go to recess until 8:00 a.m. Friday, June 28, 2013**

FRIDAY, JUNE 28, 2013

8:00 a.m.

BOARD – OPEN SESSION – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

BOARD – CLOSED SESSION¹ – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

LUNCH BREAK

BOARD – CLOSED SESSION¹ – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

1:00 p.m.

BOARD – PUBLIC MEETING (OPEN SESSION) – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

- A. Roll-call to establish quorum, acknowledgement of absent Board members, introduction of new Board members, and approval of agenda^{3,4}**
- B. Opportunity for public comments⁵**
 - 1. Comments by public present**
 - 2. Phone-in comments from James J. Amos, M.D., regarding maintenance of licensure**
 - 3. Presentation on Virtuwell online diagnostic and treatment health care system. (David Lyons, Chief Executive Officer)**

- C. **Board minutes for consideration of approval:**
 - 1. **April 4, 2013, teleconference (open & closed)**
 - 2. **April 18, 2013, teleconference (open & closed)**
 - 3. **April 25-26, 2013, Board meeting (open & closed)**
 - 4. **May 23, 2013, teleconference (open & closed)**
 - 5. **June 6, 2013, teleconference (open & closed)**

- D. **Chair's report**

- E. **Executive Director's report**

- F. **Review of FY 2014 Budget**

- G. **Administrative rules**
 - 1. **Adopt and File amendments to 653 IAC Chapters 8,9,11** – Exempts the permanent licensure renewal fee and the continuing education requirements for physicians on full-time active duty in the U.S. armed forces, reserves or National Guard.
 - 2. **Adopt and File amendment to 653 IAC Chapter 21** – Recognizes 1:5 ratio for physician supervision of a physician assistant.
 - 3. **Notice of Intended Action to amend 653 IAC Chapter 1** – Prevents a board member from serving more than one (1) term as Board chair.
 - 4. **Notice of Intended Action to amend 653 Chapters 8,9,10** – Reduces some licensure and copy fees; expands the range (from \$100 to up to \$300) per quarter for monitoring physicians under Board orders.
 - 5. **Notice of Intended Action to amend 653 Chapter 13** – Rescinds rules for physician supervision of pharmacists who administer immunizations.
 - 6. **Notice of Intended Action to amend 653 Chapter 14** – Updates language in rules for the Iowa Physician Health Committee and the program for physicians with diagnosed impairments.
 - 7. **Petition to promulgate a rule regarding the standards of practice for physicians who perform chemical/medical abortions.**
 - 8. **Notice of Intended Action to amend 653 Chapter 13**—A new rule to establish the standards of practice for physicians who perform chemical/medical abortions.

- H. **FY 2014 Regulatory Plan**

- I. **Iowa Physician Health Program**
 - 1. **Program statistics report**

- J. **Update on judicial review of Board cases and related cases**
(Asterisk indicates case is pending in the Supreme Court/Court of Appeals. Other cases are in district court.)
 - 1. **Adel Al-Jurf, M.D.***
 - 2. **Amjad Butt, M.D.***
 - 3. **Mark Collison, M.D.***
 - 4. **Donna DeLouis, D.O.**
 - 5. **Wendy Smoker, M.D.***
 - 6. **Robert Tobin, M.D.***
 - 7. **Fawad Zafar, M.D.**
 - 8. **Iowa Supreme Court decision on administrative rules permitting advanced nurse practitioners to supervise fluoroscopy**

K. Vote to withdraw final decisions in the matters of Wendy Smoker, M.D.

1. File No. 02-09-623
2. File No. 02-12-431

L. Licensure & Licensure Committee Report

M. Reports & Articles

1. *Ruling jeopardizes authority of state medical boards*, By Alicia Gallegos, American Medical News:
<http://www.amednews.com/article/20130617/profession/130619946/2/>,
June 17, 2013.

BOARD – CLOSED SESSION¹ – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

BOARD – OPEN SESSION – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

A. Vote on Closed Session Cases

ADJOURN

(1) The confidential matters listed on the agenda may concern medical records on the condition, diagnosis, care or treatment of a patient or investigation reports and other investigative information which are privileged and confidential under the provisions of Sections 22.7(2) and 272C.6(4), of the 2012 Code of Iowa. These matters constitute a sufficient basis for the Board to consider a closed session under the provisions of Section 21.5(1)(a), (d), (f) and (g) of the 2012 Code of Iowa. These sections provide that a governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body if all present, or all of the members present if not all members are present at the meeting to review or discuss records which are required or authorized by state or federal law to be kept confidential, to discuss whether to initiate licensee disciplinary investigations or proceedings and to discuss the decision to be rendered in a contested case conducted according to the provisions of Chapter 17A.

(2) Hearings may be closed at the discretion of the licensee, according to Section 272C.6(1) of the Code of Iowa 2012.

(3) Public agenda materials are available via e-mail. Public sessions are recorded and available via CD upon request. Contact natalie.sipes@iowa.gov

(4) The Iowa Board of Medicine may address agenda items out of sequence to accommodate persons appearing before the Board or to aid in the efficiency or effectiveness of the meeting.

(5) At this time, members of the audience may address the Board for a period not to exceed 5 minutes. The Board reserves the right to reduce this time based on the number wishing to speak. If a member of the public wishes to address the Board with the intention of getting a Board decision at the meeting, the individual should request permission to be on the Board agenda. Written requests are due in the Board office at least 14 days in advance of the meeting.

The next scheduled Board meeting is Thursday and Friday, August 29-30, at 400 SW Eighth Street, Suite C, Des Moines, Iowa.

If you require the assistance of auxiliary aids or services to participate in/or attend the meeting because of a disability, please call our ADA Coordinator at (515) 281-5604. If you are hearing impaired, call Relay IA TTY at 1-800-735-2942.