Fields of Opportunities

STATE OF IOWA

TERRY BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

IOWA BOARD OF MEDICINE
MARK BOWDEN, EXECUTIVE DIRECTOR

FOR IMMEDIATE RELEASE: May 22, 2014
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Physician licensure increases in Iowa

DES MOINES, IA – The Iowa Board of Medicine saw a 6 percent increase in number of new medical licenses issued in 2013, continuing a trend of solid growth in the number of physicians seeking licensure in Iowa.

The Board issued 863 new licenses in 2013, up from 815 in 2012, and a 11 percent increase over the 776 licenses issued in 2011, according to the agency's 2013 annual report, which was released today (May 21, 2014).

The increase in licensure applicants represents more physicians establishing office practice in the state or employed by hospitals and clinics, more non-resident physicians working on temporary assignment in Iowa, or who are using telecommunications from non-Iowa locations to practice specialties such as radiology and pathology to diagnose patients in Iowa.

The report shows 6,829 physicians with active licenses in Iowa in 2013, up from 6,700 in 2012. There were 737 physicians in Iowa residency training programs in 2013, up from 691 in 2012. There were 50 acupuncturists with active Iowa licenses, up from 46 the previous year.

At the end of 2013, the Board was administering 11,578 active physician licenses, up 4 percent from 11,134. These numbers include physicians whose primary practices are in another state.

Other highlights of the report on Board activities in 2013 versus 2012:

- 661 complaints and mandatory reports were received, down from 792
- 44 physicians were charged, up from 32
- 92 public disciplinary actions were taken, down from 107
- 101 confidential letters of education or warning were issued, up from 92
- $74,500 in fines were imposed on 16 physicians, versus $185,000 for 29 physicians
- 79 participants were in a Board program to support and monitor physicians who self-report mental health issues, physical disabilities or substance use disorders

The 2013 report is attached and is also available at:
http://www.medicalboard.iowa.gov/images/Stats/2013%20Annual%20Report.pdf

IOWA BOARD OF MEDICINE

2013 ANNUAL REPORT

About the Board

The 21st General Assembly created the State Board of Medical Examiners in 1886 to license physicians and regulate the practice of medicine. Initially, the Board issued licenses to several classes of physicians, including medical (M.D.), homeopaths, and eclectics.

The Board did not issue licenses for osteopathic physicians until 1902. In 1921, the 39th General Assembly created a separate board to license and regulate osteopaths. In 1963, the 60th General Assembly abolished the osteopathic board and redefined the State Board of Medical Examiners, making it a composite board to license allopathic physicians (M.D.s) and osteopathic physicians (D.O.s).

In 2007, the 81st General Assembly changed the board's name to the Board of Medicine.

Since 1994, the Board has registered, licensed and regulated acupuncturists. Over the past 128 years, the Board has directly or indirectly been responsible for licensure or regulation of other health care providers, including nurses, advanced emergency medical technicians, paramedics, and physician assistants. All of these professions are now licensed and regulated by their own boards.

In 1996, the Legislature authorized the Board to establish the Iowa Physician Health Committee, which administers a program to advocate for and monitor the recovery and rehabilitation of impaired physicians.

The Board regulates the practice of medicine and surgery and acupuncture under the authority of Iowa Code chapters 147, 148, 148E and Section 653 in the Iowa Administrative Code.

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The Board is charged with enforcing these laws and rules to protect the public from licensees who do not practice medicine and acupuncture within prevailing and acceptable standards of care. The Board also issues cease and desist notices to persons who practice medicine and acupuncture without a license.

The Board is an Executive Branch agency within the Iowa Department of Public Health. The Board is funded entirely with licensure fees.

MEMBERS OF THE BOARD OF MEDICINE, MAY 1, 2013, TO APRIL 30, 2014: (front row from left): Julie Carmody, M.D., Clive; Julie Perkins, M.D., Carroll; Allison Schoenfelder, M.D., Akron; Diane Clark, Lake Mills; Ann Gales, Bode. (Back row from left): Hamed Tewfik, M.D., Iowa City; Greg Holversten, D.O., Iowa City; Michael Thompson, D.O., Pella; Robert Bender, M.D., Clive; and Frank Bognanno, Des Moines. (Ms. Gales resigned from the Board January 24, 2014, due to her appointment as an Iowa District Court associate judge.)

Board Members

The 10-member Board of Medicine is composed of seven physicians (five M.D.s and two D.O.s) and three non-physicians who represent the public. Members are appointed by the Governor and confirmed by a two-thirds' majority vote in the Iowa Senate for a full three-year term or to complete the unexpired term of a member who resigned. Members can serve up to nine years. Members receive a per diem and expenses. The Board annually elects a chairman, vice chairman and secretary and is organized into four standing committees, each with five members: Executive, Licensure, Monitoring, and Screening, which reviews complaints about licensees.

2013-14 MEMBERS & OFFICERS	APPOINTED	TERM EXPIRES
Greg Hoversten, D.O., Iowa City, Chairman	2011	April 30, 2014
Hamed Tewfik, M.D., Iowa City, Vice Chairman	2011	April 30, 2014
Michael Thompson, D.O., Pella, Secretary	2012	April 30, 2015
Robert Bender, M.D., Clive	2013	April 30, 2016
Frank Bognanno, Des Moines	2012	April 30, 2015
Julie Carmody, M.D., Clive	2013	April 30, 2016
Diane Clark, Lake Mills	2011	April 30, 2014
Ann Gales, Bode	2012, 2013	April 30, 2016
Julie Perkins, M.D., Carroll	2012	April 30, 2015
Allison Schoenfelder, M.D., Akron	2013	April 30, 2016

Executive Director's Report

The Board of Medicine takes seriously its fundamental responsibility to serve the citizens of Iowa by ensuring that physicians and acupuncturists are qualified to practice and that they are adhering to laws, rules and standards that regulate their practices.

In 2013 the Board:

- Installed a new database to improve the agency's efficiency and streamline services for the public and licensees.
- Administered active licenses for 11,616 physicians, up 482 from 2012, and 50 licensed acupuncturists, up from 46 in 2012.
- Received 661 complaints and mandatory reports, down from 792 in 2012.
- Took 92 public disciplinary actions, down from 107 actions in 2012, and issued 101 confidential letters of warning and education, up from 92 in 2012.
- Filed charges against 44 physicians, up from 32 in 2012.
- Assessed civil penalties totaling $74,500 involving 16 cases.
- Amended or promulgated six administrative rules to reduce fees, provide relief for physicians on active military duty, update regulatory language, and establish standards of practice for physicians who perform medical abortions.
- Held seven two-day administrative meetings, 12 teleconference meetings, and five contested case hearings.
- Continued a robust educational outreach program to the public and licensees, health care stakeholders, and state and federal government officials.
- Participated in training activities and regulatory discussions offered by the Federation of State Medical Boards and the Administrators in Medicine.

The Board places great emphasis on completing timely, fair and complete investigations that result in appropriate action. Concurrently, the Board provides assistance and guidance to physicians through the adoption of rules and regular communications on disciplinary actions and a variety of issues relating to the practice of medicine.

In addition, the Board remains a strong supporter of the Iowa Physician Health Program, which facilitates the recovery and rehabilitation of physicians who have mental, physical or chemical dependency issues that, if left untreated or not monitored, could impair their ability to practice safely.

This brief report is a statistical tabulation of the Board's work during 2013. Behind these numbers is the hard work of a devoted and professional staff and the exceptional public service of dedicated Board members.

Do you want to know more about the Board? Please visit us online at www.medicalboard.iowa.gov or contact me.

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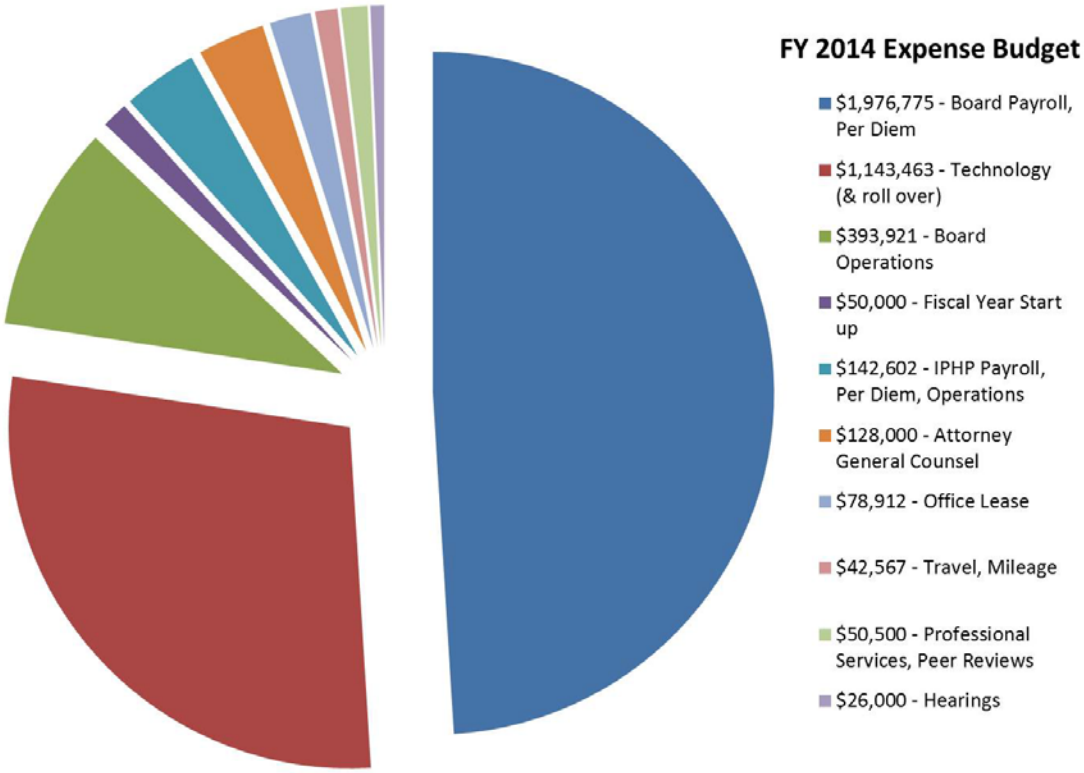
FY 2014 Budget



BOARD OF MEDICINE'S EXPENSE BUDGET FOR FISCAL YEAR 2014 (JULY 1, 2013, THROUGH JUNE 30, 2014): $4,032,740, up from $3,671,280 in FY2013. The FY2014 budget includes roll-over funds accrued to cover one-time expenses to fund the Board's new database and technology upgrades. The Board's anticipated revenue from licensure fees in FY2014 is $2,902,740. On October 25, 2013, the Board voted to reduce several fees, including medical residency licenses, criminal background checks for medical and acupuncture license applicants, and fees for public records and duplicate licenses.

2013 Meeting Schedule

Minutes of the public/open proceedings are available: www.medicalboard.iowa.gov

BOARD MEETINGS	HEARINGS	TELECONFERENCES	
January 10-11	March 21	January 31	June 6
March 7-8	April 26	February 7	July 11
April 25-26	June 13	February 14	July 25
June 27-28	October 10-11	April 4	August 8
August 29-30	December 20	April 18	September 26
October 24-25		May 23	December 12
December 19-20			

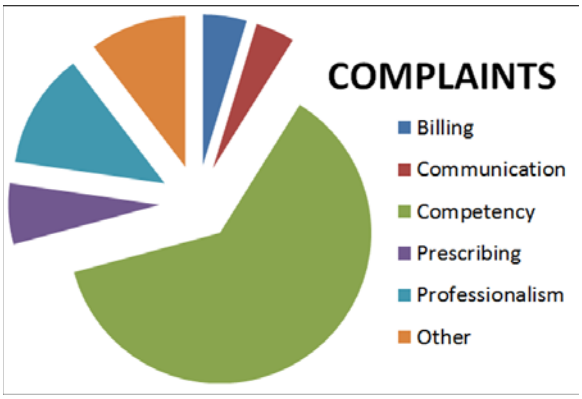
Licensure

JANUARY 1 TO DECEMBER 31	2011	2012	2013
Active M.D. licenses on 12/31	9,310	9,468	9,852
Active D.O. licenses on 12/31	1,602	1,666	1,764
TOTAL ACTIVE LICENSES ON 12/31	**10,912**	**11,134**	**11,616**
M.D.s residing in Iowa with active license on 12/31	5,431	5,478	5,549
D.O.s residing in Iowa with active license on 12/31	1,183	1,222	1,280
TOTAL ACTIVE RESIDING IN IOWA ON 12/31	**6,614**	**6,700**	**6,829***
Permanent physician licenses issued			
By endorsement	351	418	481
By expedited endorsement	154	145	195
By examination	271	252	281
TOTAL PERMANENT ISSUED	**776**	**815**	**957**
Physician licenses that were denied	1	0	0
Physician licenses renewed	4,987	5,223	5,123
Physician licenses that went inactive	533	589	618
Physician licenses reinstated	73	93	103
Resident(training) physician licenses			
Licenses issued	277	276	286
Licenses renewed	5	4	0
Licenses that went inactive	285	284	261
TOTAL ACTIVE RESIDENT ON 12/31	**674**	**691**	**736**
Special physician licenses			
Licenses issued	9	2	1
Licenses renewed	24	28	26
Licenses that went inactive	7	4	1
TOTAL ACTIVE SPECIAL ON 12/31	**31**	**29**	**29**
Temporary physician licenses			
Licenses issued	5	7	10
Licenses renewed	0	0	0
Licenses that went inactive	8	5	4
TOTAL ACTIVE TEMPORARY ON 12/31	**5**	**6**	**13**
Acupuncturist licenses			
Licenses issued	6	5	4
Licenses renewed	0	44	0
Licenses that went inactive	2	0	6
TOTAL ACTIVE ACUPUNCTURE ON 12/31	**47**	**46**	**50**

**Totals for active licensees residing in Iowa is shown through November 19, 2013, when collating of data was temporarily suspended to accommodate the installation of the new licensure data base. All other data is through December 31, 2013.*

Enforcement

JANUARY 1 TO DECEMBER 31	2011	2012	2013
COMPLAINTS, MANDATORY REPORTS			
Complaints received	636	723	493
Reports received	110	81	168
TOTAL COMPLAINTS, REPORTS	**746**	**792**	**661**
Complaint files closed	670	604	683
Report files closed	108	81	115
TOTAL FILES CLOSED	**778**	**685**	**798**
Complaint investigations open on 12/31	562	704	659
Report investigations open on 12/31	2	3	4
TOTAL INVESTIGATIONS OPEN	**564**	**707**	**663**
INFORMAL DISCIPLINARY ACTION			
Letter of warning	80	81	87
Letter of education	13	11	14
TOTAL INFORMAL ACTION	**93**	**92**	**101**
STATEMENT OF CHARGES	**34**	**32**	**44**
FORMAL DISCIPLINARY ACTION			
License revocation/surrender	7	9	20
License suspension	5	9	1
License probation	10	14	11
Civil penalty	23	33	16
Citation and warning	29	33	31
Practice restriction	6	9	13
TOTAL FORMAL ACTION	**80**	**107**	**92**
CEASE AND DESIST LETTERS	**1**	**1**	**0**
MONITORING CASES ON 12/31	**195**	**205**	**206**



This chart shows the major categories of complaints and mandatory reports the Board received in 2013. Competency includes a broad range of issues, from diagnosis and treatment to surgery and after care.

Alternate Members

Alternate members of the Board of Medicine play an important role in contested case hearings. Up to two Alternates can serve on a six-member panel for a hearing when a quorum (six members) of the 10 current members of the Board is not available. (*Effective July 1, 2014, the Board can use up to three Alternates.) Alternates can be recommended by the Board, but must they be appointed by the Governor. An Alternate's term is nine years. Alternates receive a per diem and expenses.

ALTERNATE MEMBERS	APPOINTED
Carole Frier, D.O., Des Moines	March 25, 2011
Analisa Haberman, D.O., Mason City	August 21, 2012
Bruce Hughes, M.D., Des Moines	March 25, 2011
John Marshall, M.D., Council Bluffs	August 21, 2012
Jeff Snyder, M.D., Crescent	September 26, 2013
Paul Thurlow, Dubuque	November 14, 2011
Janece Valentine, Fort Dodge	July 8, 2012
Joyce Vista-Wayne, M.D., Clive	September 26, 2013
Allen Zagoren, D.O., Clive	March 19, 2009

Contested Case Hearings

The Board of Medicine may file a statement of charges if it finds probable cause that a licensee violated Iowa law or the Board's rules. The case is referred to the Iowa Attorney General's Office and an assistant attorney general is assigned to prosecute the case. The Board office schedules a hearing for the licensee and the state to present evidence related to the charges to a hearing panel of Board members. State law encourages the Board to enter into informal settlement negotiations prior to the initiation of a hearing. In most circumstances the state makes a settlement offer. If no settlement is reached, the case proceeds to hearing. A panel of at least six Board members, two of whom can be Alternate members*, will hear the case at the Board's office. An administrative law judge from the Iowa Department of Inspections and Appeals assists the Board during the hearing, rules on matters of law and assists the Board in preparing the findings of fact, conclusions of law, decision, and order of the Board based on the evidence presented during the hearing.

HEARINGS				
	2010	2011	2012	2013
Hearings	7	4	8	5
Hearings using Alternates	4	3	6	3
Total hearing days	7	4	9	6
Cases settled with hearings	50	38	40	47

Peer Reviews

In addition to three public members, the Board of Medicine includes only seven physicians, representing at most seven specialties. Complaints about Iowa physicians, however, cross the spectrum of specialties, from anesthesiology to urology. Therefore, in competency issues expertise in a given case may not be available on the Board when the case is discussed. If, after a case has been investigated and discussed at the Board level, specialty expert opinion is needed to fairly determine if the standard of care has or has not been met, a formal peer review may be requested. John Olds, M.D., the Board's medical advisor, will recruit physicians to serve on a committee to review a case file, which includes the investigative report, interviews with the complainant, witnesses and the physician involved, and pertinent medical records. The peer reviewers then discuss their findings and determinations amongst themselves and submit a formal report to the Board for consideration. Iowa physicians who are interested in serving as a peer reviewer may contact Dr. Olds at (515) 242-3229.

PEER REVIEWS						
	2008	**2009**	**2010**	**2011**	**2012**	**2013**
Ordered	10	8	6	7	9	11
Completed	9	9	6	8	9	7

Civil Penalties

Iowa Code 148.6(1) provides that the Board of Medicine, after due notice and hearing, may issue an order to discipline a licensee, including imposing a civil penalty not to exceed $10,000. All penalties are deposited in the general fund of the State of Iowa. The Board does not financially benefit from the penalties it imposes. The Board is funded entirely with licensure fees.

CIVIL PENALTIES						
	2008	**2009**	**2010**	**2011**	**2012**	**2013**
LICENSEES	23	19	24	23	29	16
AMOUNTS						
1,000	3	4	1	2	3	2
2,000	1	0	0	0	1	0
2,500	9	7	5	7	6	6
4,000	0	0	1	0	0	0
5,000	7	4	13	9	5	4
7,500	0	1	0	1	4	1
10,000	3	3	4	4	11	3
TOTALS	**92,500**	**78,500**	**122,500**	**112,000**	**185,000**	**74,500**

Since 2007, the Board has deposited $725,500 in civil penalties in Iowa's general fund.

Administrative Rules

The Board of Medicine's administrative rules, which have the weight of law, are found in Section 653 of the Iowa Administrative Code. Before the Board can adopt a new rule or amend an existing rule, the intended action item must be published in the Administrative Bulletin and reviewed at a public hearing. The proposed change can also be subject to review by the Legislature's Administrative Rules Review Committee.

These amendments and rules were adopted by the Board in 2013:

- **CHAPTER 8, FEES; CHAPTER 9, PERMANENT PHYSICIAN LICENSURE; AND CHAPTER 10, RESIDENT, SPECIAL AND TEMPORARY PHYSICIAN LICENSURE -- ARC 1187C.** The amendments to these chapters reduce the resident physician licensure fee from $150 to $100; reduce the criminal background check fee (all licenses) from $55 to $45; reduce the licensure verification fee from $40 to $30; eliminate the $25 duplicate license fee; eliminate the $50 electronic data fee; and increase the quarterly monitoring fee from $100 to up to $300. Other amendments eliminate redundant or outdated language. **NOTICED 6/28/2013 | ADOPTED 10/25/2013 | EFFECTIVE 1/1/2014**

- **CHAPTER 8, FEES; CHAPTER 9, PERMANENT PHYSICIAN LICENSURE; AND CHAPTER 11, CONTINUING EDUCATION AND TRAINING REQUIREMENTS – ARC 0871C.** The amendments to these chapters provide for an exemption to 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. **NOTICED 3/8/2013 | ADOPTED 6/28/2013 | EFFECTIVE 8/28/2013**

- **CHAPTER 13, STANDARDS OF PRACTICE AND PRINCIPLES OF MEDICAL ETHICS – ARC-1033C.** The amendment rescinds a rule which was made moot by a revision to Iowa Code chapter 155A to authorize vaccine administration by pharmacists. New Iowa Code section 155A.44, promulgated by 2013 Iowa Acts, Senate File 353, became effective July 1, 2013. **NOTICED 6/28/2013 | ADOPTED 8/30/2013 | EFFECTIVE 11/6/2013**

- **CHAPTER 13, STANDARDS OF PRACTICE AND PRINCIPLES OF MEDICAL ETHICS – ARC-1034C.** The amendment defines the standards of practice for physicians who prescribe or administer abortion-inducing drugs. **NOTICED 6/28/2013 | ADOPTED 8/30/2013 | EFFECTIVE 11/6/2013** (*The implementation of this rule is stayed pending a judicial review of this rulemaking in 2014).*

- **CHAPTER 14, IOWA PHYSICIAN HEALTH COMMITTEE – ARC1188C.** The amendments update language throughout Chapter 14 to provide clarity and to more closely align rules with practices of the Committee and the program. The amendments define program participants, the duties of the Committee's officers, and the discretion of the Committee to report a participant to the Board of Medicine for noncompliance with the participant's program contract. **NOTICED 6/28/2013 | ADOPTED 10/25/2013 | EFFECTIVE 1/1/2014**

- **CHAPTER 21, GROUNDS FOR DISCIPLINE – ARC 0870C.** The amendment recognizes that physicians can supervise up to five physician assistants concurrently, as provided for in a new state law, Iowa Code Chapter 148C.3, subsection 2, which became effective July 1, 2012. **NOTICED 3/8/2013 | ADOPTED 6/28/2013 | EFFECTIVE 8/28/2013**

Iowa Physician Health Program

The Iowa Physician Health Program (IPHP) was established in 1996 to support physicians who self-report mental health issues, physical disabilities or substance use disorders. The advocacy and confidential monitoring program is administered by the Iowa Physician Health Committee, which is appointed by the Board of Medicine. Participants sign contracts agreeing to adhere to the strict guidelines. The program's overarching goals are supporting physicians who seek the program's assistance, protecting the public by carefully monitoring physicians with diagnosed impairments that may affect their abilities to practice, and maintaining credibility with the Board and the public by accountability and responsible application of authority. The committee and program are defined in Iowa Administrative Code 653 Chapter 14. Committee members receive a per diem and expenses.

The committee held six meetings in 2013 and met with 64 program participants. The IPHP's budget of $187,221 in FY 2014 was funded entirely with licensure fees. Licensees do not pay additionally to participate in the program, but they are responsible for all costs associated with drug screening, therapy, treatment and so forth.

Staff members of the Board manage the program, and the committee's co-chairs and legal counsel provide guidance on case issues. Members of the committee in 2013:

- Sasha Khosravi, D.O., Grimes, Co-Chairman
- Lester Yen, M.D., West Des Moines, Co-Chairman
- Raymond Harre, M.D., Davenport
- Lynn Martin, Ph.D., Des Moines, licensed marriage and family therapist
- Doug Peters, M.Div., Iowa City
- Julie Scheib, B.A.S., Spirit Lake, alcohol and drug counselor
- Laura Van Cleve, D.O., Grinnell
- Mark Bowden, executive director, Board of Medicine

Board staff members assigned to the IPHP are program coordinator Deb Anglin, L.M.S.W., and project manager/case manager Amy Van Maanen. Sara Scott, an assistant Iowa Attorney General, provides legal counsel for the program.

IPHP			http://iphp.iowa.gov/		
(Totals on December 31)	2012	2013		2012	2013
Participants	79	79	**Chemical dependency**	8	12
Male	59	62	**Mental health**	24	23
Female	20	17	**Physical disability**	7	10
M.D.	62	60	**Chemical & mental**	18	24
D.O.	16	19	**Physical & mental**	3	2
L.Ac.	1	0	**New participants**	48	40
Avg. age	45.3	46.6	**Discharged**	49	41
Avg. years in IPHP	3	1.8	**Contract violation reports**	5	8

Board Staff

The Board of Medicine is fortunate to have dedicated, competent personnel who take their jobs – and the Board's mission – seriously. Every day, these men and women perform licensure and regulatory enforcement duties that enable the Board to protect the health of Iowans.

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Sylvia Crook
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Judy Hojati
Renewal Coordinator

Amanda Woltz
Licensing Specialist

IOWA PHYSICIAN HEALTH PROGRAM

Deb Anglin, Coordinator
Amy Van Maanen, Project Manager

ENFORCEMENT

Russell Bardin
Chief Investigator

Brandi Allen
Investigator

Luann Brickei
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Jennifer Huisman
Investigator

Aaron Kephart
Investigator

Mary Knapp
Monitoring Coordinator

James Machamer
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Cathy McCullough
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David McGlaughlin
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Investigator

Crystal Tice
Support Coordinator

IOWA ATTORNEY GENERAL'S OFFICE

Julie Bussanmas
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Sara Scott
Assistant Attorneys General

COVER ARTWORK: A Vitruvian Man on a background of digital binary code symbolizes the ubiquity of electronic records in today's medical practices. *Shutterstock*