



TERRY E. BRANSTAD, GOVERNOR

BOARD OF MEDICAL EXAMINERS
WILLIAM S. VANDERPOOL, DIRECTOR

January 30, 1990

The Honorable John P. Kibbie, Chair
Senate Committee on State Government
State Capitol Building
L O C A L

Dear Senator Kibbie:

Pursuant to the provisions of Section 258A.4(2) of the 1989 Code of Iowa, the Iowa State Board of Medical Examiners hereby submits the annual report of its activities for calendar year 1989.

A. The following administrative rules which relate to the duties and operations of the Board were promulgated, and adopted.

1. 641-132 relating to advanced emergency medical technicians. A 28E Agreement has been signed by the Board of Medical Examiners and the Department of Public Health which permits the Emergency Medical Service Section to coordinate the EMS programs administered by the Board of Medical Examiners. The Emergency Medical Service Section will administer the Board's certification examinations along with the Department's examinations. Certificants will be issued only the highest level of certification and their certification dates will be coordinated with the National Registry of EMTs. These rules became effective January 1, 1989.

2. 653-21 relating to criteria and procedures for the determination of ineligibility of a physician to serve as a supervising physician or alternate supervising physician for a physician assistant. These rules were adopted to comply with the enactment of 1988 Iowa Acts, Senate File 2169. These rules became effective on March 1, 1989.

3. 653- Chapters 10 and 11 relating to the general duties of the Board and Board licensure requirements. These rules are to clarify definitions relating to professions the Board licenses and regulates and also clarify the definition of the Board and its responsibilities. Effective July 1, 1988, the Board no longer licenses physician

assistants so all citations of Chapter 148C have been removed. New rules were established for the issuance of special licenses and fees were also set for endorsement applications, reinstatement of revoked, suspended or lapsed licenses and special licenses. The penalty fee for an expired license was increased. These rules became effective June 21, 1989.

4. 653-12 relating to disciplinary proceedings for a physician sponsoring a physician assistant. These rules became effective September 13, 1989.

5. 653-21.4 relating to the determination of ineligibility of a physician to serve as a supervising physician or alternate supervising physician for a physician assistant. These rules were adopted from comments received from the Board of Physician Assistant Examiners. These rules became effective October 25, 1989.

6. 641-132 relating to advanced emergency medical care providers regulated by the Board of Medical Examiners and advanced emergency medical care services regulated by the Department of Public Health. These rules amend and clarify definitions relating to advanced emergency medical care including establishing a new certification level - First Responder-Defibrillation. They also modify and standardize the fee structure for written examination/certification, recertification, endorsement and late applications. These rules also implement 1989 Iowa Acts, House File 371. These rules became effective November 8, 1989.

A copy of the above mentioned rules is enclosed for review.

B. The Board received and opened investigations into 282 complaints during calendar year 1989. In addition, the Board received notification of, and opened inquiries into, 185 professional liability (malpractice) claims during calendar year 1989. Of the 282 complaint related investigations opened in 1989, 32 were opened on the Board's own motion. The remaining 250 complaints were received from a variety of sources including; patients, other health care professionals, law enforcement or criminal justice agencies, hospitals, the general public, etc.

C. There were no disciplinary actions taken by the Board during calendar year 1989 as the direct result of peer review committee action alone. Registered peer review committees were utilized by the Board however, to review and evaluate medical records, investigative reports and similar material, and to submit reports and recommendations to the Board relating to committee findings.

D. The Board reviewed 210 professional liability (malpractice) claims during calendar year 1989.

E. There were 36 formal disciplinary actions commenced before the Board or Courts during calendar year 1989.

F. The Board imposed a total of 110 formal and informal disciplinary sanctions during calendar year 1989 which include:

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|------------------------------------------------------------------------------------------|---|----|
| 1. License or certification revocations | - | 2 |
| 2. License or certification suspensions | - | 9 |
| 3. License or certification surrenders accepted as disposition to a contested case | - | 1 |
| 4. Licenses or certifications placed on probation | - | 8 |
| 5. Civil penalties (fines) assessed alone | - | 6 |
| 6. Letters of Warning/Concern issued * | - | 84 |

GRAND TOTAL 110

* Informal sanctions

One (1) formal disciplinary action was dismissed without prejudice by the Board due to the fact that the licensee had left Iowa, and due to the inability of the Board to effect service of notice of the action upon the licensee. The action may be refiled if the licensee returns to the state.

G. During calendar year 1989, two (2) Board disciplinary actions which had been appealed to District Court were upheld by the District Courts. As of December 31, 1989, one disciplinary action appealed to the District Court in 1986 remains in the Court, and one (1) disciplinary action upheld by the District Court and appealed on to the Iowa Supreme Court awaits further Court action.

H. During calendar year 1989, the Board registered six (6) peer review committees. The committees are:

1. Surgical peer review committee, 3 members.
2. Anesthesiology peer review committee, 3 members.
3. OB/GYN peer review committee, 3 members.
4. Internal Medicine peer review committee, 3 members.
5. Emergency Medical Service peer review committee, 2 members.
6. Neurosurgery peer review committee, 1 member.

I. In addition to the formal disciplinary actions previously outlined in this report, the Board through formal action:

1. Denied the applications for Iowa licensure submitted by four (4) physicians.
2. Following an appeal hearing, authorized the issuance of a resident physician license, which had initially been denied, on five (5) year probation.

3. Approved applications for Iowa licensure submitted by two (2) physicians with histories of alcohol or drug abuse, or mental illness, under terms of consent agreements requiring monitoring, continued treatment, restricted practice, etc.
4. Accepted the voluntary surrender of licensure without charges of one (1) physician due to infirmities of advanced age. Accepted the surrender of certification of one (1) paramedic who did not wish to remain certified under the terms of probation.

J. Formal actions concluded by the Board during calendar year 1989 both Licensure and Disciplinary totaled 33.

K. During calendar year 1989, the Board approved the issuance of the following physician licenses:

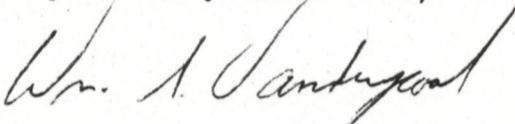
1. 563 permanent licenses, including both M.D. and D.O.
2. 6 temporary licenses, including both M.D. and D.O.
3. 5 special licenses, M.D.
4. 218 resident licenses, including both M.D. and D.O.

792 LICENSES ISSUED.

Also, during calendar year 1989, the Board processed renewal applications and continuing medical education certifications for 4765 permanently licensed physicians, and authorized the reinstatement of permanent licensure for 34 physicians whose licenses had expired and had become invalid for practice in Iowa.

It should be noted that many formal disciplinary actions filed by the Board are not concluded in the same calendar year in which they are filed. Discovery and other due process requirements often take several months. Thus, delays often exist between the initiation of a formal action and its ultimate resolution. In addition, in many disciplinary cases more than one sanction is imposed (e.g. suspension followed by probation, probation and civil penalty, etc.), only the most serious sanction imposed is reflected in Section F of this report.

Respectfully submitted,



WILLIAM S. VANDERPOOL
Executive Director
IOWA STATE BOARD OF MEDICAL EXAMINERS

Enclosures