

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

December 17, 2009

PUBLIC SESSION OF BOARD MEETING

DECEMBER 17, 2009

MEMBERS PRESENT:

**Rodney Zeitler, M.D., Vice-Chair
Janice Galli, D.O., Secretary
Tom Drew
Analisa Haberman, D.O.
Colleen Stockdale, M.D.
Yasyn Lee, M.D.
Amber Mian
Jeff Snyder, M.D.**

MEMBERS ABSENT:

**Siroos Shirazi, M.D., Chair
Paul Thurlow**

STAFF PRESENT:

**Mark Bowden, Executive Director
Theresa Weeg, Assistant Attorney General
Kent M. Nebel, Director of Legal Affairs
John Olds, M.D., Medical Advisor
Russell Bardin, Chief Investigator
Deb Anglin, Coordinator of IPHP
Amy VanMaanen, Director of Licensure
Sylvia Crook, License Specialist
Crystal Tice, Secretary
Teena Turnbaugh, Secretary**

PUBLIC PRESENT:

**Heidi Goodman, Iowa Medical Society
Mary O'Brien, Iowa Association of Nurse Anesthetists (IANA)
Linda Goeldner, Iowa Nurses Association (INA)
Kathy Weinberg, Iowa Board of Nursing (IBON)
Lorinda Inman, IBON
Jessica Curcio, Iowa Naturopathic Physicians Association (INPA)
Michelle Clark, INPA
F. Richard Thornton, Lobbyist, INPA
Lloyd Jessen, Iowa Board of Pharmacy (IBOP)
Terry Witkowski, IBOP
Toni C, Iowa Physician Assistant Association (IPAA)
Justin Hupfer, Iowa Society of Anesthesiologists
Ashley Wolfe, Iowa Pharmacy Association
Tom Cope, Lobbyist, Iowa Physician Assistant Association**

The public session of the meeting was held at the Wallace State Office Building Auditorium, 502 E. 9th Street, Des Moines, IA.

Dr. Zeitler called the public session to order at 9:33 a.m.

A. Minutes

On a motion by Tom Drew and a second by Colleen Stockdale, M.D., the Board approved the opened and closed minutes of Board teleconferences for October 1 and November 12, 2009.

B. Opportunity for Public Comment

No public comments were made at this time.

C. Chair's Report

No Chair's report was given.

D. Executive Committee

1. Executive Director's Report

Holidays for staff will be December 25, Christmas; January 1, 2010, New Year's; and January 18, Martin Luther King Day. A request to close the Board office to the public on Thursday, December 24, 2009 has been submitted to the Governor's Office for approval.

Board staff members are facing furloughs because of the budget crunch. Four non-contract staff are required to take seven furlough days and 18 contract staff are required to take five days of furlough.

There will be a temporary reduction in legal services because Jordan Esbrook, Assistant Attorney General, has been reassigned full time to the Board of Regents. The Attorney General's Office is aware of the concerns the Board has about adequate legal services for contested cases.

Eric Way has been hired as a secretary for licensure. There were more than 100 applicants for this position. The selection of candidates to interview for the investigator position is almost complete.

Janice Galli, D.O., will represent the Board at the American Association of Osteopathic Examiners conference, January 15 and 16, 2010, at San Antonio, Texas.

The 2010 Board meetings will be held on Thursday and Friday instead of the Wednesday--Thursday sequence that has been followed by the Board for several years.

2. Proposed Administrative Rules, Statutes, Policy Statements

a. Ad-hoc Committee on Interventional Chronic Pain Management

At the September 2009 meeting, the Board established an ad-hoc committee to assist the Board in writing an administrative rule on interventional chronic pain management. The Board wanted the Committee to submit a report at the December meeting.

Dr. John Olds, medical advisor, was appointed chairman of the committee. Dr. Olds submitted a draft copy of the committee meeting summaries. Due to two Board members being absent, Dr. Shirazi and Paul Thurlow, the Board tabled action on the draft report until February 5, 2010.

b. Chapter 23, Supervision/delegation at spas

This rule has been in process for more than two years. A public hearing was held on Tuesday, October 27, 2009. The Board will consider adoption of the rule at the February 5, 2010, meeting.

c. Chapter 23, Wrong sited surgery, Adopt and File

This rule defines wrong sited surgery as grounds for discipline.

On a motion by Yasyn Lee, M.D., and a second by Tom Drew, the Board voted to adopt and file this rule.

d. Chapter 17, Acupuncture licensing, Notice of Intended Action

This rule will require criminal background checks for acupuncturists.

On a motion by Yasyn Lee, M.D., and a second by Jeff Snyder, M.D., the Board voted to approve the Notice of Intended Action for this rule.

3. Licensure of naturopathic physicians

The policy statement on naturopathy approved by the Board on February 7, 2002, was shared. You can find this policy statement on the Board's website at <http://medicalboard.iowa.gov/Naturopathy.html>.

Jessica Curcio, N.D., and Michelle Clark, N.D., from the Iowa Naturopathic Physicians Association, INPA, spoke to the Board regarding naturopathic physicians and their wanting to practice in Iowa. ND's are not allowed to practice in Iowa at this time. They provided the Board with information about naturopathy, the education/training requirements and what their practice involves. They have been talking to Legislators and plan to seek legislation to allow their practice in Iowa.

4. Extension of current authority of pharmacists to administer flu shots in academic/pandemic situations

Lloyd Jessen and Terry Witkowski, Board of Pharmacy, spoke regarding a draft amendment to the rule allowing pharmacists to administer immunizations.

5. Federation of State Medical Boards

No discussion was held regarding the federation.

E. Legal Update

Theresa Weeg, Assistant Attorney General, provided updates on pending cases.

F. Iowa Physician Health Program (IPHP)

1. IPHP Coordinator Report

Deb Anglin, IPHP Coordinator, said the Iowa Physician Health Committee (IPHC) met on December 4, 2009. The members met with eight program participants (one initial appearances and seven annual appearances), and discussed the cases of 17 other participants.

IPHP is working with 83 physicians; have 72 contracts (21 substance abuse, 21 dual diagnoses, 23 mental health, 7 physical).

Self reports in 2009: 21 (lowest# since 2000; 43 in 2008).

Participants successfully discharged in 2009: 21.

2. Approval of New Committee Members

Dr. Zeitler thanked Drs. Peter Wolfe and Jerome Greenfield for their service to the Iowa Physician Health Committee (IPHC). Their terms will end December 31.

Drs. Lester Yen and Michael Flaum were recommended to the Board to fill the pending vacancies on the committee.

On a motion by Yasyn Lee, M.D., and a second by Janice Galli, D.O., the Board appointed Drs. Lester Yen and Michael Flaum to the IPHC to serve from January 1, 2010, to December 31, 2012.

Dr. Joyce Vista-Wayne will succeed Dr. Kent Croskey as chair of the IPHC beginning January 1, 2010.

G. Licensure Committee Report

1. Committee Report (Open Session) (3)

The Licensure Committee requested that four permanent licenses and one temporary license be granted.

On a motion by Tom Drew, and a second by Amber Mian, the Board voted to accept the Licensure Committee Report.

The public session of the meeting adjourned at 10:20 a.m. and the Board returned to the IBM Shared Board room for the remainder of the meeting.

On a motion by Yasyn Lee, M.D., and a second by Analisa Haberman, D.O., the meeting moved into closed session, pursuant to Iowa Code Section 21.5(1)(a). Tom Drew, Janice Galli, D.O., Analisa Haberman, D.O., Yasyn Lee, M.D., Amber Mian, Jeff Snyder, M.D., Colleen Stockdale, M.D., Rodney Zeitler, M.D. all voted aye in a roll call vote.

The December Board public minutes are respectively submitted by Teena Turnbaugh, Secretary.