



April 1, 2016

**TO: Administrative Rules Review Committee, Iowa Legislature
Administrative Rules Coordinator, Office of the Governor of Iowa**

FR: Mark Bowden, Iowa Board of Medicine

RE: Report on waivers or variances granted or denied in 2015

Pursuant to Iowa Code § 17A.9A(5), the Iowa Board of Medicine provides the following report on waivers or variances from the requirements of a rule during the 2015 calendar year. These actions were taken pursuant to Iowa Code § 17A.9A and have been dutifully reported to the Iowa Administrative Code Editor's Office and posted at <https://art.iowa.gov/art/index.php> for public access. In addition, these actions are recorded in the Board's minutes, which are available to the public at <http://www.medicalboard.iowa.gov/>

The Board received seven petitions for waiver of requirements of a rule in 2015. The Board found that its action to grant six waivers would not prejudice the substantial legal rights of others because any individual has the option under Board rules to request a waiver of these requirements. Further, the Board determined that any precedent was set only inasmuch that the Board would make the same determination for any and all applicants who meet the exact factors considered by the Board.

The Board, as a part of its ongoing review of administrative rules pursuant to Iowa Code § 17A7(2), will determine in the 2017 fiscal year if the licensure requirements waived should be amended.

The following are actions taken by the Board in 2015 on petitions for a waiver or variance:

IAC-653 9.7(3)a FLEX Exam – Applicants who took the old Federation Licensing Examination (FLEX) between 1968 to 1985 must provide successful evidence of achievement of at least two of the following: 1) pass with weighted average of 75 or better in no more than two sittings; 2) medical licensure in the state that issued the examination; 3) evidence of current board certification by a specialty board approved by American Board of Medical Specialties (ABMS) or American Osteopathic Association (AOA).

Applicant: Janet Boone, M.D.

Date of order: 12/10/2015

Action: Denied applicant's petition for waiver

Basis: Applicant took six attempts to pass the exam and is not specialty board certified. She also had difficulty obtaining letters attesting to her abilities after 36 years in practice.

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IAC-653 9.8(7)c Active Practice – If the physician has not engaged in active practice in the past three years in any jurisdiction of the United States or Canada, the applicant is required to demonstrate competency by an evaluation; pass the Special Licensure Exam (SPEX); complete retraining; or complete a reentry or monitoring program.

Tomoki Nishimura, M.D.

Date of order: 04/02/2015

Actions: Granted applicant's petition for waiver and issued medical license MD-42483

Basis: Board accepted specialty board certification as an equivalent measure to demonstrate competency. The Board also recognized his practice history and completion of training in Iowa.

IAC-653 9.3(1)b(3)3 Medical Degree – Applicants who graduate from a medical school not approved by the Liaison Committee of Medical Education must hold a valid certificate issued by the Education Commission for Foreign Medical Graduates (ECFMG) or have successfully passed either a basic science examination administered by a United States or Canadian medical licensing authority or SPEX; and have successfully completed three years of resident training in a program approved by the board; and have submitted evidence of five years of active practice without restriction as a licensee of any United States or Canadian jurisdiction.

Ingrid Radovanovic, M.D.

Date of order: 05/14/2015

Actions: Granted applicant's petition for waiver and issued medical license MD-42578

Basis: Board accepted Canadian equivalent to ECFMG and waived five years of practice requirement. She had completed the required exam and required postgraduate training. She was seeking licensure to participate in a fellowship at the University of Iowa.

IAC-653 9.7(1)e(1) USMLE Exam – Applicants who took the United States Medical Licensure Exam (USMLE) must have passed all components of the exam within a ten-year period. Board certification by the ABMS or AOA is required if the applicant was not able to pass Steps 1, 2, and 3 within the required time.

Kevin Rosenblatt, M.D.

Date of order: 02/06/2015

Actions: Granted applicant's petition for waiver and issued medical license MD-42340

Basis: Applicant was in a combined M.D.-Ph.D program which caused the delay. He exceeded the 10-year limit by 39 days. He holds active, unrestricted licenses in 11 states.

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IAC-653 10.4(2) Special Licensure Requirements – To be eligible for a special license an applicant shall have practiced for five years after postgraduate training.

Tomohiro Tanaka, M.D.

Date of order: 08/27/2015

Actions: Granted applicant's petition waiver and issued special medical license SP-0217

Basis: Board recognized academic appointment at University of Iowa Hospitals and Clinics; accepted practice history and alternate postgraduate training and certification. Board recognized his unique contributions to medicine, and significant international training and certifications.

IAC-653 9.3(1)c(3) Postgraduate Training – Applicants must have completed postgraduate training in a program approved by the Board. The Board approves training programs accredited by Accreditation Council for Graduate Medical Education (ACGME), American Osteopathic Association, Royal College of Physicians and Surgeons of Canada; and College of Family Physicians of Canada.

Lane Strathearn, M.D.

Date of order: 10/10/2015

Actions: Granted applicant's petition for waiver and issued medical license MD-43098

Basis: Board accepted non-accredited post-graduate training. He completed a three-year non-accredited developmental pediatrics fellowship at Baylor College of Medicine. ACGME was not accrediting any developmental pediatrics programs at that time. ACGME has since begun accrediting these programs, including the program he completed.

Aruna Turaka, M.D.

Date of order: 10/15/2015

Actions: Granted applicant's petition for waiver and issued medical license MD-42970

Basis: She completed a four-year pathway to certification by the American Board of Radiology which included time as a fellow, faculty and instructor at Fox Chase Cancer Center. Board also considered and recognized practice history.