



Fields of Opportunities

STATE OF IOWA

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

IOWA BOARD OF MEDICINE

**REGULARLY SCHEDULED MEETING
SEPTEMBER 13-14, 2018**

TELECONFERENCE LINE FOR PUBLIC SESSION ON SEPTEMBER 14, 2018 AT 9:00 a.m.
CALL: (866) 685-1580
CODE: 971-913-4151

A G E N D A^{1, 2, 3, 4, 5}

BOARD MEMBERS: Kyle Ulveling, M.D., Chair; KellyAnn Light-McGroary, M.D., Vice Chair; Diane Cortese, Secretary; Philip Bear, D.O.; Warren Gall, M.D.; Nicole Gilg Gachiani, M.D.; Ronald Kolegraff, M.D.; Mary Jo Romanco; Brian Wilson, D.O. (*A public non-physician member position is vacant.*)

THURSDAY, SEPTEMBER 13, 2018

7:30 a.m. **EXECUTIVE COMMITTEE - Medical Conference Room B**
Chair Ulveling, Cortese, Gilg Gachiani, Light-McGroary, Romanco

8:00 a.m. **SCREENING COMMITTEE - Board Room**
Chair Kolegraff, Bear, Gall, Wilson, (*Public Member)

9:00 a.m. **MONITORING COMMITTEE - Board Room**
Chair Gilg Gachiani, Bear, Cortese, Gall, Wilson

9:00 a.m. **LICENSURE COMMITTEE - Medical Conference Room B**
Chair Light-McGroary, Kolegraff, Romanco, Ulveling, (*Public Member)

FULL BOARD-OPEN SESSION - Board Room
Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Wilson

FULL BOARD-CLOSED SESSION - Board Room
Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romanco, Wilson

- A. Iowa Physician Health Committee**
 - 1. Notices of non-compliance**
- B. Committee Reports**
 - 1. Screening**
 - 2. Monitoring**
 - 3. Licensure**
- C. Review of Closed Minutes**
 - 1. July 26-27 - Board Meeting**

LUNCH BREAK

BOARD-CLOSED SESSION - Board Room

Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romano, Wilson

BOARD-OPEN SESSION - Board Room

Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romano, Wilson

A. Unlicensed Practice of Medicine Cases

1. None

B. Vote on Closed Session Cases

ADJOURN

FRIDAY, SEPTEMBER 14, 2018

7:30 a.m.

BOARD-OPEN SESSION - Board Room

Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romano, Wilson

BOARD-CLOSED SESSION - Board Room

Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romano, Wilson

BOARD-OPEN SESSION - Board Room

Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romano, Wilson

A. Vote on Closed Session Cases

9:00 a.m.

BOARD-PUBLIC SESSION - Board Room

Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romano, Wilson

A. Introduction of Public Present

B. Opportunity for Public Comments⁵

(Public can make comments now or when specific agenda items are addressed.)

C. Board Minutes for Consideration of Approval

1. July 26-27-Board Meeting (Open & Closed)
2. August 9-Teleconference (Open)

D. Chair's Report

E. Executive Director's Report

F. Administrative Rules

1. Prescribing Psychologists-Joint Rules-Consider Adoption.

- a. Minimum requirements for prescribing psychologists. Notice filed on July 5, 2018.
- b. ARC meeting - August 14, 2018. Joint public hearing - August 21, 2018.
- c. Public Comments.

2. Medical Cannabidiol Rules (ARC 3830CC)-Consider Petition.

- a. Board's processes for receiving recommendations from Medical Cannabidiol Board.
- b. Became effective on July 11, 2018.
- c. Consider Petition for addition of a debilitating medical condition-Ulcerative Colitis.
- d. Comments from Jolene Smith, D.O., DABA, DABA-PM.
- e. Article – Who regulates CBD products in Iowa?

3. Remote Medical Site Rules-Update.

- a. Amendment to rule on remote medical site supervision of physician assistants.
- b. Notice filed on August 13, 2018. ARC meeting-September 11, 2018.
- c. Public hearing-October 3, 2018.
- d. Iowa Physician Assistant Society comments.

4. Medical Aesthetic Services Rules-Discussion.

- a. Proposed amendments concerning delegation of medical aesthetic services to “laser technicians” at a medical spa and expansion of definition of medical aesthetic services.

5. Genetic Counselors Rules-Consider Notice of Intended Action.

- a. Minimum requirements for licensure of genetic counselors.
- b. Fees

6. Pain Management Rules-Discussion.

- a. Standards of practice-CDC guideline for chronic pain management.

7. Continuing Medical Education Rules-Discussion.

- a. Chronic pain management and end-of-life care.

8. Request to amend Ruling on Petition for Waiver of Iowa Administrative Code 653—13.8(1).

- This rule concerns the delegation and supervision of medical aesthetic services performed by qualified licensed or certified nonphysician persons at a medical spa. The Petition for Waiver from Ariane and Garen Carpenter was granted by the Board at a regularly scheduled meeting on April 23,

2018. The petitioners request that the Ruling on Petition for Waiver be amended to eliminate the specific practice location and business name in the Ruling.

- a. Request for Amendment to Petition for Waiver of IAC 653-13.8(1)
- b. Amendment to Ruling on Petition for Waiver of IAC 653-13.8(1)
- c. Ruling on Petition for Waiver of IAC 653-13.8(1)

G. Interstate Medical Licensure Compact

1. Compact update

H. Iowa Physician Health Program Report-Amy VanMaanen, coordinator

1. Year-to-date program statistics and update
2. Vote on reappointment of Eric Boyum, M.D.
3. Vote on reappointment of Kim Brangoccio, LMFT, CEAP, IAADC
4. Vote on reappointment of Jeff Means, Ph.D.

I. Judicial Review-Jordan Esbrook, Assistant Attorney General

1. **Irland v. Board of Medicine**-Mark B. Irland, M.D., seeks judicial review of a confidential letter of warning issued by the Board, contending it is an illegal and unconstitutional agency action. District Court upheld the issuance of the letter. Dr. Irland has appealed to the Iowa Supreme Court/Court of Appeals.
2. **Planned Parenthood of the Heartland v. Kimberly K. Reynolds ex rel. State of Iowa and Iowa Board of Medicine.**

J. Board education

1. Standards of Care.

K. Federation of State Medical Boards

L. Articles, correspondence and reports

1. *Prescribing is the Culmination of Extensive medical Training & Psychologists Don't Qualify*, June, 2017, Henry A. Nasrallah, M.D., Editor-in-Chief, Current Psychiatry.
2. *Minutes of Opioid Epidemic Evaluation Study Committee*, October 16-17, 2017, Opioid Epidemic Evaluation Study Committee of the Legislative Council (OEESC).
3. *Iowa Department of Public Health - Division of Behavioral Health/Bureau of Substance Abuse Opioid Update*, July 25, 2018.
4. *How to recognize and respond to burnout in a fellow physician*, August 30, 2018, Sara Berg, Senior Staff Writer, AMA Wire.
5. *CDC: States struggle with onslaught of 'complex' opioid overdose deaths*, August 30, 2018, E.J. Mundell, Health Day News.

M. Committee Reports

(Note: These reports were reviewed by the Board in closed session and are presented in open session for acceptance and or approval.)

1. Licensure

- a. **WAIVER** - Request for waiver of licensure requirement 653-9.7(1)e(6) and 9.3(c)(1) for Bhanu Odedra-Mistry, M.D.
- b. Review Application for letter of qualification for expedited licensure - David Stephen Heppner, D.O.

2. Monitoring

3. Screening

BOARD-CLOSED SESSION - Board Room

Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romano, Wilson

LUNCH BREAK

BOARD-CLOSED SESSION - Board Room

Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romano, Wilson

BOARD-OPEN SESSION - Board Room

Chair Ulveling, Bear, Cortese, Gall, Gilg Gachiani, Kolegraff, Light-McGroary, Romano, Wilson

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 2017 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), (c), (d), (f) and (g) of the 2017 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 2017.

(3) Public agenda materials are available via e-mail. Contact: ibm@iowa.gov

(4) The Board 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.

Board's meeting schedule for the remainder of 2018

**October 25-26
November 8 (teleconference)
December 13-14**

Board's office closings for remainder of 2018

Veterans Day	Monday, November 12
Thanksgiving Day	Thursday, November 22
Friday after Thanksgiving	Friday, November 23
Christmas Day	Tuesday, December 25

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.