

**IOWA BOARD OF MEDICINE - APRIL 11-12, 2019
BOARD MEETING - OPEN MINUTES**

THURSDAY, APRIL 11, 2019:

MEMBERS PRESENT: Kyle Ulveling, M.D., Chair
KellyAnn Light-McGroary, M.D., Vice Chair
Warren Gall, M.D.
Nicole Gilg Gachiani, M.D.
Ronald Kolegraff, M.D.
Mary Jo Romanco
Brian Wilson, D.O.

MEMBERS ABSENT: Diane Cortese, Secretary

STAFF PRESENT: Kent Nebel, Executive Director
John Olds, M.D., Medical Advisor
Jim Graham, Chief Investigator
Brandi Allen, Investigator
Jerome Hill, Investigator
Jennifer Huisman, Investigator
Aaron Kephart, Investigator
Dave McGlaughlin, Investigator
Anne Schlepfforst, Investigator
Laura Wood, Investigator
Mary Knapp, Enforcement Monitor
Amy Van Maanen, Iowa Physician Health Program Coordinator
Emily Zalasky, Iowa Physician Health Program Case Manager
Kari Rolls, Administrative Assistant
Jordan Esbrook, Assistant Attorney General
Natasha Wilson, Assistant Attorney General

At 11:12 a.m., Kyle Ulveling, M.D., Chair, called the meeting to order.

At 11:13 a.m., on a motion by Ronald Kolegraff, M.D., seconded by Brian Wilson, D.O., all members present voted to meet in closed session, pursuant to Iowa Code Sections 21.5(1)(a), 21.5(1)(d) and 21.5(1)(f), to review or discuss records which are required or authorized by state or federal law to be kept confidential, discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings, and discuss the decision to be rendered in a contested case. Warren Gall, M.D., Nicole Gilg Gachiani, M.D., Ronald Kolegraff, M.D., KellyAnn Light-McGroary, M.D., Mary Jo Romanco, Kyle Ulveling, M.D., and Brian Wilson, D.O., all voted aye in a roll call vote to approve the motion.

At 5:02 p.m., Closed Session went to recess. The closed session resumed on Friday, April 12, 2019, at 8:32 a.m.

FRIDAY, APRIL 12, 2019:

MEMBERS PRESENT: Kyle Ulveling, M.D., Chair
KellyAnn Light-McGroary, M.D., Vice Chair
Warren Gall, M.D.
Nicole Gilg Gachiani, M.D.
Ronald Kolegraff, M.D.
Mary Jo Romano
Brian Wilson, D.O.

MEMBERS ABSENT: Diane Cortese, Secretary

STAFF PRESENT: Kent Nebel, Executive Director
John Olds, M.D., Medical Advisor
Jim Graham, Chief Investigator
Jerome Hill, Investigator
David McGlaughlin, Investigator
Anne Schlepphorst, Investigator
Kari Rolls, Administrative Assistant
Steve Ervin, IT Specialist
Amy Van Maanen, Iowa Physician Health Program Coordinator
Chrissy Greco, Assistant to Executive Director
Jordan Esbrook, Assistant Attorney General
Natasha Wilson, Assistant Attorney General

Closed session resumed at 8:32 a.m.

At 8:48 a.m., while still in closed session, all members present voted in favor of a motion by Ronald Kolegraff, M.D., seconded by Mary Jo Romano, to meet in an open session. In open session, the Board took the following actions:

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2018-054. KellyAnn Light-McGroary, M.D., recused.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Khaja N. Chisty, M.D., file 02-2016-641.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Michael W. Hendricks, M.D., file 02-2015-518.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2018-313.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2014-625.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2016-139.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Hanumantha R. Kolusu, M.D., files 02-2014-391, 02-2014-582 and 02-2015-521.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement Eromosele A. Otoadese, M.D., files 02-2010-575, 02-2010-623, 02-2011-204, 02-2013-045 and 02-2015-198.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for James A. Trent, M.D., file 02-2018-015.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2016-543.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2018-465.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romano, all Board members present voted to **close** file 03-2016-648, with **no formal action**.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2018-203.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2017-531.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 03-2018-440.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-208, with **no formal action**.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2016-235.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2016-566.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romano, all Board members present voted to **affirm** its original decision to **close** file 02-2017-082, **with no formal disciplinary action**.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romanco, all Board members present voted to **affirm** its original decision to **close** file 02-2017-179, **with no formal disciplinary action**.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romanco, all Board members present voted to **affirm** its original decision to **close** file 03-2017-178, **with no formal disciplinary action**.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romanco, all Board members present voted to **affirm** its original decision to **close** file 02-2016-024, **with no formal disciplinary action**.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romanco, all Board members present voted to **affirm** its original decision to **close** file 02-2016-608, **with no formal disciplinary action**.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 02-2018-259.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romanco, all Board members present voted to **affirm** its original decision to **close** file 02-2018-220, **with no formal disciplinary action**.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-280, with **no formal action**.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 02-2018-313.

On a motion by Brian Wilson, D.O., seconded by Mary Jo Romanco, all Board members present voted to **close** file 03-2015-564, with **no formal action**.

On a motion by KellyAnn Light-McGroary, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2017-480, with **no formal action**.

On a motion by KellyAnn Light-McGroary, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 03-2017-126, with **no formal action**.

On a motion by KellyAnn Light-McGroary, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-405, with **no formal action**.

On a motion by KellyAnn Light-McGroary, M.D., seconded by Mary Jo Romanco, all Board members present voted to **affirm** its original decision to **close** file 02-2015-461, **with no formal disciplinary action**.

On a motion by KellyAnn Light-McGroary, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-487, with **no formal action**.

On a motion by KellyAnn Light-McGroary, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 02-2016-352.

On a motion by KellyAnn Light-McGroary, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2017-067, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 03-2017-503.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-140, with **no formal action**. KellyAnn Light-McGroary, M.D., recused.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-366, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2017-409, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2017-562, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2014-693, with **no formal action**. Ronald Kolegraff, M.D., recused.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2017-415, with **no formal action**. Ronald Kolegraff, M.D., recused.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 03-2018-010.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2017-169, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2017-119, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 02-2018-014.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2016-662, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-389, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-390, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 03-2018-391, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-408, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-277, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-430, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 03-2018-466, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-413, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-288, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2018-481.

On a motion by Warren Gall, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-574, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-395, with **no formal action**. Kyle Ulveling, M.D., recused.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-234, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-235, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romano, all Board members present voted to **close** file 03-2017-230, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 03-2018-454, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 03-2018-543, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 02-2018-581. Kyle Ulveling, M.D., recused.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 02-2018-053.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2019-066, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-300, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-304, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-186, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-456, with **no formal action**. Kyle Ulveling, M.D., recused.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 02-2018-400.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-541, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2017-370, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 02-2018-194.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-102, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 03-2018-207. Kyle Ulveling, M.D., recused.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 03-2018-296. Kyle Ulveling, M.D., recused.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 03-2018-643. Kyle Ulveling, M.D., recused.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 03-2014-522, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2017-462, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-306, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 03-2018-307, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 03-2018-621, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-544, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 03-2018-573.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2015-196, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2018-576, with **no formal action**.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 03-2018-594, with **no formal action**. Kyle Ulveling, M.D., recused.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **leave open** file 02-2018-589.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Mary Jo Romanco, all Board members present voted to **close** file 02-2019-054, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., recused, seconded by Mary Jo Romanco, all Board members present voted to **close** file 03-2018-645, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2019-141.

On a motion by Ronald Kolegraff, M.D., recused, seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-489, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Mary Jo Romano, all Board members present voted to **leave open** file 02-2018-610.

On a motion by Ronald Kolegraff, M.D., recused, seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2017-033, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., recused, seconded by Mary Jo Romano, all Board members present voted to **close** file 02-2018-209, with **no formal action**.

At 9:05 a.m., Kyle Ulveling, M.D., called the meeting to order and acknowledged the absence of Diane Cortese, Board Secretary. He stated that the Board has two open positions; one public member position and one physician spot due to the resignation of Dr. Philip Bear.

Dr. Ulveling asked the public in attendance to introduce themselves. Public members in attendance:

Allen	Sara	National Society of Genetic Counselors
Burch	Jamie	Planned Parenthood
Campbell	Colleen	Director of University of Iowa Health Care Genetic Counseling
Jones	Rebecca	
Leys	Tony	Des Moines Register
McWilliams	Leah	Iowa Osteopathic Medical Association
Parker	Owen	IDPH – Medical Cannabidiol Board
Piper	Emily	Iowa Psychiatric Society
Six	Diana	
Six	Gina	
Six	James	
Six	John	
Six	Tabitha	
Smith	Jolene	MercyOne
Smith	Karry	Periphys Science Group
Thiesen	Linda	University of Iowa
Tibbins	Dennis	Iowa Medical Society

Public Comments

Members of the public are offered an opportunity to address the Board at the start of public session or will be allowed to make comments as agenda items are considered by the Board.

Gina Six, a registered nurse spoke on the death of her brother-in-law, Steve Six and the alleged negligence of Dr. Agostini.

John Six, Steve Six's father, spoke on the death of his son Steve Six and the alleged negligence of Dr. Agostini.

Board Minutes

On a motion by Nicole Gilg Gachiani, M.D., seconded by KellyAnn Light-McGroary, M.D., all Board members present voted to **approve** the February 7-8, 2019, open minutes as presented.

On a motion by Mary Jo Romaco, seconded by Nicole Gilg Gachiani, M.D., all Board members present voted to **approve** the February 7-8, 2019, closed minutes as presented.

Chair's Report

Kyle Ulveling, M.D., again spoke about the open positions on the Board, including one public member position and one physician spot due to the resignation of Dr. Philip Bear.

He noted that there will be some Board members and staff attending the annual meeting of the Federation of State Medical Boards in Texas later in April, 2019.

Executive Director's Report

Mr. Nebel spoke about the June hearing in lieu of the normally scheduled June Board meeting. He discussed with the Board, the possibility of a series of teleconferences to discuss the June Board meeting materials, as to lighten the load for the next scheduled Board meeting on August 1-2, 2019.

Mr. Nebel announced that the offsite Board meeting will be determined at a later date. He noted the two open positions of Legal Director and Licensure Director and announced the August, 2019 retirement of Dr. John Olds, current Medical Director for the Board. Mr. Nebel thanked Dr. Olds for his service with the Board and asked anyone with recommendations to fill the upcoming vacancy of Medical Director, to please let him know.

Mr. Nebel spoke about the new Board appointments from the Governor of Joyce Vista-Wayne, M.D. and Nikhil Wagle, M.D. who will succeed Drs. KellyAnn Light-McGroary and Nicole Gilg Gachiani.

Mr. Nebel thanked Drs. KellyAnn Light-McGroary and Nicole Gilg Gachiani for their service to the Board.

Mr. Nebel spoke about the new Board member orientation on May 3, 2019 and encouraged current Board members to attend. He then spoke about appointing a mentor to the new Board member, Dr. Wagle, as Dr. Vista-Wayne has previously served as a Board member and likely will not need a mentor.

Dr. Kolegraff volunteered to mentor Dr. Wagle with his new position on the Board as he gets acclimated to the Board processes.

Administrative Rulemaking

Pain Management Rules (ARC 4382C)

Mr. Nebel said that a Notice has been filed on the Standards of practice - CDC guideline for chronic pain management and that a public hearing is scheduled for May 3, 2019, at which time all public comments are due.

Public comment to the rule was made by Dr. Jolene Smith, a pain specialist and pain management physician who works at MercyOne in Des Moines

Mr. Nebel and Dr. John Olds discussed how the Board investigates a claim and the process they take before bringing action against a physician.

Abortion Rules

Mr. Nebel informed the Board that a Notice has been filed on Standard of Practice.

Medical Cannabidiol

Mr. Nebel reviewed with the Board, the new Petition and Order in Support of adding Corticobasal Degeneration to the list of Debilitating Conditions, which was filed by the Cannabidiol Board.

On a motion by Ronald Kolegraff, M.D., seconded by Nicole Gilg Gachiani, M.D., all Board members present voted to **notice** the addition of Corticobasal Degeneration to list of Debilitating Conditions filed by the Cannabidiol Board.

Prescribing Psychologists

Mr. Nebel discussed the new rules drafted by the Board regarding supervising physician and collaborating physician rules.

Public members Dennis Tibben, of the Iowa Medical Society and Emily Piper, of the Iowa Psychiatric Society, gave their thoughts on the rules.

Mr. Nebel said that he will continue to work on the rules and bring them back to the next Board meeting.

Genetic Counselors Rules (ARC 4095C)

Mr. Nebel informed the Board that a 70-day delay has been granted by the legislature to allow the Board to continue working with the Genetic Counselors on this rule. He said that the Genetic Counselors will discuss the rule at their May 14, 2019, meeting and that the Board will continue to work with them on the rule.

Collen Campbell, Director of University of Iowa Health Care Genetic Counseling thanked the Board for working with the Genetic Counselors on the rule and said they look forward to finalizing the rule soon.

Proposed Legislation

Prescribing & Dispensing of Self-Administered Hormonal Contraceptives (SF 513)

Public members in attendance, Leah McWilliams, of the Iowa Osteopathic Medical Association and Dennis Tibbins, of the Iowa Medical Society, stated that their agencies are taking a neutral stance on the legislation.

Operation of Health Boards (HSB253 - House Appropriations Bill)

Mr. Nebel explained that this legislation would place supervision of the Executive Directors of Medicine, Dental, Nursing and Pharmacy under the Director of the Iowa Department of Public Health.

Legalizing Syringe Exchange Programs (SF 500)

No action taken.

Medicaid Benefits Community Engagement Requirement (SF 434) – Discussion

No action taken.

Medical Cannabidiol - Severe or Chronic Pain (HF 732) – Discussion

Mr. Nebel informed the Board that this rule would replace “Untreatable pain” with “Severe or chronic pain”, would allow physician assistants and nurse practitioners to certify medical conditions for the use of CBD and would change the THC level from the maximum 3% to 25 grams every 90 days.

Mr. Nebel noted that the Executive Committee recommends the Board oppose the legislation.

Public member in attendance, Dennis Tibbins of the Iowa Medical Society, stated that his agency is opposed to the legislation.

On a motion by Nicole Gilg Gachiani, M.D., seconded by Ronald Kolegraff, M.D., all Board members present voted to **register as opposed** to the legislation.

Federal Opioid Funding Threatens Prescription Drug Monitoring Program

Mr. Nebel explained to the Board that this action would alleviate the National Association of Pharmacy Board’s information sharing system of Prescription Monitoring Programs and would create a new government program through the Department of Justice and the Centers for Disease Control. He stated that it would further affect the shared information and who has access to that information.

Mr. Nebel further noted that the National Association of Pharmacy Board and the Federation of State Medical Boards is asking that the Board register as opposed to the legislation.

On a motion by Ronald Kolegraff, M.D., seconded by Warren Gall, M.D., all Board members present voted to **register as opposed** to the RxCheck program.

Iowa Public Information Board Advisory Opinion

Mr. Nebel advised the Board members to utilize best practice by using their new state allocated emails created for them after the last Board meeting.

Iowa Physician Health Committee and Program

Amy Van Maanen, Iowa Physician Health Program Coordinator, asked the Board to approve her program's newly appointed committee member, Martin Carpenter, M.D.

On a motion by KellyAnn Light-McGroary, M.D., seconded by Nicole Gilg Gachiani, M.D., all Board members present voted to **approve** the appointment of Martin Carpenter, M.D. to the Iowa Physician Health Committee.

Ms. Van Maanen spoke about her presentation with the resident doctors at Methodist Hospital on March 1, 2019. She said that one of her physicians who is currently in recovery joined her there to tell his story.

Ms. Van Maanen gave an update on the website and said that they hope to have it up and going by the summer of 2019. She said her program is now in compliance and caught up on the retention schedule and has destroyed outdated records. Lastly, she shared comments on her quarterly report from participants in her program.

Interstate Medical Licensure Compact

Mary Jo Romanco reported that there are 29 participating states and five states with pending legislation to join the Compact. She noted that the website is undergoing some design and that the Communications Committee has been working on enhancing educational materials.

Mr. Nebel stated that so far, the Board has issued 359 licenses through the Compact.

Warren Gall, M.D., said the Compact's Rules and Bylaws Committee will be changing their name to the Administrative Policy Committee and that there is an upcoming teleconference on April 30, 2019.

Federation of State Medical Boards

Mr. Nebel spoke about the annual meeting being held April 25-27, 2019, in Fort Worth, Texas. He said Board members attending are Drs. Gall, Gilg Gachiani, Uveling and public member Romanco. Staff members attending are Amy Van Maanen and Emily Zalasky, who will be there for the Physician Health Program National Meeting.

Judicial Review

Jordan Esbrook, Assistant Attorney General for the Board, gave the following updates:

Irland v. Board of Medicine - Mark B. Irland, M.D., was seeking judicial review of a confidential letter of warning issued by the Board, contending it is an illegal and unconstitutional agency action. The Court of Appeals affirmed the district court's dismissal of Dr. Irland's petition for judicial review. Dr. Irland has asked for further review from the Iowa Supreme Court, which is discretionary. The Board's resistance to the petition for further review has been filed.

Request for Declaratory Order – Domenico Calcaterra, M.D. - After the Board denied his Petition for Declaratory Order, Dr. Calcaterra is seeking judicial review. The Board filed a motion to dismiss and a hearing was held before Judge Hanson on April 3, 2019. The Motion is still pending.

Miss Esbrook introduced Natasha Wilson, Assistant Attorney General, who will be working with the Board in the spot previously held by Assistant Attorney General, Kristy Traynor.

Committee Reports

The Committee Reports were reviewed by the Board in closed session and brought to public session for approval.

Licensure Committee

On a motion by Mary Jo Romanco, seconded by Nicole Gilg Gachiani, M.D., all Board members present voted to **accept** the report as presented.

Monitoring Committee

Mr. Nebel reported that the committee reviewed nine licensees who are subject to monitoring and recommended the termination for the provisions of two of those licensees.

On a motion by Ronald Kolegraff, M.D. seconded by Warren Gall, M.D., all Board members present voted to **accept** the report as presented.

Screening Committee

Ronald Kolegraff, M.D. said that the Screening Committee reviewed 42 cases and left four open for further investigation.

On a motion by Warren Gall, M.D., seconded by Nicole Gilg Gachiani, M.D., all Board members present voted to **accept** the report as presented.

Board Appointments and Committees

On a motion by Ronald Kolegraff, M.D., seconded by Warren Gall, M.D., all Board members present voted to **appoint** Kyle Ulving, M.D. to a second term as Board Chair.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romanco, all Board members present voted to **appoint** Ronald Kolegraff, M.D. as Vice Chair of the Board.

On a motion by Kyle Ulveling, M.D., seconded by Mary Jo Romanco, all Board members present voted to **appoint** Diane Cortese to a second term as Secretary of the Board.

Dr. Ulveling noted that committee assignments will be made after the Board meeting and asked any Board members who do not wish to stay on the current committees to please let him know.

Recognition was given to the departing Board members, KellyAnn Light-McGroary, M.D., Nicole Gilg Gachiani, M.D. and Philip Bear, D.O.

At 10:42 a.m., all members present voted in favor of a motion by KellyAnn Light-McGroary, M.D., seconded by Nicole Gilg Gachiani, M.D. to adjourn the meeting.