



State of Idaho
Division of Occupational and Professional Licenses
Board of Medicine

BRAD LITTLE
Governor
RUSSELL BARRON
Administrator

11341 W Chinden Blvd.
P.O. Box 83720
Boise, ID 83720-0063
(208) 334-3233
dopl.idaho.gov

Minutes of 02/09/2023

Board Members Present:	David McClusky, MD- Chair Guillermo Guzman, MD Col. Ked Wills, ISP Director Keith Davis, MD Paula Phelps, PA Mark Grajcar, DO Jared Morton, MD Thomas Neal, MD Michele Chadwick Public Member Paul Anderson, Public Member	Division Staff:	Nicki Chopski, PharmD, Executive Officer Stephanie Lotridge, Licensing & Registration Program Manager Katie Stuart, Board Services Program Manager Yvonne Dunbar, General Counsel Russ Spencer, General Counsel Jan Arrasmith, RT, Education, and Practice Specialist Mike Celeste, Investigations Supervisor Frutoso Gonzalez, Investigator Helen Kuo, Investigator Jason Weaver, Investigator Janet Mitchell, Investigator Susan Villanueva, Board Support Specialist
Board Member Absent:	Catherine Cunagin, MD	Others Present:	Joan Callahan, Prosecutorial Counsel Brian Church, Deputy Attorney General

The meeting was called to order at 8:34 AM by Dr. McClusky.

Approval of Minutes

A motion was made and seconded to approve 11/10/2022 minutes. Motion carried.

DIVISION BUSINESS

Strategic Plan: Dr. Chopski outlined the DOPL 2023 Strategic Plan. She stated this is a 4-year plan that will be an ongoing commitment to improving Division processes. Dr. McClusky inquired about the Board of Medicine having its own strategic plan. Staff to distribute the most recent Board of Medicine plan to board members for review.

Legislative Session Overview: Dr. Chopski outlined what is being presented for this Legislative Session.

The review included the following Agency Legislation:

H0003- Consistent with the Governor's Licensing Freedom Act, the bill removes an outdated requirement for a licensed physician to obtain supervising physician registration when

supervising interns, residents, and other medical personnel. Further, it removes the requirement for filing an obsolete annual report with the Board.

H0004- This bill updates the Idaho Uniform Controlled Substance Act scheduling decisions for 2022. It includes placing synthetic opioids in Schedule I, a substance to treat insomnia in Schedule IV, and an anticonvulsant substance in Schedule V.

Non-Agency Legislation review included:

H0062- This Legislation directs the Idaho Board of Medicine to create a limited license for medical school graduates who have not yet matched with a residency program and designate them as "bridge year physicians." These bridge-year physicians can fill gaps in Idaho's current healthcare provider workforce. At the request of the bill's sponsor, the Board discussed the level of supervision they would like to see included in the bill.

An update was provided to the board on the work of the IMG group. Legislation has been drafted and, with permission, shared with the Board for review. This Legislation directs the Idaho Board of Medicine to create a limited license for medical school graduates who have not yet matched with a residency program and designate them as "bridge year physicians." These bridge-year physicians can fill gaps in Idaho's current healthcare provider workforce. This bill establishes license length, eligibility, qualifications, permitted duties, and supervision requirements. Dr. Scott Smith stood for questions and provided additional explanation to the Board.

Staff is also tracking H0026, H0071, S1002, S1009 and the board was briefed on those bills.

PRN/HPRP Update: Ms. Stuart gave an update on the PRN program which now will be called Health Professions Recovery Program (HPRP). Ms. Stuart has met with the IMA to ensure the continuity of the recovery program in place for physicians.

SharePoint Update: Dr. Chopski shared with the Board that staff is working on switching to a new platform, SharePoint, that will make it easier for the Board Members to review their meeting materials.

Financial Update: The Board reviewed the financial report. Staff answered related questions.

BOARD BUSINESS

Executive Director Updates: Dr. Chopski updated the Board on the FSMB Grant, ACCME Collaboration, and the Board of Medicine website changes. She also gave a follow-up on the Crisis Standard of Care Activation Advisory Committee Meeting.

Update Regarding Idaho Abortion Law: Mr. Spencer reviewed with the Board, the impact of IC 18-622 on their work as a board.

Expungement Request: Following the review of the expungement request, a motion was made to deny the request for expungement. The motion failed due to a lack of a second. A subsequent motion was made to grant the expungement request. Motion seconded. After discussion of the matter, motion carried.

PDMP 37-2722 Compliance Review: The Board reviewed statistics related to mandatory checking requirements of the Prescription Drug Monitoring Program (PDMP). Since its

implementation two years ago, overall, the numbers continue to trend upward across all professions. However, there is still room for improvement for Board of Medicine licensees. Staff answered questions on the general approach to enforcement for which the board was supportive.

Confidentiality & Conflict of Interest Policy: Mr. Spencer reviewed these policies with the Board.

Appointment to the PAAC: Following the review of a letter of interest, a motion was made and seconded to appoint J. Nathan Thompson to the Physician's Assistant Advisory Committee. Motion carried.

Conference Attendance Reports: The board discussed the upcoming travel to the FSMB annual meeting.

Newsletter Article: Dr. Guzman is scheduled to write the first article for 2023, regarding PDMP Aware, and Dr. Davis volunteered to write the following article, regarding Return to Practice.

The Board acknowledged the minutes of the Allied Health Boards and articles of interest which were included for review.

Executive Session

A motion was made and seconded to enter Executive Session pursuant to Idaho Code § 74-206(1)(f) to discuss pending litigation with legal counsel and Idaho Code § 74-206(1)(d) to consider records related to a licensee's ability to retain a license, which is exempt from public disclosure. The vote was: Dr. McClusky, aye; Dr. Guzman, aye; Dr. Davis, absent; Ms. Phelps, aye; Dr. Grajcar, aye; Dr. Morton, aye; Dr. Neal, aye; Ms. Chadwick, aye; Mr. Anderson, aye; and Col. Wills, aye. Motion carried.

A motion was made and seconded to exit Executive Session. The motion carried unanimously.

BOARD DISCIPLINE

Termination and Modification:

A motion was made and seconded to take the following actions:

- To deny the request for early Termination: 2017-BOM-9151. Motion carried.

Monitor:

A motion was made and seconded to take the following actions:

- To enter a Stipulation and Order: 2018-BOM-9280.
- To modify existing CAP: 2017-BOM-9057. Motion Carried.

COPD DISCIPLINE

Prior to any discipline motions being made, Dr. Neal recused himself on case number 2022-BOM-10004, Mr. Anderson recused himself on case number BOM-10029, Ms. Chadwick recused herself on case number 2022-BOM-10025, Ms. Phelps recused herself on case number 2022-BOM-10014, Dr. Guzman recused himself on case number 2022-BOM-10030 and 2022-BOM-10048, and Dr. Davis recused himself on NJ CO-14719.

A Motion was made and seconded to take the following actions:

- To close: 2022-BOM-9944, 2022-BOM-10029, 2022-BOM-10028, 2022-BOM-10034, 2022-BOM-10053, 2022-BOM-10027, 2022-BOM-9999, 2022-BOM-10044, 2022-BOM-10016, 2022-BOM-10025, 2022-BOM-10033, 2022-BOM-10004, 2022-BOM-10014, 2022-BOM-10015, 2022-BOM-10023, 2022-BOM-10030, 2022-BOM-10007, 2022-BOM-10011, 2022-BOM-10050, 2022-BOM-10052, 2022-BOM-10047 and all non-jurisdictional complaints, unless excepted;
- To initiate a CAP in 2022-BOM-10031, 2022-BOM-10010 and 2021-BOM-9855;
- To enter a Stipulation and Order in 2022-BOM-10041 and 2022-BOM-10048;
- To send a letter of concern and a Stipulation and Order in 2022-BOM-10012;
- To open for investigation NJ CO – 14702; and
- To table NJ CO - 14710.

Motions carried.

ALLIED HEALTH DISCIPLINE

A Motion was made and seconded to take the following actions:

- To close 2022-PAC-9942.
- To initiate a CAP: 2022-NMB-10032.

Motions carried.

ADJOURN

There being no further business, the meeting was adjourned at 3:25 PM.

The next meeting will be held on 05/18/23.