



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

**BRAD LITTLE**  
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**RUSSELL BARRON**  
Administrator

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**Minutes of 08/10/2023**

<b>Board Members Present:</b>	David McClusky, MD, Chair Guillermo Guzman, MD Mark Grajcar, DO Jared Morton, MD Thomas Neal, MD Paula Phelps, PA Michele Chadwick, Public Member Paul Anderson, Public Member Keith Davis, MD Christian Zimmerman, MD	<b>Division Staff:</b>	Nicki Chopski, PharmD, Executive Officer Russ Spencer, General Counsel Stephanie Lotridge, Licensing & Registration Program Manager Katie Stuart, Board Services Program Manager Berk Fraser, Chief Investigator Mike Celeste, Investigations Supervisor Susan Villanueva, Board Support Specialist Madyson Crea, Board Support Specialist
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**Board Members**

**Absent:** Col. Ked Wills, ISP Director

**Others**

**Present:** Joan Callahan, Board Prosecutor

The meeting was called to order at 8:32 AM by David McClusky, MD.

**Approval of Minutes**

A motion was made and seconded to approve the 05/18/2023 and 06/28/2023 minutes. The motion carried.

Dr. McClusky introduced a new Board Member, Dr. Christian Zimmerman, who attended the meeting as an observer.

**DIVISION BUSINESS**

**Licensing Information System ITN Update:** Dr. Chopski informed the Board that the Division has entered into a contract for their new Licensing Information System. The goal for implementation of the new system is mid-year 2024.

**Website Update:** The division staff is planning to update the Board of Medicine website to a new format that will have ease of use for licensees and consistency across all licensing boards. The Board was shown an example of the new format, and the Board provided feedback and ideas for consideration.

**Financial Update:** The Board reviewed the fiscal year-end financial report as of 6/30/2023, and staff addressed the Board's questions.

**Health Professionals Recovery Program Update:** Ms. Stuart informed the Board that she has changed roles within the Division but will continue to manage the Health Professionals Recovery

Program (HPRP). This creates a necessary separation between regulatory Boards and the program. She stated that after attending the Dr. Lorna Breen Heroes Foundation meeting to review licensure liability questions, she worked with Southworth Associates to update HPRP contracts by remove stigmatizing language. The Physicians HPRP Advisory Committee has also transitioned from the IMA to the Division. The committee will hold its first meeting under DOPL at the end of August.

**FY23 Performance Measure Report Review:** The Board reviewed the licensing and investigations reports for the 2023 fiscal year. Dr. McClusky asked if the investigative numbers included corrective action plans (CAPs). Mr. Fraser clarified that they do not reflect the number of CAPs. However, the investigations team is tracking them. The number of CAPs entered in FY 2023 is close to the number of stipulations and orders.

## **BOARD BUSINESS**

**2024 Rulemaking – Changes to Board Rules IDAPA 24.33.01:** Mr. Spencer reviewed the draft language. A motion was made and seconded to adopt as proposed the draft rule chapter of the Board of Medicine, IDAPA 24.33.01. The vote was: Dr. McClusky, aye; Dr. Guzman, aye; Dr. Grajcar, aye; Dr. Morton, aye; Dr. Neal, aye; Ms. Chadwick, aye; Mr. Anderson, aye; Ms. Phelps, aye; Dr. Davis, aye. The motion carried. Mr. Spencer reviewed the timeline for rulemaking with the Board. The Division will hold a public hearing on 10/16/2023 and the Board will review any comments made prior to voting to adopt the rules as pending at their 11/09/2023 meeting.

**Licensure Liability Questions Update:** Ms. Lotridge reviewed the licensing numbers in relation to the liability questions. She stated that there were 8471 renewals, none of which had to be reviewed by a supervisor for answering yes to questions related to mental health. Due to the limitations of the licensing program, they are unable to retrieve data the Board requested for new applications from the previous five years. The new licensing program will be available to staff next year, allowing access to requested data.

**PDMP 37-2722 Compliance Update:** Dr. Chopski reviewed the compliance statistics for mandatory use of the PDMP. The number of prescribers checking is continuously climbing upward. The Board was impressed with how far compliance has improved. The Board requested information about the type of practitioners integrating into the program, for example, independent practitioners compared to those working in a hospital or chain practice setting.

**Board Chair Discussion:** Dr. McClusky informed the Board that he was reappointed to a partial term and will serve on the Board through July 1, 2025. The Board chair election will be held at the next meeting.

**Committee and Board Appointments:** Following the review of a letter of interest, a motion was made and seconded to reappoint Dr. Joan Haynes to the Naturopathic Medical Board. The motion carried.

**Expungement Request:** Following the review of the expungement request, pursuant to Idaho Code § 67-9413, a motion was made and seconded to grant the request for expungement of 2009-BOM-6383. The motion carried.

**Conference Attendance Reports:** The Board reviewed submitted conference reports and discussed attendance at upcoming conferences. A motion was made and seconded to approve upcoming board travel as presented. The motion carried.

**Newsletter Article:** The Board discussed new ideas for upcoming newsletter topics. Ms. Phelps said she would like Provider Well-Being to be put on the list of topics. Dr. Zimmerman said he would be willing to write an upcoming newsletter article.

### **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. Grajcar, aye; Dr. Morton, aye; Dr. Neal, aye; Ms. Chadwick, aye; Mr. Anderson, aye; Ms. Phelps, aye; Dr. Davis, aye. Motion carried.

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

### **BOARD DISCIPLINE**

#### **Termination and Modification Request:**

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

- To close 2021-BOM-9879;
- To modify the existing CAP for case number 2017-BOM-9128. Motion carried.

#### **Monitor:**

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

- To continue monitoring as directed, case numbers 2021-BOM-9780 and 2022-PAC-9950.

Motion carried.

### **DISCIPLINE**

Prior to any discipline motions being made, Dr. Guzman recused himself on case numbers 2023-BOM-10066 and 2023-BOM-10078.

### **COPD REVIEW**

Motions were made and seconded to take the following actions:

- To enter a Stipulation and Order for case numbers 2022-BOM-10036, 2022-BOM-10060, and 2023-BOM-10078;
- To send a letter of concern for case numbers 2022-BOM-10024, 2022-BOM-10059, 2023-BOM-10068, and 2023-BOM-10076; and
- To close all other cases as recommended.

Motions carried.

### **ALLIED HEALTH DISCIPLINE**

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

- To close 2022-PAC-10071;
- To initiate a CAP for case number 2022-PAC-10079;
- To send a letter of concern for case number 2022-PAC-10061.

Motion carried.

### **Adjourn**

There being no further business, the meeting was adjourned at 2:34 PM.

The next meeting will be held on 11/09/2023.