



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 08/22/2024

Board Members Present:	David McClusky, MD – Chair Guillermo Guzman, MD – Vice Chair Mark Grajcar, DO Jared Morton, MD Thomas Neal, MD Keith Davis, MD Christian Zimmerman, MD Paul Anderson, Public Member Michele Chadwick, Public Member	Division Staff:	Nicki Chopski, Executive Officer Russ Spencer, General Counsel Berk Fraser, Chief Investigator Mike Celeste, Investigations Supervisor Susan Villanueva, Board Support Specialist Katie Stuart, Bureau Chief Administration
Board Members Absent:	Paula Phelps, PA	Others Present:	Col. William Gardiner, ISP Director Joan Callahan, Board Prosecutor

The meeting was called to order at 8:30 AM by David McClusky, MD.

Approval of Minutes

A motion was made and seconded to approve the 05/09/2024 minutes. The motion carried.

Introductions: Col. William Gardiner, ISP Director, was introduced as the newest board member. His first official meeting with the Board will be November 14, 2024.

DIVISION BUSINESS

Licensing System Update: Dr. Chopski gave an update on the new licensure system, which went into effect July 1, 2024. The main impact for the Board will be in the formatting of the discipline cases. Staff shared an example for the Board to review.

Financial Update: Dr. Chopski gave the preliminary 2024 fiscal year-end financial update. The Board will receive the finalized report at the next meeting. Dr. Chopski informed the Board that they continue to have a large cash balance. The Division of Occupational and Professional Licenses (DOPL) is reviewing ways to assist the Board to effectively reduce its cash balance. The Board discussed possible ways to reduce the balance, which may be put on the agenda to discuss at a later date.

Health Professionals Recovery Program (HPRP) Update: Katie Stuart provided an update on the HPRP program to the Board. Ms. Stuart stated that nineteen (19) licensees are currently enrolled in the program. She informed the Board that they have seen a decrease in participants since COVID across all professions due to workforce shortages. She said she expects the numbers to increase over the next few years. Ms. Stuart spoke to the board about setting up booths at various events to get information out about the program. Ms. Stuart stated that in June, she visited all the support groups through HPRP

and provided information about Connection is the Cure and the scholarship program they are working on for HPRP.

Maternal Mortality Review Committee (MMRC) Update: Dr. Chopski provided an update on the formation of the MMRC. The Board discussed the committee's composition. It was discussed that in the past, the committee consisted of twelve (12) members. The Board is still accepting letters of interest for a coroner, a pathologist/medical examiner, an EMS provider, and a master-level social worker. Dr. Chopski said that at this time, they have only received eight (8) letters of interest. Member selection will begin soon.

Board Training – Public Member Training: Mr. Spencer presented training on the importance and duties of public members.

Board Training – Just Culture: Dr. McClusky presented information on Just Culture. This approach facilitates consideration of the quality of the decision-making process instead of the outcome when determining actions to take.

BOARD BUSINESS

Medicine ZBR Rules to Pending: A motion was made and seconded to adopt the proposed rule chapters of the Idaho Board of Medicine IDAPA 24.33.01 and 24.33.03 as pending. The motion carried.

Allied Health ZBR Rules to Pending: A motion was made and seconded to adopt the proposed rule chapters of the Allied Health Advisory Board and the Physician Assistant Advisory Committee IDAPA 24.33.02, 24.33.04, 24.33.05, 24.33.07, and 24.33.06 as pending. The motion carried.

Botulinum Toxin, GLP1 Compounding & IV Hydration Update: Dr. Chopski has talked with multiple boards, including the Board of Pharmacy, the Board of Nursing, and Dentistry, about forming an ad hoc committee. This has been met with positive feedback and with many volunteers across the boards. The Board discussed the composition of the committee. Dr. Grajcar, Dr. Davis, and Ms. Chadwick volunteered for appointment to serve on the ad hoc committee. The Board supported staff in forming the ad hoc committee with directions as discussed.

Temporary Rules—International Physicians: A motion was made and seconded to allow pending Rules 100.02(a) (currently Rule 051.01) and 400 (currently Rule 100.01) for international physicians to go into effect on or before January 1, 2025, as temporary rules. This will allow the rules to be effective at the same time as Idaho Code § 54-1812 becomes effective. The motion carried. The staff will continue to work through the state's temporary rule process.

Conference Attendance Reports and Request: The Board discussed attendance at upcoming conferences. A motion was made and seconded to support upcoming board travel as presented. The motion carried.

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; Dr. Davis, aye; Ms. Chadwick, aye; Mr. Anderson, aye; and Dr. Zimmerman, aye. The motion carried.

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

BOARD DISCIPLINE

Prior to any discipline motions being made, Dr. Guzman recused himself on case number 2024-BOM-10215.

Mirroring Order: A motion was made and seconded to summarily suspend a license as required by Idaho Code §18-1852(2) in case number 1324921. The motion carried.

Expungement: 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 case number 2006-BOM-5742. The motion carried.

Termination and Modification Request:

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

- To continue to monitor case number 353.
- To terminate the agreement with a letter of concern for case number 2022-PAC-10079.
- To terminate the CAP for case number 2021-BOM-9828.
- To send a letter of concern for 2022-PAC-9950.
- To enter into a stipulation and order for case number 1298412.

The motion carried.

DISCIPLINE

COPD Review

Motions were made and seconded to take the following actions:

- To close cases 2024-BOM-10216, 2024-BOM-10213, 2023-BOM-10185, 2024-BOM-10215, 2024-BOM-10202, 2024-BOM-10222, 2023-BOM-10172, 2023-BOM-10175, 2024-BOM-10204, 2023-BOM-10164, 2024-BOM-10206, 2024-BOM-10210, 2023-BOM-10160, 2024-BOM-10211, 2024-BOM-10188, 2024-BOM-10205, 2024-BOM-10214, as recommended.
- To table case number 2024-BOM-10186 and 2024-BOM-10187.
- To send a letter of concern for case numbers 2024-BOM-10212, 2024-BOM-10200, 2024-BOM-10178, and 2024-BOM-10219.
- To enter into an agreement in lieu of discipline for case number 2023-BOM-10144, 2024-BOM-10203.
- To enter into a stipulation and order for case numbers 2024-BOM-10190 and 2024-BOM-10209.

The motions carried.

Allied Health Discipline

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

- To accept PAAC recommendations to close case numbers 2024-PAC-10198, 2024-PAC-10199, and 2024-PAC-10207.
- To enter into an agreement in lieu of discipline for case number 2023-PAC-10189.

The motions carried.

A motion was made and seconded to authorize the Board Prosecutor to file an administrative complaint should any negotiations expire or be rejected. The motion carried.

Adjourn

There being no further business, the meeting was adjourned at 2:30 PM.

The next meeting will be held on 11/14/2024.