

**VIRGINIA BOARD OF HEALTH PROFESSIONS
DEPARTMENT OF HEALTH PROFESSIONS
FULL BOARD MEETING
FEBRUARY 6, 2008**

TIME AND PLACE: The meeting was called to order at 12:33 p.m. on Wednesday, February 6, 2008, at the Department of Health Professions, The Perimeter Center, 9960 Mayland Drive, 2nd Floor, Room 4, Richmond, VA.

PRESIDING OFFICER: David R. Boehm, President

MEMBERS PRESENT: Susan G. Chadwick, Au.D.
Jennifer H. Edwards, Pharmacy
Meera A. Gokli, D.D.S.
Damien Howell, P.T.
Billie W. Hughes, F.S.L.
Juan M. Montero, II, M.D.
Sandra Price-Stroble, Citizen Member
Wilma Seymour, Citizen Member
Demis L. Stewart, Citizen Member
Lucia Anna Trigiani, Esq., Citizen Member
John P. Turner, L.P.C.
John T. Wise, D.V.M.

MEMBERS NOT PRESENT: Paula H. Boone, O.D.
Lynn M. Cooper, Citizen Member, Nursing
Mary Gregerson, Ph.D.
Mary M. Smith, N.H.A.
Roxana Valencia, Citizen Member

STAFF PRESENT: Emily Wingfield, Chief Deputy Director
Elizabeth A. Carter, Ph.D., Executive Director for the Board
Amy Marschean, Senior Assistant Attorney General, Board Counsel
Elaine Yeatts, Senior Regulatory Analyst
Terri Behr, Operations Manager

OTHERS PRESENT: Neal Kauder, Visual Research, Inc.

QUORUM: With thirteen (13) members present, a quorum was established.

AGENDA: The agenda was revised to receive Ms. Yeatt's legislative regulatory update after public comment.

PUBLIC COMMENT: No public comment was presented.

UPDATE ON BOARD LEGISLATION AND Ms. Yeatts updated the Board on the 2008 legislation that may impact the Department. The legislation is

REGULATIONS: incorporated into the minutes as Attachment 1.

APPROVAL OF MINUTES: On properly seconded motion by Mr. Howell, the Board voted unanimously to adopt the minutes of the September 25, 2007 meetings.

COMMITTEE ASSIGNMENT REVIEW: Mr. Boehm requested that the board members review their Committee assignments for questions or comments. There were none.

DEPARTMENT DIRECTOR'S REPORT:

Key Performance Measures
Ms. Wingfield apprised the Board of the Agency's progress on its Key Performance Measures. Specifically, that the customer service satisfaction rate is at 95%, completion of licensure applications rate is at 100% and the 250-day patient care case resolution rate is at 50%. Further, Ms. Wingfield reported on the activities of the in-house case teams to further improve case resolution. Additionally, Ms. Wingfield reported that the compliance unit had been redeployed and its personnel assigned to the various boards and enforcement to free up resources to enhance case resolution. The Optometry/BHP unit gained a P-14 employee, Angela Henderson.

Budget
Ms. Wingfield presented an updated overview of the agency's 2008-2010 budget. She reported that a new directive had been issued by the Governor requiring all state agencies to reduce spending. Specifically, areas that have been targeted for reduction are travel, hiring and large purchases. Ms. Wingfield stated that monies were still slated for the Prescription Monitoring Program and a new Risk Management position. There is no money slated for the proposed Workforce Center; however, federal funding is being pursued.

EXECUTIVE DIRECTOR'S REPORT:

Sanctions Reference Study Update – Neal Kauder
Mr. Kauder provided an updated slide presentation of the on-going Sanctions Reference Study. Additionally, Mr. Kauder reported that the Behavioral Science Boards were finalizing their review and the Board of Optometry would begin implementation this month. He also described the SRP methodology being applied to a review of Confidential Consent Agreement cases for the Board of Medicine, an exploration into the risk of recidivism, and some initial results. The presentation is incorporated into the minutes as Attachment 2.

Department of Health's Resources – Medical Interpreters
Ms. Seymour described the complexities involved in insuring cultural and linguistic competency in conveying

information in a health care setting. She noted that the Virginia Supreme Court certifies court foreign language interpreters. She also shared that Title VI of the 1964 Civil Rights Acts requires organizations receiving federal funds (e.g., Medicare and Medicaid) ensure adequate communication exist for parties receiving services.

The depth and breadth of expertise that would be required to universally ensure clear communication across all languages and cultures was viewed as problematic for Virginia, alone, to solve. The matter was viewed to be one of national and international scope. Discussion centered on the role that the Board could take in garnering information and facilitating information.

On properly seconded motion by Mr. Howell, the Board voted unanimously to direct staff to create a link between Board of Health Professions and CLAS Act Virginia and to recommend that member boards include information regarding resources made available on the internet.

On properly seconded motion by Ms. Trigiani, the Board voted unanimously to refer this issue to the Education Committee.

Mr. Boehm appointed Ms. Seymour to serve on the Education Committee to assist with her ample technical expertise.

REGULATORY REVIEW COMMITTEE REPORT:

Dr. Chadwick reported that the Committee directed staff to move forward on the sunrise review of Central Service Technicians and that the Department of Professional and Occupational Regulation (DPOR) be kept abreast of our efforts. The primary concern for the public's safety relating to this group involves ensuring the appropriate handling of medical devices. Since the Board for Hearing Aid Specialists and Board for Opticians similarly are regulated for their appropriate use of devices, the venue for regulation for Central Service Technicians may be at DPOR rather than DHP, should state regulation be deemed necessary.

Dr. Chadwick also reported that the Board of Medicine had brought the issue of studying the need to regulate Orthopaedic Technicians to BHP's attention. Additionally, she reported that a telephone request had been received last week for BHP to consider the need to regulate Orthotists and Prosthetists. Given that the issues relating to Orthopaedic, Orthotic, Prosthetic safety were viewed as similar, the Committee recommended that the Board consider their study be combined and that along with the Central Service Technicians review all be

addressed through the Board's Emerging Professions Workplan.

On properly seconded motion by Dr. Montero, the Board approved the report and recommendations of the Regulatory Research Committee.

EXECUTIVE COMMITTEE REPORT:

Mr. Boehm presented an overview of the Executive Committee's November 2007 meeting and requested approval of the minutes.

On properly seconded motion by Ms. Trigiani, the Board voted unanimously to approve the November 27, 2007 minutes of the Executive Committee meeting.

NOMINATING COMMITTEE:

Ms. Trigiani reported that the Committee recommended that Mr. Boehm continue as Chair and Ms. Trigiani continue as Vice-Chair.

On properly seconded motion by Dr. Montero, the Board voted unanimously to accept the recommended slate of officers as presented.

BOARD REPORTS:

No reports were presented.

NEW BUSINESS:

No new business was presented.

ADJOURNMENT:

The meeting adjourned at 2:45 p.m.

David R. Boehm, L.C.S.W.
Board President

Elizabeth A. Carter, Ph.D.
Executive Director for the Board