

**VIRGINIA BOARD OF HEALTH PROFESSIONS
DEPARTMENT OF HEALTH PROFESSIONS
FULL BOARD MEETING
APRIL 15, 2004**

TIME AND PLACE: The meeting was called to order at 1:00 p.m. on Thursday, April 15, 2004, Department of Health Professions, 6603 W. Broad St., 5th Floor, Room 1, Richmond, VA.

PRESIDING OFFICER: Alan Mayer, Chair

MEMBERS PRESENT: Lynne M. Cooper, Citizen Member, Board of Nursing
Joe Gieck, P.T.
Terone B. Greene, Citizen Member
David H. Hettler, O.D.
Jerry A. Hinn, D.V.M.
Joseph Jenkins, Jr., F.S.L.
Nadia B. Kuley, Ph.D.
Diane Reynolds-Cane, M.D.
Michael W. Ridenhour, Au.D.
Harry S. Seigel, D.D.S.
Mary M. Smith, L.N.H.A.
Demis L. Stewart, Citizen Member
Joanne Taylor, Citizen Member
Lucia Anna Trigiani, Esq., Citizen Member
Natale A. Ward, L.P.C.

MEMBERS NOT PRESENT: Michelle R. Easton, R. Ph.

STAFF PRESENT: Robert A. Nebiker, Agency Director
Howard Casway, Senior Assistant Attorney General
Emily Wingfield, Assistant Attorney General
Elizabeth A. Carter, Ph.D., Executive Director for the Board
Elaine Yeatts, Senior Regulatory Analyst
Susan Stanbach, Senior Management Analyst
Faye Lemon, Enforcement Division Director
Scotti Russell, R. Ph., Executive Director, Board of Pharmacy
Ralph Orr, Board of Pharmacy
Carol Stamey, Administrative Assistant

OTHERS PRESENT: Beverley Soble, Virginia Health Care Association (VHCA)
Susan Ward, Virginia Hospital and Health Care Association

QUORUM: With fifteen (15) members present, a quorum was established.

APPROVAL OF AGENDA: The agenda was approved as presented.

PUBLIC COMMENT: No public comment was presented.

APPROVAL OF MINUTES: On properly seconded motion by Dr. Ridenhour, the Board voted unanimously to approve the minutes of the January 12, 2004 meeting.

EXECUTIVE DIRECTOR'S REPORT: Dr. Carter reported that approximately 39% of the budget remained.

Dr. Carter reported that Beverly Soble, Virginia Health Care Association, had indicated that they were seeking a budget amendment to direct the Board of Health Professions to conduct the Assisted Living Study. The amendment has not yet materialized, so the Chair directed the matter be remanded back to the Regulatory Research Committee.

DEPARTMENT DIRECTOR'S REPORT:

Mr. Nebiker reported that the agency's budget that is before the General Assembly has not become an issue.

Mr. Nebiker updated the Board on the agency's use of the Internet to implement on-line licensure renewal. The Boards of Medicine, Nursing and Dentistry began utilizing the on-line renewal system in January 2004. Further, that the Boards of Medicine and Dentistry included an on-line survey dealing with a manpower issue. With regard to the agency's website use, Mr. Nebiker reported that there had been a significant increase in traffic hits which includes VIPNet's service and License Look-up.

Mr. Nebiker updated the Board on the results of the Prescription Monitoring Program Advisory Committee meeting last month. He noted that beginning in 1999 the number of deaths associated with Schedule II prescription drugs had increased and a chart reflecting the statistics is incorporated into the minutes as Attachment 1. A fall conference is planned to help in the evaluation of the program and to determine if any changes to the program should be made to enhance effectiveness. Mr. Nebiker requested that the Board place discussion of the fall conference on the next two Board agendas.

INTRODUCTION OF EMILY WINGFIELD:

Howard Casway, past Board Counsel, introduced Ms. Wingfield as the new Counsel representing the Board. The Board welcomed Mms. Wingfield and thanked Mr. Casway for his many years of excellent service.

**NEW VIPNET HOSPITAL
ALERT SYSTEM:**

The Board received a presentation from Jayne DeWysocki with VIPNet regarding the new VIPNet Hospital Alert System, specifically, the license and case decision notification service. The service will assist individual boards in updating entities of the current licensure status of all healthcare providers in Virginia.

**REVIEW OF
LEGISLATION AND
UPDATE ON
REGULATORY
PROPOSALS:**

Ms. Yeatts presented a review of the current health-related legislation and regulatory activities within the Department. A copy of the legislation is incorporated into the minutes as Attachment 2.

Mr. Mayer requested an assessment of the costs to the agency resulting from the newly enacted legislation. Also, Mr. Mayer requested that Ms. Yeatts place the name of each chief patron on each bill summary.

Dr. Carter noted that the Board's regulatory proposal for credentialing dialysis technicians, submitted for approval in October, is awaiting approval to move forward. There is nothing controversial impeding the approval to the staff's knowledge. As such, it is anticipated that the Board will be able to proceed by its next meeting in July.

**VIRGINIA'S APPROACH
TO ADDRESSING
COUNTERFEIT DRUGS:**

Scotti Russell, Executive Director for the Board of Pharmacy, provided a presentation concerning the issue of counterfeit drugs and what is being done at federal and state levels to address it.

Ralph Orr, Director of the Prescription Monitoring Program (PMP), also updated the Board on the PMP's progress and requested ideas regarding topics, speakers and interested parties for the upcoming education conference in the fall. Ms. Joanne Taylor, who is a medical content researcher, offered her assistance.

**COMMITTEE REPORTS:
WORKPLAN STATUS:**

Education Committee

Dr. Carter reported that the Committee will be coordinating with the Board of Pharmacy in holding the aforementioned educational conference on the evaluation results and other current issues regarding the PMP in October 2004.

Regulatory Research Committee

Mr. Gieck advised that the Committee had no report.

Enforcement Committee

Dr. Hinn reported that the Committee had received a presentation from Dr. Carter regarding case resolution time and the agency's efficiency of bringing cases to closure. He reported that overall

things are moving faster but that the priority 1 and 2 cases are taking more time at Board level activities. He noted that all the boards needed to be mindful of instructing their members to ask only for the most pertinent information from investigators so that all of the various boards cases at the various priority levels could move most efficiently. The Committee also received an update on the agency's move to collapse the current case priority system from a six-level system into a four-level system. The board members were requested to review the proposed draft collapse priority system and submit comment by next Friday.

Dr. Carter noted that she would be e-mailing members of the Board of Medicine's decision at its April 22, 2004 meeting concerning how it would implement its sanction reference manual.

**GENERAL HEALTH
REGULATORY BOARD
ISSUES AND REPORTS:**

At the January board meeting, Dr. Carter had requested that the board members offer feedback on any cross-cutting issues for discussion at today's meeting. She stated that Dr. Seigel, from the Board of Dentistry, had brought up the issue of office inspections. He reported that the Board of Dentistry had developed guidance documents for use by the investigators when conducting office inspections. Dr. Carter encouraged other boards to consider the benefit of offering guidance to Enforcement when their orders require office or practice inspections, and no inspection program exists for that board.

Dr. Carter reported that the minutes of the various boards reflected significant continuing education issues in terms of approval and monitoring. Because the CE requirements across the boards are so global, the Board requested staff to determine the particulars of how the various boards and agency staff are addressing CE issues. The summarized results will be presented at the next Board meeting for discussion.

Mr. Mayer encouraged the board members to keep their respective boards updated on the activities of the Board of Health Professions by submitting reports at their board meetings. To ensure effective communication across boards, he emphasized the importance of these reports being reflected in the minutes of the respective boards.

Board reports were presented and are incorporated into the minutes as Attachment 3.

NEW BUSINESS:

No new business was presented.

ADJOURNMENT:

On properly seconded motion by Mr. Gieck, the meeting adjourned at 3:30 p.m.

Alan E. Mayer, Chair

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