

**VIRGINIA BOARD OF MEDICINE
EXECUTIVE COMMITTEE MINUTES**

Friday, January 21, 2005 8:00 a.m. Department of Health Professions Richmond, VA

CALL TO ORDER: The meeting of the Board convened at 8:20 a.m.

MEMBERS PRESENT: Thomas Leecost, DPM, President
Carol Comstock, RN
Malcolm Cothran, II, MD
Stephen Heretick, JD
Juan Montero, MD
Jerry Willis, DC

MEMBERS ABSENT: Christine Ober Bridge
Gary Miller, MD

STAFF PRESENT: William L. Harp, MD, Executive Director
Barbara Matusiak, MD, Medical Review Coordinator
Kate Nosbisch, Deputy Executive Director – Practitioner Information
Ola Powers, Deputy Executive Director - Licensure
Karen Perrine, Deputy Executive Director - Discipline
Elaine Yeatts, DHP Senior Policy Analyst
Emily Wingfield, Assistant Attorney General
Colanitha Morton Opher, Recording Secretary

OTHERS PRESENT: Michael Jurgensen, Medical Society of Virginia
Dianne Reynolds-Cane, MD, Past-President, VBM
Sammy Johnson, Deputy Director of Enforcement, DHP
Patricia Kaufman, Case Intake Analyst

The meeting of the Executive Committee was called to order by Dr. Leecost. Dr. Leecost then requested a recess to receive public comment on proposed regulations for Delegation of Certain Informal Fact-Finding to an Agency Subordinate. There was no public comment and the floor was closed.

Dr. Leecost then opened the floor to receive public comment on the proposed regulations for Standard of Professional Conduct. Mr. Sammy Johnson, Deputy Director for Enforcement of the Department of Health Professions requested the Board consider clarification of the definition of “family member” in 18VAC 85-20-25.

Dr. Reynolds-Cane also addressed the Board and offered her support of proposed amendments to these regulations.

Dr. Leecost advised that written comment can be submitted until March 11, 2005 for Delegation to an Agency Subordinate, and January 28th for Standards of Professional Conduct.

Adoption of Agenda

Dr. Montero moved to adopt the agenda. The motion was seconded and carried.

Public Comment on Agenda Items

There was no public comment.

Approval of the November 19, 2004 Minutes

Ms. Comstock moved to accept the minutes of November 19, 2004. The motion was seconded and carried.

Legislative Report – Elaine Yeatts

Ms. Yeatts disseminated a list of the 2005 legislation currently at the General Assembly and briefly reviewed those bills that directly affect the Board of Medicine. Ms. Yeatts advised that there are currently 105 bills being considered that pertain to the Department of Health Professions.

Ms. Yeatts pointed out that some of the bills being considered would require the Board of Medicine to establish additional advisory boards, including those addressing the practice of independent dietitians, lay midwives, and naturopaths. Ms. Yeatts stated that if HB 2543 which would give authority to sign various forms to Physician Assistants is enacted, the Board would need to promulgate emergency regulations with 280 days of enactment.

Advisory Board on Radiological Technology Recommendation for CE Audit – William Harp, MD

Dr. Harp advised that the Virginia Society of Radiologic Technologists expressed their concern about radiologic technologists who allow their ARRT credentials to lapse and the fact that these individuals still have the ability to maintain and renew their Virginia state license. Dr. Harp advised that the letter from Ms. Kusterer, R.T., VSRT Chair, suggested that effective monitoring be established to ensure that those practicing this profession have adequate ongoing education. In addition, her letter also suggested that the Board consider a 10% audit of the continuing education documentation for those renewing to ensure that licensees meet the ARRT standard that the Board had previously adopted.

Dr. Willis moved that the Board accept the recommendation of a 10% audit of those radiologic technologists renewing in 2005 (approximately 250 licensees). The motion was seconded and carried unanimously.

Guidance document on Preventing Transmission of HIV and Hepatitis B Virus – William Harp, MD

Dr. Harp advised that this is an update of the guidance document originally published in the Board Briefs in 1991. Dr. Harp advised that Jack Armstrong, MD, infectious disease specialist, reviewed the 1991 version and suggested minimal changes to bring this document in line with current medical practices.

Dr. Harp advised that if there was a positive screening for Hepatitis or HIV, the Board of Health has communicable disease laws that list to whom and under what circumstances this information can be divulged.

Dr. Leecost expressed a concern that practitioners are having patients sign a release form for HIV testing in their offices and may only provide it to the patient and/or their primary practitioner when there may be other facilities and/or health agencies that may need to know.

Dr. Cothran moved to accept the update of the guidance document on Preventing Transmission of HIV and Hepatitis B Virus with the changes made by Dr. Armstrong. The motion was seconded and carried unanimously.

Announcements: Next scheduled meeting is May 20, 2005.

Adjournment: With no other business to conduct, the meeting adjourned at 9:40 a.m.

Thomas Leecost, DPM
President

William L. Harp, M.D.
Executive Director

Colanithia Morton Opher
Recording Secretary