



**IOWA BOARD OF MEDICINE
REGULARLY SCHEDULED MEETING: December 4-5, 2014**

A G E N D A^{1, 2, 3, 4, 5}

BOARD MEMBERS: Hamed Tewfik, M.D., Chairperson; Michael Thompson, D.O., Vice Chairperson; Allison Schoenfelder, M.D., Secretary; Frank Bognanno; Julie Carmody, M.D.; Ronald Cheney, D.O.; Diane Clark; Diane Cortese; Julie Perkins, M.D.

THURSDAY, DECEMBER 4, 2014

7:30 a.m. **EXECUTIVE COMMITTEE – Medical Conference Room B**
Chair Tewfik, Bognanno, Clark, Schoenfelder, Thompson

8:00 a.m. **SCREENING COMMITTEE – Board Room**
Chair Perkins, Carmody, Cheney, Cortese

9:00 a.m. **MONITORING COMMITTEE – Board Room**
Chair Thompson, Bognanno, Cheney, Perkins, Tewfik

9:00 a.m. **LICENSURE COMMITTEE - Medical Conference Room B**
Chair Schoenfelder, Carmody, Clark, Cortese

FULL BOARD – OPEN SESSION - Board Room
Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

BOARD – CLOSED SESSION¹ - Board Room
Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Iowa Physician Health Committee

1. Notice of noncompliance

B. Committee Reports

- 1. Screening**
- 2. Monitoring**
- 3. Licensure**

C. Review of closed minutes

- 1. October 2-3, 2014 Board Meeting**

LUNCH BREAK

BOARD – CLOSED SESSION¹ - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

FULL BOARD – OPEN SESSION - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Unlicensed Practice of Medicine Cases

1. Amy D. Putney, Waterloo, IA

B. Vote on Closed Session Cases

FRIDAY, DECEMBER 5, 2014

8:00 a.m. -

FULL BOARD – OPEN SESSION - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

BOARD – CLOSED SESSION¹ – Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

FULL BOARD – OPEN SESSION - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Vote on Closed Session Cases

9:00 a.m. -

OPEN SESSION/PUBLIC MEETING^{3,5} - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

BOARD – CLOSED SESSION¹ - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Roll-call to establish quorum; acknowledge absent Board members

B. Opportunity for public comments⁵

C. Board Minutes for Consideration of Approval

1. October 2-3, 2014 Board meeting
2. November 6, 2014, teleconference

D. Chair's Report

E. Executive Director's Report

F. Request for waiver, 653 IAC 9.3(1) "c" -- Jeff Zijie Zhang, M.D.

G. Request for waiver, 653 IAC 13.4 – Mercy Medical Center, Cedar Rapids

H. Administrative Rules

1. **For consideration of adoption: ARC 1632C** – Military Service and Veteran Reciprocity. This chapter engages the Governor's Home Base Iowa Act initiative for licensure (medical and acupuncture) of military veterans, allowing credit for military training and experience in the licensure process, issuance of a provisional license, and licensure by reciprocity.

1a. **For consideration of recommendation:** Should the professional licensing provisions of section 272C.4, subsection 12, be expanded to include the spouses of veterans?
2. **For information only: ARC 1769C** – Standards of practice for physicians who use telemedicine. Publication date is December 10, 2014. Public hearing is 1:30 p.m. January 15, 2015, Wallace State Office Building auditorium.
3. **Hearing report: ARC 1708C** – Counseling patients on effects of medical conditions and medications. This amendment was reviewed by the Administrative Rules Review Committee on November 18 and a public hearing was held on November 18. The Board received 4 written comments regarding the amendment, which was offered in response to the National Transportation Safety Board's recommendation that prescribers discuss with patients the effects of controlled substances on the patients' ability to safely operate a vehicle in any mode of transportation.
4. **Discussion:** Iowa Board of Physician Assistants have noticed a rule (ARC 1741C) to rescind subrule **645 IAC 327.4(2)** that requires a physician to regularly visit their PAs who work in remote clinics. The subrule will be reviewed by the Administrative

Rules Review Committee on Dec 12. A public hearing will be held at 9 a.m. December 16.

I. 2015 Legislature

1. **Update**
2. **Amendments to 148E, Acupuncture**
3. **Iowa Society of Anesthesiologists' proposal to license anesthesiologist assistants.**

J. Judicial Review, Legal Update

1. **IAC 653 13.10 – Standards of practice for physicians who perform medical abortions.** This is at the Supreme Court level. The Board's brief was submitted last week. Planned Parenthood's reply brief will be due next week. Then it will be set for oral argument.
2. **Amjad Butt, M.D.** – Dr. Butt has two cases. The district court issued a notice of dismissal in one. The other is on appeal in the supreme court. Briefing schedule has been issued. Board's brief due January 29, 2015.
4. **Donna DeLouis, D.O.** – Decision is final and case is done.
5. **Richard Fleming, M.D.** – Dr. Fleming continues to submit briefing that was not compliant. We are awaiting a filing from him and then final briefs will be submitted.
5. **Wendy Smoker, M.D.** – The Board's brief is due December 24, 2014.
6. **Training** – How peer review reports and the physicians who write them are used in investigations and contested cases.

K. Iowa Physician Health Committee/Program

1. Recommendations for committee appointments: Jeanine Freeman, Lynn Martin, Julie Scheib
2. YTD statistics

L. Reports & Articles

1. *Addressing prescription opioid overdose: Data support comprehensive policy approach*, Journal of the American Medical Association, October 2, 2014
2. *Are telehealth kiosks the next big thing?*, National Underwriter Company, Benefits Pro, November 2014
3. *Study: Electronic messaging should be a part of physicians' job description*, Fierce Health, October 8, 2014
4. *Many rural hospitals excluded from government's push for better quality*, Kaiser Health News, September 30, 2014
5. *More doctors are a click away, but some say it's not a healthy trend*, Bloomberg News, July 14, 2014
6. *Tighter rules for controlled substances require technology to be successful*, Modern Health Care, November 20, 2014

M. Licensure

7. Update on application and renewal questionnaire
8. Committee report

LUNCH BREAK

BOARD – CLOSED SESSION¹ – Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

BOARD – OPEN SESSION - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Vote on Closed Session Cases

ADJOURN

If there is no further business to conduct, the chairperson will declare the meeting adjourned.

(1) The confidential matters listed on the agenda may concern medical records on the condition, diagnosis, care or treatment of a patient or investigation reports and other investigative information which are privileged and confidential under the provisions of Sections 22.7(2) and 272C.6(4), of the 2012 Code of Iowa. These matters constitute a sufficient basis for the Board to consider a closed session under the provisions of Section 21.5(1)(a), (d), (f) and (g) of the 2012 Code of Iowa. These sections provide that a governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body if all present, or all of the members present if not all members are present at the meeting to review or discuss records which are required or authorized by state or federal law to be kept confidential, to discuss whether to initiate licensee disciplinary investigations or proceedings and to discuss the decision to be rendered in a contested case conducted according to the provisions of Chapter 17A.

(2) Hearings may be closed at the discretion of the licensee, according to Section 272C.6(1) of the Code of Iowa 2012.

(3) Public agenda materials are available via e-mail. Public sessions are recorded and available via CD upon request. Contact Alicia.Hill@iowa.gov.

(4) The Iowa Board of Medicine may address agenda items out of sequence to accommodate persons appearing before the Board or to aid in the efficiency or effectiveness of the meeting.

(5) At this time, members of the audience may address the Board for a period not to exceed 5 minutes. The Board reserves the right to reduce this time based on the number wishing to speak. If a member of the public wishes to address the Board with the intention of getting a Board decision at the meeting, the individual should request permission to be on the Board agenda. Written requests are due in the Board office at least 14 days in advance of the meeting.

The next scheduled Board meeting is Thursday and Friday, February 5-6, 2014, at 400 SW Eighth Street, Suite C, Des Moines, Iowa 50309.

The Public Meeting will be held offsite on Thursday, February 5, 2015 at 9:00 a.m. in Room 15 (Legislative Dining Room) of the Statehouse.

If you require the assistance of auxiliary aids or services to participate in/or attend the meeting because of a disability, please call our ADA Coordinator at (515) 281-5604. If you are hearing impaired, call Relay IA TTY at 1-800-735-2942.

