

MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: October 6, 2014  
ATTENTION: Members, Executive Committee  
SUBJECT: Review of Current Committees, Task Forces, and Sub  
Committees  
STAFF CONTACT: David Serrano Sewell, Board President and Kimberly  
Kirchmeyer, Executive Director

REQUESTED ACTION:

After review, discussion, and consideration of the information, vote to approve the committee changes as indicated below.

BACKGROUND:

The Medical Board of California's (Board) Strategic Plan states that at every other October Board Meeting the Executive Committee and the Board will review the Board's Committee Roster and identify committees that may no longer be needed or may need reconfigured (Goal 5, Objective 5.4). The Board last reviewed the committees in October 2012. At that time, the Board elected to consolidate committees.

Upon Mr. Serrano Sewell's appointment as President, he met with Ms. Kirchmeyer to review and discuss the committees and task forces, and their roles and responsibilities..

In consultation with Ms. Kirchmeyer, Mr. Serrano Sewell recommends the following changes be made in order to increase the output, efficiency, and time commitments by Members. Essentially, the recommendations widen the scope of authority of the committees and task forces while ensuring the work of the Board can be completed in an effective manner.

The following is a list of the Board's current committees, a description of each of these committees, and a recommendation (for complete details on each committee, please see **Attachment A**).

**COMMITTEES REQUIRED BY STATUTE**

**Application Review Committee** (Business and Profession Code section 2135.5)

Membership: Determined by the President (normally limited to three members with minimum of one physician)

Responsibility: Evaluate the credentials of licensure applicants, where statute provides the Board to exercise discretion; and make recommendations to the Licensing Program regarding eligibility for licensure; (for example, postgraduate training hardship petitions per California Code of Regulations Title 16 section 1321(d) and written licensing exam waiver requests per Business and Professions Code section 2113).

Recommendation: Combine this Committee with the Special Programs Committee (listed below). These two Committees do similar work and, therefore, could be combined with the responsibility just being expanded. The new Committee would be called the Application Review and Special Programs Committee.

**Special Programs Committee** (Business and Professions Code sections 2072, 2073, 2111, 2112, 2113, and 2115)

**Membership:** Determined by President (normally limited to three members with minimum of one physician)

**Responsibility:** Provide guidance and expertise to Board staff regarding special program laws and regulations, specific applications, medical school site visits, and issues of concern; and make recommendations to the Licensing Program.

**Recommendation:** Combine this Committee with the Application Review Committee (listed above). These two Committees do similar work and, therefore, could be combined with the responsibility just being expanded. The new Committee would be called the Application Review and Special Programs Committee.

**Special Faculty Permit Review Committee** (Business and Professions Code section 2168.1(c)(1))

**Membership:** A physician member and public member of the Board determined by the President. One representative from each California medical school nominated by the school dean.

**Responsibility:** Evaluate the credentials of applicants proposed by a California medical school to meet the requirements of Section 2168.1(a); determine whether the candidate meets the requirements of an academically eminent physician, or an outstanding physician in an identified area of need; and submit a recommendation to the Board for each proposed candidate for final approval or denial.

**Recommendation:** Keep this Committee as is due to statutory requirement.

**Midwifery Advisory Council** (Business and Professions Code section 2509)

**Membership:** Determined by the Board as specified in law

**Responsibility:** Develop solutions to various regulatory, policy, and procedure issues regarding the midwifery program, including physician supervision, challenge mechanisms, and examinations, as specified by the Board.

**Recommendation:** Keep this Committee as is due to statutory requirement.

### **STANDING COMMITTEES CREATED BY THE BOARD**

#### **Executive Committee**

**Membership:** President, Vice President, Secretary, and Immediate Past President. The Past President exercised her discretion to include the Chairs of the Board's Standing Committees to serve on the Executive Committee.

**Responsibility:** Oversee various administrative functions of the board, such as budgets and personnel, and to review legislation; provide recommendations to the full Board; annually evaluate the performance of the Executive Director; and act for the Board in emergency circumstances (as determined by the Chair) when the full board cannot be convened.

**Recommendation:** Retain the current membership of this Committee, to include the President, Vice President, Secretary, and the Chairs of the Board's Standing Committees, which is recommended as Enforcement, Licensing, and Education and Wellness, for a total of seven members.

### **Enforcement Committee**

Membership: Determined by the President

Responsibility: Serve as an expert resource and advisory body to members of the Board and its Enforcement Program by educating board members and the public on enforcement processes; identify program improvements in order to enhance protection of health care consumers; and review via a task force the Board's Vertical Enforcement/Prosecution Program.

Recommendation: Keep this Committee as a Standing Committee of the Board since enforcement is one of the Board's main regulatory functions.

### **Licensing Committee**

Membership: Determined by the President

Responsibility: Serve as an expert resource and advisory body to members of the Board and its Licensing Program by educating board members and the public on the licensing process; identify program improvements; and review licensing regulations, policies, and procedures.

Recommendation: Keep this Committee as a Standing Committee of the Board since licensing is one of the Board's main regulatory functions.

### **Education and Wellness Committee and Sub Committee**

Membership: Determined by the President

Responsibility: Develop various informational materials for publication and Internet posting; monitor the Board's strategic communication plan; develop physician wellness information by identifying available activities and resources which renew and balance a physician's life, both personal and professional.

Recommendation: Keep this Committee as a Standing Committee of the Board since educating physicians and the public is one of the Board's main functions. However, it is recommended the Sub Committee be eliminated, however, the Board should continue to use these individuals to act as subject matter experts as issues arise and to also assist with *Newsletter* articles.

### **Access-to-Care/Cultural and Linguistic Competency Committee and Sub Committee**

Membership: Determined by the President

Responsibility: Identify opportunities for the Board to promote and assist physician involvement in access to care issues by providing policy development, program direction, and recommendations to the Board; and encourage activities designed to promote the cultural and linguistic competency of physicians.

Recommendation: Eliminate this Committee. The last time the committees were discussed this Committee was established by combining the Access to Care Committee and the Cultural and Linguistic Competency Committee. The Cultural and Linguistic Competency Committee was established in response to legislation regarding cultural and linguistic competency and is no longer needed. Activities of this Committee could be placed in the Education and Wellness Committee or the Licensing Committee. There has not been any issues brought to this Committee for several years.

### **Committee on Physician Supervisory Responsibilities**

**Membership:** Determined by the President. Currently includes both Members and non-Members.

**Responsibility:** Develop regulatory language related to physician availability in cosmetic surgery settings that use laser impulse light.

**Recommendation:** The issues identified for this Committee have been resolved. However, new items brought forward by this Committee (e.g. regulations on medi-spas, etc.) would be more appropriate for discussion before the Licensing or Enforcement Committee, depending on the subject matter. Also, the Board can make use of interested parties meetings to facilitate discussion and obtain valuable information on issues that can then be used to inform actions by the Licensing or Enforcement Committee. As information is gathered on any issue, the Board could place information in its Newsletter or on its website, or could seek and legislative/regulatory change through the full Board. Therefore, this Committee could be eliminated.

### **SUB COMMITTEES/TASK FORCES OF TWO MEMBERS OR LESS**

#### **Legislation Subcommittee**

**Membership:** Determined by the President

**Responsibility:** Review legislative amendments and pending legislation as necessary.

**Recommendation:** Eliminate this Sub Committee. The Executive Director and Chief of Legislation will discuss legislation as it arises and reach out to Members for assistance depending upon the area of expertise needed. In addition, the Executive Committee can also discuss legislation in between the Board Meetings, if necessary.

#### **Organization Effectiveness Committee**

**Membership:** Determined by the President

**Responsibility:** Oversee the policy implementation of the Board, provide budgetary assistance/decisions on behalf of the Board, provide guidance and assistance to the Executive Director on Board related matters, and review/assist with the strategic plan.

**Recommendation:** Eliminate this Committee. The Board President and Vice President have calls with Executive Staff on a bi-weekly basis to discuss the issues identified for this Committee and therefore this Committee is no longer needed.

#### **Outpatient Surgery Setting Task Force**

**Membership:** Determined by the President

**Responsibility:** To review the Outpatient Surgery Setting Program and provide input on the laws, rules, policies, etc.

**Recommendation:** Eliminate this Task Force. The issues requiring the establishment of this Task Force have been resolved for the most part, and those items that need continuing discussion can be moved to the Enforcement Committee or the Licensing Committee as necessary based upon the issue.

**Prescribing Task Force**

Membership: Determined by the President

Responsibility: To identify ways to proactively approach and find solutions to the epidemic of prescription drug overdoses through education, prevention, best practices, communication, and outreach by engaging all stakeholders in this endeavor.

Recommendation: Keep this Task Force as is in order to complete the tasks that have been identified for this Task Force. All the work of this Task Force will be provided to the full Board for review, discussion, and decision.

# COMMITTEES OF THE BOARD

Sept 2014

## REQUIRED COMMITTEES

### Executive Committee

- Membership: President of the Board, Chair  
Vice President of the Board  
Secretary of the Board  
Immediate Past President of the Board  
(The president may select additional members at his/her discretion.)
- Responsibility: Oversee various administrative functions of the board, such as budgets and personnel, and to review legislation; provide recommendations to the full Board; annually evaluate the performance of the Executive Director; and act for the Board in emergency circumstances (as determined by the Chair) when the full board cannot be convened.
- Staff: Kim Kirchmeyer, Executive Director
- Current Members: David Serrano Sewell, J.D., (Chair), Dev GnanaDev, M.D. (Vice President), Denise Pines, (Secretary), Michael Bishop, M.D., Sharon Levine, M.D., Ronald Lewis, M.D., Barbara Yaroslavsky
- List of Issues:
- Legislation discussions and positions
  - Executive Officer evaluation
  - Strategic planning
  - Administrative issues
  - Assessment regarding effectiveness and efficiency of Board Meetings/Committees and suggestions for improvement
- Meeting Schedule: Meets on an as needed basis, usually during Quarterly Board Meetings, but may also meet off-cycle of Quarterly Board Meetings

## **Application Review Committee**

(Business and Profession Code section 2135.5)

**Membership:** Determined by the President (normally limited to three members with minimum of one physician)

**Responsibility:** Evaluate the credentials of licensure applicants, where statute provides the Board to exercise discretion; and make recommendations to the Licensing Program regarding eligibility for licensure; (for example, postgraduate training hardship petitions per California Code of Regulations Title 16 section 1321(d) and written licensing exam waiver requests per Business and Professions Code section 2113).

**Staff:** Curt Worden, Chief of Licensing

**Current Members:** Gerrie Schipske, R.N.P., J.D. (Chair), Ron Lewis, M.D.,

**Meeting Schedule:** Meets on an as needed basis during Quarterly Board Meetings.

## Midwifery Advisory Council

(Business and Professions Code section 2509)

- Membership:** Determined by the Board as specified in law
- Responsibility:** Develop solutions to various regulatory, policy, and procedure issues regarding the midwifery program, including physician supervision, challenge mechanisms, and examinations, as specified by the Board.
- Staff:** Curt Worden, Chief of Licensing
- Current Members: Carrie Sparrevohn, L.M. (Chair), Karen Ehrlich, L.M., Barbara Yaroslavsky, James Byrne, M.D., Monique Webster, Tosi Marceline, L.M.
- List of Issues:
- Physician supervision
  - Barriers to care
  - Mandatory annual reporting
  - Midwife assistants
  - Midwife apprenticeships
  - Definition of “enrolled” for midwife students
  - Enforcement of midwives – licensed or unlicensed
  - Outreach to physician groups regarding midwifery
- Meeting Schedule:** Meets three times per year, usually off-cycle of Quarterly Board Meetings

## Special Faculty Permit Review Committee

(Business and Professions Code section 2168.1(c)(1))

**Membership:** A physician member and public member of the Board determined by the President. One representative from each California medical school nominated by the school dean.

**Responsibility:** Evaluate the credentials of applicants proposed by a California medical school to meet the requirements of Section 2168.1(a); determine whether the candidate meets the requirements of an academically eminent physician, or an outstanding physician in an identified area of need; and submit a recommendation to the Board for each proposed candidate for final approval or denial.

**Staff:** Curt Worden, Chief of Licensing

**Current Members:** Felix Yip, M.D., Chair, Barbara Yaroslavsky, Vice Chair, Neal Cohen, M.D. – UCSF, Daniel Giang, M.D. – Loma Linda, John A. Heydt, M.D – UCR, Jonathan Hiatt, M.D. – UCLA, Laurence Katznelson, M.D. – Stanford, James Nuovo, M.D. – UCD, Andrew Ries, M.D. – UCSD, Frank R. Sinatra, M.D. – USC, Julianne Toohey, M.D. - UCI

**List of Issues:** Periodic examination of the performance and status of all 2168 Special Faculty Permit holders based upon information from their institutions and elsewhere.

**Meeting Schedule:** Meets off-cycle of Quarterly Board Meetings on an as needed basis

## **Special Programs Committee**

(Business and Professions Code sections 2072, 2073, 2111, 2112, 2113, and 2115)

- Membership: Determined by President (normally limited to three members with minimum of one physician)
- Responsibility: Provide guidance and expertise to Board staff regarding special program laws and regulations, specific applications, medical school site visits, and issues of concern; and make recommendations to the Licensing Program.
- Staff: Curt Worden, Chief of Licensing
- Current Members: (Chair-VACANT)
- Meeting Schedule: Meets on an as needed basis during Quarterly Board Meetings

## COMMITTEES CREATED BY THE BOARD

### Enforcement Committee

Membership:	Determined by the President
Responsibility:	Serve as an expert resource and advisory body to members of the Board and its Enforcement Program by educating board members and the public on enforcement processes; identify program improvements in order to enhance protection of health care consumers; and review via a task force the Board's Vertical Enforcement/Prosecution Program.
Staff:	Renee Threadgill, Chief of Enforcement
Current Members:	Ronald Lewis, M.D. (Chair), Gerrie Schipske, R.N.P., J.D., David Serrano Sewell, J.D., Barbara Yaroslavsky, Felix Yip, M.D., Howard Krauss, M.D., Elwood Lui
List of Issues:	<ul style="list-style-type: none"><li>- Review the time lines for processing complaints, investigations, and disciplinary actions in an effort to determine efficiencies and identify where changes can be made</li><li>- Training and recruitment of expert reviewers</li><li>- VE/P evaluation report recommendations</li><li>- Probation Program enhancements</li></ul>
Meeting Schedule:	Full Committee meets on an as needed basis during Quarterly Board Meetings; task force meets off-cycle of Quarterly Board Meetings

## Licensing Committee

- Membership: Determined by the President
- Responsibility: Serve as an expert resource and advisory body to members of the Board and its Licensing Program by educating board members and the public on the licensing process; identify program improvements; and review licensing regulations, policies, and procedures.
- Staff: Curt Worden, Chief of Licensing
- Current Members: Michael Bishop, M.D. (Chair), Dev GnanaDev, M.D., Gerrie Schipske, R.N.P., J.D., Denise Pines, Ron Lewis, M.D., Jamie Wright, Esq.
- List of Issues:
- Implementation of the 2010 Reengineering Report's recommendations regarding:
    - Policy and procedures
    - Revised application and Web site
  - Maintenance of licensure (MOL)
  - Other programs of the Board related to licensing:
    - Fictitious name permits
    - Registered Dispensing Optician/Research Psychoanalyst programs
    - Continuing medical education and audit
    - Polysomnography program
    - Outpatient Setting Accreditation Agencies and process
- Meeting Schedule: Meets on an as needed basis during Quarterly Board Meetings, but may also need to meet off-cycle of Quarterly Board Meetings

## Access-to-Care/Cultural and Linguistic Competency Committee

Membership: Determined by the President

Responsibility: Identify opportunities for the Board to promote and assist physician involvement in access to care issues by providing policy development, program direction, and recommendations to the Board; and encourage activities designed to promote the cultural and linguistic competency of physicians.

Staff: Kevin Schunke, Manager

Current Members: Barbara Yaroslavsky, (Chair), Elwood Lui

Subcommittee

Members: Sergio Aguilar-Gaxiola, M.D., Ph.D., David Hayes-Bautista, Ph.D.

List of Issues:

- Continue to gather information on collaborative care models – inform physicians via newsletter, link to articles, etc.
- Receive updates on loan programs/placements
- Examine methods to enhance the use of physician volunteers in the workforce: gather information on volunteers in the workforce, inform the Board, and determine if the Board wants to pursue any action other than information
- Encourage activities designed to promote the cultural and linguistic competency of physicians.

Meeting Schedule: Meets off-cycle of Quarterly Board Meetings on an as needed basis

## **Committee on Physician Supervisory Responsibilities**

- Membership: Determined by the President
- Responsibility: Develop regulatory language related to physician availability in cosmetic surgery settings that use laser impulse light.
- Staff: Jennifer Simoes, Chief of Legislation
- Current Members: Gerrie Schipske, R.N.P., J.D. (Chair), Christopher Barnard, M.D., Michael Bishop, M.D., Jack Bruner, M.D., Beth Grivett, P.A., Suzanne Kilmer, M.D., James Newman, M.D., Paul Phinney, M.D., Harrison Robbins, M.D.
- List of Issues: - Implement Senate Bill 100 related to physician availability  
- Other issues identified by Chair and Members
- Meeting Schedule: Meets off-cycle of Quarterly Board Meetings on an as needed basis

## Education and Wellness Committee

Membership:	Determined by the President
Responsibility:	Develop various informational materials for publication and Internet posting; monitor the Board's strategic communication plan; develop physician wellness information by identifying available activities and resources which renew and balance a physician's life, both personal and professional.
Staff:	Public Information Officer
Current Members:	Barbara Yaroslavsky (Chair), Gerrie Schipske, R.N.P., J.D., Denise Pines, Howard Krauss, M.D.
Subcommittee Members:	Daniel Giang, M.D., Laurie Gregg, M.D., William Norcross, M.D., Gary Nye, M.D.
List of Issues:	<ul style="list-style-type: none"><li>- Discuss the requirements of Senate Bill 380 related to educational material regarding the prevention and treatment of chronic disease, including holding an interested parties workshop by January 2015</li><li>- Educate physicians regarding physician wellness</li><li>- Review education materials by the Board</li></ul>
Meeting Schedule:	Meets on an as needed basis, usually off-cycle of Quarterly Board Meetings

## **SUBCOMMITTEES OF TWO MEMBERS OR LESS**

### **Legislation Subcommittee**

Membership: Determined by the President  
Responsibility: Review legislative amendments and pending legislation as necessary.

Staff: Jennifer Simoes, Chief of Legislation

Current Members: Sharon Levine, M.D.

### **Organization Effectiveness Committee**

Membership: Determined by the President  
Responsibility: Oversee the policy implementation of the Board, provide budgetary assistance/decisions on behalf of the Board, provide guidance and assistance to the Executive Director on Board related matters, and review/assist with the strategic plan.

Staff: Kimberly Kirchmeyer, Executive Director

Current Members: Sharon Levine, M.D.

### **Prescribing Task Force**

Membership: Determined by the President  
Responsibility: To identify ways to proactively approach and find solutions to the epidemic of prescription drug overdoses through education, prevention, best practices, communication and outreach by engaging all stakeholders in the endeavor.

Staff: Kimberly Kirchmeyer, Executive Director

Current Members: Michael Bishop, M.D.  
Barbara Yaroslavsky

### **Outpatient Surgery Settings Task Force**

Membership: Determined by the President  
Responsibility: To review the Outpatient Surgery Setting Program and provide input on the laws, rules, policies, etc.

Staff: Curt Worden, Chief of Licensing

Current Members: Dev GnanaDev, M.D.  
David Serrano Sewell