



MEDICAL BOARD OF CALIFORNIA
QUARTERLY BOARD MEETING AGENDA



MEMBERS OF THE BOARD

- President: David Serrano Sewell, J.D.
Vice President: Dev GnanaDev, M.D.
Secretary: Denise Pines, Michelle Bholat, M.D., Michael Bishop, M.D., Randy Hawkins, M.D., Howard Krauss, M.D., Sharon Levine, M.D., Ronald Lewis, M.D., Gerrie Schipske, R.N.P., J.D., Jamie Wright, Esq., Barbara Yaroslavsky, Felix Yip, M.D.

San Francisco Airport Marriott Waterfront
1800 Old Bayshore Hwy
Burlingame, CA 94010
650-692-9100 (Directions Only)
Irvine Room

Thursday July 30, 2015

3:30 p.m. – 5:45 p.m.

(or until the conclusion of business)

Friday, July 31, 2015

9:00 a.m. – 3:00 p.m.

(or until the conclusion of business)

Teleconference – See Attached Meeting Information

ORDER OF ITEMS IS SUBJECT TO CHANGE

Action may be taken on any item listed on the agenda.

While the Board intends to webcast this meeting, it may not be possible to webcast the entire open meeting due to limitations on resources.

Please see Meeting Information Section for additional information on public participation.

Please see last page of the agenda for CURES Registration Information.

Thursday, July 30, 2015

- 1. Call to Order/Roll Call
2. Public Comments on Items not on the Agenda
Note: The Board may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7 (a)]
3. Approval of Minutes from the May 7 – 8, 2015 Meeting
4. Board Member Communications with Interested Parties – Mr. Serrano Sewell
5. Presentations on Physician Health Programs and Discussion/Consideration – Ms. Robinson
A. Doris C. Gundersen, M.D., Medical Director – Colorado Physician Health Program
B. Michel A. Sucher, M.D., Medical Director – Monitored Aftercare Program
6. Discussion and Possible Action on Legislation/Regulations – Ms. Simoes
A. 2015 Legislation

Table listing legislative items: AB 26, AB 595, AB 890, SB 128, SB 396, SB 538, SB 800, AB 34, AB 611, AB 1306, SB 149, SB 408, SB 622, SJR 7, AB 159, AB 637, ACR 29, SB 277, SB 464, SB 643, AB 266, AB 684, SB 19, SB 323, SB 467, SB 715, AB 483, AB 773, SB 22, SB 337, SB 482, SB 738.

- B. Status of Regulatory Actions
- C. Federal Legislation – Telemedicine for Medicare Act of 2015

- 7. President’s Report – Mr. Serrano Sewell
- 8. Update from the Executive Committee – Mr. Serrano Sewell
- 9. Update from the Licensing Committee – Dr. Bishop
- 10. Update from the Education and Wellness Committee – Ms. Yaroslavsky

<b>Friday, July 31, 2015</b>
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- 11. Call to Order/Roll Call
- 12. Public Comments on Items not on the Agenda  
*Note: The Board may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code Sections 11125, 11125.7 (a)]*
- 13. 9:00 a.m. REGULATIONS – PUBLIC HEARING  
Physician’s and Surgeon’s Licensing Examinations Minimum Passing Scores. Amendment to Section 1328.1 of Title 16, California Code of Regulations. This proposal would further define the law pertaining to passing scored on licensing examinations and eliminate the need for the Medical Board of California to pass a yearly resolution for the minimum passing examination score.
- 14. 9:05 a.m. REGULATIONS – PUBLIC HEARING  
Outpatient Surgery Setting Accreditation Agency Standards. Amendment to Section 1313.4 of Title 16, California Code of Regulations. This proposal would make these regulations consistent with Health and Safety Code Section 1248.15 and 1248.35. The amendment will require all outpatient setting locations to be inspected and require an accreditation agency to report actions to the Board.
- 15. 9:10 a.m. REGULATIONS – PUBLIC HEARING  
Disclaimers and Explanatory Information Applicable to Internet Postings. Amendment to Section 1355.35 of Title 16, California Code of Regulations. This proposal will update the list of disclaimers and explanatory information provided with public disclosure information released on the internet. The amendment will also add public disclosure screen types for court orders related to family support issues.
- 16. Discussion and Possible Action on Proposed Regulations Updating the Manual of Model Disciplinary Orders and Disciplinary Guidelines – Ms. Kirchmeyer and Ms. Romero
- 17. Presentation and Update from the Federation of State Medical Boards – Jacqueline A. Watson, D.O. and Mike Dugan
- 18. Presentation on Findings from the 2013 Supplemental Survey on Electronic Health Record Availability and Medi-Cal Participation – Janet Coffman, M.A., M.P.P., Ph.D., Associate Professor, University of California, San Francisco

19. Executive Management Reports – Ms. Kirchmeyer
  - A. Approval of Orders Following Completion of Probation and Orders for License Surrender During Probation
  - B. Administrative Summary
  - C. Enforcement Program Summary
  - D. Licensing Program Summary
  - E. Update on Coordination with State Agencies regarding Psychotropic Medications for Foster Children
  - F. Update on the CURES Program
20. Update from the Department of Consumer Affairs – Ms. Lally
21. Investigation and Vertical Enforcement Program Report
  - A. Program Update from the Department of Consumer Affairs – Mr. Gomez
  - B. Program Update from the Health Quality Enforcement Section – Ms. Castro
22. Discussion and Possible Action on the Midwifery Challenge Program Offered by Maternidad La Luz – Mr. Worden and Ms. Webb
23. Update from the Attorney General’s Office – Ms. Castro
24. Update on the Physician Assistant Board – Dr. Bishop
25. Update on the Health Professions Education Foundation – Ms. Yaroslavsky and Dr. Yip
26. Agenda Items for the October 2015 Meeting in the San Diego Area
27. Election of Officers
28. Adjournment

## Meeting Information

This meeting will be available via teleconference. Individuals listening to the meeting will have an opportunity to provide public comment as outlined below.

**The call-in number for teleconference comments is:**

**Thursday July 30, 2015 - (877) 209-9920**

**Friday July 31, 2015 - (800) 553-5260**

Please wait until the operator has introduced you before you make your comments.

To request to make a comment during the public comment period, press \*1; you will hear a tone indicating you are in the queue for comment. If you change your mind and do not want to make a comment, press #. Assistance is available throughout the teleconference meeting. To request a specialist, press \*0.

During Agenda Item **2** and **12** – Public Comments on Items Not on the Agenda, the Board has limited the total public comment period via teleconference to 20 minutes. Therefore, after 20 minutes, no further comments will be accepted. Each person will be limited to three minutes per agenda item.

During public comment on any other agenda item, a total of 10 minutes will be allowed for comments via the teleconference line. After 10 minutes, no further comments will be accepted. Each person will be limited to three minutes per agenda item.

Comments for those in attendance at the meeting will have the same time limitations as those identified above for individuals on the teleconference line.

*The mission of the Medical Board of California is to protect health care consumers through the proper licensing and regulation of physicians and surgeons and certain allied health care professions and through the vigorous, objective enforcement of the Medical Practice Act, and to promote access to quality medical care through the Board's licensing and regulatory functions.*

*Meetings of the Medical Board of California are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. The audience will be given appropriate opportunities to comment on any issue presented in open session before the Board, but the President may apportion available time among those who wish to speak.*

*For additional information, call (916) 263-2389.*

**NOTICE:** *The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Lisa Toof at (916) 263-2389 or [lisa.toof@mbc.ca.gov](mailto:lisa.toof@mbc.ca.gov) or send a written request to Lisa Toof. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.*

# Sign Up for CURES at the Medical Board of California July Board Meeting in Burlingame!

Effective January 1, 2016, all California licensed physicians must be registered to access PDMP/CURES (as required by Section 209 of the California Business and Professions Code). Registering for CURES access allows the physician to access patient activity reports before prescribing controlled substances. The current registration process requires the physician to complete the online application and have the application notarized.

The Medical Board of California has volunteered to assist physicians in registering for access to CURES by reviewing the completed documents and verifying the physician's identity in place of the requirement to have the documents notarized. MBC is authorized to accept the applications and forward them directly to the Department of Justice for expedited processing.

**MEETING LOCATION: San Francisco Airport Marriott Waterfront  
1800 Old Bayshore Hwy  
Burlingame, CA 94010**

## **\*\* BEFORE COMING TO THE MEETING:**

You must start the process by going to [oag.ca.gov/cur-es-pdmp](http://oag.ca.gov/cur-es-pdmp). Select "prescriber," then:

1. **Complete** the online application form
2. **Print** the completed form, then sign and date it
3. **Attach** a copy of:
  - Your CA medical license
  - DEA controlled substances registration
  - Driver's license or other photo government identification

## **AT THE BOARD MEETING – APPLICANT MUST BE PRESENT TO PROCESS**

**YOU** must bring the **completed** packet in person to Medical Board staff table at the Hotel on Thursday, July 30, 2015, from 10:00 a.m. to 5:00 p.m., or on Friday, July 31, 2015, from 9:00 a.m. to 1:00 p.m.

A confirmation will be emailed to you from the Department of Justice once your registration is processed.