



## MEDICAL BOARD OF CALIFORNIA

### QUARTERLY BOARD MEETING AGENDA



#### MEMBERS OF THE BOARD

##### **President**

David Serrano Sewell

##### **Vice President**

Dev GnanaDev, M.D.

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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.

The Westin San Diego

400 West Broadway

San Diego, CA 92101

619-239-4500 (directions only)

Diamond 1 Room

**Thursday October 29, 2015**

**12:00 p.m. – 1:15 p.m.**

**4:00 p.m. – 6:00 p.m.**

(or until the conclusion of business)

**Friday, October 30, 2015**

**9:00 a.m. – 3:00 p.m.**

(or until the conclusion of business)

Teleconference – See Attached

Meeting Information

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.

#### ORDER OF ITEMS IS SUBJECT TO CHANGE

#### Thursday, October 29, 2015

##### **12:00 p.m.**

1. Call to Order

Luncheon Presentation – Physician Burnout – Christina Maslach, Ph.D., Professor of Psychology, University of California, Berkeley

##### **4:00 p.m.**

2. Call to Order/Roll Call

3. 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)]*

4. Approval of Minutes from the July 30-31, 2015 Meeting

5. Board Member Communications with Interested Parties – Mr. Serrano Sewell

6. Update, Discussion and Possible Action on Recommendations from the Public Outreach, Education, and Wellness Committee – Dr. Lewis

7. President's Report – Mr. Serrano Sewell
  - A. Committee Roster Updates

8. 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 the CURES Program
  - F. Update on the Federation of State Medical Boards
9. Update on the Physician Assistant Board – Dr. Bishop
10. Update on the Health Professions Education Foundation – Ms. Yaroslavsky and Dr. Yip

<b>Friday, October 30, 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  
 Manual of Model Disciplinary Orders and Disciplinary Guidelines (Disciplinary Guidelines). Amendment to Section 1361 of Title 16, California Code of Regulations. This proposal would amend the Disciplinary Guidelines to make amendments to conform to changes that have occurred in the educational and probationary environments, clarify some conditions of probation, and strengthen consumer protection.
14. Petition to Promulgate Regulations Pursuant to Government Code Section 11340.6 Concerning a Requirement for a Physician on Probation to Provide Patient Notification
15. Discussion and Possible Action on Legislation/Regulations – Ms. Simoes
  - A. 2015 Legislation Update and Implementation
 

AB 159	ABX2 15	SB 337	SB 643
AB 637	ACR 29	SB 396	SB 738
AB 679	SB 19	SB 408	SJR 7
AB 684	SB 277	SB 464	
  - B. 2016 Legislative Proposals
  - C. Status of Regulatory Actions
    1. Discussion and Possible Action of the Regulations Relating to Continuing Medical Education
    2. Discussion Possible Action of Regulations to Amend Disclaimers and Explanatory Information Applicable to Internet Postings – Ms. Webb
16. Update from the Department of Consumer Affairs – Ms. Lally

17. Presentation and Discussion on the *North Carolina State Board of Dental Examiners v. Federal Trade Commission* Decision and Attorney General's Opinion – Ms. Dobbs and Ms. Webb
18. Update on the BreZE System
  - A. Medical Board of California Update – Mr. Eichelkraut and Ms. Lowe
  - B. Department of Consumer Affairs Update – Mr. Piccone
19. Discussion and Possible Action on Universidad Iberoamericana (UNIBE) Medical School Application for Recognition – Mr. Worden
20. Update, Discussion and Possible Action of Recommendations from the Midwifery Advisory Council Meeting – Ms. Sparrevohn
21. Update, Discussion and Possible Action of Recommendations from the Enforcement Committee – Dr. Yip
22. Update and Discussion Regarding the Interim Suspension Order (ISO) Study - Ms. Kirchmeyer, Ms. Delp, Ms. Castro, and Mr. Gomez
23. 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
24. Update from the Attorney General's Office – Ms. Castro
25. Agenda Items for the January 2016 Meeting in the Sacramento Area
26. 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 October 29, 2015 - (888) 220-8450**

**Friday October 30, 2015 - (888) 221-3915**

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 **3** and **13** – 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.*