



# MEDICAL BOARD OF CALIFORNIA



## QUARTERLY BOARD MEETING AGENDA

Embassy Suites  
150 Anza Boulevard  
Embassy A & B Rooms  
Burlingame, CA 94010  
(650) 342-4600 (directions only)

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

### MEMBERS OF THE BOARD

*Sharon Levine, M.D., President*  
*David Serrano Sewell, J.D.,  
Vice President*  
*Silvia Diego, M.D., Secretary*  
*Michael Bishop, M.D.*  
*Dev GnanaDev, M.D.*  
*Howard Krauss, M.D.*  
*Ronald Lewis, M.D.*  
*Elwood Lui*  
*Denise Pines*  
*Gerrie Schipske, R.N.P., J.D.*  
*Jamie Wright, Esq.*  
*Barbara Yaroslavsky*  
*Felix Yip, M.D.*

**Thursday, February 6, 2014**  
**2:30 p.m. – 5:30 p.m.**  
(or until the conclusion of Business)

**Friday, February 7, 2014**  
**9:00 a.m. – 4:00 p.m.**  
(or until the conclusion of Business)

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

**ORDER OF ITEMS IS SUBJECT TO CHANGE.**

### **Thursday, February 6, 2014**

1. 2:30 p.m. Call to Order/Roll Call
2. Introduction and Swearing in of New Board Member
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 October 24 – 25, 2013 Meeting
5. Presentation on Health Care Fraud and Abuse: Preventive Strategies in Program Integrity – Dr. Tarzy, Dr. Heard, and Ms. Gray-Bowersox, Department of Health Care Services
6. Board Member Communications with Interested Parties – Dr. Levine
7. President's Report – Dr. Levine  
A. Committee Appointments
8. Interim Executive Director's Report – Ms. Kirchmeyer  
A. Executive Summary
9. Federation of State Medical Boards – Dr. Levine and Ms. Kirchmeyer  
A. Update on Federation of State Medical Board activities  
B. Approval of Recommendation for FSMB Committee
10. Update on the Transition of Investigators to the Department of Consumers Affairs Pursuant to Senate Bill 304 – Mr. Kidane, Mr. Gomez, Ms. Kirchmeyer, and Ms. Threadgill

11. Enforcement Chief's Report – Ms. Threadgill
  - A. Approval of Orders Following Completion of Probation and Orders for License Surrender During Probation
  - B. Executive Summary
12. Vertical Enforcement Program Report – Ms. Castro
  - A. Program Update
  - B. HQE Organization and Staffing
13. Review of Responses to Public Comments and Consideration of Revised Regulatory Language Amending Section 1361 and Adding Sections 1361.5, 1361.51, 1361.52, 1361.53, 1361.54, and 1361.55 to Title 16, California Code of Regulations - Uniform Standards for Substance-Abusing Licensees – Ms. Webb and Ms. Cady
14. Update on Health Professions Education Foundation – Ms. Yaroslavsky and Dr. Diego
15. Update on the Committee on Physician Supervisory Responsibilities
16. Update on the Education and Wellness Committee

## RECESS

<b>Friday, February 7, 2014</b>
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17. 9:00 a.m. Call to Order/Roll Call
18. 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)].*
19. 9:00 a.m. REGULATIONS – PUBLIC HEARING – Ms. Webb

Physician Assistant Scope of Practice – Medical Services Performable. Amendment of Section 1399.541 of Title 16, California Code of Regulations. This proposal would clarify physician supervision requirements when a physician assistant acts as a first or second assistant in surgery.
20. Update on Physician Assistant Board – Dr. Bishop
21. Update from the Department of Consumer Affairs – Ms. Lally
22. Update on Activities of the Board of Pharmacy – Ms. Herold
23. Update on Prescribing Task Force – Ms. Yaroslavsky and Dr. Bishop
24. Presentation on the *National Association of Optometrists & Opticians v. Harris* Litigation – Mr. Terrazas and Ms. Schneider, Department of Justice
25. Update on Licensing Outreach/Education Program – Mr. Schunke
26. Licensing Chief's Report – Mr. Worden
  - A. Executive Summary
  - B. Approval of Proposed Resolution of Written Examination Passing Scores – Mr. Worden/Ms. Webb

27. Update on the Outpatient Surgery Settings Task Force and Consideration of Recommendation – Dr. GnanaDev and Mr. Serrano Sewell
28. Update on and Consideration of Recommendations from the Midwifery Advisory Council – Ms. Sparrevohn
29. Consideration of Legislation/Regulations – Ms. Simoes
  - A. Status of Regulatory Actions
  - B. 2014 Legislation
  - C. Legislative Proposal
30. Agenda Items for May 1-2, 2014 Meeting in Los Angeles Area
31. Presentation on Postgraduate Training/Residency Programs – Dr. Nation, University of California, Office of the President
32. CLOSED SESSION (1:00 p.m.)

*Pursuant to Section 11126(a)(1) of the Government Code, the Board will meet in Closed Session to interview candidates for and discuss appointment of an Executive Director*
33. OPEN SESSION – Report from Closed Session
34. Adjournment

*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.*