



MEDICAL BOARD OF CALIFORNIA

Protecting consumers by advancing high quality, safe medical care.

2005 Evergreen Street, Suite 1200
Sacramento, CA 95815-5401
Phone: (916) 263-2389
Fax: (916) 263-2944
www.mbc.ca.gov

Governor Edmund G. Brown Jr., State of California | Business, Consumer Services and Housing Agency | Department of Consumer Affairs

QUARTERLY BOARD MEETING AGENDA

MEMBERS OF THE BOARD

President

Dev GnanaDev, M.D.

Vice President

Denise Pines

Secretary

Ronald H. Lewis, M.D.

Michelle Anne Bholat, M.D.

Randy W. Hawkins, M.D.

Howard R. Krauss, M.D.

Kristina D. Lawson, J.D.

Sharon Levine, M.D.

Brenda Sutton-Wills, J.D.

David Warmoth

Jamie Wright, J.D.

Felix C. Yip, M.D.

Embassy Suites South San Francisco

250 Gateway Boulevard

South San Francisco, CA 94080

Northrop/Stanley Room

(650) 589-3400

Thursday, July 26, 2018

2:15 p.m. – 5:30 p.m.

Friday, July 27, 2018

9:00 a.m. – 2:00 p.m.

(or until the conclusion of business)

Public Telephone Access – 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 or
technical difficulties.

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

MEETING TIMES AND ORDER OF AGENDA ITEMS ARE SUBJECT TO CHANGE

Thursday, July 26, 2018

1. Call to Order/Roll Call/Establishment of a Quorum
2. Election of Officers
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 April 19–20, 2018 Quarterly Board Meeting
5. President's Report, including notable accomplishments and priorities – Dr. GnanaDev
6. Board Member Communications with Interested Parties – Dr. GnanaDev
7. Presentation on Community Paramedicine Project – Howard Backer, M.D., Director, Emergency Medical Services Authority
8. Update on Board iOS Application – Ms. Kirchmeyer and Mr. Villatoro
9. Discussion and Possible Action on Amending Title 16, California Code of Regulations, Section 1355.4 – Notice to Consumers – Ms. Webb

10. Executive Management Reports – Ms. Kirchmeyer
 - A. Administrative Summary, including budget, personnel, and technology updates
 - B. Enforcement Program Summary, including personnel, expert reviewer program, statistics, and enforcement unit updates
 - C. Licensing Program Summary, including personnel, statistics, and licensing unit updates
 - D. Update on the Controlled Substance Utilization Review and Evaluation (CURES) Program, including registration and outreach information
 - E. Update on the Federation of State Medical Boards (FSMB)
11. Presentation on the Investigation Process from the Investigator's Perspective – Julie Guarino, Supervising Investigator, and Marc Gonzalez, Investigator, Health Quality Investigation Unit
12. Vertical Enforcement Program Update from the Health Quality Enforcement Section – Ms. Castro
13. Update from the Attorney General's Office – Ms. Castro
14. Vertical Enforcement Program Update from the Health Quality Investigation Unit – Ms. Nicholls and Mr. Loomis
15. Update on the Physician Assistant Board – Ms. Kirchmeyer
16. Update on the Health Professionals Education Foundation – Dr. Hawkins and Ms. Lawson

Recess

Friday, July 27, 2018

17. Call to Order/Roll Call/Establishment of a Quorum
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. Discussion and Possible Action on Legislation/Regulations – Ms. Simoes
 - A. 2018 Legislation
 1. AB 18 (Garcia) Healing Arts: Licensed Physicians and Dentists from Mexico Pilot Program
 2. AB 505 (Caballero) Medical Board of California: Adjudication: Expert Testimony
 3. AB 608 (Irwin) Medical Assistants
 4. AB 710 (Wood) Cannabidiol
 5. AB 1751 (Low) Controlled Substances: CURES Database
 6. AB 1752 (Low) Controlled Substances: CURES Database
 7. AB 1791 (Waldron and Gipson) Physicians and Surgeons: Continuing Education
 8. AB 1998 (Rodriguez) Opioids: Safe Prescribing Policy
 9. AB 2086 (Gallagher) Controlled Substances: CURES Database
 10. AB 2138 (Chiu) Licensing Boards: Denial of Application: Criminal Conviction

11. AB 2193 (Maienschein) Maternal Mental Health
12. AB 2311 (Arambula) Medicine: Trainees: International Medical Graduates
13. AB 2461 (Flora and Obernolte) Criminal History Information: Subsequent Arrest Notification
14. AB 2487 (McCarty) Physician and Surgeons: Education: Opiate-Dependent Patient Treatment and Management
15. AB 2539 (Mathis) California Physician Corps Program: Practice Setting
16. AB 2760 (Wood) Prescription Drugs: Naloxone Hydrochloride and Other FDA-Approved Drugs
17. AB 2789 (Wood) Health Care Practitioners: Prescriptions: Electronic Data Transmission
18. AB 2968 (Levine) Psychotherapist-Client Relationship: Informational Brochure
19. SB 944 (Hertzberg) Community Paramedicine Act of 2018
20. SB 1109 (Bates) Controlled Substances: Schedule II Drugs: Opioids
21. SB 1163 (Galgiani) Postmortem Examination or Autopsy
22. SB 1238 (Roth) Patient Records: Maintenance and Storage
23. SB 1448 (Hill) Healing Arts Licensees: Probation Status: Disclosure
24. SB 1495 (Committee on Health) Health

B. Regulatory Actions

1. Approved Postgraduate Training, 16 CCR, section 1321
 2. Physician Health and Wellness Program, 16 CCR, sections 1357.10, 1357.11, 1357.12, 1357.13, 1357.14, 1357.15, and 1357.16
 3. Supervision Required for Physician Assistants, 16 CCR section 1399.545
20. Update, Discussion, and Possible Action on Recommendations from the Licensing Committee – Dr. Krauss
 21. Discussion and Possible Action on Recommendation from the Special Faculty Permit Review Committee – Dr. Bholat
 22. Presentation on the Division of Workers' Compensation System – Raymond Meister, MD, MPH, Executive Medical Director, Division of Workers' Compensation
 23. Discussion and Possible Action on Approval of Mexico Pilot Program Orientation Program – Dr. Servis, Ms. Alameda, and Ms. Webb
 24. Discussion and Possible Action on Approval of St. George's University of London, International Bachelor of Medicine and Bachelor of Science Program – Dr. Nuovo and Ms. Alameda
 25. Update from the Department of Consumer Affairs, which may include updates on the Department's Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, as well as Legislative, Regulatory, and Policy Matters – Patrick Le, Assistant Deputy Director, Board and Bureau Services
 26. Agenda Items for the October 2018 Board Meeting in the San Diego Area
 27. 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.

For Thursday, July 26, 2018 and Friday, July 27, 2018

Call in number: 888-455-9726

Passcode: 8280664 (callers will be asked to verbally provide this code to the operator to enter the meeting)

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 *2. Assistance is available throughout the teleconference meeting. To request a specialist, press *0.

During Agenda Item **3** and **18** – 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.

Please Note: Because there is an audio delay, if you are participating by phone and simultaneously watching the Webcast, the Board requests you turn off the sound to the Webcast for improved clarity.

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 professionals 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 amount 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 Mary Kathryn Cruz Jones at (916) 263-2389 or marykathryn.cruzjones@mbc.ca.gov or send a written request to Mary Kathryn Cruz Jones. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

GUIDELINES FOR PUBLIC COMMENT

The Medical Board of California (Board) is a public agency whose mission is to protect health care consumers through the proper licensing and regulation of physicians and surgeons and certain allied health care professionals 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.

The Board welcomes your comments, concerns, and information you wish to share.

Please note that the Board must comply with the Open Meeting Act, the Administrative Procedure Act, and other sections of law when taking public comments. The Board's staff is here to help you with this process, so please feel free to seek additional assistance and clarification if you need it.

Please keep the following points in mind:

- Please be aware that the Board imposes time frames for public comment. Public comment is limited to three minutes per person; however, that time frame may be subject to change depending upon the number of speakers on a topic. Public comment, with the exception of comments received under "Public Comment on Items Not on the Agenda," must stay on topic with the specific agenda item being discussed, or the president or chair may have to rule the comments out of order.
- Only during the agenda item "Public Comment on Items Not on the Agenda" can the public make comments regarding any other items not listed on the Board's agenda. Please be aware that public comment during this agenda item should provide information to the Board Members and is not a discussion between the Board Members and the public. The only action Board Members can take is to listen to the comments and decide whether they want a future agenda item on the topic. No other action can be taken on the item at this meeting. Though this may seem at times like the Board Members are not being responsive, following these guidelines is critical to ensure the rules of the Open Meeting Act are followed to avoid compromising the speaker's goals or the Board's mission.
- When making comments, please do not discuss pending complaints, pending applications, or pending disciplinary actions that may come before the Board for a decision. Such discussions are considered 'ex parte' communications, and could provide information to the Members that is outside of the record, in violation of the Administrative Procedure Act. Therefore, such discussions could create a conflict and lead to a Board decision being challenged in superior court.
- The Board can receive comments regarding the Board's processes in general. It cannot receive comments on specific case circumstances where the decision is still pending. Board staff is available to speak with you about any pending matter.
- The Board requests that public comments be addressed to the Board as a whole and not to individual Members.

The Board appreciates the public's attendance and the input received from the public on the issues discussed at Board meetings.

