



MEDICAL BOARD OF CALIFORNIA

QUARTERLY BOARD MEETING AGENDA

Department of Consumer Affairs
1625 N Market Blvd, Sacramento, CA 95834
Main Hearing Room

Thursday, May 19, 2022

2:00 P.M. – 6:30 P.M.

Friday, May 20, 2022

9:00 A.M. – 2:00 P.M.

Amended Agenda

*Action may be taken on any item listed on the agenda.
Meeting times and order of agenda items are subject to change.
If a quorum of the Board is present, Members of the Board who are not
Members of the Committee may attend only as observers.
Please see last page for meeting information.*

*Consistent with Government Code section 11126.5 the Board may
remove anyone who willfully disrupts a meeting. Further, if order to a
meeting cannot be restored by removing any such disruptive person(s),
the Board is authorized to clear the room and continue in session
(Government Code section 11126.5).*

Thursday, May 19, 2022 – [Join WebEx Event \(Instructions\)](#)

1. Call to Order/Roll Call/Establishment of a Quorum
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 February 10 – 11, 2022 Quarterly Board Meeting
4. President's Report, including notable accomplishments and priorities – Ms. Lawson
 - A. Swearing in of new Board members
5. Board Member Communications with Interested Parties – Ms. Lawson
6. Updates from External Stakeholders
 - A. Update from the Attorney General's Office – Ms. Castro
 - B. Update from the Health Quality Investigation Unit – Ms. Nicholls
 - C. Update from the Department of Consumer Affairs – Ms. Miller

Kristina D. Lawson, J.D.
Chair
Randy W. Hawkins, M.D.
Vice President
Laurie Rose Lubiano, J.D.
Secretary
Ryan Brooks
Dev GnanaDev, M.D.
James M. Healdzer, M.D.
Nicole Ann Jeong, J.D.
Asif Mahmood, M.D.
David Ryu
Richard E. Thorp, M.D.
Veling W. Tsai, M.D.
Eserick "TJ" Watkins
Felix C. Yip, M.D.

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

7. Updates from External Boards
 - A. Updates from the Physician Assistant Board – Dr. Hawkins
8. Executive Management Reports – Mr. Prasifka
 - A. Administrative Summary, including budget, personnel, and technology updates
 - B. Enforcement Program Summary, including personnel, expert reviewer program, statistics, complaint liaison unit development and enforcement unit updates
 - C. Licensing Program Summary, including personnel, statistics, and licensing unit updates
9. Update on Revising Guidelines for Prescribing Controlled Substances for Pain – Mr. Prasifka
10. Discussion and Possible Action on Recommendation from the Special Faculty Permit Review Committee – Dr. GnanaDev

Recess

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11. Call to Order/Roll Call/Establishment of a Quorum
12. Public Comment 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. Update from the Board of Registered Nursing on AB 890 – Ms. Melby
14. Discussion and Possible Action on Legislative Regulations – Mr. Bone and Ms. Webb
 - A. 2022 Legislation
 1. AB 562 (Low) Frontline COVID-19 Provider Mental Health Resiliency Act of 2021: HealthCare Providers: Mental Health Services
 2. AB 852 (Wood) Health Care Practitioners: Electronic Prescriptions: Nurse Practitioner Scope of Practice: Practice Without Standardized Procedures
 3. AB 1102 (Low) Telephone Medical Advice Services
 4. AB 1278 (Nazarian) Physicians and Surgeons: Payments: Disclosure: Notice
 5. AB 1636 (Weber) Physician's and Surgeon's Certificate: Registered Sex Offenders
 6. AB 1662 (Gipson) Licensing Boards: Disqualification from Licensure: Criminal Conviction

7. AB 1733 (Quirk) State Bodies: Open Meetings
8. AB 2055 (Low) Controlled Substances: CURES Database
9. AB 2060 (Quirk) Medical Board of California
10. AB 2098 (Low) Physicians and Surgeons: Unprofessional Conduct
11. AB 2178 (Bloom) Physicians and Surgeons: Special Faculty Permits: Academic Medical Center
12. AB 2626 (Calderon) Medical Board of California: Licensee Discipline: Abortion
13. SB 57 (Wiener) Controlled Substances: Overdose Prevention Program
14. SB 528 (Jones) Juveniles: Health Information Summary: Psychotropic Medication
15. SB 1365 (Jones) Licensing Boards: Procedures
16. SB 1440 (Roth) Licensed Midwifery Practice Act of 1993: Complaints
17. SB 1441 (Roth) Healing Arts: Nonconventional Treatment

B. Regulatory Actions

1. Discussion and Possible Action on Proposed Regulations for the Physician and Surgeon Health and Wellness Program, 16 CCR Sections 1357 through 1357.16, and 1361.5 (c)(3)
 2. Discussion and Possible Action on Modified Text for Proposed Regulations for Notice to Consumers, 16 CCR Sections 1355.4, 1378.5, 1379.4 and 1379.58
15. Update, Discussion and Possible Action on Proposed Agenda for the Midwifery Advisory Council Meeting – Ms. Holzer
 16. Discussion and Possible Action on Recommended Appointment of Barbara Woodley to a Public Member Position on the Midwifery Advisory Council – Ms. Holzer
 17. Future Agenda Items
 18. Adjournment

Public Participation

While the Board intends to [livestream](#) this meeting, it may not be possible to livestream the entire open meeting due to limitations on resources or technical difficulties.

The meeting is also accessible to the public via WebEx. Links to the WebEx Event and [instructions on how to connect](#) have been added to this agenda, as well as the Medical Board of California's (Board) website.

During Agenda Items **2** and **12**, Public Comments on Items not on the Agenda, the Board has limited the total public comment period to forty minutes, apportioned between those participating in-person and those participating remotely. Therefore, after forty 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 twenty minutes will be allowed for comments, apportioned between those participating in-person and those participating remotely. After twenty minutes, no further comments will be accepted. Each person will be limited to three minutes per agenda item.

Additionally, the public may submit written comments regarding items on the agenda, as well as items not on the agenda, to be provided to Board Members in advance of the meeting. To submit written public comments, please identify which topic or agenda item you are commenting on, and email your comments to the Board at WebMaster@mbc.ca.gov, or mail your comments to the attention of Antonio Adea, Medical Board of California, 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815. Comments should be received by the Board by May 16, 2022, for timely distribution to Board Members.

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 to participate in the meeting may make a request by contacting Antonio Adea at (916) 263-2389 or send a written request to antonio.adea@mbc.ca.gov. Providing your request at least five business days before the meeting will help ensure availability of the requested accommodation.

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.

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.

