



# MEDICAL BOARD OF CALIFORNIA



## EXECUTIVE COMMITTEE MEETING

**Sheraton Gateway – LAX  
6101 West Century Boulevard  
Los Angeles, CA 90045**

**Thursday, May 1, 2014**

## MEETING MINUTES

*Due to timing for invited guests to provide their presentations, the agenda items below are listed in the order they were presented.*

### **Members Present:**

David Serrano Sewell, J.D., Vice President  
Silvia Diego, M.D., Secretary  
Dev GnanaDev, M.D.  
Barbara Yaroslavsky

### **Members Absent:**

Sharon Levine, M.D., President

### **Staff Present:**

William Boyd, Investigator  
Dianne Dobbs, Legal Counsel, Department of Consumer Affairs  
Errol Fuller, Investigator  
Kimberly Kirchmeyer, Executive Director  
Erin Nelson, Business Service Officer  
Regina Rao, Associate Governmental Program Analyst  
Jennifer Simoes, Chief of Legislation  
Renee Threadgill, Chief of Enforcement  
Lisa Toof, Administrative Assistant II  
Tracy Tu, Investigator  
See Vang, Business Services Analyst  
Kerrie Webb, Legal Counsel  
Curt Worden, Chief of Licensing

### **Members of the Audience:**

Gloria Castro, Senior Assistant Deputy Attorney General, Attorney General's Office  
Alicia Cole, Consumers Union  
Karen Ehrlich, Licensed Midwife  
Julie D'Angelo Fellmeth, Center for Public Law  
Michael Gomez, Department of Consumer Affairs

Howard Krauss, M.D.  
Ronald Lewis, M.D.  
Lisa McGiffert, Consumers Union  
Tina Minasian, Consumers Union  
Carol Moss, Consumers Union  
Ty Moss, Consumers Union

**Agenda Item 1          Call to Order/Roll Call**

Mr. Serrano Sewell called the meeting of the Executive Committee of the Medical Board of California (Board) Meeting to order on May 1, 2014, at 1:04 p.m. A quorum was present and due notice was provided to all interested parties.

**Agenda Item 2          Public Comments on Items not on the Agenda**

No public comment was heard on this agenda item.

**Agenda Item 3          Approval of Minutes from the October 23, 2013 Meeting**

*Ms. Yaroslavsky made a motion to approve the October, 2013 meeting minutes as submitted; s/Dr. GnanaDev. Motion carried.*

**Agenda Item 4          Discussion on and Approval of Revisions to the Strategic Plan**

Ms. Kirchmeyer gave a brief background on the Strategic Plan. She referred the Members to pages EXEC 4-19 through EXEC 4-26 which is the revised document from the input of the last Executive Committee meeting. Ms. Kirchmeyer stated, staff took the outcome from that meeting and worked with staff from the Department of Consumer Affairs (DCA) to put together the final changes to the Goals and Objectives as approved by the Executive Committee. From those Goals and Objectives, tasks were assigned. She noted that in the packet, Members would see what staff has identified, with hopes to have the plan approved at this meeting to present to the Full Board for final approval.

She began with Goal 1 - Professional Qualifications. Ms. Kirchmeyer asked if the Members had any questions concerning this goal.

There were no questions from the Members or the public on this goal.

*Ms. Yaroslavsky made a motion to approve Goal 1 as written; s/Dr. Diego. Motion carried.*

Ms. Kirchmeyer moved forward to Goal 2 – Regulations and Enforcement. Ms. Kirchmeyer asked if the Members had any questions on this goal.

There were no questions from the Members or the public on this goal.

*Ms. Yaroslavsky made a motion to approve Goal 2 as written; s/Dr. GnanaDev. Motion carried.*

Ms. Kirchmeyer continued with Goal 3 - Consumer and Licensee Education. This goal includes the Board's outreach plan, including working and collaborating with the media, and producing informational videos for both consumer and physician outreach. Staff will also create some educational webinars and reach out to interested stakeholders to try to find opportunities for the Board to provide education on the roles and objectives of the Board, whether it is to a consumer group or a group of physicians.

Ms. Yaroslavsky recommended in Goal 3.2a, and 3.2d, striking the words "at least," and adding the words "two or more" in substitution.

Ms. Kirchmeyer stated that in Goal 3.4, Ms. Yaroslavsky had also recommended changing the priority from the current medium priority to a high priority. Ms. Kirchmeyer agreed that would be a reasonable change.

Dr. Diego stated she is concerned about 3.1a, to rescind the 10-year time limit for posting disciplinary information/documents. She asked what would happen in its place if rescinded.

Ms. Kirchmeyer noted that this objective was in the Board's Sunset Review bill and the Board approved the legislation. The current bill, Assembly Bill 1886, has been amended to remove the 10-year requirement for all decisions, with the exception of public letters of reprimand.

Lisa McGiffert, Consumers Union, encouraged the Board to be more specific about the pro-active approach in communicating with the public by adding an objective that promotes the phone number or website letting consumers know how to file a complaint.

Mr. Serrano Sewell asked Ms. Kirchmeyer to give a brief update on some website changes that are being worked on, in regard to providing clearer links to filing a complaint.

Ms. Kirchmeyer stated the Board has revised their website, and has discussed with Ms. Yaroslavsky about sitting down with groups to review the newest site and be sure it is more consumer friendly about how to file a complaint.

Ms. Kirchmeyer noted another item the Board is working on is a project to produce a video on how to file a complaint. The Board is looking at creating a short video clip tutorial as to what type of complaints the Board will investigate, what happens with those complaints, the complaint process, as well as how to file the complaint.

Mr. Serrano Sewell asked Ms. Yaroslavsky if she would accept a friendly amendment to her motion, to add a 3.4d, "promote the Board's website and provide consumer friendly information on how to file a complaint." Ms. Yaroslavsky accepted that amendment to her motion.

***Ms. Yaroslavsky made a motion to approve Goal 3 as amended; s/Dr. GnanaDev. Motion carried.***

Ms. Kirchmeyer continued with Goal 4 - Organizational Relationships. She stated that this goal is about building relationships with elected officials, which staff has already begun to do, but wants to continue and improve on that. The Board has not yet done a lot with hospitals, health systems and those types of organizations, but will do so in the future. Objective 4.3 includes a list of groups,

organizations, and associations that staff will continue to work with and build stronger relationships with them.

***Ms. Yaroslavsky made a motion to approve Goal 4 as written; s/Dr. GnanaDev. Motion carried.***

Ms. Kirchmeyer moved to Goal 5 - Organizational Effectiveness. The first Objective is to improve licensing and complaint time frames. The additional Objective in Goal 5 is looking at where the Board can obtain feedback, educating staff about Board activities, educating the Board about staff activities, as well as a review of committees every two years to be sure the committees the Board has are fulfilling the purpose for which they were established.

***Ms. Yaroslavsky made a motion to approve Goal 5 as written; s/Dr. GnanaDev. Motion carried.***

Ms. Kirchmeyer continued with Goal 6 - Access to Care, Workforce, and Public Health. This Objective will educate the Board on the Affordable Care Act (ACA) and how it will affect physician practice, workforce, and utilization of allied healthcare professionals.

Ms. Yaroslavsky stated she feels the Board has more than enough information on the ACA. She feels that it is now more important to assist physicians when faced with certain situations to educate their patients on how to get access to care.

It was recommended that 6.1 be changed to read, “Inform the Board and Stakeholders on the Affordable Care Act, and how it will impact the physician practice, workforce, utilization of allied healthcare professionals, and access to care for patients.”

Ms. Kirchmeyer suggested adding an objective “c” under 6.1 to read, “Educate physicians on opportunities to assist patients not within the ACA in obtaining access to care.”

***Ms. Yaroslavsky made a motion to approve Goal 6 with amendments; s/Dr. GnanaDev. Motion carried.***

With no further questions or comments from the Members or the public, the meeting was adjourned at 1:40 pm.