

**COMMITTEE ON ADMINISTRATIVE AFFAIRS
DECEMBER 10, 2014
BOARD OFFICE, 5:00 PM
WORKING DINNER MEETING**

MINUTES - AAC

MEMBERS PRESENT:

George Koval, MD, Chair
Donald Girard, MD
Katherine Fisher, DO
Clifford Mah, DPM
Terry Smith, Public Member

STAFF PRESENT:

Kathleen Haley, JD, Executive Director
Nicole Krishnaswami, JD, Operations and Policy Analyst
Netia N. Miles, Licensing Manager
Jenette Ramsey, Physician Licensing Specialist

GUESTS:

Warren Foote, Senior AAG, (5:00 pm – 5:25 pm)
Carol Brandt, Business Manager (5:00 pm – 5:33 pm)

Meeting opened: 5:00 pm

Meeting adjourned: 7:13 pm

Dr. Koval to announce that pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(k), the Administrative Affairs Committee of the Oregon Medical Board (OMB) may convene in Executive Session to consider information or records that are exempt by law from public inspection or information obtained as part of an investigation, including information received in confidence by the Board and Administrative Affairs, information of a personal nature the disclosure of which would constitute an invasion of privacy, and records which are otherwise confidential under Oregon law. The Administrative Affairs Committee will reconvene in Public Session prior to taking any final action. Members of the news media may remain in the room during the Executive Session, but are directed not to report on the specific information discussed during the Executive Session.

Dr. Koval opened the meeting by wishing all members of the Committee a happy holiday and thanked all Board staff for their hard work and dedication.

EXECUTIVE SESSION - TIME CERTAIN: 5 P.M.

1	Immunity and Indemnity for Board Members, Warren Foote, Senior AAG	5	GK
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RECOMMENDATION: Warren Foote, Senior AAG updated the Committee regarding ORS 677.335, which provides Board members statutory immunity from civil and criminal proceedings when carrying out their official duties to the same extent as the immunity conferred upon state judges or district attorneys.

2	Exec Session ORS 192.502 (2)	Entity ID 8396	n/a	GK
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RECOMMENDATION: The Committee reviewed a proposed resolution to the licensee's Complaint and Notice. To address issues of public safety, and in keeping consistent with how decisions have been made in the past regarding similar situations, the Committee recommended offering a Corrective Action Agreement as drafted.

PUBLIC SESSION

3	Oregon Medical Board (OMB) 2014 Annual Performance Progress Report, Carol Brandt, Business Manager	6	GK
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RECOMMENDATION: The Business Manager reviewed the Board's Annual Performance Progress Report and pointed out that every measure on the report had improved. The Committee thanked Board staff and noted their hard work was reflected in the information presented. In addition, the Committee recommended advertising the Board's accomplishments in the quarterly newsletter. Forward to the full Board for review.

4	Oregon Medical Board (OMB) 2014 Agency Head Transactions, Carol Brandt, Business Manager	31	GK
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RECOMMENDATION: The Committee unanimously recommended approving the Executive Director's transactions from July 1, 2013 through June 30, 2014. Forward to the full Board for approval.

5	Oregon Medical Board (OMB) 2014 Best Practices Memo, Carol Brandt, Business Manager	40	GK
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RECOMMENDATION: The Business Manager informed the Committee that the survey will be disseminated to the Full Board in January. Forward to the Full Board for review.

EXECUTIVE SESSION – LICENSEE REVIEW

6	Exec Session ORS 192.502 (2)	Entity ID 1027922	42	CM
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RECOMMENDATION: The Committee recommended the Medical Director contact the applicant's previous residency program in regards to medical knowledge and skill set in general surgery. In addition, the Medical Director will contact Coquille Valley Hospital to determine if a mentorship plan would be an option or if the applicant would be the sole general surgeon at the facility.

7	Exec Session ORS 192.502 (2)	Entity ID 33939	66	GK
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RECOMMENDATION: The Committee recommended the applicant undergo an interview with the Medical Director. In addition, the Committee would like the Medical Director to contact the applicant's residency program for information regarding applicant's behavior during training. Forward to the full Board for review.

8	Exec Session ORS 192.502 (2)	Entity ID 1027408	93	DG
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RECOMMENDATION: The Committee recommended allowing the applicant the option to withdraw the license request without report to the Federation of State Medical Boards. If the applicant wishes to continue with the application process the file will be forwarded to the Investigative Committee for further review. Forward to the full Board for review.

OREGON ADMINISTRATIVE RULES (OAR)

Please review the Fiscal Impact memo prior to conducting a First Review of rules.

The Committee stated there will be no fiscal impact regarding the first review of rules.

PUBLIC SESSION

9	OAR 847-001-0020: Discovery	<i>REPEAL FIRST REVIEW</i>	129	TS
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RECOMMENDATION: The Committee recommended repealing the rule. Forward to the full Board for approval.

10	OAR 847-010-0073: Reporting Requirements Memo from Warren Foote, JD, Senior AAG	<i>FIRST REVIEW</i>	131	CM
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RECOMMENDATION: The Committee recommended amending the language to read "must" instead of "shall" for consistency. Forward to full Board for review.

11	OAR 847-023-0005; 847-023-0010; 847-023-0015: Volunteer Emeritus Licensure	<i>FINAL REVIEW</i>	139	KF
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RECOMMENDATION: The Committee recommended approving the rule as written. Forward to the full Board for approval.

12	OAR 847-026-0000: Expedited Endorsement Qualifications	<i>FINAL REVIEW</i>	150	GK
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RECOMMENDATION: The Committee recommended approving the rule as written. Forward to the full Board for approval.

10 MINUTES

13	Public Comment		153	GK
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RECOMMENDATION: No members of the public present.

DISCUSSION ITEMS

14	Physician/ Physician Assistant Support and Professionalism Coalition Minutes, December 2, 2014		154	DG
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RECOMMENDATION: Dr. Girard gave an overview on the Coalition's membership and stated the intent was to provide support and resources for impaired professionals to achieve wellness. The Committee recommended drafting a Statement of Philosophy encouraging institutions to recognize the importance of wellness for all healthcare professionals. Forward to the full Board for review.

15	Board Attorney Committee Meeting Minutes, December 3, 2014		162	KF
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RECOMMENDATION: The Executive Director provided an overview of the meeting which covered contested case hearing costs, proposed settlement conferences, and the language contained in Complaint and Notice orders.

The Committee recommended reviewing orders on a case by case basis for determining whether to include citations versus statutory language. Forward to the full Board for review.

INFORMATIONAL ITEMS

16	Review of New Rules Adopted in 2010: OAR 847-026-0000 through 847-026-0020 and OAR 847-050-0046	167	TS
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RECOMMENDATION: Informational item only. No action taken. Forward to the full Board for review.

17	Legislative Concept for Administrative Efficiencies: Bill Summary	171	DG
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RECOMMENDATION: The Committee thanked staff for exceptional work put into drafting the proposal for legislative review. In addition, the Committee noted that achieving semi-independence status would provide greater administrative efficiencies, oversight, and transparency. Informational item only. No action taken. Forward to the full Board for review.

18	Cultural Competency CME Administrative Rules	173	TS
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RECOMMENDATION: Informational item only. No action taken. Forward to the full Board for review.

ADJOURN

AAC MINUTES