



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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FINAL MINUTES FOR JOINT LEGISLATION AND RULES COMMITTEE TELECONFERENCE Held on Thursday, December 1, 2016 9545 E. Doubletree Ranch Road • Scottsdale, Arizona

Committee Members

Jodi A. Bain, Esq., Chair

R. Screven Farmer, M.D.

Robert E. Fromm, M.D., M.P.H.

A. CALL TO ORDER AND ROLL CALL

Jodi A. Bain, Esq., called the meeting to order at 5:30 p.m.

The following Committee members participated telephonically: Ms. Bain, Dr. Farmer and Dr. Fromm.

ALSO PRESENT

Present among Board staff include: Carrie Smith, AAG; Patricia E. McSorley, Executive Director; Kristina Fredericksen, Deputy Director;; Evangeline Webster, Operations Manager; James Gentile, Chief Information Officer; Mary Bober, Board Operations Manager; and Michelle Robles, Board Coordinator.

B. CALL TO THE PUBLIC

No individuals addressed the committee during the Call to the Public.

C. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING AMB POLICY AND LEGISLATIVE AGENDA

- Review, discussion and possible recommendations regarding the revision to the potential amendments to Medical Practice Act

Ms. McSorley reported that, based on last week's meeting, committee members have a book with the drafted revisions to Board statutes for their review and discussion.

A.R.S. § 13-1438; Temporary licensure; requirements; fee

The committee discussed the need to verify other state licenses and employment. Dr. Farmer expressed concern regarding insufficient verification for a physician who may be actively practicing with a temporary license. Ms. McSorley discussed Board staff's concern regarding the ability to properly process temporary license applications within the thirty day timeframe provided in statute.

A.R.S. § 32-1422 Basic requirements for granting a license to practice medicine; credentials verification

The Committee discussed striking the requirement to obtain primary source verification of hospital affiliation and Dr. Fromm commented that the language for employment verification should allow Board staff to obtain both verbal and/or written confirmation of this.

A.R.S. § 32-1426 Licensure by endorsement; A.R.S. § 32-1458 (D): Reinstatement of revoked or surrendered license

Committee members discussed changing the statutes so that licensees with revoked or surrendered Arizona licenses can reapply under the licensure by endorsement requirements and take the SPEX rather than USMLE.

A.R.S. § 32-1405 (C) (5); Executive director; compensation; duties; appeal to the board

Committee members discussed that the revision gives the Executive Director the ability to grant licenses under certain circumstances. Dr. Fromm suggested striking "guidance from the Board" regarding malpractice cases.

A.R.S. § 32-1401 (27)(f) Definitions

Committee members discussed that the revisions in A.R.S. § 32-1452 allow flexibility in the course of treatment for PHP participants and in A.R.S. § 32-1452.01 to harmonize the behavioral health and substance abuse statutes, as well as provide more flexibility with the PHP program.

A.R.S. § 32-1451 (w) Grounds for disciplinary action; duty to report; immunity; proceedings; board action; notice requirements

The committee discussed that the revision allows the Board to recoup money for administrative costs in conducting investigations, formal interviews and formal hearings.

A.R.S. § 32-1402 (E) Board; appointment; qualifications; term; removal; compensation; immunity; report

Ms. McSorley stated that the revision has to do with reimbursement for Board members.

- Review, discussion and possible recommendations regarding implementation of HB2502 including fingerprinting requirements and temporary licensure

Ms. Smith reported that a DPS representative has approved the proposed statutory language and has forwarded it to the FBI for approval.

- Discussion and possible recommendations regarding telemedicine exceptions to A.R.S. § 32-1401(27)(ss)

Ms. McSorley reported that the book includes the current statute and language of other states requirements for telemedicine for the Committee to decide and make any changes.

- Update discussion and possible recommendations regarding rule revisions, including Article 5 Five Year Rule Review

Ms. Bain reported that changes regarding current issues are provided to the Committee members in the book.

Ms. McSorley expressed concern with the Executive Director issuing Advisory Letters since there is no appeal process for Board issued advisory letters. Dr. Farmer noted that the Board's statutes allow for a subcommittee of Board members to issue Advisory Letters.

Dr. Farmer stated that this topic should be put on the Arizona Medical Board's agenda so that the Board's stance on the matter can be discussed and to assist Ms. McSorley when representing the Board.

- Discussion and possible recommendation regarding Board representation at Legislature

Ms. McSorley explained her plans for monitoring pending and introduced legislation. Ms. McSorley also reported that Senator Barto is having a stakeholders meeting on December 7,

2016 to discuss proposed legislation. One proposed change is having the Advisory Letter put back onto Board's website.

Committee members discussed the potential consequences if advisory letters are publicly posted on physicians' practice and proposed that the Board consider establishing another mechanism for tracking physician errors and unprofessional conduct.

D. DISCUSSION REGARDING NEXT JLRC MEETING

- Discussion of Topics for Future Meeting

The Committee discussed having a meeting on December 7, 2016 with statute revisions in preparation for submitting them to the full Board on December 8, 2016.

E. ADJOURNMENT

MOTION: Ms. Bain moved to adjourn the meeting.

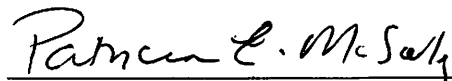
SECOND: Dr. Fromm.

VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The meeting adjourned at 6:44 p.m.





Patricia E. McSorley, Executive Director