



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

**Board of Osteopathic Medicine and Surgery
Meeting Minutes**

September 15, 2023
9:00 a.m.

On September 15, 2023, the Board of Osteopathic Medicine and Surgery held a hybrid meeting at Umpqua Bank, 333 SW 7th St, Renton, WA 98057. Virtual access was through MS Teams.

MEMBERS PRESENT

Shannon Phipps, DO, Chair
Lisa Galbraith, DO, Vice Chair
Patrice Konschuh, Public Member
Alex Sobel, DO
Tania Hernandez, DO
Kevin Ware, DO
Yuri Tsirulnikov, DO
Kim Morrissette, DO

STAFF PRESENT

Becky McElhiney, Program Manager
James Chaney, Executive Director
Davis Hylkema, Program Associate
Heather Carter, Assistant Attorney General
Shelly Buchanan, Staff Attorney
Heather Cantrell, Policy Analyst
Marlon Basco, Policy Analyst
Pam Bright, Case Manager

1. Call to Order/Introductions – DISCUSSION/ACTION

Shannon Phipps, Chair, called the open public meeting to order at 9:05 a.m.

- 1.1 Introductions were made of the board and staff.
- 1.2 Approval of agenda

MOTION: A motion was made to approve the September 15, 2023, business meeting agenda. The motion was seconded and passed.

- 1.3 Approval of June 2, 2023, business meeting minutes.

MOTION: A motion was made to approve the June 2, 2023, business meeting minutes. The motion was seconded and passed.

2. Open Forum—DISCUSSION

The purpose of the open forum is to provide the public an opportunity to address the board on issues of significance to or affecting osteopathic medical practice and that are not related to topics for which a rules hearing was or will be scheduled.

No public attendees were present for the meeting. No comments were presented.

3. Five-Year Rule Review – DISCUSSION/ACTION

The board conducted a review of the osteopathic physician and surgeon rule chapter, WAC 246-853, as required by Substitute Senate Bill 5679 (Chapter 30, Laws of 2013).

MOTION: A motion was made to authorize staff to open a CR-105 to open any section in Chapter 246-853 WAC that includes the word “practitioner” and to replace the word “practitioner” with “physician”; and to repeal WAC 246-853-060. The motion was seconded and unanimously passed.

MOTION: The motion was made to authorize staff to file a CR-101 opening WAC 246-853-080 to reconcile language with new health equity training requirements. The motion was seconded and unanimously passed.

[**MOTION:** See agenda item 6 Substantial Equivalency for an additional motion to file a CR-101 on WAC 246-853-020]

4. Health Equity Continuing Education Rules Hearing – DISCUSSION/ACTION

The rules hearing commenced at 9:30 a.m. Ms. McElhiney shared that one communication had been received via email from the Washington State Medical Association supporting the rule proposal. Dr. Phipps, Chair, opened the floor to receive public comment. No public comments were presented. Dr. Phipps provided information on next steps and closed the hearing at 9:34 a.m.

MOTION: A motion was made by Dr. Ware to adopt the proposed rule WAC 246-853 075, Health equity continuing education training requirements, filed as WSR 23-16-101 on July 31, 2023. The motion was seconded by Ms. Kenschuh. The motion was unanimously approved.

MOTION: A motion was made to authorize staff to submit a CR-103 to complete the rulemaking process. The motion was seconded and unanimously approved.

5. Correspondence – DISCUSSION/ACTION

5.1 The board reviewed a lists and labels request application submitted by Troy Kastrup of Recruiting Resources

MOTION: A motion was made to deny the lists and labels request application submitted by Troy Kastrup of Recruiting Resources. The motion was seconded and passed.

6. Substantial Equivalency – DISCUSSION/ACTION

The board reviewed licensing requirements of Indiana and South Carolina to determine if they are substantially equivalent to Washington licensing requirements in response to Second Substitute House Bill (SSHB) 1724.

Heather Carter, AAG, explained the particulars of the bill. Ms. McElhiney noted that the credentialing office had put forward a related non-routine out-of-state application for the board's review.

6.1 Indiana

6.2 South Carolina

Because in each of these states the medical and osteopathic professions are combined into a single board, as well as other factors, the board felt it needed additional information to determine substantial equivalency. The board felt that it would be in the applicant's interest to go through the regular license application path than wait the additional time needed for the board to determine significant equivalency.

MOTION: A motion was made to obtain more information to determine other states' substantial equivalency, and to have the applicant processed through the standard application process. The motion was seconded and passed.

Considering the current effort to streamline out-of-state licensure, the board discussed the need to review its licensure requirements.

MOTION: A motion was made to authorize staff to file a CR-101 on WAC 246-853-020 Licenses – Application requirements for review. The motion was seconded and passed.

7. Program Reports–James Chaney, Executive Director; Becky McElhiney, Program Manager; Heather Carter, AAG Adviser

7.1 House Bill 1009 Military Spouse Cultural Competency Training

Ms. McElhiney explained HB 1009 requires all boards, commissions, and advisory committees to complete military spouse cultural competency training by January 1, 2024, and that any appointees after that date must complete the training within 90 days of appointment. The Washington State Department of Veteran Affairs has produced a 35-minute training video that will meet the requirement.

Mr. Chaney asked board members, once they have taken the training, to send their certificate of completion to him or Ms. McElhiney to have on file should there ever be a public records request.

8. Consent Agenda

8.1 Budget Report

Ms. McElhiney explained that the finance office is finalizing the last biennium and the budget report figures presented are not 100% up to date. The board members had no questions about the budget report.

8.2 2024 Business meeting dates

Ms. McElhiney pointed out that a list of the 2024 meeting dates, that the board approved at the last meeting, had been filed with the Code Reviser as WSR 23-13-080, and is also included in the meeting packet.

Mr. Hylkema asked the board if it would re-examine its earlier decision to hold meetings in Renton considering that only three staff members were present at this meeting. The board decided that the remainder of this year's meeting could be in the Olympia/Tumwater area, preferably in DOH or LNI facilities at no rental cost.

9. Future Business – DISCUSSION

The board discussed agenda items identified or suggested for future meetings.

- Determine if two regular board meetings in 2024, aside from the March meeting date, can be in-person meetings with provision for remote attendance.

It was suggested that a poll be taken before the next meeting to find out if there is a group preference for the two dates.

Dr. Morrissette took the opportunity to remind the board that she had resigned from serving on the board. She said she would be glad to serve in a pro tem appointment to help with reviews and on hearing panels.

10. Adjournment of public meeting—ACTION

MOTION: A motion was made to adjourn the meeting at 10:18 a.m. The motion was seconded and passed.

11. Discipline, Settlement Presentations and Licensing

The board attended to licensing, disciplinary matters, and settlement and/or agreed order presentations in closed session.

Respectfully submitted,

Becky McElhiney, Program Manager

NOTE: Please visit the web site for future agendas and minutes - www.doh.wa.gov. Go to licensing and certification and you will find a list of the health care professions, go to osteopathic physicians for agendas and minutes.