



**Osteopathic Medical Board of California  
Board Meeting Minutes  
January 18, 2024**

**MEMBERS  
PRESENT:**

Cyrus Buhari, D.O., *President*  
Andrew Moreno, *Secretary Treasurer*  
Michael Luszczak, D.O.  
Hemesh Patel, D.O.  
Gor Adamyan  
Denise Pines, MBA  
Elizabeth Jensen, D.O. Vice President

**MEMBERS  
ABSENT:**

Michael Kim, D.O.

**STAFF  
PRESENT:**

Michael Kanotz, *Esq., Legal Counsel, DCA*  
Yuping Lin, *Attorney, DCA*  
Erika Calderon, *Executive Director*  
Machiko Chong, *SSM I, Licensing Program Unit*  
Terri Thorfinnson, *SSM I, Administrative Program Unit*

**MEMBERS OF  
THE AUDIENCE:**

Holly Macriss, *Executive Director, Osteopathic Physician and Surgeons of California (OPSC)*  
Michelle Monserrat-Ramos, *Consumer Watch Dogs*  
Maria Ibarra-Navarrette, *Consumer Watch Dogs*  
Kimberly Turbin, *Consumer Watch Dogs*  
Renee Milano and Karen Munoz, *DCA Budgets*  
Melissa Gear, *Deputy Director, DCA Board and Bureau Relations*  
Kristy Schieldge, *Attorney IV, Legal Affairs Regulation Unit, DCA*

**Agenda Item 1 Call to Order**

The Board Meeting of the Osteopathic Medical Board of California (OMBC) was called to order by Board President, Cyrus Buhari, D.O. at 09:06 a.m. Meeting was held at the Department of Consumer Affairs Main Hearing Room located at 1625 North Market Blvd., Sacramento, CA 95834.

## **Agenda Item 2    Roll Call / Establishment of a Quorum**

Michael Kanotz addressed the Board President to announce some changes to the roll call and Establishment of a Quorum due to changes to the open meetings act. As of January 1, 2024, legislature changed the authority to have fully virtual meetings and replaced it with a hybrid meeting model. A quorum must be established in person, therefore individuals attending remotely do not count towards quorum. Members attending remotely must disclose if there is a person 18 years or older in the same room and disclose your relationship with that person.

Machiko Chong, SSM I, called roll and determined a quorum was present. Due notice was provided to all interested parties.

## **Agenda Item 3    Reading of the Board's Mission Statement -*Erika Calderon, Executive Director***

Erika Calderon, Executive Director, read the Board's mission statement.

## **Agenda Item 4    Public Comment on Items Not on the Agenda**

*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).)*

Dr. Buhari opened public comment reminding the public and the Board Members that comments are welcome under the open meetings act. The Board may not take action on issues raised by public comment that are not on the agenda other than to decide if the issue will be added to a future meeting.

No comments from the public in the hearing room were made.

The following comments from the public attending remotely were made:

1. Morning, I am Michelle Monserrat-Ramos and I am with Consumer Watchdog. You have a new Board member here and has been a while since I've introduced myself and let you know why my team and I have dedicated our time to your meetings. I've been a state and national patient advocate for the past 18 years. I work with Consumer Watchdog while working on policy change in legislation to protect consumers while also helping families navigate the regulatory Board complaint process. Like my team, I also lost a loved one to medical negligence. Actually, two family members. I know what it feels like to come before this Board and feel like you have not been heard and feel like you have no intention of meeting your mission, which is to protect us, the public. You have been appointed to this Board and accepted this appointment. You have taken an oath to meet this mission and we expect, especially from the public Board members to take on some of these issues the public brings to your attention. Please understand we're not going anywhere. Will not give up and go away. We will continue to come before this Board. You said in your strategic plan that your success depends on an ever-evolving relationship with all of the stakeholders. Well, whether you want to see it this way, we are stakeholders in this process. You need to start treating the public like stakeholders. You can work with us or continue to work without us, but either way we will fix these issues we present you once again today. I know that committee staff feels that we only address the Medical Board, but that is obviously not true. The Medical Board has accepted the public stakeholders, and we have a working

relationship with them and hope to build one with you as well. Thank you.

2. My name is Marta Sanchez Corwin and I attended medical school at Touro College of Osteopathic Medicine from 2013 to 2017 and I petitioned with the Osteopathic Board, I believe twice, for time extension on my standardized testing. I've received time extension throughout my entire education. From middle school to high school. Um, even medical school, and now in business school as well on my testing due to a diagnosis of ADHD. But because I'm an immigrant from Honduras and I wasn't diagnosed before the age of 12, it kind of put me out of the scope of what legally the Board considers, um, being diagnosed in a timely fashion. So, I've received a letter stating that that's one of the reasons why the time extension was denied. Um, I've been working towards obtaining my license for since 2017, uh, by petitioning the Board to reconsider my case and I'm just attending this meeting in hopes that you might reconsider that today.

### **Agenda Item 5 President's Report – Cyrus Buhari, DO**

Dr. Buhari addressed the President's Report and moved forward to agenda item 6 the Executive Director's Report.

### **Agenda Item 6 Executive Director's Report – Erika Calderon**

#### **Administrative services, including personnel, and technology updates**

Executive Director, Erika Calderon, provided updates on the Board's personnel, hiring and filling of vacancies, new staff, updated lease agreement with cost savings, minor office improvements, technology updates, including website and social media. Ms. Calderon also announced our Board's newsletter, the OsteoScope and its national publication. The materials for which were included in the Board meeting material and can be found [here](#).

Ms. Calderon announced a change in legal counsel. She thanked Michael Kanotz for his many years of service. Ms. Calderon then welcomed and introduced the newly appointed legal counsel, Yuping Lin.

Dr. Buhari opened comments to the Board Members. Legal counsel Mr. Kanotz made comment that Dr. Jenson is now in attendance and roll was updated. Ms. Pines made comments about how the Board has transformed in the last year. Dr. Luszczak also seconded the comments made by Ms. Pines and thanked Executive Director Ms. Calderon for help on boarding as the newest member of the Board.

Dr. Buhari opened comments to the public in the hearing room. No comments.

The following comments from the public attending remotely were made:

1. Hi, my name is Kimberly Turbin. I am from Los Angeles. I am also a volunteer with the Customer Watch Dogs. We have some concerns with how behind this Board is in terms of what's public, um, regarding the Breeze updates. We are calling on the Board to adopt the consumer complaint notification system that the Medical Board is working on. Californians contacting this Board need to know the status of their complaints and where their complaints are in the enforcement process. The easiest way to accomplish this to adopt the Medical Board consumer notification

system. As for social media, there is plenty of information for doctors, but no information for the public. This needs to change. The subjects are simply put together; how to file a consumer complaint, how to check your physician's profile for disciplinary actions. Also, public outreach needs to be conducted. You can find funding to attend and run a booth at a physicians' conference then you could do some public outreach. Your mission is to protect the public. You need to take some actions to show the legislator and the public that you are attempting to do that. Thank you very much.

2. Good morning, I am Maria Ibarra-Navarrette. I am from San Jose, and I am a volunteer with consumer watch dog. I submitted my brother's death complaint to this Board and I can't explain to you how devastating it is to present every aspect of your loved one's lack of care and death and what it takes to do that. It takes everything out of us, but we do submit these complaints with faith that the Board will make a real effort to analyze these complaints and refer them to the investigation. Yet, I read in your report that you are promoting staff with no experience in enforcement practices and managing complaints. How long is this learning curve going to be for these inexperienced staff and what impact is this going to take, to have on the consumer's complaint with technology and working with staff to make processes improvements with the Breeze program, the best improvement you can make would be to incorporate the consumer complaint notification system that the Medical Board is working on right now and implementing. I know this would have helped me when I was waiting for my complaint to go through the process. My complaint sat waiting for a medical consultant review for an astronomical amount of time. The complaint notification system not only keeps the public informed, but it will be a notification for staff to take other actions to move the complaint through the process when it is sitting inactive for a long period of time. It is very important to use your social media accounts to communicate, not only to physicians, but also to the public. You could announce changes to your website. You could announce disciplinary actions. You could announce that the public can submit consumer complaints and how to do that. It is incredibly disappointing to see you dismiss. (Moderator -15 seconds) especially when the list of your accomplishments in conducting outreach to physicians and medical students if you can find money to participate in the medical conferences. Thank you for allowing me to speak.
3. I am Michele Monserratt-Ramos and I would Consumer Watch Dog. We have concerns with how this Board is communicating or not communication with the public. In your media materials you mentioned the need to work on Breeze updates when the Medical Board is implementing the consumer complaint notification system that will not only allow the public to have access to where their complaint is in the enforcement process. It will also allow a means for the public to communicate with staff. We're calling on you to implement the same complaint notification tracking system. You love to follow what the Medical Board does yet seem to not do so when the Medical Board is implementing consumer protections. You are not communicating with the public through your social media accounts. There is plenty of information for physicians, but no information for the public. If you don't know how to communicate with the public, then just ask us for us assistance. It's really simple. How do you follow a consumer complaint? How you look up your physician's background? We want to hear from you send your comments to us and add an email address. Remember we are your stakeholders

you need to communicate with the public as well. Public outreach needs to be conducted we've seen a notation that due to funding you won't be doing public outreach. Yet, you somehow found funding to visit DO schools and attend osteopathic conferences where you ran a booth. If you can do that, then you can step conduct outreach to the public. Remember your mission is to protect the public. You need to take some actions to show the legislature and the public that you're attempting to do that. Thank you.

## **Agenda Item 7 Intergovernmental Relations Reports and Administrative Services Update**

### **A. DCA Update – Judie Bucciarelli, SSMI, Board and Bureau Relations, DCA**

For Board and Bureau Relations, Judie Bucciarelli, SSMI, provided an update on the Diversity, Equity, and Inclusion (DEI) training and intranet page. The DEI Steering Committee held its quarterly meeting on December 15, 2023. The Committee reviewed a draft internet webpage that is currently being developed. Once operational, the intranet page will provide all employees with information and resources, including hiring principles, which will serve as a guide for those involved in the hiring process. The steering committee would like to continue to learn about and showcase the activities of Boards and Bureaus and if you have efforts to share, please send them to Board and Bureau Relations.

DCA continues to support the Board's and Bureaus and expanding culturally competent communications and promoting the importance of meeting the needs of all California consumers licenses and applicants. The latest issue of consumer connection magazine includes articles with information important to consumers. It is available online and in print.

Next update is regarding the current year expenditure freeze. The Department of Finance issued a budget letter that directs all agencies and departments under the direct authority of the Governor to take immediate action to reduce current year expenditures. Exemptions include time sensitive, emergency related, mission critical or information security that needs immediate actions. This includes the cancellation of all nonessential travel.

Update and reminder regarding the Form 700 Statement of Economic Interests for the Board Members. This form must be filed within 30 days of assuming or leaving your appointment and annually honored before April. 1st, 2024. This year's filing is January 1 through December 31, 2023, and must be filed online before April 1, 2024.

Next is a reminder regarding sexual harassment prevention training. This training must be completed every two years. The training is online interactive and can be completed at your convenience via the learning management system (LMS). All members must complete the 2-hour supervisory training. This training is available in the Department's learning management system. If Board members need assistance, accessing LMS or additional information about any of these trainings please contact your Board's liaison or Board and Bureau Relations.

Next is a reminder regarding defensive driver training. This training is required at least once every four (4) years and is an online and interactive training that can be completed at your convenience. Course enrollments are now submitted via the Department of General Services (DGS) learning management system pathways. Contact DGS University at [dgs.ca.gov](http://dgs.ca.gov).

Looking ahead DCA invites Presidents and Vice Presidents to our President's training on February 22, 2024 from 10:00 am to 12:30 pm. This virtual two (2) and a half hour training will outline the role of a Board President and Vice President, including understanding the scope of their role managing Board members, communicating with the Executive Director, and performing administrative duties. This training not only provides valuable information from staff but will also have a panel of prior Board members who have held executive positions on a board. This concludes the Board and Bureau Relations update.

Dr. Buhari opened comments to the Board Members. A Board Member question was deferred awaiting the Budgets Update.

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

B. Budget Update – Harmony DiFilippo, SSMI, and Karen Munoz, SSMI, Budget Office, DCA

Harmony DiFilippo from the DCA's Budget Office provided an update on the Board's budget. The material which was included in the Board meeting can be found [here](#), [here](#) and [here](#).

Dr. Buhari opened comments to the Board Members. Board Member Ms. Pines asked about the travel exemption and whether the Board members could use sponsorship or grants to travel. Mr. Kanotz responded that it is something that legal will need to analyze and discuss after the meeting, or we can chat with the Executive Officer about this item specifically.

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

C. Update from the Division of Investigation's Office, Kathleen Nicholls, Chief and Stephanie Whitley, Deputy Chief of the Division of Investigation, DCA

Kathleen Nicholls provided an update on the Health Quality Investigation Unit (HQIU) for fiscal year 2023/2024.

Dr. Buhari opened comments to the Board Members. Board Member Ms. Pines asked about the current vacancy rate. Kathleen Nicholls stated it was a combination of things. Competition from other departments, caseloads, and finding the right fit for the investigation job. HQIU is continuing to train and provide staff with resources to promote staff retention. HQIU is also actively recruiting at job fairs for potential candidates. Discussion can be heard [here](#).

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

D. Update from the Attorney General's Office – Gloria Castro, Senior Assistant Attorney General and Staff Service Managers Ashley Harp and Maria Celerio, Division of Operations, Attorney General Office

Gloria Castro provided an update on Attorney General Office's (AGO) frequently asked questions about Attorney General billing rates and provided the 6<sup>th</sup> Annual Overview of Statistics for 2022/2023. The Annual Overview includes statistics and metrics relating to the work done at the AGO. The material which was included in the Board meeting can be found [here](#) and [here](#). Discussion and comments can be found [here](#).

Dr. Buhari opened comments to the Board Members. Board Member Dr. Luszczak had a question about the target metrics presented to the Board. Gloria Castro stated that the target metric is as soon as possible, but there are other factors that affect the metric including statutes, or additional investigative work. Erika Calderon made comment that cases are transferred as soon as possible to HQUI and if there is a finding that merits referral to AGO that transmittal get sent within days of receipt. Full discussion and comments can be found [here](#).

Dr. Buhari opened comments to the public. No comments.

Dr. Buhari opened comments to the public attending remotely. The following comments from the public attending remotely were made:

1. Okay, hi, my name is Kimberley Turban and I am from Los Angeles, and I also volunteer with Consumer Watchdog. I am joining my fellow advocates to call on the Board to follow the law regarding complaint prioritization for death complaints. We have several issues with this Board. You are not following the DCA complaint prioritization system, which requires you to refer the death complaints to investigation, which you are not doing. You are required to grant children under the age of 18 years old the special statute of limitations for minor children. You have denied both Malakai De Leon and Anayeli Alvarez the right to a special statute of limitations. You do not follow the law and closed both complaints claiming it was due to the statute of limitations. You also have an issue with staff directing complaints directly to the Deputy Attorney General and not submitting the complaint through the actual enforcement process with the DAG telling staff to cause complaints. It is time to make this right? Reopen both of these complaints and meet your mission of consumer protection. Thank you.
2. I am Maria Ibarra-Navarrette. I am from San Jose and I am a volunteer with the Consumer Watch Dogs. I would like to thank the Attorney General's Office for presenting the report. It has been informational and has also highlighted my primary issue with this Board. As the General's report states, this Board is required to follow Business & Professions Code section 328 and utilize the DCA complaint prioritization guidelines, which you are not doing. Per section 328 my brother's death complaint should have been referred to investigation, but it was not. My brother's death complaint should have been identified as a category 1 (one), urgent complaint and should be under investigation right now instead of closed due to a medical consultant, claiming that he or she would have done the same thing within my brother's medical care. That alone is an issue. That has left me baffled. What kind of medical consultants do you have reviewing these cases? But that isn't the focus of discussion today. The issue is that this Board is breaking the law and not referring our death complaints, including my brothers, to investigation. My fellow team members have already brought this issue to your attention and this Board took no action. You ignored them. Today the Attorney General's Office has confirmed in their report that you are required to refer these death complaints to investigation. So how are you going to fix this? You are not protecting consumers. We do not want to hear the empty words of a mission that you are ignoring. I want my brother's complaint reopened and referred to investigation as you are required to do so, and the Attorney General's report states you are required to do. Thank you.
3. All right, good morning, I am Michele Monserratt-Ramos, and I'm with Consumer

Watchdog. As you know, we have come before this Board a number of times to report to you that Board staff is not following the law. When public Board member asked for issues to be placed on a future agenda, and it was denied stating that you were planning a Board presentation, which happens to be this presentation. We asked for this issue to be presented, but we also asked for the DAG's role and enforcement process to be discussed because we had issues with a specific DAG, that covers cases in the central valley. You've heard it from my team, but these issues cannot be stressed enough. First, you're not following Business & Profession Code section 328 which calls on you to refer death cases and serious bodily injury cases to investigation. You're not doing this. You're closing death complaints with no investigation and no input from the complainants. You closed Jose Ibarra's death complaint. You closed Malakai De Leon death complaint. You closed Anayeli Alvarez's serious bodily injury complaint. Anayeli will never be able to walk and is still on a feeding tube. You are not following the law that provides a special statute of limitations for minor children. You denied Malakai De Leon and Anayeli Alvarez the right to the special statute stating that they were not minor children. Sighting family law is not relevant to this Board. Malakai was born alive and lived for 18 hours and Anayeli lived and is now 8 years old. Her complaint was falsely closed. You cannot continue to deny babies and children their right to have their deaths and horrific lifelong harm investigated. Lastly, we have an issue with a DAG that has overseen cases in the central Valley. The issue with this DAG goes back to 2016, if not further. Your staff has taken complaints from the public and instead of submitting them into your system to be analyzed, he was sending them to the DAG who was telling him to close these complaints because they wouldn't go anywhere. Explain to me how you can allow these complaints to not even enter your enforcement process? Must I remind you there is no vertical enforcement. The DAG had no say in complaints as they arrived to your CC unit, yet he did. He said close the complaint and your staff did. So, the time has come. You can no longer ignore this team. As I said earlier, we're not going anywhere. We will resolve these issues at this Board not following the law. Of this Board denied justice for babies and the DAG not representing the client and telling staff to close cases and staff ignoring the entire process and just going directly to the DAG. Take care of this issue now. Reopen these complaints now. Thank you.

4. I am Tracy Dominguez and I'm a little emotional. I am from Bakersfield and I'm a volunteer Consumer Watchdog. I have spent almost 2 years participating in your Board's presentation from the Attorney General's Office and I am pleased to see it is finally occurring today. As I stated before, one of my issues is how the DAG that has been involved in the number of central valley cases has interacted with our staff regarding our complaints. A discussion on the DAGs role in the enforcement process before the complaint is investigated is not included in this report. So, I will start the discussion. You have a staff that bypasses your own enforcement process and was taking our complaints and going directly to the DAG for his input. This DAG was telling your staff to close these complaints before they were analyzed and referred to an investigation. How can your staff completely bypass your own process? And how can the Attorney General's Office allow this to happen? Due to this DAGs interference, repeat offender doctors are allowed to continue to practice and continue to harm Californians. Again, we have come before the Board a number of times and reported it to you. And the staff has allowed the DCA complaint prioritization guidelines which you are required to forward our death complaints to investigation. You know that the B&P section 328 states that how the AG reports has confirmed this. You can continue to ignore us and keep breaking the law. Now it's time to fix it. You are not protecting



consumers and you are putting us and our families at risk. I am calling on this Board to commit today to assuring that your staff refers all death complaints to an investigation. The code requires you to. That you reopen the death complaints, including my grandson's death Malikai De Leon's complaint. Lastly, you are denying babies to the right to have their death's investigated. And you are denying babies the right special statute of limitations for minor children. You denied my grandson Malaki the special statute of limitations for minor children and stated that you did not consider him a minor child. But you denied a special statute of limitations for 8-year-old. You closed both of these complaints denying the basic rights of human beings. You had my grandson's death complaint and did nothing with it for 3 years and quietly closed it without telling me. (Moderator – 15 seconds) I still don't have a letter from the Board notifying me the outcome of my grandson's complaint. Where's consumer protection and your values of accountability? And consumer protection does not exist. Reopen my grandson's death... (Moderator – Time is Up).

5. Xavier De Leon I'm a volunteer with the Consumer Watchdog. I'm glad that this issue was placed on the agenda because it has been a while since we had originally asked for it. Um, it has been a while since I've spoken on here and I'd just like to remind you of my story. My son had died in my arms due to medical negligence back in 2019 after only living 18 hours. When my family and I came to the Board for accountability, we were only met with dead ends. When the Board ignored my son's basic rights, and also, when they denied him an investigation because he didn't meet the statute of limitations for minor children. Just a reminder he only lived 18 hours. As my fellow advocates have said. This Board is not following business and professions code 328. My son had 2 complaints, 1 (one) by my family and the other from the Medical Board, and both were ignored for 3 years, which led it to being closed and we didn't even receive a response or a letter from the Board. It was closed because the statue had ended, but it doesn't make sense because again, my son was born and alive for 18 hours. Therefore, I can fight for the rest of my life for my son, because he will never turn 18 and reach the statute of limitations that is granted to all minors in California. Me and my family need answers and a commitment from this Board by reopening my son Malakai's case. Because in my experience with all of this, you have broken 2 laws. I am willing to take this issue to the highest level in order to make sure the law is followed. No, is not an option anymore. Thank you.

## **15 MINUTE BREAK**

Machiko Chong, SSM I, called roll and determined a quorum was present.

### **Agenda Item 8 Update from the National Board of Osteopathic Medical Examiners (NBOME) – President /CEO John Gimpel, DO and Douglas Murray, General Counsel**

John Gimpel, DO and Douglas Murray presented the Board with an update on NBOME and presented a slide show about the COMLEX-USA, COMVEX and ongoing education provided by the NBOME. Slide show can be found [here](#).

Dr. Buhari opened comments to the Board Members. Dr. Luszczak and Ms. Pines commented on the NBOME. Discussion and comments are [here](#).

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

**Agenda Item 9 Discussion and Possible Action to adopt the proposed 2024-2028 Osteopathic Medical Board of California's Strategic Plan – Anne Fisher and Sarah Irani, DCA SOLID 02:17:16**

Erika Calderon, Executive Director presented the first draft of the Board's updated Strategic Plan. The Board discussed the Strategic Plan with the facilitation of Solid Training Solutions. The Board developed five new objective goal areas. Recommended action is for the Board Members to vote and adopt the Strategic Plan draft. Board materials for the Strategic Plan can be found [here](#) and [here](#).

Dr. Buhari opened comments to the public. No comments.

Dr. Buhari opened comments to the public attending remotely. The following comments from the public attending remotely were made:

1. Thank you. Um, my name is Kimberley Turban. I'm from Los Angeles, and I'm also volunteer with Consumer Watchdog and, um, I had some goals in mind and goal number 1 (one) would be that we agreed this board needs to establish advisory committees. Ah, the committee that needs to be established is the enforcement committee. We need more specific presentations on the enforcement process, and a committee where we can break down these issues and or fix them, in order to maximize the very easy functionality you need to adopt the medical board consumer complaint notification system, that they are working on implementing. This will give consumers direct notification of where their complaint is in the process and a method of communicating with Board's staff. Also, if you are going to train your staff on how to provide better customer service, you need to train them on how to communicate with the public. Why do you keep leaving the public out of every recommendation? Your mission is to protect the public by requiring competence competency, accountability, and integrity in the safe practice of medicine. You need to put this message into practice this mission. So, number two is you need to adopt the legislation that the Medical Board has adopted. Your legislative staff asks for your input on the SB 805 public rights measures that the medical board supported, but the Board stated, that they would wait and see. This is not meeting your mission to protect the public. You need to work on taking action for required interview for families whose complaints you close and the rights for families to submit a patient impact statement to the Board. Um, I think you guys could do a lot better and I think you need to do better. Thank you.
2. I am Maria, I am from San Jose. I am a volunteer or consumer's watchdog. This board is not meeting its mission to protect the public, and the values of accountability. Collaboration and consumer protection are nonexistent. I agree this board does need advisory committees. Well, your first committee that should be established is an enforcement committee. The first action of the enforcement committee should be to ensure that this Board is following its complaint prioritization guidelines and referring all death complaints to investigation. You don't need to explore methods to improve BreEZe functionality. You just need to implement the Medical Boards consumer complaint notification system that they are working on to implement. They are already doing all the work for you. It's simple. Use that the same notification system that they are going to use to improve communication between your staff and the public. If you are going to improve communication between your staff and the public. If you are going to require customer service training of your staff, you cannot leave out training to improve interactions with the public. We are your stakeholders. You are not only licensing physicians, you are here to protect the public. You need to take actions to show the public and the legislator that you are attempting to protect us. Your first goal for enforcement is to follow the law. Create

your enforcement committee to ensure your staff is forwarding death complaints to investigation, reopen some of these death complaints, including my complaint. You should fully implement SB 815 which would include implementing the required interview with a patient and family before you close the complaint and implementing the patient impact statement. Fully implementing SB 815 would require that you also implement the patient rights and consumer protection include in this bill. Thank you.

Call of motion to approve the OMBC Strategic Plan.

**Motion** – Ms. Pines

**Second** – Mr. Adamyan

Roll Call Vote Taken

- Adamyan – Aye
- Jenson – Aye
- Mercado – Aye
- Moreno – Aye
- Patel – Aye
- Pines – Aye

**Motion carried to support the Osteopathic Medical Board of California’s Strategic Plan**

**Agenda Item 10 Licensing Program Summary, including licensing unit updates, and statistics – *Machiko Chong, Licensing Program Manager***

Machiko Chong, Licensing Program Manager, provided a licensing unit summary, including licensing unit updates and statistics. The material for which can be found in the Board meeting material [here](#), [here](#), and [here](#).

Congratulation was given to the licensing unit for transitioning to online applications and handling backlogs.

Dr. Buhari asked for Board Member comment regarding the licensing update. No comments from the Board.

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

**Agenda Item 11 Administrative Services Program Summary, including licensing unit updates, and statistics – *Terri Thorfinnson, Administrative Services Program Manager***

Terri Thorfinnson, Administrative Services Program Manager, provided an update on the administrative services program, which included changes made to the record retention policy and fictitious name permit statistics, the material for which were included in the Board meeting material [here](#).

Dr. Buhari asked for member comment regarding the licensing update. No comments from the Board.

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

#### **45 MINUTE BREAK FOR LUNCH**

Machiko Chong, SSM I, called roll and determined a quorum was present.

#### **Agenda Item 12 Enforcement Program Summary, including enforcement unit updates, and statistics – Erika Calderon, Executive Director**

Executive Director, Erika Calderon, gave an update on the Board's Enforcement Program, including enforcement unit updates and statistics, which was included in the Board meeting material [here](#), [here](#) and [here](#).

Dr. Buhari asked for member comment regarding the enforcement program update. Dr. Luszczak asked about the AG transmittals and timeline. Ms. Calderon replied that Performance Measure (PM) four (4) is the Attorney General's timeline, the services they provide, negotiations, hearing proceedings and decisions and orders issued.

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

#### **Agenda Item 13 Presentation on the Diversion Program – Virginia (Ginny) Matthews, Diversion Program Director, MAXIMUS**

Ms. Matthews introduced herself as the program director of the recovery programs for California. She presented a power point slide show highlighting the MAXIMUS program, which programs they are contracted with at the Department of Consumer Affairs. Ms. Matthews discussed the disease process of substance abuse, relapse rates, and MAXIMUS's active engagement in the recovery process for California licensees. Discussion and comments can be found [here](#).

Dr. Buhari asked for member comment regarding the MAXIMUS presentation. Ms. Pines Dr. Luszczak and Dr. Buhari posed questions regarding the MAXIMUS program and licensee notification to the Board.

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

#### **Agenda Item 14 Discussion and Possible Action on Legislation – Terri Thorfinnson, Administrative Services Program Manager**

Terri Thorfinnson, Administrative Services Program Manager, provided an update on the legislative implementation plan for 2023 and chaptered bills. Ms. Thorfinnson also provided an update on the final status of bill for 2023. Board Meeting materials can be found [here](#) and [here](#). Detailed discussion of the legislation items can be viewed [here](#).

#### **A. Chaptered Bills Implementation Plan for 2023 Legislation**

##### Chaptered Bills

- [SB 815](#) (Roth) Medical Board of California Sunset Bill
- [SB 143](#) (Roth) PTL expiration extension and Federal Veterans Licensure

#### Exemption

- [AB 883](#) (Mathis) Expedite Military License Application: SkillBridge Program
- [AB 1070](#) (Low) Physicians Assistants: Physician Supervision: Exceptions
- [AB 1369](#) (Bauer-Kahan) Telemedicine Out of State License Exemptions (Oppose)
- [AB 1646](#) (Nguyen) Guest Rotation Abortion Training
- [AB 1707](#) (Pacheco) Reproductive Health Adverse Actions Out of State (Support)
- [AB 1731](#) (Santiago) CURES database: buprenorphine Reporting Exemption E.R.
- [SB 345](#) (Skinner) Reproductive Services Legal Protection for Boards and Physicians (Support)
- [SB 372](#) (Menjivar) Former Names and Gender Removal • SB 544 (Laird) Open Meetings Law (Support)

#### **B. Final Status for Bills in 2023 Legislative Session Handout 2**

- [AB 765](#) (Wood) Physician and Surgeon Title

Dr. Buhari asked for Board Member comment on the legislative report. No comments from the Board Members.

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

#### **Agenda Item 15 Discussion and Possible Action to Discontinue Printed Pocket License – *Machiko Chong, Licensing Program Manager***

The Osteopathic Medical Board of California (OMBC) is proposing to discontinue printed pocket licenses. OMBC would like to take the necessary steps to eliminate the issuance of pocket licenses upon initial licensure or renewal for the reasons discussed hereafter. Elimination of the pocket license includes consumer protection since they are not a real time status of the licensee current license status. It also has a lower impact on the environment due to printing and elimination will include significant cost savings. Board meeting materials can be found [here](#).

Dr. Buhari asked for Board Member comment. Ms. Pines asked the opinion of the licensed Board members. The consensus of the Board Members is that the pocket license is outdated and is costly. Ms. Calderon noted the Board could investigate self-generated printing and possibly charging a fee for the pocket license in the future.

Dr. Buhari requested any further discussion from Board Members. No additional comments.

Dr. Buhari opened comments to the public. No comments from the public in the hearing room or from the public attending remotely.

Call of motion to discontinue the printed pocket license.

**Motion** – Dr. Jensen

**Second** – Mr. Adamyan

Roll Call Vote Taken

- Adamyan – Aye
- Buhari – Aye
- Jensen – Aye
- Luszczak – Aye
- Moreno – Aye
- Patel – Aye
- Pines – Aye

**Motion carried to support the action to discontinue the printed pocket license.**

**Agenda Item 16 Election of Officers**

Executive Director, Erika Calderon, informed the Board Members and the public that the Board President, Board Vice President and Board Secretary are terming out. The Board will now elect new members. Discussion and election can be found [here](#).

Ms. Erika Calderon calls for nominations of the Board President. Dr. Buhari nominates Ms. Pines. Dr. Jensen seconds the nomination. Ms. Pines accepts the nomination. Ms. Calderon asked for any other nominations and found none.

Ms. Calderon opened any further discussion from the Board Members. No further comment from the Board Members.

Ms. Calderon opened comments about the nomination to the public. No comments from the public in the hearing room or from the public attending remotely.

Roll Call to approve the election of Ms. Pines as Board President.

- Adamyan – Aye
- Buhari – Aye
- Jensen – Aye
- Luszczak – Aye
- Moreno – Aye
- Patel – Aye
- Pines – Aye

**Motion carried for the election of the Board President. Congratulations Madame Board President Pines.**

Ms. Erika Calderon calls for nominations of the Vice President. Dr. Buhari nominates Mr. Andrew Moreno. Dr. Jensen seconds the nomination. Mr. Moreno accepts the nomination. Ms. Calderon asked for any other nominations and found none.

Ms. Calderon opened any discussion from the Board Members. No comment from the Board Members.

Ms. Calderon opened comments about the nomination to the public. No comments from the public in the hearing room or from the public attending remotely.

Roll call to approve the election of Mr. Moreno as Board Vice President.

- Adamyan – Aye
- Buhari – Aye
- Jensen – Aye
- Luszczak – Aye
- Moreno – Aye
- Patel – Aye
- Pines – Aye

**Motion carried for the election for the Board Vice President. Congratulation Vice President Moreno.**

Ms. Erika Calderon calls for nominations of the Board Secretary. Dr. Jensen nominates Mr. Gor Adamyan. Dr. Buhari seconds the nomination. Mr. Adamyan accepts the nomination. Ms. Calderon asked for any other nominations and found none.

Ms. Calderon opened any discussion from the Board Members. No comment from the Board Members.

Ms. Calderon opened comments about the nomination to the public. No comments from the public in the hearing room or from the public attending remotely.

Roll Call to approve the election of Mr. Adamyan as Board Secretary.

- Adamyan – Aye
- Buhari – Aye
- Jensen – Aye
- Luszczak – Aye
- Moreno – Aye
- Patel – Aye
- Pines – Aye

**Motion carried for the election for the Board Secretary. Congratulation Board Secretary Adamyan.**

### **Agenda Item 17 Future Agenda Items and Future Meeting Dates**

- May 14, 2024 – Touro University (Mare Island) – A correction was made by the Executive Director, the date for Touro is May 17, 2024.
- Proposed meeting dates that did not make it on the agenda include August 15, 2024 and November 21, 2024

Board members and staff discussed future meeting dates. Board member comments and

questions can be found [here](#).

Dr. Buhari requested any further discussion from Board Members. No additional comments.

Dr. Buhari opened comments to the public. No comments.

Dr. Buhari opened comments to the public attending remotely. The following comments from the public attending remotely were made:

1. Good afternoon, my name is Michelle Monserratt-Ramos and I am a Consumer Watchdog and I have to put in another attempt to get your attention and request for a future agenda item, that we discuss the complaint prioritization process for the Board. Second, recommended agenda item is a review of the uniform standards, how they are used and how effective they have been. Thank you.

### **CLOSED SESSION**

- *Deliberation on disciplinary matters, including proposed decision, on-adopt proposed decisions, and stipulations (Government Code section 11126 (c)(3)).*
- *Pursuant to Government Code section 11126(a)(1) the Board will conduct the annual performance evaluation and consider the salary of the Executive Officer.*

### **Agenda Item 18 Adjournment**

The Board Members attended the closed session and the meeting was adjourned upon completion of closed session items.