



Osteopathic Medical Board of California

Teleconference Minutes

January 20, 2022

**MEMBERS
PRESENT:**

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

**MEMBERS
ABSENT:**

None

**STAFF
PRESENT:**

Sabina Knight, Esq., Legal Counsel, DCA
Mark Ito, Executive Director
Terri Thorfinnson, Assistant Executive Director
Machiko Chong, Executive Analyst
Corey Sparks, Enforcement Analyst
Robin Matson, Enforcement Analyst

**MEMBERS OF
THE AUDIENCE:**

Renée Milano, Manger, DCA Budgets
Carrie Holmes, Board and Bureau Relations
Michelle Monserrat Ramos, *Consumer Watch Dogs Los Angeles*
Tracy Dominguez, *Bakersfield Advocate*

Agenda Item 1 **Call to Order and Roll Call/Establishment of a Quorum**

The Board Meeting of the Osteopathic Medical Board of California (OMBC) was called to order by President, Cyrus Buhari, D.O. at 10:40 a.m. Executive Analyst, Machiko Chong, called roll and determined a quorum was present. Due notice was provided to all interested parties.

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Agenda Item 2 Public Comment for Items not on the Agenda

Note: 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)]

Ms. Dominguez addressed her concerns regard the Boards transparency on items such as physicians on probation, how Board staff corresponded with families regarding complaint and how they are heard.

Agenda Item 3 Election of Officers

President

Mr. Ito called for a nomination/motion for election of Board President.

Cyrus Buhari, D.O., was nominated for President

Dr. Jensen thanked Ms. Mercado for her consideration for nomination/motion of Board President, however she declined and chose to second the nomination/motion of Dr. Buhari for election of Board President.

Motion – Dr. Patel **Second** – Dr. Jensen

- Roll Call Vote was taken
 - **Aye** – Mr. Adamyan, Dr. Buhari, Dr. Jensen, Ms. Mercado, Mr. Moreno, Dr. Patel, Ms. Williams
 - **Nay** – None
 - **Abstention** – None
 - **Absent** – None

- Motion carried to unanimously elect Dr. Buhari as Board President.

Vice President

Mr. Ito called for a nomination/motion for election of Board Vice President.

Elizabeth Jensen, D.O., was nominated for Vice President

Motion – Mr. Moreno **Second** – Dr. Buhari

- Roll Call Vote was taken
 - **Aye** – Mr. Adamyan, Dr. Buhari, Dr. Jensen, Ms. Mercado, Mr. Moreno, Dr. Patel, Ms. Williams
 - **Nay** – None
 - **Abstention** – None
 - **Absent** – None

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- Motion carried to unanimously elect Dr. Jensen as Board Vice President.

Secretary/Treasurer

Mr. Ito called for a nomination/motion for election of Board Secretary/Treasurer.

Andrew Moreno was nominated for Secretary/Treasurer

Motion – Dr. Buhari **Second** – Mr. Adamyan

- Roll Call Vote was taken
 - **Aye** – Mr. Adamyan, Dr. Buhari, Dr. Jensen, Ms. Mercado, Mr. Moreno, Dr. Patel, Ms. Williams
 - **Nay** – None
 - **Abstention** – None
 - **Absent** – None
- Motion carried to unanimously elect Mr. Moreno as Board Secretary/Treasurer.

Agenda Item 4 Review and Possible Approval of Minutes

Dr. Buhari called for a motion for approval of the meeting minutes of the September 23, 2021, Teleconference Board Meetings.

Motion to approve the September 23, 2021, Teleconference Board Meeting minutes with no corrections.

Motion – Mr. Moreno **Second** – Mr. Adamyan

- Roll Call Vote was taken
 - **Aye** – Mr. Adamyan, Dr. Buhari, Dr. Jensen, Ms. Mercado, Mr. Moreno, Dr. Patel, Ms. Pines
 - **Nay** – None
 - **Abstention** – None
 - **Absent** – None
- Motion carried to approve the September 23, 2021, Teleconference Board Meeting minutes with no corrections.

Agenda Item 5 Budget Report – Renée Milano, Manger, DCA Budgets

Ms. Milano provided the Board with a detailed overview of the Board's budget for the fiscal year. Mr. Ito explained how the Board's Fund Condition Report should be read and indicated that the OMBC has a healthy fund condition anticipating that the Board will more than likely spend more than what they will bring in, however the fund condition will remain in a healthy condition. Currently, the Board has 16.8 months in reserve.

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Mr. Moreno inquired on the difference between scheduled and unscheduled reimbursements and asked for examples of each. He was advised by Ms. Milano that scheduled reimbursements pertain to items or occurrences that are expected and usually ongoing such as interagency agreements, where unscheduled reimbursements which are typically items like fingerprint reports or cost recovery, are items that may be ongoing but are generally not built into the budget.

Ms. Mercado inquired on the items that were included in the delinquent fees line item under revenues, transfers and adjustments. She was advised by Ms. Milano that it is compiled of quite a few things, however, a detailed report may be provided later of each item included.

Agenda Item 6 Department of Consumer Affairs (DCA) Update – Carrie Holmes, Deputy Director of Board and Bureau Relations, DCA

Deputy Director Holmes Introduced herself, thanked the Board for allowing her to participate, and congratulated Dr. Buhari, Dr. Jensen, and Mr. Moreno on being elected to Board President, Vice-President, and Secretary/Treasurer.

Deputy Director Holmes informed the Board that DCA has conducted three brown bag trainings in the past six months, to better equip executive officers with best practices on topics such as: appointments, managing staff remotely, and providing ADA compliant meeting materials to members of the public. She stated that DCA has partnered with SOLID to offer virtual Board Member Orientation Trainings for newly and reappointed Board members and will be preparing to execute its first board president training.

Deputy Director Holmes provided an update on the measures that DCA has taken to ensure the health and safety of both staff and members of the public considering the current climate due to COVID-19.

Ms. Mercado thanked Deputy Director Holmes for all of the information that she provided in her report and asked if she could provide members of the public with information on how to become a prospective board member. Deputy Director Holmes informed attendees that the application link for all Governor appointments could be found on the Governor's website, however, she also advised that at this time the Board did not have any public member vacancies. Deputy Director Holmes did note that licensees of the profession who were interested in obtaining a position on the Board are more than welcome to reach out to her if they had any additional questions via email Carrie.Holmes@dca.ca.gov.

Agenda Item 7 Executive Director's Report – Mark Ito

Mr. Ito updated the Board on licensing statistics, staffing, regulations, and COVID-19 updates, which were included in the Board packet.

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Enforcement/Discipline – The Board’s Lead Enforcement Analyst, Corey Sparks, presented the enforcement report to the Board and provided written materials showing various enforcement data.

Ms. Pines inquired on the Boards receipt of 805’s and the amount received if any. She was advised by Mr. Sparks that the Board does receive 805 notifications, however, there are generally only 1-2 reporting’s per quarter. Ms. Pines recommended that the 805 statics be included in all future enforcement reports, so that the board members are able to see that information as well.

Agenda Item 8 Discussion of Implementation for 2021 Legislation– Mark Ito

- AB 356 (Chen) Fluoroscopy: temporary permit
- AB 359 (Cooper) Physicians and surgeons: licensure: examination
- SB 806 (Roth) Healing Arts

Mr. Ito provided the Board members with background information regarding the 2021 legislative items that would affect licentiates and explained how board staff would be notifying all interested parties and implementing items in the upcoming months.

Ms. Thorfinnson provided additional information regarding the measures that were taken to notify licentiates of the changes that would take place with the implantation of SB 806 and explained the changes that were made within the BreEZe database.

Ms. Mercado applauded the board for all of the efforts made to complete the required changes needed within the BreEZe database. She also inquired if there were any additional changes that would be taking place within the database which could be utilized by the board for more efficient use by applicants and consumers. Ms. Mercado was informed by Mr. Thorfinnson that the Board has begun the process of updating forms and codes both internally and on the database to streamline many of the licensing and enforcement processes that have changed over the past 5 years.

Dr. Patel thanked the Board for the changes that have been made thus for as it pertains to license renewals, however, he made a recommendation that the Board work on updating the website to make access to online services easier (*i.e.* renewals, initial applications, etc.)

Agenda Item 9 Future Agenda Items

- BreEZe walk through (End User)
- Licensee Diversity and Board Outreach

Agenda Item 10 Future Meeting Dates

- Thursday, April 14, 2022 @ 10:00 am – *TBD*

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- Thursday, August 18, 2022 @ 10:00 am – *TBD*
- Thursday, December 8, 2022 @ 10:00 am – *TBD*

Ms. Monserrat Ramos inquired if the Board would provide a teleconference line and webcasting available for members of the public to utilize as we move into potential in person meetings post COVID mandates being lifted. She was advised by Ms. Knight that each board typically webcasts each meeting and advised that DCA is in the process of trying to figure out how to host a hybrid version of for those meetings.

CLOSED SESSION

Pursuant to section 11126(a)(1) of the Government Code, the Board met in closed session to discuss and to deliberate on the performance evaluation of the Executive Director.

Agenda Item 11 Adjournment

There being no further business or public comment, Dr. Buhari adjourned the meeting at 2:33 p.m.