



Osteopathic Medical Board of California

Teleconference Minutes

December 4, 2020

**MEMBERS
PRESENT:**

Cheryl Williams, *President*
Cyrus Buhari, D.O., *Secretary Treasurer*
Gor Adamyan, *Board Member*
Elizabeth Jensen, D.O., *Board Member*
Claudia Mercado, *Board Member*
Andrew Moreno, *Board Member*
Hemesh Patel, D.O., *Board Member*

**MEMBERS
ABSENT:**

None

**STAFF
PRESENT:**

Sabina Knight, *Esq., Legal Counsel, DCA*
Mark Ito, *Executive Director*
Terri Thorfinnson, *Assistant Executive Director*
Machiko Chong, *Executive Analyst*
James Lally, D.O., *Medical Consultant*

**MEMBERS OF
THE AUDIENCE:**

Nick Birtcil, *Executive Director, Osteopathic Physicians & Surgeons of California (OPSC)*

Joseph Zammuto, D.O.

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

The Board Meeting of the Osteopathic Medical Board of California (OMBC) was called to order by President, Cheryl Williams at 11:00 a.m. Machiko Chong called roll and determined a quorum was present. Due notice was provided to all interested parties.

Board Meeting Minutes – December 4, 2020 (DRAFT)

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)]

No public comment for items not on the agenda were brought forth.

Agenda Item 3 Discussion and Possible Adoption of the Osteopathic Medical Board of California Administrative Manual – Mark Ito

Mr. Ito informed Board Members of the minor non-substantive changes that were made to the OMBC's Administrative Manual, which has not been updated since its adoption in 2016. The document will be included as one of the attachments in the OMBC's 2020 Oversight Report (Also referred to as the Sunset Review Report), which has been compiled and will soon be disseminated to the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development. However, Mr. Ito noted that he will be presenting a fully updated Administrative Manual at the January 14, 2021 Board Meeting for adoption by the full board.

Mr. Moreno inquired whether the Administrative Manual with the non-substantive changes would be included in the 2020 Oversight Report. Mr. Ito confirmed that the Administrative Manual with the non-substantive changes would be utilized for the report.

Ms. Mercado and Dr. Patel expressed that it would be a good idea to indicate in the manual the term lengths of the appointed positions, as well as how long the Board has had vacancies for all appointed members.

Motion to delegate to the Executive Director the ability to make non-substantive changes to the OMBC's Administrative Manual and approve all minor changes to the document for inclusion in the OMBC's 2020 Oversight Report.

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

- 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 delegate to the Executive Director the ability to make non-substantive changes to the OMBC's Administrative Manual and approve all minor changes to the document for inclusion in the OMBC's 2020 Oversight Report.

Board Meeting Minutes – December 4, 2020 (DRAFT)

Agenda Item 4 Presentation by Osteopathic Physicians and Surgeons of California (OPSC) – Nick Birtcil, Executive Director, OPSC and Joseph Zammuto, D.O.

Mr. Birtcil began by thanking board staff for its responsiveness and assistance throughout the year in ensuring that all waiver requests that were made; and partnering with OPSC to ensure that physicians were able to continue working through the pandemic.

Mr. Birtcil and Dr. Zammuto, provided background information on the *white paper* that had been included in the board packet regarding Continuing Medical Education (CME) requirements for osteopathic physicians at time of licensure renewal. He noted that the CME task force for the OPSC reviewed requirements for alternate states as well as allopathic physicians at time of renewal and found that there were many disparities regarding the CME requirements that needed to be satisfied. OPSC and its task force are proposing that the Board adjust the CME requirement to reflect 50 hours of CME every 2 years, with 20 of those hours being American Osteopathic Association (AOA) Category 1 credit.

Dr. Patel applauded OPSC's Task Force for the *white paper* that was compiled and noted that a decrease in the required hours needed to satisfy the osteopathic component would be a benefit to osteopathic physicians in the profession in terms of time and cost. He explained that from his perspective he is typically allotted 5 days a year to satisfy CME requirements and on average it takes the full 5 days plus an added expense of somewhere between \$600-\$900 to attend conferences that will cover the AOA criteria. However, physicians would generally need to attend at least two (2) conferences every few years to meet the AOA requirement.

Ms. Knight noted that the *white paper* was only included as a presentation within the packet, however if the Board would like to include any recommendations made by the OPSC in the 2020 Oversight Report, action may be taken on the next agenda item.

Agenda Item 5 Discussion and Possible Approval of 2020/2021 Oversight Report – Assembly Business and Professions Committee and Senate Business, Professions and Economic Development Committee – Mark Ito

Mr. Ito provided a brief overview of the 2020/2021 Oversight Report and discussed some highlights of the report. He noted that board members at this time would have a chance to revise the "New Issues" on page 70 of the report considering the presentation by Mr. Birtcil and Dr. Zammuto regarding the revisions to the CME requirements.

Dr. Patel noted that changes needed to be made to page number 20 of the document reflecting that he was appointed as a FSMB representative for the American Council for Continuing Medical Education's Accreditation Review Committee.

Mr. Moreno inquired if we could get a little more information on who the "consumers" were that were completing the satisfaction surveys for the Board's enforcement cases.

Board Meeting Minutes – December 4, 2020 (DRAFT)

Additionally, he noted that editorial corrections needed to be made to page 27 which listed that Mr. Ito was appointed in 2020, and page 1 which listed Mrs. Williams as a D.O.

Motion to approve the 2020/2021 Oversight Report as written and delegate to the Executive Director the authority to make any technical and non-substantive changes to the Oversight report. Make changes to *page 1* removing D.O. from Cheryl Williams’ title, *page 20* revising Dr. Patel’s appointment to reflect “FSMB representative for the American Council...,” *page 27* revising Mr. Ito’s appointment year to 2019, and *page 1* of Attachment A amending the Governor’s name to reflect Gavin Newsom. Additionally, remove the CME Flexibility verbiage and include the proposed recommendation included in the *white paper* presented by OPSC.

Motion – Dr. Patel, **Second** – Mr. Moreno

- 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 approve the 2020/2021 Oversight Report as written and delegate to the Executive Director the authority to make any technical and non-substantive changes to the Oversight report. Make changes to *page 1* removing D.O. from Ms. Williams’ title, *page 20* revising Dr. Patel’s appointment to reflect “FSMB representative for the American Council...,” *page 27* revising Mr. Ito’s appointment year to 2019, and *page 1* of Attachment A amending the Governor’s name to reflect Gavin Newsom. Additionally, remove the CME Flexibility verbiage and include the proposed recommendation included in the *white paper* presented by OPSC.

Agenda Item 6 Agenda Items for Next Meeting

- Review of Guidelines for the Recommendation of Cannabis for Medical Purposes (*Proposed Language*)

Agenda Item 7 Future Meeting Dates

- Thursday, January 14, 2021 @ 10:00 am – *Teleconference*
- Thursday, May 13, 2021 @ 10:00 am – *TBD*

Agenda Item 8 Adjournment

There being no further business or public comment, Mrs. Williams adjourned the meeting at 12:32 p.m.