



## Arizona Medical Board

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### **FINAL MINUTES FOR ADMINISTRATIVE JOINT LEGISLATION AND RULES COMMITTEE TELECONFERENCE MEETING Scheduled to begin at 3:00 PM on Tuesday, May 19, 2020 1740 W. Adams St., Board Room 4100 • Phoenix, Arizona**

#### ***Committee Members***

Jodi A. Bain, M.A., J.D., LL.M., Chair  
R. Screven Farmer, M.D.  
Edward G. Paul, M.D.  
Pamela E. Jones  
Lois E. Krahn, M.D.

## **GENERAL BUSINESS**

### **A. CALL TO ORDER**

Chairwoman Bain's called the Committee meeting to order at 3:08 p.m.

### **B. ROLL CALL**

The following Committee members participated telephonically: Ms. Bain, Dr. Farmer, Dr. Paul, Ms. Jones and Dr. Krahn.

### **ALSO PRESENT**

Present among Board staff include: Patricia McSorley, Executive Director; Kristina Fredericksen, deputy Director; Evangeline Webster, Human Resources; and, Michelle Robles, Board Operations Manager. The following Board staff participated telephonically: Carrie Smith, Assistant Attorney General (AAG).

### **C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA**

No individuals addressed the Committee during the Public Statements.

### **D. OPENING REMARKS ON CONSOLIDATION OF AMB COMMITTEES**

Ms. Bain noted that the Administrative Committee and the Joint Legislation and Rules Committee have been joined to be one committee. Dr. Farmer commented that the joining of the two committees is more efficient solution of Committee members and Board staff's time. Another benefit is to ensure quorum is easier to obtain.

### **E. APPROVAL OF MINUTES**

- November 18, 2018 Joint Legislative and Rules Committee
- July 12, 2019 Administrative Committee

**MOTION: Dr. Krahn moved to approve the November 18, 2018 Joint Legislative and Rules Committee and the July 12, 2019 Administrative Committee.**

**SECOND: Dr. Paul.**

**VOTE: The following Board members voted in favor of the motion: Ms. Bain, Dr. Farmer, Dr. Paul, Ms. Jones and Dr. Krahn.**

**VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

Ms. Jones inquired if she should have abstained from the vote since she was not on one of the committees.

Ms. Smith informed the committee that members who were not originally a part of the committees may abstain from the vote if they wish to do so.

Committee members agreed that the draft minutes did not need to be reconsidered for abstentions.

#### **F. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING THE DRAFT FIVE YEAR REVIEW REPORT FOR ARTICLES 3 AND 6**

Ms. McSorley informed the Committee that the agency is required to review the rules every five years for possible revisions. The report for Articles 3 and 6 must be submitted by June 29, 2020 to ensure that the Board's rules are current or to propose changes. The proposed changes before the Committee for consideration are mostly wordsmithing to ensure the rules are in line with statutes. The proposed changes in Article 3 are to ensure the Board's rules are consistent with statutes regarding dispensing and the Opioid Epidemic Act.

Ms. McSorley explained that the first step in the process is to submit the report and that after GRRC approves the report the Board may begin the rule making process. Ms. McSorley noted that she is not asking for approval for proposed rulemaking today however, she is asking for comments or recommendations regarding the report that has been provided for review today.

Dr. Farmer suggested scheduling the Committee meetings further in advance to have more time for revisions and discussion prior to deadline dates.

Ms. McSorley commented that she will make scheduling these committee meetings a priority.

Committee members agreed that scheduling in advance ensures the meetings are run efficiently and members can plan accordingly.

Ms. Bain inquired about distributing suggested revisions to the Committee.

Ms. Smith advised that Committee members can provide their suggestions to Board staff and then when a meeting is scheduled the updated report and accrued suggestions would be provided to the Committee members for review and discussion during. Ms. Smith explained the process for the Committee to make a motion to approve the draft report.

**MOTION: Dr. Farmer moved to recommend the report to the full Board for approval and for committee members to provide minor revisions to staff.**

**SECOND: Dr. Krahn**

**VOTE: The following Board members voted in favor of the motion: Ms. Bain, Dr. Farmer, Dr. Paul, Ms. Jones and Dr. Krahn.**

**VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

Ms. Smith confirmed that if Committee members have questions they can email or call Board staff.

#### **G. UPDATE ON THE STATUS OF RULEMAKING**

Ms. McSorley stated that the Board is required to review the agency's rules for revisions. The Governor's goal is to trim the rules when not required or if burdensome. There are two year blocks for when reviews are due and for when the rulemaking process is required to take place. A calendar will be created for the five year review and due dates by the end of the week.

#### **H. UPDATE ON THE STATUS OF THE 2020 BUDGET**

Ms. Bain noted that an updated excel sheet has been provided regarding the reserve amount. Ms. Bain informed the Committee that 90% of all revenue can go into the reserve account.

Ms. McSorley explained the values on the spreadsheet and noted the substantial amount in the reserve fund. Ms. McSorley discussed the need for the Board to decide how to spend down the balance.

Ms. Bain suggested spending money on updating staff's computers and equipment. Ms. Bain noted that the need for moving to Salesforce is no longer valid and noted that Salesforce has been found not to be as user friendly as previously thought.

Ms. McSorley noted that initially Salesforce was believed to be easy to customize to meet the Board's needs but pricey. Ms. McSorley explained that Board staff has been looking in-house for ways to modernize the system. Ms. McSorley informed the Committee that the Board will be moving forward with GL Solutions as a software service. It will be housed on our environment which will give control to the agency. The Board will not be moving to Salesforce at this time and is no longer a requirement by AZNET. The Board previously discussed additional appropriation for funds to transition to Salesforce. These funds are no longer needed as requests for additional appropriation must be justified. Ms. McSorley explained that at this point the Board is in a state of transition. In the meantime staff is able to telecommute effectively but we are working to increase the ability and efficiency to telecommute.

Dr. Krahn opined that this is welcome news and noted that it appears the Board has more options now. Staff will be able to evaluate past experience and current needs to ensure a good solution.

Ms. McSorley commented that the Board has the opportunity to establish a logical and well thought-out plan. Ms. Fredericksen noted that she has been working with Mr. Mosley, GL Solutions, to negotiate the software license agreement.

Ms. Jones inquired if money was spent on Salesforce prior to this change in opinion.

Ms. Fredericksen explained that the 2017 analyst report of the Board's process recommended staying with GL Solution in the current term and move towards a Salesforce platform in the future. That was the only Board expense towards Salesforce.

Ms. Jones inquired about the budget spreadsheet. Ms. Jones noted that some vacant positions have a salary and others do not.

Ms. McSorley agreed and assured that the value will be adjusted.

Ms. Bain inquired about why IT Manager position was removed.

Ms. McSorley explained that the decision to remove the position was made due to Ms. Fredericksen currently filling that role. The goal is to ensure communication is open with IT and to work towards modernization. Staff may be working towards a different model to hire contractors to assist with modernization and will use Manager salary towards those contracted positions.

Committee members agreed with the direction IT is moving towards.

Ms. McSorley noted that Executive staff has been working with Dr. Farmer to ensure efficiency and to ensure successful meetings.

Ms. Jones inquired about using Zoom for teleconferences.

Ms. Fredericksen explained that the Board was working on a Zoom option.

Ms. Jones suggested utilizing committee meetings as a test.

Ms. Smith suggested the topic of Zoom and teleconferences be placed on a future agenda for further discussion.

## **I. UPDATE ON THE STATUS OF THE APPROPRIATION FOR 2021**

Ms. McSorley summarized that the legislature convened and passed a skinny budget. They did not vote on the Board's proposed decision packages and therefore they are no longer viable.

Ms. Bain clarified that the two decision packages requested for 2.1 million for the migration to Salesforce was not voted on and therefore not rejected.

Ms. McSorley explained that the baseline budget was approved for fiscal year 2021. The two decision packages were approved by the governor but was not considered by the legislature. The baseline budget was approved based on the previous year's budget.

Ms. Jones inquired if those same decision packages will be resubmitted next year.

Ms. Bain confirmed that those packages requested money for the transition to Salesforce and therefore they will be not resubmitted. If money must be requested for a different option then it will be done next year in the form of a new decision package.

Ms. Bain commented that determining revenue projections can be difficult as we must be able to determine if the revenue is above the projection or is it neutral. This still needs to be determined for 2022. Ms. Bain inquired if revenue may be affected by COVID-19.

Ms. McSorley opined that at this time it is hard to predict how the Board's revenue will be affected. Ms. McSorley noted that in the immediate there is a slight decline in applications due to COVID-19, however some physicians may leaving crowded cities for Arizona and may bump up the revenue.

Ms. Bain commented that revenues have been slightly higher than projected and opined that these are unknowable until it actually happens.

**J. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING POSSIBLE DECISION PACKAGE(S) WITH BUDGET REQUEST FOR FY2022 APPROPRIATION**

Ms. McSorley summarized that potentially a decision package may be needed for FY2020. However, it is premature to discuss a decision package at this time as a plan must be worked on. As of right now it is the same budget request as the last two years. Ms. McSorley explained that a decision package request is separate from the reserve fund.

Ms. Bain commented that once a plan on how to spend down the reserve fund is put together another meeting will be scheduled.

Ms. McSorley informed the Committee that September 1, 2020 is the deadline for a decision package and that the baseline budget does not require Board approval.

Ms. Bain opined that if a decision package is required that it be reported to the full Board. Dr. Farmer suggested providing that information in the Executive Director's report.

Ms. Jones requested a Zoom topic be placed on the next Committee agenda.

**K. ADJOURNMENT**

**MOTION: Dr. Krahn moved for adjournment.**

**SECOND: Ms. Jones.**

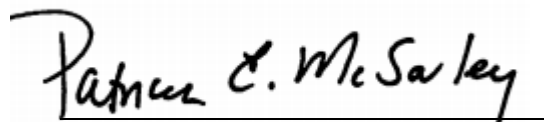
**VOTE: The following Board members voted in favor of the motion: Ms. Bain, Dr. Farmer, Dr. Paul, Ms. Jones and Dr. Krahn.**

**VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

The Board's meeting adjourned at 4:21 p.m.



  
Patricia E. McSorley, Executive Director