



## Arizona Medical Board

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### FINAL MINUTES FOR THE PHYSICIAN HEALTH PROGRAM COMMITTEE TELECONFERENCE Held on Tuesday, October 22, 2019 1740 W. Adams St, Board Room 4100, Phoenix, AZ 85007

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

Lois E. Krahn, Chair  
Jodi A. Bain, Esq.  
R. Screven Farmer, M.D.  
Myles A. Whitfield, P.A.-C

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

Dr. Krahn called the meeting to order at 6:09 p.m.

#### **B. ROLL CALL**

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

The following Committee member was absent: PA Whitfield.

#### **ALSO PRESENT**

Present among Board staff include: Patricia E. McSorley, Executive Director; Raquel Rivera, Investigations Manager; Erinn Downey, Physician Health Program, Michelle Robles, Board Operations Manager; and Carrie Smith, Assistant Attorney General ("AAG").

#### **C. GENERAL CALL TO THE PUBLIC**

No individuals addressed the Board during the Call to Public portion of the meeting.

#### **D. APPROVAL OF MINUTES**

- December 14, 2018 Physician Health Program Committee Meeting

**MOTION: Dr. Farmer moved to approve the December 14, 2018 Physician Health Program Committee Meeting.**

**SECOND: Ms. Bain.**

**The following Committee members voted in favor of the motion: Dr. Krahn, Dr. Farmer and Ms. Bain.**

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

#### **E. UPDATE AND DISCUSSION ON STATUS OF MONITORING CONTRACTS**

Ms. McSorley reported that in January 2018 the Board separated the assessment from the monitoring. Contracts were awarded to Gateway and Greenburg and Sucher. Since the initial contract changes have been made. Greenburg and Sucher's contract has been transferred to Community Bridges and Gateway has changed psychiatrists. Ms. McSorley reported that staff has discussed rebidding the contract to obtain more a more diverse group of monitors.

Ms. McSorley clarified that Dr. Greenburg and Sucher no longer exists and a provision in the contract allowed a transfer to another entity. Dr. Sucher is available under the contract under Community Bridges.

Dr. Krahn noted that there has been much change with regards to the monitoring providers and an update on where the PHP stands allows the committee to stay on track in providing licensees a choice in providers.

Ms. McSorley explained that the appropriate process is to rebid the contract and that staff will continue to work with SPO. Ms. McSorley noted that SPO is not inclined to rebid the contract as it is a low priority.

Dr. Krahn noted that SPO opined that the Board should wait 5 years before rebidding. Dr. Krahn disagreed with this opinion as the Board's ultimate goal is to provide licensee's with a sufficient choice in monitors. Dr. Krahn commented that this is a high priority for the Board, the physician and public communities to ensure a licensee's are being appropriately monitored. Dr. Farmer agreed and commented that a timely response from SPO is required as there is a public safety concern and if SPO is not on board we may need to consider bringing in the Governor's office. Dr. Krahn noted that although we appreciate SPO's effort the Board may need to take this process on itself as to not put an undue burden on SPO as this is a high priority.

## **F. DISCUSSION REGARDING THE ADEQUACY OF CURRENT MONITORING COVERAGE FOR LICENSEES WITH PSYCHIATRIC NEEDS**

Dr. Krahn noted that there have been multiple physician suicides over the past year and that the Board must ensure licensee have the appropriate resources available. Dr. Krahn opined that there needs to be adequate psychiatric coverage in addition to addiction coverage in our monitoring programs. Dr. Krahn opined that the PHP Committee needs to help identify and provide resources for potential licensees in need. Dr. Krahn noted that the monitoring program is one of various options available although most physicians do not enter monitoring voluntarily.

Ms. Rivera commented that staff gets notification when a substance concern occurs but typically it is a concurring substance and psychiatric issue and our monitoring programs must be able to meet both needs.

Dr. Krahn stated that the Committee's goal is to provide a menu of providers for licensees to be able to choose from that can meet both substance abuse and psychiatric needs. Dr. Krahn suggested that at a future time the Committee will need to revisit and discuss what more can be done to assist physicians in distress and what other resources besides monitoring that can be provided.

Ms. Bain noted that the Arizona Bar has recently been sending out member emails containing resources regarding burnout and psychiatric assistance and offered to forward them to Board staff as an example as to how blast emails can be done.

Dr. Krahn suggested that Committee members work with Board staff to accumulate resources and report back at the next meeting.

## **G. DISCUSSION OF OPTIONS FOR COVERING FEES OF MONITORED LICENSEES**

Dr. Krahn enquired about available options for assisting licensees in covering their monitoring fees.

Ms. McSorley informed the Committee that there is a statute that allows the Board to allocate up to \$40 per license renewal for substance abuse related diseases and monitoring. This is roughly \$400,000 per year that can be allocated from the renewal. Ms. McSorley explained that this \$40 would not be an additional renewal fee but would be allocated from the existing fee.

Dr. Krahn commented that she is in favor of not imposing an additional fee on renewal applicants. Dr. Krahn noted that most licensees in monitoring are suffering from financial problems and are in a very difficult position. Ms. Bain inquired how this allocation would need to be worked into the budget and noted that the Committee will need to establish a process in which licensees would qualify for the Board's financial assistance while enrolled in a monitoring program.

Dr. Krahn commented that initially Committee members should support going forward with the allocation before establishing the details and brining it before the full Board. Dr. Krahn reiterated that most licensees in monitoring face financial strain. This allocation may reduce financial strain and emotional distress. Dr. Farmer suggested working with the FSMB to establish a framework of other States' fees and assistance programs. Dr. Krahn requested that Board staff gather the requested information from FSMB. Dr. Krahn commented that this is the beginning of this initiative and that a plan must be developed. Dr. Krahn noted that this would not happen in the immediate future but will continued to be pursued by this Committee.

Dr. Sucher noted that in the 80's the \$40 allocation was utilized to fund the monitoring program and he supports the Board implementing a similar program. Dr. Sucher informed the Committee members of the benefits and services that Community Bridges does offer to address some of the raised concerns regarding co-occurring psychiatric diagnoses.

## **H. UPDATE AND DISCUSSION ON ASSESSMENT SERVICES**

Ms. Rivera reported to the Committee that the Board has 8 different assessors, and when licensees need an assessment, a list is provided and also available on the Board's website. Ms. Rivera noted that Board staff created a PHP Assessor Expectation list for the Board's assessors, as well as additional education to ensure assessments and reports were more consistent. Board staff also had a company from California to train the assessors regarding treating the physician community. Board staff have consistently been working on this

expectation outline and feel that it is currently ready to be provided to all assessors and that if a change needs to be made it can easily done.

Dr. Krahn requested that the outline be sent out with a cover page explaining the need for the outline and to encourage feedback from the assessors to ensure there is a mechanism to continue to improve the outline.

Committee members agreed that the Board requires high quality and efficient assessments to assist staff with recommendations. Dr. Krahn opined that it is unacceptable to have brief, vague and insufficiently comprehensive assessment and stated that she fully supported this step.

**MOTION: Ms. Bain moved to approve the PHP Assessors Expectations Outline.**

**SECOND: Dr. Krahn.**

**The following Committee members voted in favor of the motion: Dr. Krahn, Dr. Farmer and Ms. Bain.**

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

## **I. UPDATE ON PHP TRACKING OF ISSUES WITH MONITORS/ASSESSORS; SURVEY RESPONSES**

Ms. Rivera informed the Committee member of current PHP statistics. There are 92 total participants with 45 being monitored by Greenburg and Sucher and 40 by Gateway Recovery Institute. Seven participants are with out of State monitors that send quarterly reports. This year there have been three denials and one approval for early termination requests. The participants who were denied transferred to a new monitor. There have been 13 regular terminations. Four participants have tested positive in violation of their agreements. Five participants are in private monitoring. Ms. Rivera reported that Board staff has also prepared a Monitor Expectations Outline as well.

Dr. Krahn opined that stats are very helpful to give a sense of participants in the PHP program. Dr. Krahn reiterated that having expectations in place ensure consistency and high quality monitoring.

**MOTION: Dr. Farmer moved to approve the PHP Monitors Expectations Outline.**

**SECOND: Ms. Bain**

**The following Committee members voted in favor of the motion: Dr. Krahn, Dr. Farmer and Ms. Bain.**

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

## **J. DISCUSSION OF TOPICS FOR FUTURE MEETING**

- Current and potential resources for licensees with psychiatric needs.
- Other State funding resources for PHP programs and associated fees.
- Status of the contract and potential rebid.
- Assessments of PHP staff needs and training.

## **K. ADJOURNMENT**

**MOTION: Ms. Bain moved to adjourn the meeting.**

**SECOND: Dr. Krahn.**

**The following Committee members voted in favor of the motion: Dr. Krahn, Dr. Farmer and Ms. Bain. The following Committee member was absent: PA Whitfield.**

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

The meeting adjourned at 7:02 p.m.



A handwritten signature in black ink that reads "Patricia E. McSorley".

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Patricia E. McSorley, Executive Director