



## Arizona Medical Board

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### DRAFT MINUTES FOR ADMINISTRATIVE JOINT LEGISLATION AND RULES COMMITTEE TELECONFERENCE MEETING

Held on Monday, July 25, 2022

1740 W. Adams St., Board Room 4100 • Phoenix, Arizona

#### **Committee Members**

Jodi A. Bain, M.A., J.D., LL.M., Chair

Laura Dorrell, M.S.N., R.N.

R. Screven Farmer, M.D.

Gary R. Figge, M.D.

Pamela E. Jones

Lois E. Krahn, M.D.

#### **GENERAL BUSINESS**

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

Chairwoman Bain called the meeting to or 4:04 p.m.

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

The following Committee members participated in the virtual meeting: Chairwoman Bain, Ms. Dorrell, Dr. Farmer, Dr. Figge, Ms. Jones and Dr. Krahn.

##### **ALSO PRESENT**

The following Board staff and Assistant Attorney(s) General participated in the virtual meeting: Patricia McSorley, Executive Director; Kristina Jensen, Deputy Director; Michelle Butler, Support Services Manager; Carrie Smith, Assistant Attorney General (“AAG”); and Michelle Robles, Board Operations Manager.

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

No individuals addressed the Committee during the Public Statements portion of the meeting.

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

- January 18, 2022 Administrative Joint Legislative and Rules Committee

**MOTION:** Dr. Krahn moved for the Committee to approve the September 2, 2021 Administrative Joint Legislative and Rules Committee.

**SECOND:** Ms. Dorrell.

**VOTE:** The following Committee members voted in favor of the motion: Chairwoman Bain, Ms. Dorrell, Dr. Farmer, Ms. Jones and Dr. Krahn. The following Committee member was absent: Dr. Figge.

**VOTE:** 5-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

**MOTION PASSED.**

##### **E. EXECUTIVE DIRECTOR’S REPORT**

Patricia E. McSorley, Executive Director

- Introduction of Memorandum for Meeting Topics

Ms. McSorley informed the Committee regarding the memo containing background information on the topics for today’s meeting.

## **F. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE DRAFT ANNUAL REPORT**

Ms. McSorley reported that each year an annual report must be submitted to the Governor's office and noted that revisions are highlighted in the draft for the Committee's review. Ms. McSorley noted that some of the changes result from the different legislative mandates that have been implemented. Staff has worked with the Pharmacy Board to decrease the number of physicians delinquent with the CSPMP registration requirement. Staff has also worked to change the questions on the initial and renewal applications to be more sensitive towards the confidential questions.

Ms. McSorley informed the Committee that the Annual Report draft reflects the significant staff turnover over this past year. Three investigators have left which has led to a slight increase in the time to complete an investigation. The Governor did mandate a salary increase which will help fill these positions.

## **G. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE DRAFT STRATEGIC REPORT**

Ms. McSorley explained that the Strategic report outlines the agency's goals going forward. One of those goals is to attract a higher caliber of employee and to obtain the appropriate training needed for employees. This will assist in improving the number of days to complete an application and an investigation.

Ms. McSorley discussed the challenges involved with staff's consideration of a potential new vendor for the Board's database management system, including issues related to functionality and costs. Ms. McSorley commented that a decision packet may need to be requested to build a new database.

Ms. Jensen noted that ADOA ASSET was to provide a cost benefit analysis of moving to Thentia.

Ms. McSorley commented that she would like to provide this strategic plan to the full board for transparency.

Ms. McSorley summarized that the two main goals are to obtain and train new personnel and resolving the issue of transitioning to a new database.

## **H. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE DRAFT FIVE YEAR REVIEW REPORT FOR ARTICLES 1 AND 4 AND CORRESPONDING DRAFT RULE AMENDMENTS**

Ms. Jensen noted the amendment to section (A)(3) regarding a qualified physician training a medical assistant. Ms. Jensen noted that these rules still need to go through the public comment period. The purpose of the proposed change is to align with the statute change that occurred in 2019. Ms. Jensen noted that there Board staff considered adding language regarding nurse practitioners supervising MAs; however, the nursing board's rules already address the issue.

## **I. UPDATE ON RULEMAKING PROCESS AND CALENDAR**

Ms. McSorley noted that the next review is for Article 7. A suggested draft will be prepared by October. Ms. McSorley confirmed that Article 4 is due August 22<sup>nd</sup>.

## **J. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING BOARD'S DRAFT BUDGET, AND THE INTRODUCTION OF NEW BUDGETING TOOL**

Ms. Jensen explained that the budget tool is not dependent on GLS, but on accounting software.

Ms. Butler introduced the new tool for the Committee's review and the various tabs/information available on the dashboard.

Ms. McSorley reported that the Board will have read access by next month.

## **K. UPDATE ON REPORT FROM AZ GENERAL ACCOUNTING OFFICE DRAFT INTERNAL AUDIT**

Ms. McSorley provided an update on the AZ General accounting office internal audit. She noted that internal controls were in place and the audit found some minor errors but overall, the agency was still compliant.

Dr. Farmer noted that the comments were very minor, and the findings reflect that the agency is run by the book.

Ms. McSorley noted that there is a lot of oversight with the agency's finances and accounting. Ms. McSorley reported that at the time this audit took place the Governor's office completed an audit too.

#### **L. REVIEW, DISCUSSION AND POSSIBLE ACTION FOR ADDITIONAL BUDGET IN FY24 FOR POTENTIAL MOVE TO NEW DATABASE**

Ms. McSorley noted that there will be an ongoing discussion regarding the number amount that will need to be requested.

#### **M. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING POTENTIAL AMB LEGISLATIVE AGENDA IN 2023**

Ms. McSorley noted that the Committee will need to have another meeting next month to discuss these items.

- Alternative Process for Failure to Renew License in Timely Manner  
Ms. McSorley noted that there may be a fee reduction to address the agency's high reserve.
- Fee Holiday
- Funding of a Physician Wellness Program

Ms. McSorley suggested using part of the reserve to set up a wellness program as there are physicians out there who can benefit from these services.

Dr. Krahn opined that if a well-defined program can be developed this would be a reasonable way to ensure that there is a large and healthy physician force.

- Alternatives to Advisory Letter

Dr. Farmer commented that he would like more detail on alternatives that can be provided in lieu of an advisory letter. This issue has become more of an issue that the Board spend time discussing. Dr. Farmer noted the Track and Trend method used by hospitals.

#### **N. UPDATE ON STAFFING ISSUES, INCLUDING BUT NOT LIMITED TO RECRUITMENT FOR THE CHIEF MEDICAL CONSULTANT POSITION**

Ms. McSorley commented that the committee will be working on selecting a new Chief Medical Consultant. Staff is currently working with ADOA on a job description and then the position will be posted. There is discussion regarding how this position may be filled and possible my two or three physicians.

#### **O. UPDATE ON BOARDROOM REFURBISHMENT**

Ms. Jensen commented that she is meeting with the general contractor tomorrow to discuss some of the work that needs to be done. Still not looking like obtaining the AV equipment by the first of next year. Once the physical aspects of the room are completed the old AV equipment will need to be used to the point that it's functional so that the Board can hold a meeting.

#### **P. REVIEW, DISCUSSION AND POSSIBLE ACTION RELATED TO IT ISSUES/CONCERNS**

#### **Q. ADJOURNMENT**

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

**SECOND:** Dr. Farmer.

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

**VOTE:** 6-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

**MOTION PASSED.**

The meeting adjourned at 5:34 p.m.



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Patricia E. McSorley, Executive Director

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