



Osteopathic Medical Board of California

Meeting Minutes

January 16, 2020

**MEMBERS
PRESENT:**

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

**MEMBERS
ABSENT:**

**STAFF
PRESENT:**

Sabina Knight, *Esq., Legal Counsel, DCA*
Mark Ito, *Executive Director*
Machiko Chong, *Executive Analyst*
Steve Ly, *Enforcement Analyst*
Robin Matson, *Enforcement Analyst*
Dina Ruprecht, *Office Assistant*
Corey Sparks, *Enforcement Analyst*

**MEMBERS OF
THE AUDIENCE:**

Students (*ATSU & AZCOM – Midwestern*)

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, Joseph Zammuto, D.O. at 10:00 a.m. at Department of Consumer Affairs (DCA) (HQ2) - 1747 North Market Blvd., Hearing Room, Sacramento, CA 95834. A quorum was present and due notice was provided to all interested parties.

Board Meeting Minutes – January 16, 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)]

There were no public comments as upon inquiry, from the members of the public that were present.

Agenda Item 3 Election of Officers

Dr. Zammuto called for a motion/nomination for election of **Board President**.

Joseph Zammuto, D.O. was nominated for President. Motion – Mrs. Williams

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

Dr. Zammuto was unanimously elected for Board President.

Dr. Zammuto called for a motion/nomination for election of **Vice President**.

Cheryl Williams was nominated for President. Motion – Dr. Jensen

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

Mrs. Williams was unanimously elected for Vice President.

Dr. Zammuto called for a motion/nomination for election of **Secretary/ Treasurer**.

Cyrus Buhari, D.O. was nominated for Secretary/ Treasurer. Motion – Dr. Zammuto

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

Dr. Buhari was unanimously elected for Secretary/ Treasurer.

Agenda Item 4 President’s Report – Dr. Zammuto

Dr. Zammuto and Mark have been working with the Osteopathic Physicians and Surgeons of California (OPSC) to compile an education piece on the process of applying for a Postgraduate Training License (PTL). The plan is to begin disseminating the licensing information at OPSC’s annual conference in San Diego, where there will be a workshop held to provide those in the profession an opportunity to view the licensing requirements, and also extend the opportunity to physicians for a licensing Q & A.

Dr. Zammuto acknowledged Karl Baur, CMP, OPSC who has been instrumental in assisting with the project. He also thanked Elaine Ho, D.O. who has been doing all of the legwork on the process and will be the main presenter during the workshop.

Dr. Zammuto discussed the document included in the board packet *Communicating with patients: Guidelines from the Maine Board of Licensure in Medicine*, which explained why it is important to maintain an upright Physician-Patient rapport. He recommended that it be posted on the Board’s page as an item for physicians to reference as it includes many best practices that could be implemented by physicians.

Lastly, Dr. Zammuto informed meeting attendees of the upcoming Federation of State Medical Board (FSMB) annual meeting which will take place in San Diego April 29 – May 2, 2020. He noted that it is a great opportunity for all within the medical profession, as well as board members and legal counsel to attend and hear what is occurring within the profession on a national level.

Agenda Item 5 Review and Possible Approval of Minutes

Dr. Zammuto called for a motion for approval of the Board meeting minutes of the November 21, 2019 Board Meeting.

Motion to approve the November 21, 2019 Board meeting minutes with no corrections. Motion – Dr. Buhari, Second – Dr. Jensen

- Roll Call Vote was taken
 - **Aye** – Mr. Adamyan, Dr. Buhari, Dr. Jensen, Ms. Mercado, Mr. Moreno, Mrs. Williams, Dr. Zammuto
 - **Nay** – None
 - **Abstention** – None
 - **Absent** – None
- Motion carried to approve the November 21, 2019 Board meeting minutes with no corrections.

Agenda Item 6 Petition for Early Termination of Probation, Ed Shapiro, D.O., 20A 4201

The Office of Administrative Hearing (OAH) Administrative Law Judge (ALJ) Danette Brown conducted the above hearing.

**Agenda Item 7 Petition for Early Termination of Probation, Peter Hugh, D.O.,
20A 6005**

The Office of Administrative Hearing (OAH) Administrative Law Judge (ALJ) Danette Brown conducted the above hearing.

****CLOSED SESSION****

The Board met in closed session to deliberate on the Petitions for Early Termination of Probation of the licensees listed above pursuant to Government Code section 11126(c)(3).

Agenda Item 8 Budget Update – Sara Hinkle, DCA Budget Office

Sarah Hinkle, DCA Budget Analyst, provided the Board with a detailed overview of the Board's up to date fund condition for this fiscal year. The Board was informed by Mr. Ito that the budget is currently in a good status. Currently, the Board has 12 months in reserve however, this may possibly increase to 14.2 months during 2020-21 once the \$1.5 million loan repayment is received.

Ms. Mercado inquired if the Board's renewal fees needed to be increased and was advised that at the current months in reserves, there is no need to increase the fees. Additionally, it takes roughly 2-3 years for completion of a fee audit and the Board would also need to potentially seek a bill in the legislature to increase the renewal fee, while also reviewing the fee cap.

Dr. Jensen inquired if the budget included the two (2) new positions that were implemented and was advised by Mr. Ito that the \$800,000 cost savings was due in part to the new employees not being onboarded at the beginning of the fiscal year.

Agenda Item 9 Executive Director's Report – Mark Ito

Mr. Ito updated the Board on licensing statistics, staffing, budget conditions, and provided a CURES update. Additionally, he provided a student survey that was created by Board staff and sent out to all postgraduate training programs that attended the Board's quarterly meetings to gain a better understanding of how the visiting students felt about how the Board's meetings are being conducted. All items discussed were included in the Board packet.

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.

Agenda Item 10 Strategic Plan - Update

The Board received a copy of the proposed Strategic Plan execution outline that was developed by board staff and SOLID. Mr. Ito went through each of the goals to provide the Board Members with a better understating of how the Board intends on reaching the execution outline for the strategic plan during the next two quarters.

Agenda Item 11 Review of Medical Board of California Guidelines for the Recommendation of Cannabis for Medical Purposes and FSMB Telehealth Guidelines

The Board discussed the Medical Board of California Guidelines for the Recommendation of Cannabis for Medical Purposes and the FSMB Telehealth Guidelines that were included in the packet.

Ms. Mercado noted that both documents were well written, however she noted that there were things that could be expanded upon. She noted that of the two the guidelines presented, the Medical Board of California guidelines should be the outline used by the Board.

Dr. Zammuto called for a motion for adopt the Medical Board of California Guidelines for the Recommendation of Cannabis for Medical Purposes.

Motion to adopt Medical Board of California Guidelines for the Recommendation of Cannabis for Medical Purposes. Motion – Dr. Zammuto, Second – Ms. Mercado

- Roll Call Vote was taken
 - **Aye** – Mr. Adamyan, Dr. Buhari, Dr. Jensen, Ms. Mercado, Mr. Moreno, Mrs. Williams, Dr. Zammuto
 - **Nay** – None
 - **Abstention** – None
 - **Absent** – None
- Motion carried to adopt Medical Board of California Guidelines for the Recommendation of Cannabis for Medical Purposes.

Dr. Zammuto recommended that a subcommittee be created. Board Members Claudia Mercado and Andrew Moreno volunteered to sit on the subcommittee to review and develop guidelines for the Board that may be adopted at a subsequent meeting.

Agenda Item 12 Agenda Items for Next Meeting

- Review of Guidelines for the Recommendation of Cannabis for Medical Purposes (*Proposed Language*)
- Executive Director (*Evaluation*)
- Pending Legislation

Agenda Item 13 Future Meeting Dates

- Thursday, May 7, 2020 @ 10:00 am – Pomona, CA
- Thursday, September 10, 2020 @ 10:00 am – San Diego, CA

Agenda Item 14 Adjournment

There being no further business or public comment, Dr. Zammuto adjourned the meeting at 2:26 p.m.