

# Newsline

Federation of State Medical Boards of the United States, Inc.



Nov./Dec. 2008

## FSMB Research and Education Foundation to Expand Role

In 2009, the FSMB Research and Education Foundation will intensify its efforts to identify, fund and support the high-priority research and education needs of state medical boards. Although the Foundation has existed for some time, it will act more aggressively to understand member board priorities and obtain grant funding from government, corporate and charitable organizations.

"The Foundation will have the resources and eligibility to compete for third-party funding – something state medical boards are typically unable to do," said Nancy Achin Audesse, president of the FSMB Research and Education Foundation.

The intent is to apply the new funding resources to develop and implement research studies and education programs that can make a difference in the workings of member boards. One real-world example of how a Foundation study could benefit member boards is in the approach to physician health programs.

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independent research could potentially help medical boards present their case for ongoing support of physician health programs.

"We could, for example, develop statistical evidence showing what level and frequency of monitoring is most effective in preventing relapse for physicians in substance abuse programs," said Achin Audesse. "With that evidence, we could then educate legislators, the public and other regulatory bodies on the optimal approach to take in physician health programs."

Statistical evidence could help improve effectiveness and drive related statutory changes in a number of areas, including continuing medical education requirements, disciplinary and non-disciplinary sanctions and proactive education for at-risk licensees.

### 2009 Plan to Identify and Fund High-priority R&E Needs

Currently, the Foundation's Board of Directors consists of Ms. Achin Audesse, President; Cheryl Vaught, J.D., Vice President; Susan Rose, D.O., Treasurer; Barbara Schneidman, M.D., M.P.H., Secretary; and Regina Benjamin, M.D., M.B.A., Director. The initial board is charged with establishing policies, guidelines and a two- to five-year strategic plan. In early 2009, the Foundation board will turn its focus to identifying the high-priority needs of member boards.

"In January we plan to survey member boards to understand their priorities," said Dr. Rose. "We expect the Foundation will need to solicit feedback ...continued on page 3

## Health Care Issues Expected to Pervade 2009 Legislative Agenda

With health care reform garnering significant attention during the 2008 elections, the 2009 legislative session promises to be especially relevant to state medical boards and the health care industry.

When it convenes in January, the 111th U.S. Congress could potentially address several health care issues, including:

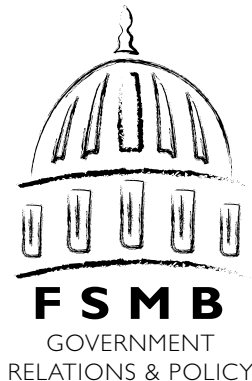
- Health care reform
- Health information technology
- National pain care legislation
- Emergency preparedness

"Even though it's difficult to pinpoint at this time what will gain traction in 2009, we're ready to help our member boards in the coming year with their legislative priorities," said Tony Rutigliano, manager of FSMB Government Affairs.

The FSMB Government Relations and Policy Department is a resource for state medical boards on federal and state legislative issues, administrative initiatives and the legislative process. On the federal level, the department works with BKSH & Associates, a bipartisan government relations and public affairs firm in Washington, D.C., to monitor and lobby on relevant legislative and regulatory activity. On the state level, the department can help member boards develop and implement an effective strategy to meet specific legislative goals.

"Our goal is to provide a united voice for state medical boards on the national level and to help boards achieve their policy objectives on a state level," Rutigliano said.

More information on the resources available through the Government Relations and Policy Department is available on the FSMB website at [www.fsmb.org](http://www.fsmb.org). To discuss how the FSMB can help your board achieve its specific legislative priorities, please contact Tony Rutigliano at (817) 868-4023 or [trutigliano@fsmb.org](mailto:trutigliano@fsmb.org).



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### One Example: Making a Difference in Physician Health Programs

Although medical boards have a long-standing commitment to physician health programs, PHPs are often not popular with legislative bodies or the public. Data gathered through

# Medical Board Resolutions Impact National Policies and Programs

In April 2001, the Arizona Board of Osteopathic Examiners in Medicine and Surgery presented a resolution at the annual business meeting of the FSMB House of Delegates requesting an evaluation of problems associated with and the best approach to regulation of outpatient surgery. One year later, the House of Delegates adopted as policy a special committee report outlining model guidelines for oversight of office-based surgery in unregulated settings, along with three pathways medical boards can adopt separately or in combination to implement the regulations.

This is just one example of how member boards can drive the development of FSMB model policy and have an impact on issues that affect quality of care at a national level. Other policies that have their origins in member board resolutions include an update of model state pain policy and recommendations on physician profiling including a consumer guide on how to interpret physician profile information.

"As a member-driven organization, the FSMB depends on state medical boards to present resolutions calling for the evaluation and analysis of priority issues affecting medical regulation," said Lisa Robin, senior vice president of Member Services for the FSMB.

## Presenting Resolutions to the FSMB House of Delegates

Issues of interest to member boards can be submitted as resolutions for consideration by the House of Delegates at the 2009 Annual Meeting in May. Most resolutions begin simply when a problem is recognized and a solution is suggested. Resolutions go through the following process after submission:

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- Prior to the House of Delegates meeting, resolutions are reviewed in Reference Committee where testimony can be submitted by interested parties. At the close of hearings, the committee formulates a recommendation on each resolution. The committee may recommend adoption, rejection, or may choose to recommend an amended version of the resolution or a substitute resolution.

- The House of Delegates then votes on the committee's recommendations with a simple majority required for most actions. The House of Delegates may also refer the resolution to the FSMB Board of Directors for further review or decision.



## Member Input Requested on FSMB Bylaws

In another example of member boards influencing FSMB direction, the Oregon Medical Board introduced a resolution in May 2008 requesting a thorough review of the FSMB Bylaws. As a result, a comprehensive review of the Bylaws is underway by the Bylaws Committee. As part of the process, medical boards are asked to provide their feedback and suggestions to the Bylaws Committee.

Suggestions should be submitted prior to the next meeting of the Bylaws Committee on Feb. 2, 2009, to Barbara S. Schneidman, M.D., FSMB Interim President and CEO, in care of Pat McCarty by e-mail to [pmccarty@fsmb.org](mailto:pmccarty@fsmb.org), by fax (817) 868-4167, or by mail to FSMB, P.O. Box 619850, Dallas, TX 75261-9850.

- Some adopted resolutions call for the FSMB to develop appropriate policy or guidelines,

which are then voted on by the House of Delegates.

- Once approved, the model policies become a resource for boards in developing their own state policies.

To be considered at this year's House of Delegates meeting, resolutions should be submitted to the FSMB by Feb. 18, 2009.



## Identifying Individuals to Serve on FSMB Committees or in Elected Positions

Beyond presenting resolutions, member boards can help shape FSMB's future by recommending individuals for nomination to elected office or appointment to standing or special committees. In 2009, positions available for election are:

- Chair-elect
- Board of Directors
- Nominating Committee
- Editorial Committee (comprised of elected and appointed positions)

Appointments to standing and special committees and representatives to other organizations will be made after the 2009 Annual Meeting. Nominations for elected office and recommendations for committee appointments should be submitted to the FSMB by Jan. 23, 2009.

For more information on presenting resolutions or recommending individuals for elective office or appointment, please contact Pat McCarty, director of Leadership Services, at [pmccarty@fsmb.org](mailto:pmccarty@fsmb.org) or (817) 868-4067. 📧



## 2009 FSMB Annual Meeting Features 'Day on the Hill' Event

The FSMB's upcoming 2009 Annual Meeting will include a special "Day on the Hill" event offering attendees the opportunity to meet with members of Congress and their staff in Washington, D.C., to discuss emerging issues pertinent to state medical boards.

Scheduled for April 30-May 2, the Annual Meeting will include three days of engaging educational content and activities. For more information or to register, please go to [www.fsmb.org](http://www.fsmb.org) or call (817) 868-4007.

### FSMB Research and Education Foundation, continued from page one...

regularly in order to stay in step with state medical boards."

According to Dr. Rose, the Foundation expects to present the initial priorities revealed in the survey results in early 2009. Shortly thereafter the first Requests for Proposals to address priority needs will be issued.

#### How Member Boards can Participate in the Foundation

"We're very excited to hear from our partners at our member boards," said Achin Audesse. "I believe the Foundation is uniquely situated to be a responsive organization that makes a true difference in the workings of state medical boards."

There are multiple ways member boards can actively participate in the Foundation and influence its research and education agenda. In the

January survey, boards will have the opportunity to:

- Provide information on their specific research and education needs, which will be used to set initial program priorities.
- Submit credentials of people to be considered for election to the Foundation Board of Directors. In the spring of 2009, the FSMB Board of Directors will elect the Foundation's Board of Directors with three-year, staggered terms.
- Submit potential members for the Foundation's Research Committee and the Education Committee.

For more information, please contact Annette Lee, program manager for the FSMB Research and Education Foundation, at (817) 868-4046 or [alee@fsmb.org](mailto:alee@fsmb.org).

## Medical Board Briefs

### Arizona Board of Osteopathic Examiners in Medicine and Surgery

– The board named **Elaine LeTarte** as its new executive director in November. The appointment marks Ms. LeTarte's second term as the board's executive director. She previously led the board from 2002-2005.

**Iowa Board of Medicine – Mark Bowden** officially joined the board as executive director in December. Mr. Bowden brings 30 years of administrative experience to the board. He served as managing editor of *The Gazette*, Iowa's second largest daily newspaper, for many years, managing a staff of more than 100 journalists and overseeing the content for the newspaper, broadcast services and Internet information services.

**Nevada State Board of Osteopathic Medicine – Weldon "Don" Havins, M.D., J.D.**, became the board's new executive director in September. In addition to maintaining a private medical practice, Dr. Havins serves as an assistant dean for Academic Initiatives with Touro University in Henderson, Nev. Previously, he was chief executive officer/special counsel for the Clark County Medical Society.

**Texas Medical Board** – The board named **Mari Robinson, J.D.**, as its interim executive director in August. Robinson began her career at the board as a litigation attorney in 2001 and has served as director of Enforcement since 2006. The board also named **Alan Moore, M.D.**, as interim medical director. Texas state law requires that, if the agency executive director is a non-physician, a medical director be hired.

**Washington Medical Quality Assurance Commission – Maryella Jansen** was appointed executive director of the board in December. Ms. Jansen has a long history with the Commission and its predecessors, the Board of Medical Examiners and the Medical Disciplinary Board. Since joining the Department of Health in 1991 she has held the positions of licensing and renewal representative, compliance officer, program manager, disciplinary manager, deputy executive director and acting executive director in 2000-2001 and again in 2008.

## FSMB-hosted Website Provides Free, Accredited CME on Pharmaceutical Marketing Practices

A Web portal provides health care practitioners with access to free, accredited CME courses about pharmaceutical industry marketing techniques and their effect on prescribing practices. Located at [www.fsmb.org](http://www.fsmb.org), the portal is hosted by the Federation of State Medical Boards' Research and Education Foundation.



Funded by a grant from the Attorney General Consumer and Prescriber Education Grant Program, the portal was created as part of a 2004 consumer protection settlement with Warner-Lambert, a division of Pfizer, Inc., resolving allegations of deceptive "off-label" marketing of the drug Neurontin. The national program was designed to provide tools for accessing unbiased sources of information about drugs.


Most courses on the portal are available free of charge to licensed medical prescribers and many may be

taken for continuing medical education credit. More than 20 educational modules are available on the website and more courses are in development.

As a program grantee, the FSMB Foundation developed and implemented the Online Prescriber Education Network

(OPEN) portal. The portal provides practitioners access to CME modules developed by other program grantees, which include the Kaiser Foundation Health Plan of Colorado, Georgetown University Medical Center, the Lovelace Clinic Foundation, Massachusetts General Hospital (MGH) Institute of Health Professions, the Meyers Primary Care Institute, Northeastern Ohio University College of Medicine and Pharmacy, the University of California, San Francisco, the University of North Carolina, Chapel Hill, and Wake Forest

University Health Sciences.

State medical boards are encouraged to advise their licensees about the availability of the CME modules. For more information, please go to [www.fsmb.org](http://www.fsmb.org) or contact Kelly Alfred, director of FSMB Educational Services, at [kalfred@fsmb.org](mailto:kalfred@fsmb.org) or (817) 868-5160. 

### Upcoming Events

**Jan. 31, 2009:** FSMB Finance Committee Meeting, Dallas, Texas

**Jan. 31, 2009:** FSMB Nominating Committee Meeting, Dallas, Texas

**Feb. 12-14, 2009:** FSMB Board of Directors Meeting, Dana Point, Calif.

**Feb. 23-24, 2009:** Seventh Physician Accountability for Physician Competence Summit, Orlando, Fla.

**April 30-May 2, 2009:** FSMB 97th Annual Meeting, Washington, D.C.



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