

**SPECIAL MEETING
Of The
KANSAS STATE BOARD OF HEALING ARTS
April 2, 2020**

FORMAT OF MINUTES – Prior to each motion there appears the names of two Board Members in parenthesis. The first made the motion, the latter seconded the motion. Ayes, nays, abstentions and recusals are recorded when requested.

I. CALL TO ORDER - ROLL CALL

The Kansas State Board of Healing Arts met via virtual conference call. The meeting was called to order at 7:00a.m. by Steven Gould, D.C. and President. The following members attended either by Go To Meeting or by teleconference.

Jerry DeGrado, D.C.	present	
Robin Durrett, D.O.	present	
Thomas Estep, M.D.	present	
Steven Gould, D.C.	present	
Sherri Wattenbarger, public member	present	
David Laha, DPM	present	
Steve Kelly, public member		absent
Molly Black, M.D.	present	
Garold O. Minns, M.D.	present	
John Settich, public member	present	
Kimberly Templeton, M.D.	present	
Mark Balderston, D.C.	present	
Joel Hutchins, M.D.	present	
Ronald Varner, D.O.	present	

Staff members present were; Tucker Poling, Executive Director and General Counsel; Courtney Cyzman, Deputy General Counsel and Susan Gile, Operations Manager.

NEW BUSINESS

Agency action and function during emergency period

The agency is currently functioning at about 95% remotely. Some staff are occasionally in the office. There are generally fewer than four employees in the office at a time. Executive Director Poling had a call yesterday (4/1) with Department of Administration staff and the current plan will be extended through 4/19, however, our agency will be increasing our functioning and trying to operate closer to full function while keeping staff remote as much as possible. Some staff will remain on administrative leave. Staff will be updated today.

Adjustments to the licensing process and requirements are on the website. At last count fifteen emergency licensees have been issued for MD, DO and RT. Pursuant to the Governor's Executive Order 20-08, the agency created a form for physicians to complete and notify the Board of their practice under the telemedicine waiver. To date, the agency has been informed of nine individual waivers and one institutional provider encompassing approximately 4,000 providers.

Guidance Statement

The guidance statement issued by the agency led to some questions from KMS. One question is about legal, but off-label prescribing of medications specifically related to COVID-19. The Board discussed there may be a need to look at the ethics of self-prescribing, or hoarding, but not necessarily the off-label prescribing as this is a normal practice for medical professionals.

There is a concern about small or private hospitals continuing to perform non-urgent procedures. These hospitals need to be looking at population health versus individual need. The Board suggests adding ventilators and medications such as oxygen and fentanyl to the statement.

Executive Director Poling suggests looking into creating a consultation group with KMS so physicians considering a procedure can consult with others to determine whether a procedure is urgent or non-urgent. The group will include Dr. Templeton, Dr. Gould and Dr. Settich from the Board. Executive Director Poling will follow-up with Dr. Templeton and KMS to determine if there is interest in such a group.

Board of Nursing Correspondence

Executive Director Poling received correspondence from the Board of Nursing asking for some changes and for the Board of Healing Arts to support their requests made to the Governor. The Board is concerned with the ambiguity of the term "temporary" and would like it to be more clearly defined with a time limit (suggest a three-month time limit, or like the language the Board has used for a temporary emergency license). There is some concern about loosening the scope of practice for the ARNP. The Board feels those being inactive for five years is too long of a timeframe to reenter practice and suggests changing this recommendation to two years.

Executive Director will draft a response for the Board of Nursing to present at the April 10, 2020 Board Meeting

(DeGrado/Minns) Motion to consider at the April 10, 2020 Board Meeting. Carried.

April 10, 2020 Meeting Plans

All cases have been moved to a presiding officer hearing or continued to June Board Meeting. The April meeting will consist of Consent Orders and Board business only. The Presiding Officer cases will be handled individually whether they are in person or remote. They will be scheduled after the April Board Meeting; most likely late April or into May. The April meeting will have Consent Orders first and then will move into the Board meeting.

Dr. Minns, Dr. Black, Dr. DeGrado are willing to help with Presiding Officer cases.

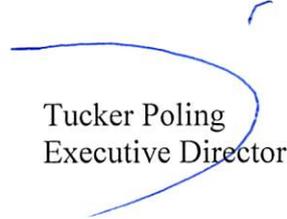
II. ADJOURNMENT

(Settich/Black). This meeting is adjourned. Carried.

The meeting adjourned at 8:48 a.m.



Steven Gould, D.C.
President



Tucker Poling
Executive Director