

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING
4

5 STATE MEDICAL BOARD
6 MINUTES OF MEETING
7 Thursday, February 2, 2023
8

9 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a special meeting of
10 the Alaska State Medical Board was held Thursday, February 2, 2023
11

12 **1. Call to Order/ Roll Call**

13 The meeting was called to order by Chair Wein at 4:01 p.m.
14

15 **Roll Call**

16 Board members present:

17 Sarah Bigelow Hood, PA-C
18 Maria Freeman, MD
19 Matthew Heilala, DPM
20 Lydia Mielke, Public Member (Secretary)
21 David Paulson, MD
22 Richard Wein, MD (Chair)
23 David Wilson, Public Member
24

25 Board Members not present:

26 Steve Parker, MD
27

28 Board staff present: Natalie Norberg, Executive Administrator and Jason Kaeser, Licensing Examiner
29

30 **2. Review / Approval of Agenda**

31 **On a motion duly made by Ms. Mielke and seconded by Mr. Wilson, the Board approved by**
32 **roll call vote to accept the draft agenda as amended.**
33

34 Roll Call: Yeas, Ms. Bigelow Hood, Dr. Freeman, Dr. Heilala, Ms. Mielke, Dr. Paulson, Dr. Wein
35 and Mr. Wilson.

36 Absent for Vote: Dr. Parker
37

38 **3. Special Topic: Physician Assistant Regulation Modernization Project**

39 Chair Wein initiated a detailed review of the proposed edits to 12 AAC 40. Article 5, pertaining to
40 physician assistants (See Attachment I). The following sections were discussed and/or edited during the
41 meeting:
42

43 **12 AAC 40.410. Collaborative relationship and Practice Agreement.**

44 The board decided by affirmation to revise Section 40.410 (A)(1) by deleting "and any" and
45 inserting "or the" with respect to alternate collaborating physicians:

46 40.410 (A)(1) the name, license number, and practice scope or specialty, ~~if any,~~ for the
47 primary collaborating ~~supervising~~ physician and ~~any~~ **or the** alternate collaborating
48 physicians.

1 The board decided by affirmation to revise Section 40.410 (A)(7) by deleting “and specified
2 procedures” and changing the first sentence to read, “a description of area of practice.”

3 40.410 (A)(7) a description of ~~areas or of~~ practice ~~and specified procedures~~. The
4 practice agreement may only include acts, tasks, or functions...

5
6 The board decided by affirmation to revise Section 40.410 (C) by changing “72 hours” to “3
7 business days”:

8
9 40.410 (A)(7) Written notice must be provided to the division with the name of the
10 primary collaborating physician and the effective date of the collaborative plan within
11 ~~72 hours~~ ~~14 days~~ **3 business days** after the effective date of the collaborative plan
12 or within ~~72 hours~~ ~~14 days~~ **3 business days** after the effective date of any change to
13 that plan.

14
15 Ms. Bigelow-Hood questioned the proposed change in the definition of “active practice” from
16 “200 hours” to “three months;” suggesting a period of three months is a less precise
17 measurement of time than 200 hours. The board decided by affirmation to eliminate redundant
18 language in section 40.410 (J):

19 **(J)** In this section, "active practice" means at least ~~200 hours~~ three months of
20 documented direct patient contact each year of practicing medicine with direct
21 patient contact.

22 **12 AAC 40.415. Remote Practice Location.**

23 Two “options” were presented for consideration with respect to the qualifications needed for a
24 physician assistant to practice in a remote setting. The first option would require a physician
25 assistant to have a minimum of two years of general medical practice experience prior to taking
26 a remote practice position. The second option would create a work-around to allow physician
27 assistants with less than two years of experience the opportunity to work a defined set of hours
28 under direct supervision of a collaborating physician in order to qualify for remote practice. Ms.
29 Bigelow-Hood expressed concerns about Option #1, which may result in rural patients having
30 limited access to care.

31 **On a motion duly made by Ms. Mielke and seconded by Dr. Freeman, the Board approved by**
32 **roll call vote to accept “Option #1” for remote practice (see Attachment I).**

33
34 Roll Call: Yeas, Dr. Freeman, Dr. Heilala, Ms. Mielke, Dr. Paulson, Dr. Wein and Mr. Wilson.

35 Nay, Ms. Bigelow Hood,

36 Absent for Vote: Dr. Parker

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46 **12 AAC 40.430. Performance and assessment of practice**

1 Ms. Bigelow-Hood noted that that the revisions made in section 40.430 (b) (1) were initially
2 introduced by the Alaska Physician Assistant Association. The association recommended that two of the
3 four methods of assessment be included in collaborative plan.

4 The board decided by affirmation to revise section 40.430 (h) by adding “unless both are physically
5 located in the state, then telemedicine can be used.”
6

7 **(h) Physician assistants who practice under a collaborative plan for a continuous period of less
8 than three months of each year must have at least one direct personal contact visit with the
9 primary or alternate collaborating physician annually, unless both the physician assistant
10 and collaborating physician are in the state, then telemedicine can be used.**

11
12 **12 AAC 40.450. Authority to prescribe, order, administer, and dispense medications.**
13

14 Ms. Bigelow-Hood requested to change the language in section 40.450 (c) from “within the
15 collaborating physician’s scope” to “within the collaborative agreement scope of practice.” It was
16 suggested that a physician assistant’s prescribing authority should not have to mirror the collaborating
17 physician’s scope of practice as long as the prescribing authority is outlined in the collaborative
18 agreement. Dr. Wein, Dr. Paulson and Mr. Wilson voiced opposition to this request.

19 Dr. Wein invited Ms. Norberg to provide an overview of the regulation change process. The
20 board was advised that a vote to approve the proposed regulation changes reviewed during this
21 meeting does not reflect a final version of the regulations, in essence it initiates the process.

22 **On a motion duly made by Lydia Mielke, seconded by Sara Bigelow-Hood and
23 approved by a roll call vote, the board approved the changes to 12 AAC 40. Article 5 as presented and
24 with the additional proposed edits as discussed in order to initiate a regulation project.**
25

26 Roll Call: Yeas, Ms. Bigelow Hood, Dr. Freeman, Dr. Heilala, Ms. Mielke, Dr. Paulson, Dr. Wein
27 and Mr. Wilson.

28 Absent for Vote: Dr. Parker
29

30 **4. Board Interviews**
31

32 **Joseph Meyer, MD**

33 Dr. Meyer was offered the option to either go into executive session or stay in the public domain. Dr.
34 Meyer elected to go into executive session.
35

36 **In a motion duly made by Lydia Mielke, seconded by Sarah Bigelow-Hood, and approved by a
37 roll call vote, the board entered into executive session in accordance with AS 44.62.310(b),
38 and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Dr. Joseph
39 Meyer’s application for licensure with Board staff, Natalie Norberg to remain in session.**
40

41 Roll Call: Yeas, Ms. Bigelow Hood, Dr. Freeman, Dr. Heilala, Ms. Mielke, Dr. Paulson, Dr. Wein
42 and Mr. Wilson.

43 Absent for Vote: Dr. Parker
44

45 The Board went off the record at 5:49 p.m., and back on the record at 6:11 p.m.
46

47 **On a motion duly made by Lydia Mielke, seconded by Sarah Bigelow-Hood and approved by**

1 **roll call vote, the Alaska State Medical Board approved a full license for Joseph Meyer.**

2
3 Roll Call: Yeas, Ms. Bigelow Hood, Dr. Freeman, Dr. Heilala, Ms. Mielke, Dr. Paulson, Dr. Wein
4 and Mr. Wilson.

5 Absent for Vote: Dr. Parker

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7 **Megan Aspelund, DO**

8 Dr. Aspelund was offered the option to either go into executive session or stay in the public domain.

9 Aspelund elected to go into executive session.

10
11 **On a motion duly made by Lydia Mielke, seconded by Sarah Bigelow-Hood and approved by a**
12 **roll call vote, the board entered into executive session in accordance with AS 44.62.310(b),**
13 **and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Megan**
14 **Aspelund's application for licensure with board staff, Natalie Norberg, to remain in session.**

15
16 Roll Call: Yeas, Ms. Bigelow Hood, Dr. Freeman, Dr. Heilala, Ms. Mielke, Dr. Paulson, Dr. Wein
17 and Mr. Wilson.

18 Absent: Dr. Parker

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20 The Board went off the record at 6:15 p.m., and back on the record at 6:57 p.m.

21
22 **On a motion duly made Ms. Mielke seconded by Sarah Bigelow-Hood, and approved by roll**
23 **call vote, the board decided to postpone a decision to grant Dr. Aspelund's full license to**
24 **practice in Alaska and refer the matter to the Investigations Unit for the purpose of gathering**
25 **additional information.**

26
27 Roll Call: Yeas, Ms. Bigelow Hood, Dr. Freeman, Dr. Heilala, Ms. Mielke, Dr. Paulson, Dr. Wein
28 and Mr. Wilson.

29 Absent: Dr. Parker

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31 **5. Closing Business/Adjourn**

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33 The Meeting was adjourned by unanimous consent at 7:02 p.m.

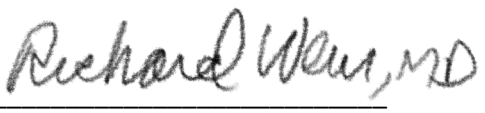
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35
36 Respectfully submitted:

37
38 /s/ 
39 Natalie Norberg, Executive Administrator
40 Alaska State Medical Board

41
42 05/19/2023

43
44 Date

45
46 Approved:

47
/s/ 
Richard Wein, MD, President
Alaska State Medical Board

May 19, 2023
Date