

# Washington

# Winter 2018

## Podiatric Medical Board Newsletter

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### Board Members

Randy Anderson, DPM,  
Chair

Suzanne Wilson, DPM,  
Vice-Chair

DJ Wardle, DPM, Secretary

Lotchie Kerch, DPM  
Civillia Hill, Public  
Member

## Message from the Chair

Randy Anderson, DPM, Chair

Welcome to the inaugural newsletter from the Washington State Podiatric Medical Board (board). Board members hope this newsletter will improve communication between the board and licensed podiatric physicians in Washington. The board's function is to advise the Governor's Office on issues pertaining to podiatric medicine and surgery, and to ensure the quality of care that the people of our state receive from podiatric physicians.

We have included issues the board is working through, including surgical centers, the opioid guidelines, and the new continuing medical education requirements. We have also included a list of the sanctions the board has taken in the past year and a half. Much discussion and consideration went into this last point. Part of our charge is public reporting. All final actions are a matter of public record. We have elected to report by license number, rather than by name as the medical and dental commissions do in their newsletters.

We hope you find this newsletter beneficial, and we welcome feedback and suggestions of topics that you—the license holders in Washington—would be interested in seeing in future newsletters.

### Mission and Purpose

The Podiatric Medical Board's mission and purpose is to protect the public's health and safety. It promotes the welfare of the state by regulating the competency and quality of professional healthcare providers under its jurisdiction. It establishes and enforces qualifications for licensure and standards of practice, and, where appropriate, disciplines and monitors practitioners. Only people who meet and maintain prescribed standards of competence and conduct shall be allowed to engage in the practice of podiatry as defined and authorized by [Chapter 18.22 RCW](#).



# Opioids: Prescribing and Monitoring

## Implementing Engrossed Substitute House Bill 1427

An ongoing national problem with prescription opioids includes the state of Washington. This prompted two actions. The first happened in October 2016 when Governor Inslee signed [Executive Order 16-09](#) (see insert at the bottom of this page for important points of this order). In that order, he characterized opioid use disorder as “a devastating and life-threatening medical condition.” He also called for actions to reduce opioid misuse and abuse.

The second action happened during the 2017 legislative session. The legislature considered several bills to address the issue of opioid use disorder. Ultimately, the legislature passed [Engrossed Substitute House Bill \(ESHB\) 1427](#) and the governor signed it into law. ESHB 1427 directed five prescribing boards and commissions in the state to develop and adopt safe opioid prescribing rules by January 1, 2019.

Over the course of seven months, September 2017 to March 2018, the board participated with the other identified board and commissions as the Opioid Prescribing Task Force (OPTF) and held meetings around several different regions of Washington State. Interested stakeholders – including health care practitioners, professional associations, health care organizations, and private citizens – attended and testified to inform the proposed new rules. By the conclusion of the last meeting in March, the OPTF succeeded in developing a template set of rules for each board and commission to endorse and customize for their professions.

### Effects of ESHB 1427:

- Expanding access to PMP data to government, including personnel within the Department of Health (department), the Health Care Authority, and local health offices.
- Sharing PMP data with health care facilities and groups of at least five prescribers.

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### Important points of Executive Order 16-09:

- Applying safe prescribing practices;
- Giving more consideration to non-opioid choices to manage pain;
- Increasing access to medication-assisted treatment; and
- Increasing the use of Washington’s Prescription Monitoring Program (PMP).

## Opioids: Prescribing and Monitoring

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- Allowing hospitals to receive PMP data through their continuous quality improvement programs.
- Directing the department to develop an overdose-event notification letter to be sent to prescribers when these events occur.
- Creating a feedback reporting mechanism for providers of their prescribing practices in comparison to others in similar practice specialties.
- And finally, directing the five identified boards and commissions to create prescribing rules for using opioids for acute, subacute and perioperative pain (which may include making changes to the existing chronic non-cancer pain rules).

The boards and commissions must consider the revised Agency Medical Directors Group and Centers for Disease Control guidelines; and must consult with their professions' associations, the Department of Health, and the University of Washington.

For more information or to keep up with actions on this project, go to: <http://www.doh.wa.gov/OpioidPrescribing>

### Additional information on ESHB 1427

The new law also establishes opioid treatment programs and facilitates treatment of opioid use disorder. Read the full bill text at: <http://lawfilesexternal.wa.gov/biennium/2017-18/Pdf/Bills/Session%20Laws/House/1427-S.SL.pdf>

#### Five Boards and Commissions

Board of Osteopathic Medicine and Surgery

Dental Quality Assurance Commission

Medical Quality Assurance Commission

Nursing Care Quality Assurance Commission

Podiatric Medical Board



## Statistics

License Counts as of Nov.1, 2018	
Active Licenses	356
Inactive Licenses	16
Pending Applications	4
Retired Active Licenses	2
Post-Graduate Training Licenses	16



## Growing Concerns Found In Surgery Centers

The board has learned of some issues identified during inspections at some certified ambulatory surgical facilities (ASF) where podiatric services are performed. These issues include :

- Inadequate infection control standards;
- Aseptic breaches;
- Apparent lack of supervision;
- Inappropriate use of general anesthesia;
- Lack of documented protocols for verifying instrument sterility; and
- Possible unlicensed practice.

It appears that much of this is happening in smaller practices. Some of these facilities have shown short-term improvements but repeat inspections seem to reveal a pattern of un-sustained progress, and, in some instances, of significant declines..

It is possible that if these are issues being found at ASFs, similar issues may also be happening at facilities or clinics not licensed as ASFs. While the board's authority does not extend to facilities, the board's legal authority does cover standards and quality of care provided by podiatric physicians and surgeons who perform services and procedures, regardless of where they are performed. These podiatric physicians and surgeons must function under the board's office-based surgery rules, which are in WAC 246-922-650. Find these rules on the Office of the Code Reviser's website at <http://leg.wa.gov/CodeReviser/Pages/default.aspx> and search for WAC 246-922-650.

The board desires to foster improvements through educational outreach, as opposed to a reactive system that would involve complaints and possible disciplinary action. For more information on infection prevention, see the CDC *Guide to Infection Prevention for Outpatient Settings: Minimum Expectations for Safe Care* (access this document on the CDC website at: [https://www.cdc.gov/hai/pdfs/guidelines/ambulatory-carechecklist\\_508\\_11\\_2015.pdf](https://www.cdc.gov/hai/pdfs/guidelines/ambulatory-carechecklist_508_11_2015.pdf)). The DOH is willing to provide technical assistance; such assistance can be requested by contacting the program manager at [susan.gragg@doh.wa.gov](mailto:susan.gragg@doh.wa.gov).

## Legal Actions

### January 2017 — November 2018

Practitioner and County	Date	Order Type	Board Action
PODI.PO.00000224 Pierce County	3/23/2017	Stipulation to Informal Disposition	Reimburse \$1,000 board costs; obey all federal, state, and local laws, and all administrative rules
PODI.PO.00000535 Pierce County	1/23/2018	Stipulation to Informal Disposition	Reimburse \$500 board costs; write and present paper; obey all federal, state, and local laws, and all administrative rules
PODI.PO.60305797 Franklin County	3/30/2018	Stipulation to Informal Disposition	Reimburse \$1,000 board costs; complete medical records course, obey all federal, state, and local laws, and all administrative rules
PODI.PO.60570750 Pierce County	7/20/2018	Notice of Decision on Application	Practice audits; Register for Prescription Monitoring Program; practice limitation-excludes controlled substance prescribing for five years; obey all federal, state, and local laws, and all administrative rules
PODI.PO.00000225 Walla Walla County	10/30/2018	Agreed Order	Fine \$5,000; practice limitation-excludes chronic or long-term wound care; continuing education (10 hours); practice audits; obey all federal, state, and local laws, and all administrative rules

**Stipulated Findings of Fact, Conclusions of Law and Agreed Order:** a settlement resolving a statement of charges. This order is an agreement to comply with certain terms and conditions to protect the public. .

**Stipulated Findings of Fact, Conclusions of Law and Final Order:** an order issued after a formal hearing before the board.

**Stipulation to Informal Disposition (STID):** a document stating allegations have been made, and containing an agreement by the licensee to be subject to sanctions, including terms and conditions to resolve the con-

**How to avoid a complaint:** Communicate and document all communication and treatment provided or recommended. These actions alone may not prevent a complaint being filed but will assist the board when evaluating whether a violation of law has occurred. Know your law.

Access Podiatry laws and rules here:

[RCW 18.22](#) [WAC 246-922](#) [RCW 18.130](#) [WAC 246-12](#) [WAC 246-16](#) [RCW 70.02](#)

The board is now using [GovDelivery](#) to deliver notifications to subscribers. *GovDelivery* affords the user more control over topics of interest, when and how often the messages are received. To join, go to: <https://public.govdelivery.com/accounts/WADOH/subscriber/new>

Look up any healthcare provider credential on the Department of Health [Provider Credential Search page](#).

## NEW REQUIREMENTS FOR CONTINUING EDUCATION

As of October 1, 2017, podiatric physicians who required to report continuing medical education (CME) on license renewals must comply with new requirements adopted by the Washington State Podiatric Medical Board (board).

This means podiatric physicians renewing a license requiring CME attestation on or after October 1, 2017, must have already completed, and be able to report, 100 hours of CME credits as of the date of renewal. The current process of CME attestation on alternating years remains unchanged.

In December 2015, the board adopted amendments to change CME requirements for podiatric physicians and surgeons under WAC 246-922-300 and WAC 246-922-310 from 50 hours every two years to 100 hours every two years. Previous rules required all CME to be directly related to the delivery of patient care but the new rules offer several additional categories to earn CME credits.

If you have questions concerning the new rules, please contact Susan Gragg with the Washington Podiatric Medical Board at [susan.gragg@doh.wa.gov](mailto:susan.gragg@doh.wa.gov).

Read the new rule language that took effect on October 1, 2017 on the Office of the Code Reviser's website at <http://leg.wa.gov/CodeReviser/Pages/default.aspx> and search for WAC 246-922-300 and 246-922-310.

## Renew Your Credential Online

Podiatric physicians who are within 60 days of their license expiration date may renew their active status licenses, registrations or certifications online.

To renew online, you must register with Secure Access Washington and sign in to the Department of Health Online Services on the [Secure Access Washington \(SAW\) website](#). Here is a link to [online renewal frequently asked questions](#).

If you're having problems with the Department of Health Online Services site, [contact our Customer Service Office by email](#) or phone at 360-236-4700.



## Reader Input

The board is looking for reader input.

If you want to read about something specific, [please let us know](#).

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## Board

### Meeting Dates

January 11, 2018

April 12, 2018

July 12, 2018

October 11, 2018

**Public Health - Always  
Working for a Safer and  
Healthier Washington.**