

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 Sept 19, 2024  
8

9 *These are DRAFT minutes prepared by staff of the Division of Corporations, Business and Professional*  
10 *Licensing. They have not been reviewed or approved by the Board.*  
11

12 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a special meeting of  
13 the Alaska State Medical Board was held Thursday, September 19, 2024.  
14

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

16 The meeting was called to order by Chair Nimmo at 4:00 p.m.  
17

18 **Roll Call**

19 Board members present:

20 Eric Nimmo, MD, Chair  
21 David Barnes, DO  
22 Sarah Bigelow-Hood, Vice-Chair  
23 Matt Heilala, DPM  
24 Lydia Mielke, Public Member (Secretary)  
25 Brent Taylor, MD  
26 David Wilson, Public Member

27 Absent: David Paulson, MD  
28

29 State employees present:

30 Glenn Saviers, CBPL Deputy Director; Rebecca Hattan, AAG; Natalie Norberg, Executive Administrator  
31 and Jason Kaeser, Licensing Supervisor  
32

33 **2. Review / Approval of Agenda**  
34

35 **On a motion duly made by Ms. Mielke and seconded by Ms. Bigelow-Hood, the Alaska State**  
36 **Medical Board amended the agenda to change the order of the items addressed to allow for**  
37 **the legal debrief to be the first order of business.**  
38

39 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow-Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor,  
40 and Mr. Wilson

41 Absent: Dr. Paulson  
42

43 **3. Legal Debrief**  
44

45 **On a motion duly made by Ms. Mielke and seconded by Ms. Bigelow-Hood, the Alaska State**  
46 **Medical Board entered executive session for the purpose of discussing matters under AS**  
47 **44.62.310 (C)(4), related to attorney-client privilege with State employees remaining in the**  
48 **session.**  
49

1 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow-Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor,  
2 and Mr. Wilson  
3 Absent: Dr. Paulson  
4

5 The Board entered executive session at 4:04 p.m. The Board exited executive session at 4:54 p.m.  
6

7 **On a motion duly made by Ms. Mielke and seconded by Ms. Bigelow-Hood, the Alaska State**  
8 **Medical Board directed the Executive Administrator to work with the Board Chair to draft a**  
9 **statement to surge and support the Attorney General to appeal the judge's preliminary**  
10 **decision in 3 AN-19-11710CI.**

11  
12 Roll Call: Yeas, Dr. Barnes, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor, and Mr. Wilson  
13 Nays: Ms. Bigelow-Hood  
14 Absent: Dr. Paulson  
15

#### 16 **4. Telemedicine Regulation**

17 Dr. Nimmo invited Ms. Norberg to introduce and explain the reasons for needed revisions to 12 AAC  
18 40.943. First, changes to federal and state legislation have rendered the existing language in sections  
19 12. AAC 40.943 (b) obsolete. Second, the regulations currently cite old FSMB guidance from 2014. The  
20 FSMB adopted updated telemedicine guidance in 2022. Finally, clarity is needed for telemedicine  
21 prescribers regarding the definition of a physician-patient relationship. State law [08.64.364](#) (c)(2)  
22 specifies that a physician or physician assistant may not prescribe, dispense, or administer a prescription  
23 drug in response to an Internet questionnaire or electronic mail message to a person with whom the  
24 physician or physician assistant does not have a prior physician-patient relationship. The medical board  
25 has not defined physician-patient relationship, however there is a definition under the medical  
26 marijuana statutes. The public has questioned whether this relationship can be established through a  
27 video conference visit. After a discussion, board members agreed that the changes to section 12. AAC  
28 40.943 (b) to eliminate obsolete language are necessary, however they could not reach a consensus on  
29 whether to adopt the new FSMB guidelines by reference or the proposed definition for physician-patient  
30 relationship. It was agreed that that the initiation of a regulation project to fix the outdated language  
31 should be tabled until the Board can decide on how to address the other two matters.

32 **On a motion duly made by Ms. Mielke and seconded by Ms. Bigelow-Hood and denied by a**  
33 **roll call vote the Board decided against approving a regulation project to eliminate the**  
34 **outdated language in 12. AAC 40.943 (b) and requesting a regulation change project.**  
35

36 Roll Call: Nays, Dr. Barnes, Ms. Bigelow-Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor,  
37 and Mr. Wilson  
38 Absent: Dr. Paulson  
39

40 **On a motion duly made by Ms. Mielke and seconded by Ms. Bigelow-Hood the Board**  
41 **approved by roll call vote a decision to table any decisions regarding regulation change to 12.**  
42 **AAC 40.943.**  
43

44 Roll Call: Yays, Dr. Barnes, Ms. Bigelow-Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor,  
45 and Mr. Wilson  
46 Absent: Dr. Paulson  
47  
48

1 **5. Applicant Review**

2  
3 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow-Hood, and approved by a roll**  
4 **call vote, the Alaska State Medical Board entered executive session under AS 44.62.310(c)(3),**  
5 **and the Alaska Constitutional Right to Privacy Provisions with Board staff remaining in the**  
6 **session for the purpose of discussion applications for licensure for the following physicians:**

- 7 • James Black, MD
- 8 • Benjamin Makamson, DO
- 9 • Brent Meredith, MD
- 10 • Jon Miller, MD
- 11 • Daniel Taheri, MD

12  
13 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow-Hood , Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor,  
14 and Mr. Wilson

15 Absent: Dr. Paulson

16  
17 The Board entered executive session at 5:23 p.m. The Board exited executive session at 5:47 p.m.

18  
19 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow Hood and approved by roll**  
20 **call vote, the Alaska State Medical Board approved physicians Jon Miller and Benjamin**  
21 **Makamson for full licenses.**

22  
23 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor and  
24 Mr. Wilson

25 Absent: Dr. Paulson

26  
27 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow Hood and approved by roll**  
28 **call vote, the Alaska State Medical Board decided to issue Dr. James Black a temporary permit**  
29 **and requested the Executive Administrator to follow up with Dr. Black to provide additional**  
30 **information.**

31  
32 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor and  
33 Mr. Wilson

34 Absent: Dr. Paulson

35  
36 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow Hood and approved by roll**  
37 **call vote, the Alaska State Medical Board decided to table a decision on whether to grant Dr.**  
38 **Daniel Taheri a license until he is interviewed, and further information is obtained.**

39  
40 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor and  
41 Mr. Wilson

42 Absent: Dr. Paulson

43  
44 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow Hood and approved by roll**  
45 **call vote, the Alaska State Medical Board decided to deny a license to Dr. Brent Meredith. The**  
46 **board cited in its decision that Dr. Meredith does not meet the criteria for licensure in**  
47 **accordance with AS 08.64.225. Specifically, he has not completed three years of post-graduate**  
48 **education in a recognized hospital approved by the Accreditation Council for Graduate**  
49 **Medical Education; he currently does not hold a full license to practice in medicine in any**

1 other US state or territory, nor is he board certified in a specialty area. The Board recognized  
2 Dr. Meredith for his wealth of experience as a physician assistant but did not find this  
3 experience as a sufficient substitute for post-graduate residency training.  
4

5 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor and  
6 Mr. Wilson

7 Absent: Dr. Paulson  
8

## 9 **6. Wrap up / Adjourn**

10  
11 The next meeting will be on October 10, 2024 at 5:00 PM. The primary agenda item at this meeting will  
12 be to review the Physician Assistant Work Group's proposed changes to regulations.  
13

14 Dr. Barnes reported that in follow up to the discussion at the last meeting, he approached Mike Shower  
15 about sponsoring language in a bill to address outdated procedural processes for the Medical Board in  
16 statute; Senator Shower stated he would support this. Ms. Norberg will provide Dr. Barnes with draft  
17 language for the changes needed.  
18

19 Dr. Barnes raised a concern related to Naturopathic physicians promoting high doses of Vitamin D for  
20 hypothyroidism when there is no evidence of hypothyroidism, which can cause life-threatening  
21 conditions for patients. Options for how to address this concern were discussed including filing a  
22 complaint against an individual naturopathic provider for patient harm, or the board might want to  
23 consider a resolution or issuing a statement of concern at a future meeting.  
24

25 The meeting was adjourned by unanimous consent at 6:00 p.m.  
26