

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 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, September 19, 2024.  
11

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

13 The meeting was called to order by Chair Nimmo at 4:00 p.m.  
14

15 **Roll Call**

16 Board members present:

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

24 Absent: David Paulson, MD  
25

26 State employees present:

27 Glenn Saviers, CBPL Deputy Director; Rebecca Hattan, AAG; Natalie Norberg, Executive Administrator  
28 and Jason Kaeser, Licensing Supervisor  
29

30 **2. Review / Approval of Agenda**  
31

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

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

38 Absent: Dr. Paulson  
39

40 **3. Legal Debrief**  
41

42 **On a motion duly made by Ms. Mielke and seconded by Ms. Bigelow-Hood, the Alaska State**  
43 **Medical Board entered executive session for the purpose of discussing matters under AS**  
44 **44.62.310 (C)(4), related to attorney-client privilege with State employees remaining in the**  
45 **session.**  
46

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

49 Absent: Dr. Paulson  
50

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

2  
3 **On a motion duly made by Ms. Mielke and seconded by Ms. Bigelow-Hood, the Alaska State**  
4 **Medical Board directed the Executive Administrator to work with the Board Chair to draft a**  
5 **statement to urge and support the Attorney General to appeal the judge's preliminary**  
6 **decision in 3 AN-19-11710CI.**

7  
8 Roll Call: Yeas, Dr. Barnes, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor, and Mr. Wilson

9 Nays: Ms. Bigelow-Hood

10 Absent: Dr. Paulson

#### 11 12 **4. Telemedicine Regulation**

13 Dr. Nimmo invited Ms. Norberg to introduce and explain the reasons for needed revisions to 12 AAC  
14 40.943. First, changes to federal and state legislation have rendered the existing language in sections  
15 12. AAC 40.943 (b) obsolete. Second, the regulations currently cite old FSMB guidance from 2014. The  
16 FSMB adopted updated telemedicine guidance in 2022. Finally, clarity is needed for telemedicine  
17 prescribers regarding the definition of a physician-patient relationship. State law [08.64.364](#) (c)(2)  
18 specifies that a physician or physician assistant may not prescribe, dispense, or administer a prescription  
19 drug in response to an Internet questionnaire or electronic mail message to a person with whom the  
20 physician or physician assistant does not have a prior physician-patient relationship. The medical board  
21 has not defined physician-patient relationship, however there is a definition under the medical  
22 marijuana statutes. The public has questioned whether this relationship can be established through a  
23 video conference visit. After a discussion, board members agreed that the changes to section 12. AAC  
24 40.943 (b) to eliminate obsolete language are necessary, however they could not reach a consensus on  
25 whether to adopt the new FSMB guidelines by reference or the proposed definition for physician-patient  
26 relationship. It was agreed that that the initiation of a regulation project to fix the outdated language  
27 should be tabled until the Board can decide on how to address the other two matters.

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

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

34 Absent: Dr. Paulson

35  
36 **On a motion duly made by Ms. Mielke and seconded by Ms. Bigelow-Hood the Board**  
37 **approved by roll call vote a decision to table any decisions regarding regulation change to 12.**  
38 **AAC 40.943.**

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

42 Absent: Dr. Paulson

#### 43 44 45 **5. Applicant Review**

46  
47 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow-Hood, and approved by a roll**  
48 **call vote, the Alaska State Medical Board entered executive session under AS 44.62.310(c)(3),**

1 **and the Alaska Constitutional Right to Privacy Provisions with Board staff remaining in the**  
2 **session for the purpose of discussion applications for licensure for the following physicians:**

- 3 • James Black, MD
- 4 • Benjamin Makamson, DO
- 5 • Brent Meredith, MD
- 6 • Jon Miller, MD
- 7 • Daniel Taheri, MD

8  
9 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow-Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor,  
10 and Mr. Wilson

11 Absent: Dr. Paulson

12  
13 The Board entered executive session at 5:23 p.m. The Board exited executive session at 5:47 p.m.

14  
15 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow Hood and approved by roll**  
16 **call vote, the Alaska State Medical Board approved physicians Jon Miller and Benjamin**  
17 **Makamson for full licenses.**

18  
19 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor and  
20 Mr. Wilson

21 Absent: Dr. Paulson

22  
23 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow Hood and approved by roll**  
24 **call vote, the Alaska State Medical Board decided to issue Dr. James Black a temporary permit**  
25 **and requested the Executive Administrator to follow up with Dr. Black to provide additional**  
26 **information.**

27  
28 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor and  
29 Mr. Wilson

30 Absent: Dr. Paulson

31  
32 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow Hood and approved by roll**  
33 **call vote, the Alaska State Medical Board decided to table a decision on whether to grant Dr.**  
34 **Daniel Taheri a license until he is interviewed, and further information is obtained.**

35  
36 Roll Call: Yeas, Dr. Barnes, Ms. Bigelow Hood, Dr. Heilala, Ms. Mielke, Dr. Nimmo, Dr. Taylor and  
37 Mr. Wilson

38 Absent: Dr. Paulson

39  
40 **On a motion duly made by Ms. Mielke, seconded by Ms. Bigelow Hood and approved by roll**  
41 **call vote, the Alaska State Medical Board decided to deny a license to Dr. Brent Meredith. The**  
42 **board cited in its decision that Dr. Meredith does not meet the criteria for licensure in**  
43 **accordance with AS 08.64.225. Specifically, he has not completed three years of post-graduate**  
44 **education in a recognized hospital approved by the Accreditation Council for Graduate**  
45 **Medical Education; he currently does not hold a full license to practice in medicine in any**  
46 **other US state or territory, nor is he board certified in a specialty area. The Board recognized**  
47 **Dr. Meredith for his wealth of experience as a physician assistant but did not find this**  
48 **experience as a sufficient substitute for post-graduate residency training.**  
49

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

5 **6. Wrap up / Adjourn**  
6

7 The next meeting will be on October 10, 2024, at 5:00 PM. The primary agenda item at this meeting will  
8 be to review the Physician Assistant Work Group's proposed changes to regulations.  
9

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

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

21 The meeting was adjourned by unanimous consent at 6:00 p.m.  
22