

Senate Appropriations Subcommittee on Select Agencies

March 18, 2015, 2:00 p.m., Oklahoma State Board of Medical Licensure and Supervision, Board Rm

Members Present: Chair; Sen. David Holt, Vice Chair; Sen. Wayne Shaw, Sen. Stephanie Bice, Sen. Kay Floyd

Members Absent: Rep. Nathan Dahm, Rep. Dan Newberry, Rep. Anastasia Pittman

The Chair called the meeting to order at 2:36.

The Chair called on Lyle Kelsey, Executive Director for the Oklahoma State Board of Licensure and Supervision and Board of Examiners of Perfusionists.

Kelsey explained that the Oklahoma State Board of Licensure and Supervision has 67 meetings throughout the year. They go through license application and investigation of complaints and have about 70 doctors on probation and compliance officers that meet with them. They license and discipline if necessary and are available to the public. The board has seven medical doctors and two lay-members chosen by the Governor.

Kelsey introduced Dr. Billy Stout, Secretary, who handles information in between board meetings, and Dr. Eric Frische an orthopedic surgeon who reviews complaints.

Kelsey said, "The primary function of most licensure boards is to protect the public."

Kelsey moved on to a handout given to Senators outlining accomplishments for the past year.

Online initial license applications from the standpoint of being able to do everything completely online. It speeds up the process. It helps staff, employees, and accuracy. Savings. Federation of State Medical Boards (FSMB) – they came up with a uniform application.

The Chair asked about the Oklahoma State Board of Licensure and Supervision's model compared to other states.

Kelsey stated that some have composite or umbrella boards but most are like Oklahoma.

The Chair asked why some medical areas are under Kelsey and some aren't.

Kelsey states that that is how things have evolved but were not created that way purposefully.

The Chair asked about the building housing the Oklahoma State Board of Licensure and Supervision.

Kelsey stated that they rent the current building.

The Chair asked about fees in Oklahoma versus other states.

Kelsey stated that Oklahoma is in the median range for licensing fees.

The Chair called on Sen. Shaw for a question.

Sen. Shaw asked how licenses from other states and countries are dealt with.

Kelsey stated that a lot of places have standardized paperwork and processes that carry over. Foreign schools may have additional requirements. There is a residency program for immigrants to get their license. The board makes decisions on every license.

Sen. Shaw asked about doctor drug addiction and how it is dealt with.

Kelsey called on Dr. Stout.

Stout explained that the complaint is first investigated and then the doctor will be brought in to a meeting to discuss the issue. The doctor must go through treatment and be monitored for a minimum of five years that includes random drug screenings and meetings.

Sen. Floyd stated that a two term governor would have the power to control the whole medical board.

Sen. Floyd asked about the rise of doctors practicing out of state.

Kelsey attributes this to doctors living out of state but wanting a license to practice in Oklahoma indirectly.

Sen. Shaw asked if there was a reason the Board has not bought the current building.

Kelsey stated that the contract with the current building will run out soon and that they are looking into buying it.

The Chair called on Russell Lavery for the Board of Examiners in Optometry.

Lavery stated that the Board of Examiners in Optometry mission statement is to protect the public. And that they have informal and formal hearings and will take action if needed.

The optometry board is made up of four optometrists and one consumer member, all appointed by the governor. Optometrists on the board serve on five year terms.

He explained that the Board of Examiners in Optometry uses email as much as possible and each board member has the iPad for board business and the four board meetings a year.

Lavery stated that consumer complaints are easily solved and they the Board gave a pay raise to staff last year because they had not seen a raise in ten years.

In regards to budget, he stated that they do not expect any increases in budget cost for 2015. Their license renewal is at the end of the fiscal year and are considering consolidating with the IT proposal.

The Chair asked about the location of the agency.

Lavery stated that their office is in a clinic environment in Midwest City.

The Chair asked about carryover.

Lavery stated that they had a relicensing fee increase that helped increase carryover.

The Chair called on Sen. Bice for a question.

Sen. Bice asked how many licenses are issued on an annual basis.

Laverty answered that around 35 licenses are issued each year with 30 people retiring.

The Chair called on Deborah Bruce for the Board of Osteopathic Examiners.

Bruce stated that the function of the board is to license, discipline, and educate doctors. They have six staff members and eight board members. Their income is 650 thousand and costs are 620 thousand. Licensing fees keep up with the national average.

The Chair asked how Bruce would describe Osteopathic Medicine to lay-person.

Bruce explained that Osteopathic Medicine is a hands on treatment of a whole person.

The Chair asked about carryover.

Bruce explained that they have no carryover that is not encumbered

The Chair called on Sen. Shaw for a question.

Sen. Shaw asked how the Board obtains proof of a complaint.

Bruce answered that they get reports from lay people and investigate any complaint. Then they receive input from medical advisors.

Sen. Shaw asked how Bruce feels about investigators of DOs carrying guns.

Bruce stated that arming investigators was her request. She explained that one investigation interrupted a cartel and she was threatened.

The Chair called on Sen. Floyd for a question.

Sen. Floyd asked if the armed investigators are all trained on firearms use.

Bruce stated that they have a background in law enforcement

Sen. Floyd asked what would happen to the agency if the legislature were to take money out of their revolving fund.

Bruce stated that she must be prepared that we might lose a claim and for retirements for long time employees which would take \$80k. She also wishes to convert to electronic records which will cost 110 thousand.

Kelsey answered the same question stating that they are a State Agency and feel the ups and downs with the State but they attempt to spend less than they earn. If they were to lose some of their funds they would look at different programs of their own to cut.

Bruce interjected stating a concern of a national medical license explaining that, if the federal government takes over that function, the agency will not have money left to do any kinds of discipline.

The Chair asked Kelsey about carry over.

Kelsey stated that they have 3.8 million dollars and that the State has never taken any away before.

The Chair called on Sen. Floyd for a question.

Sen. Floyd asked Bruce if the Board is appointed by the Governor and if it was approved by Congress.

Bruce replied that the Board is appointed by the Governor but not approved.

Adjourned at 4:05