

PRIMARY CARE ADVISORY COUNCIL (PCAC)
MINUTES
March 28, 2017
10:00 a.m.

COUNCIL MEMBERS PRESENT:

Carson City:

Las Vegas:

Dr. Amir Qureshi, Chair
Dr. Susan VanBeuge, Vice Chairperson

Elko:

Call-In:

John Packham, Proxy for Gerald Ackerman
Mary Wherry, Proxy for Charles Duarte
Catherine O'Mara
Nancy Hook
Susanne Sliwa, Deputy Attorney General (DAG)

COUNCIL MEMBERS EXCUSED:

Charles Duarte
Elizabeth Aiello
Gerald Ackerman

DIVISION OF PUBLIC AND BEHAVIORAL HEALTH STAFF PRESENT:

Laura Hale, Manager, Primary Care Workforce Development Office (PCWDO)
Scott Jones, Manager, Primary Care Office (PCO)
Joseph Tucker, Primary Care Office (PCO)
Veronica Sheldon, Primary Care Workforce Development Office (PCWDO)

OTHERS:

Shannon Sprout, Deputy Administrator, Division of Health Care Financing and Policy
Jessica Simpson, Paralegal
Ramanan Satchi, MD

Dr. Qureshi called the meeting to order at 10:10 a.m.

1. Roll call and confirmation of quorum.

S. Jones read the roll call and stated that there was a quorum present.

2. Approval of the minutes from the January 13, 2017 meeting of the PCAC.

No questions or comments.

Motion: Dr. Susan VanBeuge

Second: Nancy Hook

Mary Wherry abstained

Motion passed

3. Recommendation to the Administrator for the Division of Public and Behavioral Health regarding J-1 Physician Visa Waiver Letter of Support for Dr. Ramanan Satchi.

J. Tucker presented a summary (handout) of Dr. Ramanan Satchi's application.

Dr. Qureshi asked how many physicians work in the facility. J. Tucker replied they currently have one physician.

Motion: Mary Wherry
Second: Dr. Susan VanBeuge
Motion passed unanimously

4. Recommendation to the Administrator for the Division of Public and Behavioral Health regarding J-1 Physician Visa Waiver Letter of Support for Dr. Malihe Rivaz.

J. Tucker presented a summary (handout) of Dr. Malihe Rivaz's application. J. Tucker stated that one section of the contract contained language similar to a non-compete clause, and the PCO had requested that the section be justified or removed from the contract. J. Tucker read the section: "During the term of the Agreement and for two years after the Agreement, physician agrees that she will not solicit any patient service contractual arrangement of the medical group..." J. Tucker explained that after receiving the application, the PCO asked the site to justify that this was not a non-compete clause. The clinic submitted a response that "it was a measure to protect their client patient base and other proprietary information that belongs to the organization. The purpose of said clause is to ensure that the information is not used in order to compete with our facility by taking our data, services or other proprietary information." After receiving this clarification, the PCO responded by asking if the facility would be willing to include this information in the contract on 3/23/17. S. Jones stated that a summary of this application informational exchange was included in the Attachment. S. Jones further stated that the Attorney General's office requested that this information be presented during the meeting to give the PCAC the opportunity to review and have this clause considered when the recommendation would be made to the Administrator. S. Jones stated that Jessica Simpson was in attendance to answer any questions. J. Simpson reiterated that this clause is not a non-compete and that the clause is only to protect the practice's proprietary information. Dr. Qureshi asked if the clause applied to both hospital and clinic patients. J. Simpson stated it was meant for the patient base in general and all proprietary information such as addresses, and client names, so that they cannot be solicited. Dr. Qureshi stated that solicitation should not include a circumstance where a patient of the clinic is hospitalized and needed emergency care, and this physician is the only doctor that can provide care. Dr. VanBeuge stated that solicitation should also exclude a patient going to the physician on their own, that would not be considered solicitation either. Both Dr. VanBeuge and Dr. Qureshi stated that they had no issue with the clause.

Motion: Dr. Susan VanBeuge
Second: Mary Wherry
Motion passed unanimously

5. Recognition of Betsy Aiello for her service to the State of Nevada, PCAC upon her retirement.

S. Jones stated that the PCO was going to send B. Aiello a letter thanking her for her services on the PCAC and congratulating her on her retirement. Dr. Qureshi stated that he would like to personally thank her during this meeting, having served many years on the PCAC with her. Dr. VanBeuge congratulated her as well. S. Jones stated that their congratulations would be conveyed to her.

6. Recommendation of Shannon Sprout, to the Administrator for the Division of Public and Behavioral Health, to serve on the PCAC.

S. Jones stated that because of B. Aiello's retirement, the PCO inquired about a replacement to fill her vacant seat on the committee. Shannon Sprout was recommended as a well-qualified candidate for the position. One of the requirements of the PCAC is that incoming committee members are recommended by the PCAC to the DPBH Administrator. S. Jones read the attachment regarding Ms. Sprout's background and qualifications and stated that Ms. Sprout was in attendance if anyone had any questions. Dr. Qureshi stated that he would like to welcome S. Sprout to the committee. Dr. VanBeuge stated that S. Sprout sounded like a great addition to the committee and would like to welcome her. S. Sprout thanked everyone for welcoming her and for the opportunity to serve on the committee.

Motion: Dr. Susan VanBeuge

Second: Nancy Hook

Motion passed unanimously

7. Review and consider approval of amendment of PCAC by-laws to reflect updated statutes and regulations.

S. Jones reviewed the attachment that outlined the recommended changes to the PCAC by-laws to reflect updated statutes and regulations. J. Packham stated that on page 2, item 3, the name of the University of Nevada School of Medicine should be updated. L. Hale stated that the PCO would review regulation; however, the by-laws must reflect the name as it is in the regulation. If the name has not been updated in the regulation, it would need to remain as is in the by-laws until the regulation is updated. S. Jones stated he would follow up on this and report back to J. Packham. Subsequent to the meeting, S. Jones responded to J. Packham that the School of Medicine name was referenced in the regulations, and this could not be changed in the by-laws.

Motion: Dr. Susan VanBeuge

Second: Mary Wherry

Motion passed unanimously

8. Informational item on recent suspension of premium processing for H-1B petitions and the effects on the J-1 Visa Waiver Program.

S. Jones reviewed an announcement from the United States Citizenship and Immigration Services (USCIS) stating that premium processing of H-1B petitions will be suspended as of April 3, 2017. The premium processing guaranteed application processing within 15 days of receipt by the USCIS. S. Jones stated that the PCO wanted to bring this information to the Committee and the public to point out that the applications might require extra review time. He also reviewed exceptions to this suspension in certain cases for humanitarian or emergency situations. M. Wherry asked if any thought had been put into requesting that the Governor bring this information to the Governor's Association and if the Governor's Association would consider writing a letter to the Federal Representatives explaining how this immigration process will impact access to healthcare. S. Jones stated they are writing ideas down and will review them. Dr. Qureshi asked what the standard H-1B processing time is. J. Tucker replied that per the USCIS website, it is currently 8 months to one year. Dr. Qureshi stated that all applicants should fall under humanitarian grounds. Dr. VanBeuge asked if the committee could request the letter from the Governor's Association. S. Sliwa, DAG stated that this would need to be added to a future meeting as an action item and could not be voted on during this meeting. L. Hale stated that the PCO could review what other states are doing in response to this and bring it to the next meeting to report on some options.

9. Update on staff, grants and regulations.

S. Jones reported that there have been 5 J-1 applications received to date, for this year and that he estimated receipt of a total of 8 applications that will be received for the year. This is the same number as received last year and reflects an increased utilization of the program. So far, 4 of the applications are for primary care. The PCO will begin compliance site visits with the applicants from 2016. The surveys that have been received back from doctors showed that there was 100% compliance.

10. Public Comment.

No public comments were made.

11. Adjournment

The meeting adjourned at 10:53 a.m.

DRAFT