

Part I – Agency Profile

Agency Overview

Established in 1892 and operated under the Department of Law Enforcement until 1949, the Board of Medicine functions as a self-governing agency supported solely by dedicated funds from licensees of the agency. The Board has primary responsibility for licensure and discipline of physicians, doctors of osteopathy, physician assistants, dietitians, respiratory therapists, athletic trainers, and naturopathic medical doctors. The Board provides for limited permits for polysomnographers as it applies to the practice of respiratory therapy. The Board registers medical intern and resident trainees in approved training programs. The Board regulates Supervising Physicians who supervise physician assistants, residents, interns, and cosmetic procedure providers, along with Directing Physicians who supervise athletic trainers. The Board has primary responsibility for the coordination of malpractice pre-litigation hearings for physicians and licensed acute care hospitals operating in Idaho.

The Board staff includes an Executive Director, Associate Director, Board Attorney, four Quality Assurance Specialists/Investigators (including one physician assistant and two registered nurses), Licensing Manager, two Physician Licensing Specialists, two Allied Health Licensing Specialists, Prelitigation Manager, Finance Specialist, Investigations Specialist, Executive Assistant, and an Administrative Assistant.

The Board functions with five licensing boards, the Committee for Professional Discipline and the Physician Assistant Advisory Committee. The allied health boards and committees advise and make recommendations to the Board in matters of licensure and discipline of their respective professions. The Committee on Professional Discipline makes recommendations to the Board of Medicine regarding physician discipline.

Board of Medicine members are appointed by the Governor. The Committee on Professional Discipline members and allied health board members are appointed by the Board of Medicine.

The office of the Board of Medicine is currently on 345 W. Bobwhite Court, Suite 150, Boise, Idaho, 83706. Information about the Board is available at <http://bom.idaho.gov>.

Core Functions/Idaho Code

The core functions of the Board include licensing, discipline, and pre-litigation. Statutory authority is as follows for each of the professions regulated:

Title 54

Physicians and Physician Assistants Chapter 18, 54-1802. PURPOSE. Recognizing that the practice of medicine is a privilege granted by the state of Idaho and is not a natural right of individuals, the purpose of this chapter is to assure the public health, safety and welfare in the state by the licensure and regulation of physicians and physician assistants, and the exclusion of unlicensed persons from the practice of medicine.

Dietitians Chapter 35, 54-3501. PURPOSE. The legislature finds and declares that the provision of medical and therapeutic nutritional services affects the public health, safety, and welfare. The legislature further finds that it is in the public interest to aid in the provision of medical and therapeutic nutritional services of high quality to the people of Idaho. To aid in fulfilling these purposes, this chapter provides for the licensure and regulation of dietitians within the state of Idaho.

Athletic Trainers Chapter 39, 54-3901. LEGISLATIVE INTENT. In order to promote the public health, safety, and welfare, to promote the highest degree of professional conduct on the part of athletic trainers, and to assure the availability of athletic trainer services of high quality to persons in need of such services, it is the purpose of this chapter to provide for the registration of persons offering athletic trainers services to the public.

Respiratory Therapist and Polysomnography Permits Chapter 43, 54-4302. LEGISLATIVE INTENT. In order to promote the public health, safety, and welfare; to promote the highest degree of professional conduct on the part of persons providing respiratory care to the public; and to assure the availability of respiratory care services of high

quality to persons in need of such services, it is the purpose of the provisions of this chapter to provide for the licensure and regulation of persons offering respiratory care services to the public.

Naturopathic Medical Doctors, Chapter 51, 51-5101. DEFINITIONS. Naturopathic Medicine means a distinct and comprehensive system of primary health care practiced by a naturopathic medical doctor, which is a person authorized a licensed to practice naturopathic medicine under this chapter and oversee by a Naturopathic Medical Board that makes recommendations and consults with the Board of Medicine to perform all duties authorized by the Act.

Medical Malpractice Idaho Code 6-1001. The Idaho State Board of Medicine, in alleged malpractice cases involving claims for damages against physicians and surgeons practicing in the state of Idaho or against licensed acute care general hospitals operating in the state of Idaho, is directed to cooperate in providing a hearing panel in the nature of a special civil grand jury and procedure for pre-litigation consideration of personal injury and wrongful death claims for damages arising out of the provision of or alleged failure to provide hospital or medical care in the state of Idaho, which proceedings shall be informal and nonbinding, but nonetheless compulsory as a condition precedent to litigation. Proceedings conducted or maintained under the authority of this act shall at all times be subject to disclosure according to chapter 1, title 74, Idaho Code. Formal rules of evidence shall not apply and all such proceedings shall be expeditious and informal.

Title IV of Public Law 99-660. The Health Care Quality Improvement Act of 1986 requires state licensing boards, hospitals and other entities to report certain licensing and discipline actions to a national database.

Public Law 104-191. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires the reporting and disclosing of certain actions to combat fraud and abuse in health insurance and health care delivery.

Revenue and Expenditures

Revenue	FY 2016	FY 2017	FY 2018	FY 2019
State Regulatory Fund	\$1,937,500	\$2,228,900	\$2,163,200	\$1,985,000
Total	\$1,937,500	\$2,228,900	\$2,163,200	\$1,985,000
Expenditures	FY 2016	FY 2017	FY 2018	FY 2019
Personnel Costs	\$869,800	\$1,049,800	\$1,049,400	\$1,136,800
Operating Expenditures	\$707,000	\$744,500	\$921,600	\$765,700
Capital Outlay	\$18,400	\$18,200	\$6,800	\$6,900
Trustee/Benefit Payments	\$0	\$0	\$0	\$0
Total	\$1,595,200	\$1,812,500	\$1,977,800	1,909,400

Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2016	FY 2017	FY 2018	FY 2019
Complaints Received/Investigations	283/175	283/188	245/155	263/170
Licensing of health professions	10,803	10,699	11,868	12,184
Pre-litigation screening panels	111	100	109	110
On Line Public Information/Licensee service	87%	88%	89%	91%

The Board receives complaints regarding all health care professions, health care and prison facilities. For those complaints that are outside of the statutory authority of the Board of Medicine, the Board reviews the complaint, corresponds with complainant and forwards the information to the appropriate regulatory agency for review.

Licensing Freedom Act

Agencies who participate in licensure must report on the number of applicants denied licensure or license renewal and the number of disciplinary actions taken against license holders.

	FY 2016	FY 2017	FY 2018	FY 2019
PHYSICIAN				
Total Number of Licenses	6251	6377	6620	6894
Number of New Applicants Denied Licensure	0	0	0	2
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	166	133	153	25
Number of Final Disciplinary Actions Against Licensees	31	20	7	0
PHYSICIAN ASSISTANT				
Total Number of Licenses	931	1026	1116	1220
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	12	16	15	2
Number of Final Disciplinary Actions Against Licensees	3	2	2	0
EXTERN, INTERN, RESIDENT				
Total Number of Licenses	259	295	295	373
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	1	0	0	1
Number of Final Disciplinary Actions Against Licensees	0	0	0	0
SUPERVISING PHYSICIAN				
Total Number of Licenses	820	868	932	988
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	0	0	0	0
Number of Final Disciplinary Actions Against Licensees	0	0	0	0
DIRECTING PHYSICIAN				
Total Number of Licenses	62	64	66	62
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	0	0	0	0
Number of Final Disciplinary Actions Against Licensees	0	0	0	0
BOARD OF ATHLETIC TRAINERS				
Total Number of Licenses	240	248	274	302
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	0	1	0	1
Number of Final Disciplinary Actions Against Licensees	0	1	0	0

	FY 2016	FY 2017	FY 2018	FY 2019
DIETETIC LICENSURE BOARD				
Total Number of Licenses	593	608	651	693
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	0	1	1	1
Number of Final Disciplinary Actions Against Licensees	0	1	0	0
RESPIRATORY THERAPY LICENSURE BOARD				
Total Number of Licenses	1034	1058	1081	1130
Number of New Applicants Denied Licensure	0	0	0	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	5	5	1	5
Number of Final Disciplinary Actions Against Licensees	3	0	0	0

Red Tape Reduction Act

Each agency shall incorporate into its strategic plan a summary of how it will implement the Red Tape Reduction Act, including any associated goals, objectives, tasks, or performance targets. This information may be included as an addendum.

	As of July 1, 2019
Number of Chapters	6
Number of Words	36,720
Number of Restrictions	865

FY 2019 Performance Highlights

The Board continued fulfilling its mission of protecting the public through effective licensure, discipline, and malpractice pre-litigation hearings. To optimize its licensure processes and in response to Executive Order #2017-06 (Idaho Licensing Freedom Act), the Board undertook a detailed review of its licensure statute and rules, ensuring that the licensure processes matched the applicable regulations. The Board proposed changes to its statute and rules during the 2019 Legislative session to reduce regulation and ensure consistency between the statute and rules. As a result, the Board reworked its rules chapters to reduce 10 chapters into 6 chapters, reducing word count by 22%, and the Legislature unanimously approved all the Board’s proposed changes.

In addition, the Board removed outdated and redundant language in its Medical Practice Act to reduce the statute by 18% by word count. This process led to the addition of a physician assistant to the Board of Medicine, an increase of the Physician Assistant Advisory Committee from three to five members (now including a public member), a more usable Disabled Physician and Physician Assistant Act with stronger due process protections for the licensees, an overall streamlined licensure processes that remove unnecessary barriers to licensure, and an updated disciplinary section that recognizes the realities of medical practice in the new millennium. The Legislature approved the proposed updated Medical Practice Act unanimously.

The Board is in the process of reworking its Rules during the reauthorization process and in response to Executive Order #2019-02 (The Red Tape Reduction Act). As a result of these continued efforts, the Board projects that it will reduce its book of rules chapters by over 50% by word count and omit numerous unnecessary and redundant regulations.

The Board’s Information Technology vendors continue to work on upgrading the custom IBOM database from an outdated Access platform to a web-based platform that will add necessary functionality to maintain increased needs, accessibility, and quality. This upgrade project is projected to be complete during the 2020 fiscal year.

Following the Governor’s signature of House Bill 244 into law in 2019, the Board of Medicine formed the Naturopathic Medical Board and is in the process of proposing rules, which will be before the Legislature in 2020.

Part II – Performance Measures

Performance Measure		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
GOAL #1: Maintain and refine Idaho Medical Practice Acts (Physicians – MD, DO; Naturopathic Medical Physicians; Physician Assistants, Athletic Trainers; Dietitians; Respiratory Therapists and Polysomnographers) to ensure they facilitate innovation and eliminate unnecessary regulation while protecting public safety.						
1. Attend FSMB and AIM Meetings annually.	actual	100% <i>Attended 2x FSMB, 2x AIM meetings.</i>	100% <i>Attended 2x FSMB, 2x AIM meetings.</i>	100% <i>Attended 3x FSMB, 2x AIM meetings.</i>	100% <i>Attended 4x FSMB, 2x AIM meetings.</i>	-----
	target	100%	100%	100%	100%	100%
2. During Negotiated Rulemaking, ensure regulations do not impose unnecessary restrictions or barriers to entry.	actual	-----	-----	-----	-22% word growth <i>During 2019 session, removed 22% of words and restrictions from 6 of 10 chapters of rules.</i>	-----
	target	<i>New Goal for FY2019. No data available for this time frame.</i>	<i>New Goal for FY2019. No data available for this time frame.</i>	<i>New Goal for FY2019. No data available for this time frame.</i>	<i>Word growth less than 5% of baseline</i>	<i>Word growth less than 5% of baseline</i>
GOAL #2: Provide Outreach and Education to Licensees, Partners, Stakeholders, and Public to increase awareness of the Board, its mission, activities, and services						
3. Develop and send quarterly newsletters to all licensees and Board.	actual	<i>Sent 2 of 4 quarterly newsletters.</i>	<i>Sent 3 of 4 quarterly newsletters.</i>	<i>Sent 2 of 4 quarterly newsletters.</i>	<i>Sent 3 of 4 quarterly newsletters.</i>	-----
	target	4 newsletters	4 newsletters	4 newsletters	4 newsletters	4 newsletters
GOAL #5: Support a Culture of Excellence by Identifying and Addressing the Education and Training Needs of the Staff and Board Members						
4. Deliver annual agency wide (staff and board) training that includes safety, wellness, policies, confidentiality, information technology, changes to rules, statutes, and procedures and other training to meet evolving needs.	actual	<i>Completed Trained each staff member re: their functional area and performed annual training to Board Members.</i>	<i>Completed Trained staff on FOIA requests, workplace safety, OGI, and HR updates and provided new member orientation to the Board.</i>	<i>Completed Trained staff on PERSI and customer service and performed annual training to Board Members.</i>	<i>Completed Trained staff on learning styles and effective and provided quarterly legal in-service training to the Board.</i>	-----
	target	Annual Training	Annual Training	Annual Training	Annual Training	Annual Training

For More Information Contact

Anne K. Lawler, JD, RN
Idaho Board of Medicine
345 W. Bobwhite Court, Suite 150
PO Box 83720
Boise, ID 83720-0058
Phone: (208) 327-7000
E-mail: Anne.Lawler@bom.idaho.gov