

**Minutes of the Board of Regents  
Uniformed Services University of the Health Sciences**

**Meeting No. 217  
August 7, 2023**

The Board of Regents (BOR), Uniformed Services University of the Health Sciences (USU) held a meeting on Monday August 7, 2023, both in-person at the USU campus in Bethesda, Maryland and via Google Meet.

The meeting date and agenda items were published in the *Federal Register*, and each Regent was duly notified prior to the meeting. The Designated Federal Officer (DFO), Ms. Annette Askins-Roberts, and the Chair, Dr. Nancy Dickey, were present during the entire meeting. The meeting was called to order by the DFO at 9:00 a.m.

Members, staff, and briefers listed below were in attendance:

**Board Members**

Nancy Dickey M.D., Chair  
VADM (Ret.) Raquel Bono, M.D., Member  
HON Jonathan Woodson, M.D., President, USU  
Eric Holmboe, M.D., Member  
HON Kenneth Kizer, M.D., M.P.H., Member  
Gen (Ret.) Richard Myers, Member  
HON James Peake, M.D., Member  
MG (Ret.) Patrick Sargent, M.A., Member  
Antonia Villarruel, Ph.D., R.N., Member  
BG Lance Raney, representing LTG R. Scott Dingle, M.S., Member  
RDML David Buzzetti, M.H.A., M.B.A., representing RDML Darin Via, M.D., Member  
Maj Gen John DeGoes, M.D., representing Lt. Gen. Robert I. Miller, M.D., Member  
Paul Cordts, M.D., DAD-MA, representing LTG Telita Crosland, M.D., Director, DHA

**Staff Members**

Annette Askins-Roberts, Designated Federal Officer, BOR, USU  
Camille Gaviola, Alternate Designated Federal Officer, BOR, USU  
Paul Schaettle, MPH, Alternate Project Manager, BOR Staff Support, USU  
Christopher Schorr, Ph.D., Research Analyst, BOR Staff Support, USU  
Rubens Lacerda, Management Analyst, BOR Staff Support, USU  
Tanner Dean, Management Analyst, BOR Staff Support, USU

## **Briefers**

HON Jonathan Woodson, M.D., President, USU

Paul J. Hutter, General Counsel, USU

COL Danielle B. Holt, MD, MSS, FACS, Associate Dean of Admissions and Recruitment,  
Associate Professor of Surgery

Lula Pelayo, Ph.D., RN, FAAN, Dean of College of Allied Health Sciences, USU

## **OPENING COMMENTS**

Ms. Askins-Roberts called the meeting to order. She introduced herself as the DFO for the Board of Regents. She provided administrative remarks and thanked USU staff, briefers, the contract support, and attendees for their participation. Dr. Dickey welcomed the Regents and discussed the meeting agenda. Ms. Askins-Roberts reminded the Regents to abstain from providing comments on matters for which they may have a conflict of interest. She discussed the logistics for the meeting and thanked the Regents, attendees, and support staff.

## **WORKFORCE DEVELOPMENT**

HON Woodson, President of USU, thanked the Regents for their participation and commented on the importance of the Board's work to the military's healthcare talent development efforts. He stated that younger generations emphasize career development and Millennials stay in a job 2.9 years and Gen Z's for 2.3 years, on average. He stated that Military Health System (MHS) recruitment and retention efforts must account for younger workers' preferences and that the MHS is presently undergoing a manpower study to this end. HON Woodson discussed the role USU can provide in supporting military health care. He noted that Congress has signaled its intention to (1) encourage the MHS to adopt an enterprise management approach, (2) expand behavioral health (BH) instruction and degree opportunities in order to respond to the needs of the Services, (3) expand nursing programs, e.g., BSN program, and (4) develop new specialties, e.g., data science to create an efficient and effective MHS enterprise since we are in an information age.

HON Woodson stated that the MHS must answer strategic questions, including (1) Should USU grow and if so, how should it grow? (2) What form should USU take to prioritize adding value? (3) What areas should USU prioritize, given scarce resources? HON Woodson stated that monitoring outcomes is essential to ensuring investments add value. He further stressed that ensuring academic integrity is a high priority.

Dr. Dickey stated that the Regents are being provided an "open invitation" to impact USU planning strategy. She noted that USU, like civilian universities, must meet accreditation standards but that, as a military university, it may have additional opportunities to innovate. She stated that these opportunities could include addressing the breadth and depth of the workforce or creating new healthcare titles and roles. She stated that USU excels in providing young people opportunities to grow their careers noting, as an example, that enlisted personnel are offered

opportunities to attend medical school. Dr. Dickey added that the Board may need to divide into smaller working groups to bring products forward.

At HON Woodson's request, Dr. Paul Cordts discussed graduate medical education, including efforts to improve healthcare training and coordination, and challenges maintaining readiness. He discussed (1) expanding access to BH care, (2) implementing targeting care and virtual care, (3) developing Medical Centers of Excellence, (4) adhering to clinical practice guidelines, (5) standardizing and optimizing electronic health records, and (6) addressing staffing shortages, primarily nursing. HON Woodson and Dr. Cordts discussed target recruitment to support DHA Director LTG Crosland's Defense Health Strategy, for example, by recruiting informaticists, data scientists and other outside professionals.

HON Peake and HON Woodson discussed workforce development planning. MG (Ret.) Sargent asked whether planning should prioritize supporting a military force or supporting a health plan. He asked whether, for example, combat casualty care and cancer treatment should be equally prioritized. He noted past expectations of battlefield air superiority no longer obtained, and strategic planning must anticipate this change. HON Woodson and MG (Ret.) Sargent discussed the MHS' strategic value to DoD. Dr. Holmboe stated that framing military or health plan support as a dichotomous ("either/or") choice misses that the answer to the question is likely to be a balance of "both," in some regard. Dean Elster offered that some of the skills honed through cancer treatment carry over to other medical care and, as such, contribute to readiness. Gen (Ret.) Myers discussed the military medicine implications of the "pivot to Asia" and the importance to curriculum development. BG Raney discussed the implications of civilian medical innovation for battlefield medicine, prolonged field care, and how it is important to be proactive rather than reactive.

HON Woodson asked the Regents to provide suggestions for how USU can best address how to provide strategic analysis for workforce development. The Regents discussed several topics for improving workforce development, such as developing data sources; skill proficiency and stress tolerance training; upskilling, including using simulation platforms; integration of the total force, including active duty, reserves/guard, and civilian contributors; and the importance of thinking in terms of "systems." Dr. Dickey noted the military's recent shift away from near-continuous combat. She stated that the Regents appear to favor an enterprise approach. She asked the Board how they might approach a workforce statement to HON Woodson. HON Woodson clarified his request for Board advice and stated that he would provide the Regents additional materials for consideration.

## **SUPREME COURT DECISION ON ADMISSIONS FOR INSTITUTIONS OF HIGHER LEARNING**

Mr. Paul Hutter and Dr. Danielle Holt discussed the United States Supreme Court (USSC) decision in the case *Students for Fair Admissions v President and Fellow of Harvard College (2023)*. Mr. Hutter stated that the USSC determined that Harvard University and the University of North Carolina (UNC) lacked the sufficiently focused and measurable objectives ("a compelling government interest") needed to justify the use of race as an admission criterion ("Affirmative Action") under a "Strict Scrutiny" interpretation of the Equal Protection clause of

the 14<sup>th</sup> Amendment. He explained Strict Scrutiny in general terms, and clarified that it is possible, though difficult, for a race-conscious program to meet this high standard of review. He clarified that the USSC found that neither Harvard University's "tipping point" approach nor UNC's "more fluid" use of race in admissions were constitutionally acceptable; however, he noted that their decision pertains only to race (not to color, nationality, or ethnicity) and to university admissions. Mr. Hutter stated that the suits against Harvard University and UNC (merged into a single case) were not decided on Title VI or VII (Civil Rights Act of 1964) grounds, thus sparing Affirmative Action in hiring. He briefly discussed prior USSC rulings, including *Grutter v. Bollinger* (2003) which prohibited the use of racial quotas.

Mr. Hutter addressed strategies by which USU might adjust admission policies now deemed unconstitutional government-sanctioned racial discrimination by the USSC. He noted that *Students for Fair Admission* allows universities to consider applicants' discussions of how their lives have been impacted by race, "be it through discrimination, inspiration, or otherwise" but that the USSC also states that universities may not use such statements to reestablish Affirmative Action by other means. Mr. Hutter noted that the subjectivity inherent in the USSC's ruling will invite further legal challenges.

Mr. Hutter reviewed a footnote on page 22 of *Students for Fair Admissions* exempting military academies. He notes that this exemption constitutes "dicta" (non-legally binding language) but that the USSC has previously shown deference to the military diversity efforts, and to national security considerations, generally, i.e., the USSC views such considerations to be "compelling," under the Strict Scrutiny standard. He noted that the Students for Fair Admissions, the same group that sued Harvard University and UNC, is likely to sue West Point Military Academy over its admissions policies. He also noted Justice Sotomayor's dissent to the ruling.

Mr. Hutter reviewed strategies used by state universities to increase student body diversity in the wake of state Affirmative Action bans, including top percent, socio-economic status, and test optional approaches, and bans on legacy admissions. He stated that, in general, these approaches do not maintain enrollment of underrepresented minorities at levels seen under Affirmative Action regimes. Mr. Hutter encouraged the Regents to read an amicus brief asserting that DoD values racial diversity as a positive contributor to readiness.

Dr. Holt discussed the diversity of the armed forces and the underrepresentation of certain minority group members among MHS healthcare providers. She stated research suggests that, among African Americans, provider-patient racial concordance predicts increased life expectancy. She described USU's "holistic review" admissions model. This model considers racial self-identification alongside other factors, including family socio-economic status, and merit-based considerations like test scores and grades. She described the history and evolution of USU's Under-represented in Medicine (URiM) category, clarifying that it does not include Asians. Dr. Holt described USU's rolling admissions process by which applicants are admitted according to their holistic review ranking. She discussed USU's enlisted to medical degree preparatory program.

The Regents asked questions concerning URiM status considerations under rolling admissions. Dr. Holt clarified that rolling admissions causes applicant race to be considered multiple times and with increasing weight, in later iterations. She stated that USU does not use quotas or “racial balancing” but that it wants to have a “racially balanced class.” Mr. Hutter described a letter from the Liberty Justice Center threatening legal action over USU admissions policies. He recommended the Regents issue a statement clarifying their support for diversity and emphasizing the holistic character of the admissions process. He said USU will continue to dialogue with DoD and Service academies on the best path forward, await guidance from the Liaison Committee on Medical Education and from Middle States, and set a reasonable deadline for updating policy. Additionally, Mr. Hutter said USU will maintain all records from the 2024 admission year in anticipation of litigation, anticipate Congressional and media inquiries and Freedom of Information Act requests concerning USU admission policies, and prepare for potential Congressional hearings on the subject.

Dr. Dickey asked whether the USSC is likely to accept the military’s perspective that reducing the enlisted/officer racial diversity gap contributes to readiness. Mr. Hutter said the courts give national security and military deference in general, we have to clearly articulate and provide evidence to support USU being included in the exemption. BG Raney asked whether medical students’ status as employees would alter Affirmative Action considerations, given the continuation of Affirmative Action in employment. Mr. Hutter stated that this is unclear. Mr. Hutter also noted that the Congress is considering eliminating race and other “Title VII” considerations with regard to admissions to the Services, and that doing so would further impact USU’s recruitment strategy.

Dr. Dickey asked why, if the USSC accepts that diversity impacts national security, it did not extend this logic to medicine where there is data to support diversity, e.g., chronic care, and healthcare data. Mr. Hutter stated that he suspects the USSC may extend this logic to military healthcare. He added that the health care data can be used in addition to the national security data. Dean Elster suggested recording data to analyze and use retrospectively. Dr. Holmboe discussed the higher proportion of Black service members than that of the general U.S. population and that concordance would be even more important in military health care. Dr. Holt provided statistics from Military OneSource supporting this. HON Peake stated it would be good to look at the Order of Merit List, the process of ranking candidates based on qualifications, when factoring the URiM, to see why they may not get the number, also there may be some subjectivity. He addressed another issue of reporting Hispanic numbers in addition to reporting URiM. HON Peake asked if the criteria for admissions are adequate for reaching diversity. Dr. Holt stated they have data from the nine states that banned Affirmative Action, e.g., for the more selective universities the rate dropped 50%. Dr. Villarruel asked if Dr. Holt has any data on the first 100 versus the next 75 applicants. Dr. Holt stated they do not have comprehensive data due to the rolling admissions process change. She stated the URiM is not a large factor, however, there is a greater emphasis on “distance traveled,” referring to socioeconomic ascent. An applicant’s socioeconomic background can influence their career decisions. The upward socioeconomic movement, i.e., socioeconomic ascent, has more influence on the rolling admissions process than URiM. Dr. Villarruel would like to know how URiM is addressed in the rolling admission process. Dr. Dickey stated that, following California’s Affirmative Action ban, students from less competitive school districts often had to play “catch up” following

admissions. She suggested giving extra weight to “distance traveled” for the first 100. Dr. Villarruel suggests having better data on the number of applications and ways to get applications submitted sooner, then may not need to weigh “distance traveled” at a higher rate.

Dean Elster stated rolling admissions was instituted for a holistic approach yet there tends to be less diversity in the first 100 due to society and the competitiveness of medical school. HON Peake asked how the Pathways Program is funded. Dean Elster stated it is funded by USU and a contract with the Services for the Active Duty Service members. Dr. Dickey suggested doubling the Enlisted to Medical Degree Preparatory Program. Dr. Holt stated there are 25 per class and spoke about the George Mason program. Dean Elster stated that officers have to find their own way into medical school. He suggested offering administrative guidance to applicants to ease the admissions process.

Mr. Hutter stated that the Board could consider endorsing diversity as part of the USUHS mission statement as critical to national security and medicine. He suggested that the Board could also offer contrasting demographic depictions of incoming classes, i.e., with and without consideration of URiM factors. The Regents discussed the feasibility of collecting and reporting these data. Dr. Holt stated the process would need to change to collect that data. Dr. Dickey stated the class of 2028 would be the first possible chance to collect that data. Dr. Holmboe suggested looking at the applications without race data as a mock exercise. Dr. Villarruel asked what Admissions sees regarding race and ethnicity in the process. Dr. Holt stated the SOM Admissions is not blind to race. Dr. Villarruel offered having Admissions blind as a possible recommendation. HON Peake suggested that USU could offer preparatory schools for URiM applicants. Dean Elster stated SOM lacks education decision support groups and they are using machine learning to identify those who will be successful and those who will do well with preparation, e.g., nontraditional learners. Dr. Holt stated that USU is limited by its candidate pool. The Regents discussed recommendation language. HON Woodson stated three parts to the recommendation, data collection, analysis of rolling admission cohort differences, and data requirements for Spring 2024 admission process. Dr. Villarruel asked for clarification on data as the statement focus was on an inclusion statement. Dr. Dickey stated that a statement to the SecDef might be timely and appropriate, along with a separate statement addressing the collection of admission data.

RDML David Buzzetti asked whether adversity was a more meaningful admissions consideration than diversity, given the importance of rendering care in austere conditions. He suggested that this framing could be used to bolster student body diversity. Dr. Dickey agreed that this approach seemed to fit the USSC’s perspective. She added the large-scale job Dr. Holt and Admissions has to go through thousands of applications. MG (ret.) Sargent commented on his experience serving in units with few African Americans in leadership. He added there are qualitative factors, not just numbers and data. Dr. Dickey and HON Peake discussed connecting the reference in footnote 4 of *Students for Fair Admissions* explicitly to USU admissions. Dr. Villarruel requested to see this as final language before voting. Dr. Villarruel motion, MG (ret.) Sargent second. Gen (ret.) Myers stated the Regents should review the Amicus Brief before writing the recommendation. Mr. Hutter reiterated his support for a broader statement supporting diversity. Ms. Gaviola stated that Federal Advisory Committee Act guidelines

require deliberating such a statement in an open forum. Dr. Dickey stated that this deliberation could occur at the October meeting.

## **MEDICAL EDUCATION AND TRAINING**

Dr. Pelayo reviewed USU medical education training and campus academic programs. She stated that USU enrolled 6,479 students and conferred 578 degrees during the 2022-2023 school year. HON Peake asked whether credits earned in non-degree conferring fields transfer to other programs. Dr. Pelayo stated these credits are accepted in many civilian education programs. She discussed potential career opportunities for students who leave USU without receiving a degree. She discussed academic partners, programs conferring degrees, and timelines for degree completion. Dr. Dickey asked the percentage of those in the program enrolled to get a degree. Dr. Pelayo stated they have up to five years, but many are finishing sooner, in three years. She stated they begin at METC or another location, then complete their general education requirements then transfer back. HON Woodson spoke about counseling and career development and the students finishing METC training and then ensuring a high degree of completion. Dr. Villarruel asked about workforce development and the pathways for the next step for the students. Dr. Pelayo stated they now provide transcripts for the training, so the credits will apply at other schools.

HON Peake asked what proportion of students serve in the reserves or as National Guardsmen. HON Woodson stated approximately 30% of students serve in the reserves or National Guard. He added that with collaboration with industry to help Reservists get jobs, they will have a career plan, and this will help with the military healthcare workforce. The Regents discussed academic support for students. Dr. Pelayo discussed the role of Academic Advisors who identify students upon enrollment and track them throughout degree completion. She stressed that maintaining contact with students is one of the challenges, however, they do work with the Services to track student progress through graduation. Dr. Pelayo stated with all METC and academic partners, to date that USU has graduated well over 2,000 students in six years.

Dr. Pelayo reviewed opportunities for program expansion. She noted that dental programs are run by the individual Services and vary in terms of requirements. BG Raney asked why the Services run separate dental schools. HON Woodson discussed the evolution of Service dental programs and stressed the importance of strategic planning. Dr. Pelayo and the Regents discussed the BH technician program. HON Peake stated there does not appear to be a clear process for consolidating Service-run programs. He noted the need to determine the value of programs for Service members and the need to demonstrate quality improvement. The Regents and Dr. Pelayo discussed data transparency concerns and potential fiscal benefits from consolidating programs. BG Raney stated that bringing the Services' programs together could have cost savings. Maj Gen DeGoes stated that Service programs have statutory student-instructor requirements and degree requirements. He stated that previous National Defense Authorization Acts have encouraged the Services to make civilian licenses in programs available to Service Members whenever possible. He stated that the Air Force prefers not to de-consolidate the program due to the costs involved.

The Regents and Dr. Pelayo discussed the contribution of USU credits to specific, external career paths including registered nurses and licensed vocational nurses. Dr. Dickey asked whether USU is expanding BH programs. HON Woodson stated that Congress has asked them to look at expanding doctoral programs in BH. He stated the Services create the programs for the enlisted. The Regents discussed potential BH, informatics, and other programs, and how the programs are managed. Dr. Villaruel asked if associate degree granting programs can be expanded to bachelor's degree granting programs. Dr. Pelayo said that she can see opportunities for this, e.g., Combat Medics could go toward a baccalaureate program. Dr. Pelayo stated that USU had increased enrollment by over 17,000 students. She stated that prioritizing programs, ensuring stable funding and staffing, and dropping students remain challenges for USU.

Dr. Dickey asked the Board for questions and comments. HON Woodson and the Regents discussed the intent and potential impact of Dr. Pelayo's report. Dr. Dickey asked the Regents and public attendees for additional comments or questions. With none provided, HON Woodson recognized Dr. Pelayo's many career achievements on behalf of the Board and presented her with an accommodation for her tenure as Dean, College of Allied Health Sciences at USU. Dr. Dickey thanked Dr. Pelayo for her service.

### **CLOSING REMARKS**

Dr. Dickey reminded the Regents to complete their ethics certification. She thanked the briefers and the Regents for their participation.

### **ADJOURNMENT**

Ms. Askins-Roberts adjourned the meeting at 3:00 p.m.

### **CERTIFIED BY:**



September 29, 2023

Nancy W. Dickey, M.D.  
Chair, Board of Regents