

DRAFT MINUTES
BOARD OF OSTEOPATHIC MEDICINE
February 15, 2013

Sheraton Tampa East
10221 Princess Palm Avenue
Tampa, FL 33610
(813) 623-6363

FRIDAY, February 15, 2013

The meeting was called to order by Dr. Burns, Chair, at 9:03 am. Those present for all or part of the meeting included the following:

MEMBERS PRESENT:

Ronald Burns, DO, Chair
Joel Rose, DO
Anna Hayden, DO
James S. St. Louis, DO
Valerie Jackson, Consumer Member

MEMBERS ABSENT:

Bridget Bellingar, DO (excused)
Rina Malan, Consumer Member (excused)

COURT REPORTER:

Dempster Berryhill
813-229-8225

STAFF PRESENT:

Christy Robinson, Program Operations Administrator
Alexandra Alday, Regulatory Supervisor
Donna McNulty, Esq. – Board Counsel
Michael Lawrence, Esq. – DOH Prosecutor
John Truitt, Esq. – DOH Prosecutor
Amie Rice, Investigation Manager
Elisa Floyd, Compliance Unit Supervisor
Sondra Nelson, Compliance Officer

OTHERS PRESENT:

Martha Brown, MD, PRN
Jason Winn, Esq., FOMA

Please note that the meeting minutes reflect the actual order that agenda items were discussed during the meeting and may differ from the agenda outline.

PLEDGE OF ALLEGIANCE AND PLEDGE OF OSTEOPATHIC COMMITMENT

PROBATION AND COMPLIANCE REVIEW

Presentation by Amie Rice, Investigations Manager, Consumer Services Unit

Amie Rice provided an overview of the recent changes made in the DOH Compliance Management Unit in an effort to reduce errors and streamline processes. She advised the Board that the Compliance Officer would be attending all future meetings to present compliance cases.

Ms. Rice asked the Board to consider requiring all penalty items (such as fines, costs, CMEs, etc.) be due at the same time in disciplinary orders. She noted this would reduce workload and lessen potential confusion for licensees.

Item 1 – Mark Kantzler, DO – Request for Payment Plan and Extension to Repay Fines/Costs

Dr. Kantzler was present with Dr. Brown from PRN. Ms. Nelson presented the case to the Board. Dr. Kantzler requested an extension to repay his fines/costs and payment plan of \$150 monthly increments for 12 months commencing January 2013.

Action Taken: After much discussion, Dr. Rose moved to grant an extension for one year and allow \$150 monthly payments with an appearance in one year to revisit the request. Dr. Hayden seconded the motion, which passed unanimously.

Item 2 – Raul Rodas, DO – Required Appearance for Approval of Monitor

Dr. Rodas was present with his proposed monitor, Anthony Perrin, DO and counsel Victor Chapman, Esq. Ms. Nelson presented the case to the Board.

Action Taken: Dr. Hayden moved to accept the appearance and approve the monitor. Dr. Rose seconded the motion, which passed unanimously.

Item 3 – Alex Wargo, DO – Request for Modification of Final Order

Dr. Wargo was present with counsel Monica Rodriguez, Esq. Dr. Brown with PRN was also present. Ms. Nelson presented the case to the Board. Dr. Wargo was requesting to remove the requirement for a license long contract with PRN.

Action Taken: After much discussion, Dr. Hayden moved to deny the request. Dr. Burns seconded the motion, which carried unanimously.

Item 4 - Jack Cohen, DO – Request for Removal of Practice Restriction

Dr. Cohen was present with counsel Richard Ramsey, Esq. Ms. Nelson presented the case to the Board. Dr. Cohen was requesting that the current practice restriction on his license be removed.

Action Taken: After much discussion, Dr. Rose moved to accept the appearance and lift restriction as of March 19, 2013. Dr. Hayden seconded the motion, which passed unanimously.

DISCIPLINARY CASES

Item 5 – Nancy Pyram-Bernard, DO – Settlement Agreement – DOH Case #2012-07195

Continuance was previously granted by the Chair.

Item 6 – Richard R. Wilson, DO – Settlement Agreement – DOH Case #2008-24500 & 2009-22234

This item was pulled due to lack of a quorum.

Item 7 – Debra K. Roggow, DO – Settlement Agreement – DOH Case #2009-22381

Allegations of Complaint: 459.015(1)(x) – medical malpractice; 459.015(1)(t)- inappropriate prescribing; 459.015(1)(pp) – violate a law or rule; 459.015(1)(o) – medical record violation

Dr. Roggow was present and represented by William Furlow, Esq. Mr. Truitt represented the Department and presented the case.

The Department made several oral amendments/corrections to the settlement agreement for the record including: the drug course is offered by the University of Florida; references to the probation committee should be replaced by the Board; probation reports are to be quarterly; and clarification of the probation practice restriction language.

Action Taken: Dr. Rose moved to accept the settlement agreement. The motion failed for lack of a second. Dr. Hayden moved to reject the settlement agreement as presented. Dr. Burns seconded the motion, which passed unanimously. Dr. Rose moved to offer the following counter settlement agreement:

- Reprimand
- \$15,000.00 fine to be paid within 1 year of the final order
- Costs of \$25,000.00 to be paid within 1 year of the final order
- Completion of the Prescribing Controlled Drugs: Critical Issues and Common Pitfalls of Prescribing course sponsored by the University of Florida in 12 months
- Permanent Practice Restrictions: May not own, operate, or work in a Pain Management Clinic; Prohibited from prescribing or dispensing any schedule II controlled substances (however, she

may petition the Board to lift the restriction with the Board reserving jurisdiction to set terms and conditions of lifting restrictions at that time)

- If Respondent works for or contracts with a Hospice organization, Respondent is permitted to prescribe or dispense schedule II controlled substances as appropriate to patients in that Hospice care
- Suspension for 2 years, with credit for time under suspension for the Emergency Suspension Order
- Probation for 3 years with indirect supervision, reports, appearances, etc.

Dr. Hayden seconded the motion, which passed unanimously.

Both parties accepted the counter offer for the record.

Item 8 – Vincent DiSanto, DO – Settlement Agreement – DOH Case #2011-06519

Allegations of Complaint: 459.015(1)(b)- disciplinary action taken by another state

Dr. DiSanto was not present nor represented by counsel. Mr. Truitt represented the Department and presented the case.

Action Taken: Dr. Hayden moved to adopt the Settlement Agreement as presented:

- Letter of Concern
- \$1000.00 fine within 30 days of the final order
- \$546.81 in costs within 30 days of the final order

Dr. St. Louis seconded the motion, which passed unanimously.

Item 9 – Robert Meek, DO – Informal Hearing – DOH Case #2011-15165

Allegations of Complaint: 456.072(1)(c)- convicted of a crime relating to the practice

Dr. Meek was not present but was represented by John Strohsahl, Esq. Dr. St. Louis was recused due to participation on the probable cause panel. Mr. Lawrence represented the Department and presented the case.

Dr. Burns moved to accept the agenda materials and investigative report as presented into the record as evidence. Dr. Rose seconded the motion, which passed unanimously. Dr. Burns moved to find that the respondent was properly served and has requested an informal hearing. Dr. Hayden seconded the motion, which passed unanimously. Dr. Burns then moved to adopt the findings of fact as presented in the administrative complaint. Dr. Hayden seconded the motion, which passed unanimously.

The Board heard testimony from the Respondent's attorney.

Dr. Burns moved to adopt the conclusions of law as presented in the administrative complaint. Dr. Rose seconded the motion, which passed unanimously.

Ruling on Respondent's Memorandum of Law in Connection with Informal Hearing Concerning the Rule Against Splitting of Causes of Action and, in the Alternative Presentation of Mitigating Factors:

Action Taken: Dr. Rose moved to find that the matter before the Board was a separate wrongful act than the matter before them in February 2012. Dr. Hayden seconded the motion, which passed unanimously.

Action Taken: After discussion, Dr. Rose moved to impose the following penalty:

- Reprimand
- \$5,000 fine within 6 years from the date of the final order

- Suspension for 6 years from date of final order and until such time he appears before the Board and demonstrates he is clinically safe to practice by one of the following methods:
 - An evaluation by UF Cares, CPEP or other Board approved facility, with completion and/or compliance with any recommendation of said evaluation.
 - Acceptance into a residency program and after successful completion of the residency program appearance before the Board for removal of this restriction.
- Permanent Practice Restrictions - May not own, operate, or work in a Pain Management Clinic. Prohibited from prescribing or dispensing any schedule II controlled substance.
- The Board reserves jurisdiction to set terms and conditions including probation at time of reinstatement.

Dr. Hayden seconded the motion, which passed unanimously.

Additional Action: Dr. Burns moved to assess costs in the amount of \$311.83 to be paid within 6 years of the final order. Dr. Rose seconded the motion, which passed unanimously.

Item 13 – Sherry Morris, DO – Voluntary Relinquishment – DOH Case #2011-0686

Allegations of Complaint: 459.015(1)(b) – disciplinary action taken by another state

Dr. Morris was not present but was represented by William Furlow, Esq. Dr. St. Louis was recused due to participation on the probable cause panel. Mr. Lawrence represented the Department and presented the case.

Action Taken: After discussion, Dr. Burns moved to deny the voluntary relinquishment. Dr. Rose seconded the motion, which passed unanimously.

Item 10 – Edward Williams, Jr., DO – Determination of Waiver – DOH Case #2011-18122

This item pulled from the agenda by the Department.

Break for lunch (12:45 – 1:45)

Item 11 – Robert Reppy, DO – Determination of Waiver – DOH Case #2012-04601

Allegations of Complaint: 459.015(1)(rr) – disciplined by a Federal Government agency

Dr. Reppy was not present or represented by counsel. Dr. Hayden was recused due to participation on the probable cause panel. Mr. Lawrence represented the Department and presented the case.

Dr. Burns moved to accept the agenda materials and investigative report as presented into the record as evidence. Dr. Rose seconded the motion, which passed unanimously. Dr. Burns moved to find that the respondent was properly served and waived their rights to a hearing. Dr. St. Louis seconded the motion, which passed unanimously. Dr. Burns then moved to adopt the findings of fact as presented in the administrative complaint. Dr. Rose seconded the motion, which passed unanimously. Dr. Burns moved to adopt the conclusions of law as presented in the administrative complaint. Dr. Rose seconded the motion, which passed unanimously.

Action Taken: Dr. Rose moved to impose the following penalty:

- Reprimand
- \$7,500.00 fine to be paid in 30 days
- Permanent practice restriction - May not own, operate, or work in a Pain Management Clinic and cannot prescribe or dispense any controlled substance.

Dr. Burns seconded the motion, which passed unanimously.

Additional Action: Dr. Burns moved to assess costs in the amount of \$582.44 to be paid within 30 days of the final order. Dr. St. Louis seconded the motion, which passed unanimously.

Item 12 – Craig Sultan, DO – Voluntary Relinquishment – DOH Case #2012-05974

Allegations of Complaint: 459.015(1)(bb) – violate an order of the Board

Dr. Sultan was not present or represented by counsel. Mr. Truitt represented the Department and presented the case.

Action Taken: Dr. Burns moved to accept the voluntary relinquishment. Dr. Rose seconded the motion, which passed unanimously.

LICENSURE APPEARANCES

Item 14 – Aaron Stuart Blom, DO

Dr. Blom was present without counsel. Dr. Brown from PRN was also present. Dr. Blom was required to appear before the Board to discuss his application health history and fellowship evaluation.

Dr. Blom verbally waived the 90 day requirement for the record.

Action Taken: Dr. Burns moved to require an evaluation from and compliance with any recommendation from PRN prior to licensure and delegate authority to the Board Chair to approve the licensure or require an additional appearance. Dr. Hayden seconded the motion, which passed unanimously.

PROSECUTION SERVICES REPORT

Mr. Truitt provided an overview of the current caseload statistics.

Action Taken: Dr. Burns moved to approve the report and directed the Department to proceed with any cases over a year old. Dr. Rose seconded the motion, which passed unanimously.

REVIEW AND APPROVAL OF MINUTES

Item 15 – November 2-3, 2012 Meeting Minutes

Action Taken: Dr. Hayden moved to approve the minutes as presented. Dr. St. Louis seconded the motion, which passed unanimously.

GENERAL BUSINESS / CORRESPONDENCE

Item 16 – Annual Delegation of Authority

Action Taken: Dr. Hayden moved to approve the delegation of authority as presented. Dr. Rose seconded the motion, which passed unanimously.

Item 17 - Overview of AAOE Meeting

Informational

REVIEW OF DOH EXPERT WITNESS APPLICATIONS

Item 18 – James Taylor, DO (Family Practice, Internal Medicine and Pain Management)

Action Taken: Dr. Hayden moved to approve the application. Dr. St. Louis seconded the motion, which passed unanimously.

LEGISLATIVE UPDATE

Item 19 – 2013 Legislative Update Summary (bills known to date)

HB 115: Professional Licensure of Military Veterans by Department of Health; Requires DOH to waive specified fees related to licensure of professions within jurisdiction of DOH for honorably discharged military veterans; provides procedure for application for waiver.

SB 160: Licensure Fee Exemptions for Military Veterans; Requiring that the Department of Health waive certain licensure fees for veterans; requiring the department to prescribe the format of the fee waiver; limiting the time period a veteran can apply to 24 months from discharge; requiring applying veterans to be honorably discharged, etc.

Action Taken: Dr. Hayden moved to support HB 115 and SB 160 with noted concerns regarding the possible fiscal impact on the Department. Dr. Burns seconded the motion, which passed unanimously.

HB 365: Pharmacy; Provides requirements for pharmacist to dispense substitute biological product that is determined biosimilar to & interchangeable for prescribed biological product; requires Board of Pharmacy to maintain current list of interchangeable biosimilar products.

Action Taken: Dr. Rose moved to remain neutral on HB 365. Dr. Hayden seconded the motion, which passed unanimously.

HB 207: Certified Registered Nurse Anesthetists; Revises authorized scope of practice of certified registered nurse anesthetists to allow practice within protocol established in collaboration with, rather than with approval of, physicians & medical staff of facility in which anesthetic service is performed.

HB 305: Certified Registered Nurse Anesthetists; Authorizes certified registered nurse anesthetists to practice within protocol established in collaboration with, rather than with approval of, physicians & medical staff of facility in which anesthetic service is performed.

Action Taken: Dr. Burns moved to oppose HB 207 and HB 305 due to fiscal impact and scope of practice concerns. Dr. Hayden seconded the motion, which passed unanimously.

HB 23: Public Meetings; Requires that member of public be given reasonable opportunity to be heard before board or commission takes official action on proposition before board or commission of state agency or authority or of agency or authority of county, municipal corporation, or political subdivision; provides that opportunity to be heard is subject to rules or policies adopted by board or commission; specifies certain exceptions; provides requirements for rules or policies governing opportunity to be heard; provides that compliance with requirements of act is presumed under certain circumstances; authorizes court to assess reasonable attorney fees in actions filed against board or commission; provides that any action taken by board or commission which is found in violation of act is not void; provides that circuit courts have jurisdiction to issue injunctions for purposes of act.

SB 50: Public Meetings; Requiring that a member of the public be given a reasonable opportunity to be heard before a board or commission takes official action on a proposition before a board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision; providing that the opportunity to be heard is subject to rules or policies adopted by the board or commission; providing that compliance with the requirements of the act is presumed under certain circumstances; authorizing a court to assess reasonable attorney fees in actions filed against a board or commission; providing that any action taken by a board or commission which is found in violation of the act is not void; providing that circuit courts have jurisdiction to issue injunctions for purposes of the act, etc.

Action Taken: Dr. Rose moved to support HB 23 and SB 50. Dr. Hayden seconded the motion, which passed unanimously.

HB 239: Practice of Optometry; Specifies that certified optometrist is authorized to administer & prescribe pharmaceutical agents; requires certified optometrist to complete course & examination developed jointly by Florida Medical Association & Florida Optometric Association before administering or prescribing ocular pharmaceutical agents; requires clinical laboratory operated by licensed practitioner of optometry to be licensed under pt. I of ch. 463, F.S.; prohibits certified optometrist from administering or prescribing pharmaceutical agents listed in Schedule I or Schedule II of Florida Comprehensive Drug Abuse Prevention & Control Act.

SB 278: Optometry; Revising references to ocular pharmaceutical agents; requiring certified optometrists to complete a course and examination on general and ocular pharmaceutical agents; requiring clinical laboratories to accept human specimens submitted by practitioners licensed to practice under provisions relating to optometry; prohibiting a certified optometrist from administering and prescribing certain controlled substances, etc.

Action Taken: Dr. Burns moved to oppose HB 239 and SB 278 due to scope of practice and patient safety concerns. Dr. Hayden seconded the motion, which passed unanimously.

HB 443: Optometry; Prohibits licensed optometrists from using certain terms to describe practices; requires licensed optometrists to immediately refer patient having certain eye conditions or diseases to ophthalmologist; requires postoperative care provided by licensed optometrist to be provided under established written protocol; requires patient be informed in writing of certain conditions before postoperative care; requires written affirmation by patient who elects not to be seen by ophthalmologist during postoperative period; requires licensed optometrist & operating ophthalmologist to each submit itemized statements & collect charges for postoperative care services rendered; requires that adverse optometry incidents be reported to DOH; requires DOH to review incidents, determine any disciplinary action, and publish trends of such incidents.

Action Taken: Dr. Hayden moved to remain neutral on HB 443. Dr. Rose seconded the motion, which passed unanimously.

HB 349: Treatment Programs for Impaired Professionals; Exempts entity retained by DOH as impaired practitioner consultant from certain licensing requirements if entity employs or contracts with licensed professionals; authorizes DOH to refer applicant for licensure to consultant; clarifies requirements for impaired practitioner consultant to maintain certain information as confidential; authorizes department & certain other entities to have administrative control over impaired practitioner consultant to extent necessary to receive disclosures; provides that radiological personnel required to be certified may be subject to treatment program for impaired practitioners at election of impaired practitioner consultant.

SB 248: Treatment Programs for Impaired Licensees and Applicants; Authorizing the Department of Business and Professional Regulation to require a person licensed by or applying for a license from the department to comply with provisions governing treatment programs for impaired practitioners as if the licensee or applicant were under the jurisdiction of the Division of Medical Quality Assurance within the Department of Health; providing that the impaired practitioner consultant is the official custodian of records relating to the referral of the licensee or applicant to the consultant and any other interaction between them, etc.

Action Taken: Dr. Burns moved to oppose HB 349 and SB 248. Dr. Hayden seconded the motion, which passed unanimously.

HB 79: Mammogram Reports; Requires that mammography reports include statement regarding breast density.

SB 126: Mammogram Reports; Requiring that mammography reports include a statement regarding breast density, etc.

Action Taken: Dr. Hayden moved to remain neutral HB 79 and SB 126. Dr. Burns seconded the motion, which passed unanimously.

HB 9: Involuntary Examinations under the Baker Act; Authorizes physician assistants & advanced registered nurse practitioners to initiate involuntary examinations under Baker Act of persons believed to have mental illness.

SB 110: Involuntary Examinations Under the Baker Act; Authorizing physician assistants and advanced registered nurse practitioners to initiate involuntary examinations under the Baker Act of persons believed to have mental illness, etc.

Action Taken: Dr. Burns moved to support HB 9 and SB 110. Dr. Hayden seconded the motion, which passed unanimously.

SB 398: Physician Assistants; Authorizing a physician assistant to execute all practice-related activities delegated by a supervisory physician unless expressly prohibited, etc.

Action Taken: Dr. Burns moved to oppose the language in SB 398 as currently written. Dr. Hayden seconded the motion, which passed unanimously.

HB 281: Surgical Assistants and Surgical Technologists; Prohibits health care facility from employing, contracting with, or granting surgical privileges to surgical technologist who does not hold current & valid certification or from employing or contracting with person who has not completed nationally accredited program; provides exceptions; authorizes person who completes training program before specified date to continue practice as surgical assistant or surgical technologist for 1 year after completing such program; requires AHCA to accept inspection by accrediting organization; requires health insurance policy, health care services plan, or other contract to provide for payment to certified surgical assistant or employer if policy, plan, or contract provides for payment for surgical first assisting benefits or services & reimbursement for physician assistant is covered; provides that reimbursement to certified surgical assistant is not required.

SB 360: Surgical Assistants and Surgical Technologists; Prohibiting a health care facility from employing, contracting with, or granting surgical privileges to a person who does not hold a current and valid certification as a surgical assistant; requiring a health insurance policy, health care services plan, or other contract to provide for payment to a certified surgical assistant or to an employer of a certified surgical assistant if the policy, plan, or contract provides for payment for surgical first assisting benefits or services and reimbursement for a physician assistant is covered, etc.

Action Taken: Dr. Burns moved to remain neutral on HB 281 and SB 360. Dr. Hayden seconded the motion, which passed unanimously.

SB 294: Controlled Substances; Adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances, or any of their salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; providing reduced penalties for possession of 3 grams or less of specified controlled substances; providing criminal penalties for a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, a specified quantity of specified controlled substances, etc.

Action Taken: Dr. Burns moved to support SB 294. Dr. Rose seconded the motion, which passed unanimously.

HB 413: Physical Therapy; Authorizes physical therapists to implement physical therapy treatment plans of specified duration which are provided by ARNPs.

Action Taken: Dr. Burns moved to support. Dr. Rose seconded the motion, which passed unanimously.

SB 228: Presuit Discovery in Medical Negligence Actions; Revising the authorization form for release of protected health information which clarifies that the authorization only permits health care providers to furnish copies of written and electronic medical records; clarifying provisions in the authorization form which relate to the use of the patient's health information, etc.

Action Taken: It was the consensus of the Board to take no action on SB 228.

HB 499: Health Care Coverage; Requires health insurers, corporations, & HMOs issuing certain health policies to provide coverage for telemedicine services; prohibits exclusion of telemedicine cost coverage solely because services were not provided face to face; specifies conditions under which insurer, corporation, or HMO must reimburse telemedicine provider for fees & costs; authorizes provisions requiring deductible, copayment, or coinsurance requirement for telemedicine services; prohibits imposition of dollar & durational coverage limitations or copayments, coinsurance, or deductibles on telemedicine services unless imposed equally on all terms & services; requires utilization review; provides coverage under state plan or waiver for health home services provided to eligible individuals with chronic conditions; requires DOH to conduct interagency study relating to telemedicine services & coverage; requires report; authorizes DOH to adopt rules in consultation with certain boards to implement act; authorizes rules to allow consultation with certain out-of-state health care practitioners & professionals.

Action Taken: Dr. Burns moved to remain neutral. Dr. Rose seconded the motion, which passed unanimously.

Discussion of Pertinent Legislation Released After Creation of the Agenda (if any)

Proposed Bill (not yet filed) Revising the CME Requirements for Physician Renewal: This proposal would amend the requirement for physicians licensed in Chapter 458, F.S. by allowing the Board of Medicine to have more flexibility on mandated continuing education hours (ie- eliminates the required prevention of medical errors course). The proposal also clarifies exactly when the required domestic violence course is due.

Action Taken: Dr. Burns moved to support this proposal for osteopathic physicians with the addition of necessary osteopathic specific language (ie- AOA, etc.), if given the opportunity to be added to the proposal. Dr. Hayden seconded the motion, which passed unanimously.

BOARD CHAIR REPORT – Ronald Burns, DO

Overview of FSMB Meeting Regarding National Licensure Initiatives

Dr. Burns provided an overview of this special meeting regarding ongoing national licensure initiatives. The discussion included ways for states to increase license portability; creation of an interstate compact for facilitating multi-state practice and an attempt to reach a consensus on one or more licensure models that could enable the multi-state practice of medicine while preserving the current state-based regulatory system.

BOARD COUNSEL REPORT AND RULES DISCUSSION – Donna McNulty, Esq.

Item 20 – January and February 2013 Rules Report

Informational

Item 21 – Discussion Regarding Office Surgery Rules, 64B15-14.007 & 64B15-14.0076, F.A.C.

Ms. Robinson and Ms. McNulty explained the Department wanted to get clarification regarding the minimum standards that should be in place for facilities performing liposuction procedures removing more than 1000ccs of supernatant fat to assist in the appropriate inspection of these facilities. After discussion, it was the consensus of the Board to take no action on this issue unless the inspectors encountered issues or concerns upon conducting inspections.

Item 22 – Discussion Re: Revising 64B15-15.004 – Written Records; Minimum Content; Retention

Ms. McNulty explained this rule was brought for discussion in response to the recent meningitis outbreak. Some of the suggested items to include in the rule were the lot number of the compounded/injected drug, the date and location of the injection, expiration date on the vial, the manufacturer and the date the vial was opened. The Board requested that a representative from the Board of Pharmacy, with knowledge of compoundable injections, appear at the next meeting.

Action Taken: Dr. Burns moved to open the rule for development and directed Ms. McNulty to bring draft language to the next meeting. Dr. Hayden seconded the motion, which passed unanimously.

Item 29 – 64B15-12.003 – Application for Licensure

Item 30 – 64B15-12.005 – Application for Limited License

Item 31 – 64B15-12.009 – Application for Osteopathic Medicine Faculty Certificate

Item 32 – 64B15-12.010 – Application for Temporary Certificate for Practice in an Area of Critical Need

Item 33 – 64B15-22.004 – Mandatory Registration of Unlicensed Physicians

Items 29-33 were pulled from the agenda.

EXECUTIVE DIRECTOR REPORT

Item 23 – Section 456.0635, F.S. Status Report

Informational item.

Item 24 – HB 7095 Report

Informational item

COUNCIL ON PHYSICIAN ASSISTANTS REPORT – Ronald Burns, DO

Item 25 – November 29, 2012 Council on Physician Assistants Meeting Minutes

Informational

Item 34 – January 31, 2013 Council on Physician Assistants Meeting Minutes

Informational

ANESTHESIOLOGY ASSISTANTS COMMITTEE REPORT – Ronald Burns, DO

No report.

BUDGET LIAISON REPORT – Rina Malan

Item 26 - Expenditures by Function for Period Ending September 30, 2012

Informational

PHARMACISTS FORMULARY REPORT - Joel Rose, DO

No report.

UNLICENSED ACTIVITY REPORT

No report.

RATIFICATION OF LICENSURE

Item 27 - Ratification of Licenses Issued 09/26/2012 – 12/28/2012 (Full Licensure)

Action Taken: Dr. Hayden moved to approve the list as presented. Dr. Rose seconded the motion, which passed unanimously.

Item 28 – Ratification of Licenses Issued 09/26/2012 – 12/28/2012 (Training Licensure)

Action Taken: Dr. Burns moved to approve the list as presented. Dr. Hayden seconded the motion, which passed unanimously.

NOMINATION OF AWARD RECIPIENTS

Dr. Burns indicated he would be presenting the Board Chairman's Award to Jason Winn, Esq., FOMA, during FOMA's annual meeting.

Dr. Burns also recognized other members of the Board and staff for their continued dedication and hard work.

Item 35 – Discussion Re: Morton Morris Award Nominations

Dr. Burns nominated John P. Crosby, J.D for the Morton Morris, DO, JD, Award. Dr. Hayden seconded the nomination, which passed unanimously.

ELECTION OF 2013 OFFICERS

Dr. Rose nominated Dr. Burns for Board Chair. The nomination was seconded and passed unanimously.

Dr. St. Louis nominated Dr. Rose for Vice-Chair. The nomination was seconded by Dr. Burns and passed unanimously.

OLD BUSINESS

NEW BUSINESS

FSMB Meeting Discussion - The Board asked staff to look into available funds for additional members to attend the annual meeting.

There being no further business the meeting adjourned at 3:48 p.m.