



DRAFT MEETING MINUTES
Board of Osteopathic Medicine
Conference Call Meeting
June 11, 2014
1:00 p.m.

Meet-Me #: 1-888-670-3525
Participant Passcode: 6558995979

Call to Order:

The meeting was called to order by Dr. Rose, Chair, at 1:15 pm. Those present for all or part of the meeting included the following:

MEMBERS PRESENT:

Joel Rose, DO, Chair
Anna Hayden, DO, Vice Chair
Ronald Burns, DO
Bridget Bellingar, DO
Michelle Mendez, DO
Alicja Janson- Consumer Member
Valerie Jackson, Consumer Member

MEMBERS ABSENT:

None

STAFF PRESENT:

Christy Robinson, Acting Executive Director
Donna McNulty, Esq. – Board Counsel
Jessica Hollingsworth, Regulatory Specialist II

OTHERS PRESENT:

Penny Zeigler, MD, PRN

COURT REPORTER:

For the Record
850-224-0728

Petition for Waiver or Variance:

Tab 1 - Robert Poetz, DO

Dr. Poetz was present on the call without counsel. Ms. McNulty voiced concern that the petition did not specify the rule to be waived therefore it did not meet the requirements of Rule 28-104.002, F.A.C. The Board also voiced concern that the supporting documentation provided was several years old.

Dr. Poetz waived his 90 day rights for the record.

Action Taken: After discussion, Dr. Rose moved to table the petition until the August meeting and requested a letter from the treating physician specifying the reasons for travel limitation and a corrected petition that specified the rule to be waived as required. Dr. Hayden seconded the motion, which passed unanimously.

Training Applicants- Required Appearances:

Tab 2 - Derek C. Johnson, DO

Dr. Johnson was present on the call without counsel. Dr. Zeigler with PRN was also present. Dr. Johnson was required to appear before the Board to discuss his application and criminal history. Dr. Zeigler provided the Board with a verbal report on the evaluation and indicated a PRN contract was not recommended.

Action Taken: After discussion, Dr. Hayden moved to approve the application. Dr. Burns seconded the motion, which passed unanimously.

Rules Discussion:

Tab 3 - 64B15-12.010 – Temporary Certificate to Practice in an Area of Critical Need

Ms. Robinson explained the proposed changes to the application as a result of HB 7015. There was discussion regarding the NICA fee and who was exempt. Staff was asked to obtain clarification regarding NICA exemptions.

Action Taken: After discussion, there was a motion to approve the proposed changes to the application and rule, and to proceed with rulemaking. The motion was seconded and passed unanimously.

Action on SERC Questions: Dr. Burns moved to find that the proposed changes would not have an adverse impact on small business nor would it be likely to directly or indirectly increase regulatory costs to any entity in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the amendment, and that it would not require legislative ratification. Dr. Hayden seconded the motion, which passed unanimously.

Tab 4 - 64B15-14.007 – Standard of Care for Office Surgery

Action Taken: After discussion, Dr. Bellingar moved to approve the proposed changes to the rule and to proceed with rulemaking. Dr. Mendez seconded the motion, which passed unanimously.

Action on SERC Questions: Ms. McNulty advised that a SERC would be required on this rule and Ms. Robinson would work with Board of Medicine Staff to prepare the information for the August meeting.

Tab 5 - 64B15-19.002 – Violations and Penalties

Ms. McNulty asked the Board to open this rule for development in anticipation of SB 1030, relating to low-THC, being signed into law. She indicated that if signed, or otherwise enacted, she would bring draft language to the August meeting.

Action Taken: After discussion, Dr. Hayden moved to open the rule for development. Dr. Rose seconded the motion, which passed unanimously.

Tab 6 - Review and Approval of Annual Regulatory Plan

Ms. McNulty provided a brief overview of the plan.

Action Taken: After discussion, there was a motion and second to approve the annual regulatory plan as presented. The motion passed unanimously.

Old Business:

None

New Business:

None

There being no further business the meeting adjourned at 1:45 pm.