



DRAFT MEETING MINUTES
Board of Osteopathic Medicine
General Business Meeting Conference Call
December 18, 2015
1:00 p.m.

Meet Me #: (888) 670-3525
Participation Code: 4625909332

Call to Order:

The meeting was called to order by Dr. Anna Hayden, Chair, at 1:00 pm. Those present for all or part of the meeting included the following:

MEMBERS PRESENT:

Anna Hayden, DO, Chair
Bridget Bellingar, DO, Vice Chair
Joel Rose, DO
Michelle Mendez, DO
Sandra Schwemmer, DO
Alicja Janson, Consumer Member
Valerie Jackson, Consumer Member

STAFF PRESENT:

Claudia Kemp, Executive Director
Donna McNulty, Esq. – Board Counsel
Alexandra Alday, Program Operations Administrator

COURT REPORTER:

For the Record Court Reporting
850-222-5491

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

I pledge to: Provide compassionate, quality care to my patients; Partner with them to promote health; Display integrity and professionalism throughout my career; Advance the philosophy, practice and science of osteopathic medicine; Continue life-long learning; Support my profession with loyalty in action, word and deed; and Live each day as an example of what an osteopathic physician should be.

PETITIONS

1. Brien Grow, DO – Petition for Variance or Waiver

Dr. Grow was present nor represented by counsel.

Action Taken: After discussion, Dr. Hayden moved to deny the petition because licensee has not demonstrated a substantial hardship nor demonstrated an alternative way to meet the intent of the rule. Dr. Rose seconded the motion, which passed unanimously.

2. Ravi Mirpuri, DO – Petition for Variance or Waiver

Dr. Mirpuri was not present nor represented by counsel.

Action Taken: After discussion, Dr. Hayden moved to deny the petition because licensee has not demonstrated a substantial hardship nor demonstrated an alternative way to meet the intent of the rule. Dr. Mendez seconded the motion, which passed unanimously.

3. Jason Remick, DO – Petition for Variance or Waiver

Dr. Remick was present without counsel. Dr. Remick addressed the Board and explained why he was seeking a waiver.

Action Taken: After discussion, Dr. Rose moved to deny the petition because licensee has not demonstrated a substantial hardship nor demonstrated an alternative way to meet the intent of the rule. Dr. Hayden seconded the motion, which passed unanimously.

REVIEW AND APPROVAL OF MINUTES

4. Review and Approval of November 13, 2015 Meeting Minutes

Action Taken: Dr. Hayden moved to approve the minutes. The motion was seconded by Dr. Mendez, which passed unanimously.

BOARD COUNSEL REPORT AND RULE DISCUSSION - Donna McNulty, Esq.

5. 64B15-14.007, F.A.C. – Standard of Care for Office Surgery

Ms. McNulty presented the proposed language changes to the board and indicated that the Board of Medicine voted to approve their version of this rule language and open for rule development at their most recent board meeting held December 3-4, 2015.

Dr. Rose stated there was much discussion at the above mentioned Board of Medicine meeting and believes this to improve the health and safety of the public. Dr. Hayden concurred with Dr. Rose's statements and added that this would also put protocols in place for levels of office surgery. Dr. Schwemmer also supported this language stating it will reduce the cross-impact of anxiolytics.

Action Taken: Dr. Rose moved to approve the language as presented and proceed with rulemaking. Dr. Bellinger seconded the motion, which passed unanimously.

Additional Action Taken: Dr. Hayden moved to recommend completing a SERC form as there is anticipated to be some financial impact. Dr. Rose seconded the motion, which passed unanimously.

Board of Osteopathic Medicine staff will work alongside Board of Medicine staff to complete the SERC form prior to the next board meeting.

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

6. 64B15-6.010, F.A.C. – Physician Assistant Performance

Mr. Allen Grossman, Esq., addressed the board and asked the board to enter into rulemaking to make changes to the rule language in order to properly reflect the legislative scheme and guidelines for physicians to delegate to a physician assistant.

Action Taken: Dr. Hayden moved to delegate to the Physician Assistant Council to hold a rules workshop for discussion and then bring back before the Board of Osteopathic Medicine for action. Dr. Rose seconded the motion, which passed unanimously.

7. 64B15-9.0055, F.A.C. – Definitions

Action Taken: Dr. Rose moved to repeal the language as presented and proceed with rulemaking. Ms. Janson seconded the motion, which passed unanimously.

Action on SERC Questions: Dr. Rose moved to approve the SERC form as presented, moved the proposed changes would not directly or indirectly increase regulatory costs to any entity in excess of \$200,000 in the aggregate within one year after implementation, no SERC was needed and legislative ratification was not required. Dr. Hayden seconded the motion, which passed unanimously.

JOINT COMMITTEE MEETING UPDATES

8. December 3, 2015 Telemedicine Subcommittee Minutes

9. December 3, 2015 Telemedicine Subcommittee Materials

Dr. Hayden, Dr. Schwemmer, and Dr. Rose attended the Telemedicine Subcommittee meeting and advised the Board that a lot of testimony was heard, including the issue of access to care.

No action was taken at this time and these items will be moved to the February agenda.

11. Texas Medical Board Teledoc Antitrust Suit

After discussion, Dr. Schwemmer asked board counsel, Ms. McNulty, if this would affect state to state licensure. Ms. McNulty indicated that it is too early to tell at this time. She continued that if there were concerns, she would consult with the Anti-Trust section in her office who review board rules for any implications.

No action taken.

GENERAL BUSINESS DISCUSSION

10. Morton Morris Award Discussion

Action Taken: Dr. Rose moved to nominate Dr. Ronald Renuart, Sr., DO. Motion seconded by Dr. Hayden, which passed unanimously.

Dr. Schwemmer reminded board members to solicit these nominations throughout the year. Dr. Hayden added that board members could also nominate individuals for the Board Chair award.

ELECTIONS

Chair and Vice-Chair Elections

Action Taken: Dr. Hayden moved to nominate Dr. Mendez as Vice-Chair. Dr. Mendez accepted the nomination and Ms. Janson seconded the motion, which passed unanimously.

Action Taken: Dr. Hayden moved to nominate Dr. Bellingar as Chair. Dr. Bellingar accepted the nomination and Ms. Janson seconded the motion, which passed unanimously.

Discussion was held regarding the FSMB Annual Meeting in San Diego, CA to which both Dr. Bellingar and Ms. Kemp will attend. The board asked Ms. Kemp to research if there was enough budget to send another board member, Dr. Mendez.

OLD BUSINESS

NEW BUSINESS

Dr. Mendez gave a brief synopsis of the Pharmacy Controlled Substances Standards Committee she participated in on December 9, 2015. Rule language was approved to require a three way verification system for suspicious prescriptions: the patient, the PDMP, and the physician.

Dr. Mendez also mentioned that she would ask Mr. Winn, Esq., with Florida Osteopathic Medical Association, to announce this to their membership.

ADJOURN

There being no further business the meeting adjourned at 2:18pm

Next Meeting: February 26, 2016