

# FLORIDA | Board of Osteopathic Medicine

May 15, 2020



**DRAFT MEETING MINUTES**  
**Board of Osteopathic Medicine**  
**Teleconference Business Meeting**  
**May 15, 2020**  
**9:00 a.m.**

The meeting was called to order by Dr. Joel Rose, Chair, at approximately 9:06 a.m.

Those present for all or part of the meeting included the following:

**MEMBERS PRESENT:**

Joel B. Rose, DO, Chair  
Sandra Schwemmer, DO, Vice-Chair  
Anna Hayden, DO  
Bridget Bellingar, DO.  
Valerie Jackson, Consumer Member  
Michelle R. Mendez, DO

**BOARD STAFF PRESENT:**

Kama Monroe, Executive Director  
Carol Taylor, Program Administrator  
Christa Peace, RSIII

**PROSECUTION SERVICES ATTORNEYS:**

Allison Dudley, Chief Legal Counsel  
Sarah Corrigan, Assistant General Counsel  
Gerald Henley, Assistant General Counsel  
Corynn Alberto, Assistant General Counsel  
Jamal Burke, Assistant General Counsel  
Andrew Perrin, Assistant General Counsel

**BOARD COUNSEL**

Donna McNulty, Board Counsel  
Nancy Murphy, Paralegal

**COURT REPORTER:**

For the Record Reporting  
(850) 222-5491

**OTHERS PRESENT:**

None

*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.*

## APPLICANTS

### APPLICANTS FOR FULL LICENSURE

TABs 20 through 69, 71, 72, and 107 through 109 were reviewed as a group by consent agreement.

TAB 20: Scott Douglas Piette, D.O., File #16754	"Good Cause" review
TAB 21: Matthew Bakos, D.O., File #16734	"Good Cause" review
TAB 22: Kourosh Kahkeshani, D.O., File #16658	"Good Cause" review
TAB 23: Justin Monroe Christensen, D.O., File #16561	"Good Cause" review
TAB 24: Julie R. Skettini, D.O., File #16662	"Good Cause" review
TAB 25: Allyson Paige Hansen, D.O., File #16714	"Good Cause" review
TAB 26: Kenyanita Ellis, D.O., File #16749	"Good Cause" review
TAB 27: Charles Joseph Blay, D.O., File #16717	"Good Cause" review
TAB 28: Ana Maria Rivas, D.O., File #16904	"Good Cause" review
TAB 29: Ashley Bedner, D.O., File #16694	"Good Cause" review
TAB 30: Elie Crystal, D.O., File #16918	"Good Cause" review
TAB 31: Allyson Elizabeth Trillo, D.O., File #16760	"Good Cause" review
TAB 32: Emily Lais Emmet, D.O., File #16555	"Good Cause" review
TAB 33: Lauren Friedman, D.O., File #16295	"Good Cause" review
TAB 34: James Distin, D.O., File #16799	"Good Cause" review
TAB 35: Liliya Gersaymchuk, D.O., File #16642	"Good Cause" review
TAB 36: Nicholas Francis Lambert, D.O., File #16621	"Good Cause" review
TAB 37: Racheal Johnson, D.O., File #16587	"Good Cause" review
TAB 38: James Devin Stephenson, D.O., File #16595	"Good Cause" review
TAB 39: Annemarie Jin Boland, D.O., File #16798	"Good Cause" review
TAB 40: Ashmit Deo Bhatt, D.O., File #16545	"Good Cause" review
TAB 41: Christopher Ryan Murphy, D.O., File #16917	"Good Cause" review
TAB 42: Corissa McKenzie, D.O., File #16696	"Good Cause" review
TAB 43: Jon Michael Bodner, D.O., File #16463	"Good Cause" review
TAB 44: Paul Anthony Marsiglia, D.O., File #16122	"Good Cause" review
TAB 45: Joseph Mosley, D.O., File #16680	"Good Cause" review
TAB 46: Kyle Tyler Sherrod, D.O., File #16793	"Good Cause" review
TAB 47: Lee Barker, D.O., File #16806	"Good Cause" review
TAB 48: Lisette Pola, D.O., File #16673	"Good Cause" review
TAB 49: Nicole Amanda Ross, D.O., File #16785	"Good Cause" review
TAB 50: Patrisha Marie Shelly, D.O., File #16794	"Good Cause" review
TAB 51: Amy Lynn Wilson, D.O., File #16928	"Good Cause" review
TAB 52: Andre Armando Abadin, D.O., File #16589	"Good Cause" review
TAB 53: Andrea Edward, D.O., File #16720	"Good Cause" review
TAB 54: Darby Martin, D.O., File #16535	"Good Cause" review
TAB 55: Joseph David Love, D.O., File #16897	"Good Cause" review
TAB 56: Lauren Alexis Jindia, D.O., File #16677	"Good Cause" review
TAB 57: Nicholas Marburger, D.O., File #16709	"Good Cause" review
TAB 58: Patrick Begley, D.O., File #16618	"Good Cause" review
TAB 59: Rosemary Savage, D.O., File #16639	"Good Cause" review
TAB 60: Sunil Bhairo, D.O., File #16675	"Good Cause" review
TAB 61: Zachary Newcomer, D.O., File #16655	"Good Cause" review
TAB 62: Michael Andres Carranza, D.O., File #16783	"Good Cause" review
TAB 63: Alison Lynn Brantley Ubrandt, D.O., File #16706	"Good Cause" review
TAB 64: Andrew Little, D.O., File #16823	"Good Cause" review
TAB 65: Evan Joseph Lindbergh, D.O., File #16315	"Good Cause" review
TAB 66: Jacquelyn Rae Smith, D.O., File #13914	"Good Cause" review
TAB 67: Taylor Camile Kann, D.O., File #16865	"Good Cause" review

<b>TAB 68:</b> Matthew Ritch, D.O., File #16487	“Good Cause” review
<b>TAB 69:</b> Jerin George, D.O., File #16384	
<b>TAB 71:</b> Nicholas William McAlister, D.O., File #16637	“Good Cause” review
<b>TAB 72:</b> Kristy Michelle Huffman, D.O., File #16977	“Good Cause” review
<b>TAB 107:</b> Anastasia Olegovna Kurta, D.O., File #16839	“Good Cause” review
<b>TAB 108:</b> Mark James Johnson, D.O., File #16814	“Good Cause” review
<b>TAB 109:</b> Lauren Patricia Allen, D.O., File #16764	“Good Cause” review

**Action Taken:** After discussion, Dr. Hayden moved to accept the good cause shown for Tabs 20 through 69, 71, 72, and 107 through 109 and approve the applications. Dr. Bellinger seconded the motion. Motion carried.

## **DISCIPLINARY CASES**

### **WITHDRAWN VOLUNTARY RELINQUISHMENTS**

**WITHDRAWN TAB 1:** VR-01 Jacob Matthew McClean, D.O., 2019-26585 (MT)

This matter was withdrawn.

### **SETTLEMENT AGREEMENTS**

**TAB 3:** SA-02 Varnesh Ramesh Patel, D.O., Case #2016-29915

*PCP: Moran/Janson*

Respondent was present. Respondent was represented by counsel Michael LeRoy.

Corynn Alberto represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 459.015(1)(x), Florida Statutes (2012), for committing medical malpractice; violation of Section 459.015(1)(t), Florida Statutes (2012), for prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug, including any controlled substance, other than in the course of the physician’s professional practice; and Section 459.015(1)(o), Florida Statutes (2012), for failing to keep legible medical records that identify the licensed osteopathic physician or the osteopathic physician extender and supervising osteopathic physician by name and professional title who is or are responsible for rendering, ordering, supervising, or billing for each diagnostic or treatment procedure and that justify the course of treatment of the patient.

The terms of the settlement agreement are: Appearance; Reprimand: fifteen thousand dollar (\$15,000.00) fine to be paid within thirty days from the date of the filing of the Final Order; and reimbursement of costs for the investigation and prosecution of this case in the amount of two thousand nine hundred and fifteen dollars and seventy-five cents (\$2915.75) but not to exceed four thousand nine hundred and fifteen dollars and seventy-five cents (\$4915.75) to be paid within thirty days from the filing of the Final Order; completion of a FMA Laws and Rules course, or board approved equivalent; completion of the UF drug prescribing course, or board approved equivalent; completion of a FMA sponsored medical records course, or board approved equivalent; and completion of five hour Risk Management Course; all CMEs to be taken within thirty days of filing of Final Order; and Probation of License with conditions.

After discussion:

Motion: by Dr. Hayden, seconded by Dr. Schwemmer, to reject the settlement agreement. Motion passed unanimously.

After reconsideration:

The board offered a counter-offer to the settlement which included the terms of the original agreement with the following amendments: the fine and costs in paragraphs two and three are due within twelve months of

the filing of the Final Order: the costs set forth in paragraph three are three thousand four hundred ninety-one dollars and thirty-seven cents (\$3491.37); the continuing education set forth in paragraphs four through seven can be completed via distance learning format if approved by the board chair; paragraph eight, subsection g(1)(2) is modified to reflect the required quarterly reports of the Respondent and monitor are to be submitted to the board chair via the board's compliance monitor; and paragraph eight, subsection (h)(1) is modified to replace the first sentence with the following: "Review 100% of Respondent's patient records who have been prescribed Schedule II through IV controlled substances, excluding buprenorphine for the purpose of treatment of opioid use disorder, for the purpose of ascertaining whether Respondent is appropriately prescribing controlled substances." Respondent shall have fourteen days from the filing of the Final Order to accept.

Motion: by Dr. Hayden, seconded by Dr. Bellingar, to extend the counteroffer to the Respondent. Motion passed unanimously.

**TAB 4: SA-03 Janet S. Pettyjohn, D.O., Case #2013-18131 & 2018-08911**  
*PCP: Andriole & Janson & Andriole & Hayden*

Respondent was present. Respondent was not represented by counsel.

Dr. Hayden was recused due to participation on the probable cause panel.

Dr. Bellingar disclosed knowing Dr. Pettyjohn, but indicated for the record she could be impartial in her review of this matter.

Jamal Burke represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 459.015(1)(x), Florida Statutes (2011-2013), for committing medical malpractice; violation of Section 459.015(1)(t), Florida Statutes (2011-2013), for prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug, including any controlled substance, other than in the course of the physician's professional practice; and violation of Section 459.015(1)(o), Florida Statutes (2011-2013), for failing to keep legible medical records that identify the licensed osteopathic physician or the osteopathic physician extender and supervising osteopathic physician by name and professional title who is or are responsible for rendering, ordering, supervising, or billing for each diagnostic or treatment procedure and that justify the course of treatment of the patient.

The terms of the settlement agreement are: Appearance; Letter of Concern; fifteen thousand dollar (\$15,000.00) fine to be paid within one hundred eighty days from the date of the filing of the Final Order; and reimbursement of costs for the investigation and prosecution of this case in the amount of seven thousand five hundred sixty two dollars and two cents (\$7562.02) to be paid within one hundred eighty days from the date of the filing of the Final Order; Respondent's practice shall be permanently restricted from Prescribing/Ordering any substances listed in Schedules 1-IV; completion of a board approved medical records course within one year from the date of the filing of the Final Order.

After discussion:

Motion: by Dr. Schwemmer, seconded by Dr. Bellingar, to reject the settlement agreement. Motion passed unanimously.

After consideration:

The board offered a counter-offer to the settlement which included the terms of the original agreement with the following amendments: all references to the "Board's Probation Committee" shall be changed to the "Board"; the fine and costs in paragraphs two and three are due within twelve months of the filing of the Final Order: the practice restriction paragraph deleted and rewritten to include, but not be limited to,

practice shall be restricted from Prescribing/Ordering any substances listed in Schedule II, Respondent may petition and is required to appear before the Board to lift the controlled substance restriction after demonstrating to the Board successful completion of the University of Florida Drug Course, or a Board-approved equivalent. The continuing education can be completed via distance learning format; Respondent's license shall be placed on Probation with conditions immediately following the lifting of the controlled substance restriction; the records course in paragraph five can be completed via distance learning format. Respondent shall have fourteen days from the filing of the Final Order to accept.

Motion: by Dr. Mendez, seconded by Dr. Bellingar, to extend the counteroffer to the Respondent. Motion passed unanimously.

**TAB 5:** SA-04 Juan Carlos Castaneda, D.O., 2019-24828 (AP)

*PCP: Moran & Hayden*

Respondent was present. Respondent was represented by counsel Jonathan Meltz.

Dr. Hayden was recused due to participation on the probable cause panel.

Andrew Perrin represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 456.072(1)(x), Florida Statutes (2018), for failing to report to the board, in writing, within thirty days of entering a plea of nolo contendere to a crime.

The terms of the settlement agreement are: Appearance; Letter of Concern; two thousand dollar (\$2000.00) fine to be paid within thirty days from the filing of the Final Order; and reimbursement of costs for the investigation and prosecution of this case in the amount of two thousand eight hundred and one dollars and forty-four cents (\$2801.44) but not to exceed four thousand eight hundred and one dollars and forty-four cents (\$4801.44) to be paid within thirty days from the filing of the Final Order; and document completion of a board approved laws and rules course within one year of filing of the Final Order.

The settlement agreement was verbally amended to reflect the fine and costs in paragraphs two and three are to be paid within twelve months of the filing of the Final Order; and the laws and rules course in paragraph four can be taken, via distance learning format if approved by the board. Additionally, the reference to the appropriations committee is changed to the board.

The costs are three thousand eight hundred sixty-nine dollars and eight-four cents (\$3,869.84).

Respondent accepted the verbal amendment on the record.

After discussion:

Motion: by Dr. Bellingar, seconded by Dr. Mendez, to accept the settlement agreement as verbally amended. Motion passed unanimously.

**TAB 6:** SA-05 Bruce H. Grossinger, D.O., 2016-26465 (SC)

*PCP: Moran & Hayden*

Respondent was present. Respondent was represented by qualified representative, James Kutz.

Motion: by Dr. Bellingar, seconded by Dr. Schwemmer, to approve the motion for James Kutz to appear before the board as Dr. Grossinger's qualified representative in this matter.

Dr. Hayden was recused due to participation on the probable cause panel.

Sarah Corrigan represented the Department and presented the case to the Board. Allegations of the

Administrative Complaint: violation of Section 459.015(1)(b), Florida Statutes (2016), by having a license or the authority to practice osteopathic medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivisions.

The terms of the settlement agreement are: Appearance; letter of concern; one thousand dollar (\$1000.00) fine to be paid within thirty days from the filing of the Final Order; and reimbursement of costs for the investigation and prosecution of this case in the amount of eight hundred and six dollars and ninety-four cents (\$806.94) not to exceed two thousand eight hundred and six dollars and ninety-four cents (\$2806.94) to be paid within thirty days from the filing of the Final Order.

The costs for the investigation and prosecution of the case are one thousand thirty-five dollars and eighty-seven cents (\$1035.87).

After discussion:

Motion: by Dr. Bellinger, seconded by Dr. Mendez, to accept the settlement agreement. Motion passed unanimously.

**Dr. Bellinger was excused from the remainder of the meeting.**

**TAB 2:** SA-01 Tara N. Dennis, D.O., 2019-12921 (GCH)

*PCP: Moran & Bellinger*

Respondent was present. Respondent was represented by counsel Dennis Cassidy.

Dr. Bellinger was recused due to participation on the probable cause panel.

Gerald Henley represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 459.015(1)(t), Florida Statutes (2018), for prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug, including any controlled substance, other than in the course of the physician's professional practice; violation of Section 459.015(1)(m), Florida Statutes (2018), for making deceptive, untrue, or fraudulent representations in or related to the practice of osteopathic medicine or employing a trick or scheme in or related to the practice of osteopathic medicine; violation of Section 459.015(1)(u), Florida Statutes (2018), for prescribing or dispensing any medicinal drug appearing on any schedule set forth in chapter 893 by the osteopathic physician for himself or herself unless such drug is prescribed for the osteopathic physician by another practice authorized to prescribe medicinal drugs; and violation of Section 459.015(1)(kk), Florida Statutes (2018), for improperly interfering with an investigation or with any disciplinary proceeding.

The terms of the settlement agreement are: Appearance; Reprimand: ten thousand dollar (\$10,000.00) fine to be paid within four years from the date of the filing of the Final Order; and reimbursement of costs for the investigation and prosecution of this case in the amount of three thousand seven hundred sixty five dollars and thirty cents (\$3765.30) to be paid within four years from the date of the filing of the Final Order; completion of a two hour FOMA-Prescribing Controlled Substances course and a five hour course in Medical Ethics for Physicians; Suspension of Licensure until Respondent undergoes an evaluation by the Professional Resource Network (PRN) and complies with any and all terms and conditions imposed by PRN as a result of said evaluation; Probation with conditions.

Costs for the investigation and prosecution of the case are two thousand fifty-eight dollars and twelve cents (\$2058.12).

Motion: by Dr. Hayden, seconded by Dr. Mendez, to reject the settlement agreement. Motion passed unanimously.

After consideration:

The board offered a counter-offer to the settlement which included the terms of the original agreement with the following amendments: all references to the "Board's Probation Committee" shall be changed to the "Board"; The entities in paragraph three providing the CME in the first sentence are replaced as follows: "The Respondent shall enroll in and successfully complete courses in University of Florida – Prescribing Controlled Substances Course (2 hours) and the Florida Medical Association's Medical Ethics for Physicians (5 hours); the CME can be completed via distance learning; and the suspension language in paragraph three and four will be replaced to state: These paragraphs are replaced with the following SUSPENSION language: "Respondent's license to practice osteopathic medicine in the State of Florida is hereby SUSPENDED until such time as she demonstrates the ability to practice osteopathic medicine with reasonable skill and safety. Such demonstration of skill and safety shall include an evaluation by the Professionals Resource Network, Inc. (PRN). The Respondent shall appear before the Board with said PRN evaluation, and the Board shall make the determination of whether the Respondent is safe to practice osteopathic medicine with reasonable skill and safety. The Board retains jurisdiction in this matter to impose terms and conditions upon reinstatement of Respondent's license, including but not limited to, a period of probation with said terms and conditions to be set at the time of reinstatement."

Motion: by Dr. Hayden, seconded by Dr. Mendez, to extend the counteroffer to Respondent. Motion passed.

Dr. Dennis accepted the counteroffer on the record.

#### **WITHDRAWN INFORMAL HEARING**

**WITHDRAWN TAB 7:** IH-01 Christopher Devine, D.O., 2018-15888 (CS)

*PCP: Andriole & Hayden*

This matter was withdrawn.

#### **WITHDRAWN DETERMINATION OF WAIVER**

**WITHDRAWN TAB 8:** DOW-01 Bradley Bastow, D.O., 2017-09882 (CS)

*PCP: Andriole & Hayden*

This matter was withdrawn.

#### **TAB 9 - PROSECUTION SERVICES REPORT**

Sarah Corrigan presented the prosecution services report. Ms. Corrigan requested the Board consider allowing PSU to continue to prosecute cases that are a year and older.

Motion: by Dr. Hayden, seconded by Dr. Mendez, to allow PSU to continue prosecuting cases one year and older. Motion carried.

#### **REVIEW AND APPROVAL OF MINUTES**

**TAB 10:** April 20, 2020 Teleconference Meeting Minutes

Motion: by Dr. Hayden, seconded by Dr. Schwemmer, to accept the minutes.

Motion carried.

**TAB 11:** March 25, 2020 Teleconference Meeting Minutes

Motion: by Dr. Hayden, seconded by Dr. Schwemmer, to accept the minutes.

Motion carried.

**TAB 13:** November 15, 2019 Meeting Minutes

Motion: by Dr. Hayden, seconded by Dr. Schwemmer, to accept the minutes.  
Motion carried.

**TAB 12:** February 28, 2020 Meeting Minutes

Motion: by Dr. Hayden, seconded by Dr. Schwemmer, to accept the minutes.  
Motion carried.

## **PROBATION AND COMPLIANCE REVIEW**

### **PETITION FOR TERMINATION OF PROBATION**

**Withdrawn TAB 14:** Scott David Yagger, D.O., Case #2012-14325

This matter was withdrawn from the agenda.

### **REQUEST FOR MODIFICATION OF FINAL ORDER**

**TAB 15:** Katie Erin Drake, D.O., Case #2017-03630

Licensee was present.

Licensee presented her request.

Motion: by Dr. Hayden, seconded by Dr. Mendez, to approve the request to for licensee take the California drug course as a substitute for the UF course identified in the Final Order and to allow her to take the risk management course via distance learning. Motion carried.

## **PETITION OF TERMINATION OF LICENSURE CONDITION**

**TAB 16:** Ty Reso Anderson, D.O., File #14603

Licensee was present. Licensee was represented by attorney, Ed Bayo, Esq.

Mr. Bayo presented Dr. Anderson's petition to the board. The petition requested the lifetime PRN monitor agreement required by the Notice of Intent to License with Conditions filed in 2018 be terminated.

After discussion:

Motion: by Dr. Hayden, seconded by Dr. Mendez, to continue the petition to the next regularly scheduled board meeting. Motion carried.

## **REQUIRED APPEARANCE FOR SECOND YEAR OF PROBATION**

**TAB 18:** Ty Reso Anderson, D.O., File #14603

Licensee was present.

Motion: by Dr. Schwemmer, seconded by Dr. Hayden, to accept appearance as satisfaction of required appearance for second year of probation. Motion carried.

## **REQUEST FOR APPROVAL OF MONITOR**

**TAB 17:** Ty Reso Anderson, D.O., File #14603

Licensee was present. Licensee's temporary monitor Dr. McAlister was present.

Motion: by Dr. Hayden, seconded by Dr. Mendez, to permanently approve Dr. McAlister as monitor for Dr. Anderson. Motion carried.

## PETITION FOR EXTENSION OF TIME TO PASS COMVEX

**TAB 19** Holly Beth Healey, D.O., File #15964

Applicant was present.

After discussion:

Motion: by Dr. Schwemmer, seconded by Dr. Hayden, to approve Dr. Healey's request for an extension of time to pass the COMVEX, and to exceed the extension date to pass the COMVEX to June 15, 2021.

## APPLICANTS

### APPLICANTS FOR FULL LICENSURE

**TAB 70:** Raj Vishnagara, D.O., File #16562

Applicant was present. Applicant was not represented by counsel

**Action Taken:** After discussion, Dr. Schwemmer moved to approve the application. Dr. Mendez seconded the motion. Motion carried.

**TAB 73:** Lee L. Gibson, D.O., File #16543

Applicant was present. Applicant was not represented by counsel.

After discussion: Applicant did not complete requirements of previous Final Order. Applicant to complete requirements prior to issuance of license.

**Action Taken:** After discussion, Dr. Schwemmer moved to issue a Notice to Approve License with the Condition that prior to issuance of license the applicant satisfies the two outstanding requirements from previous Final Order within six months; the continuing education can be completed via long distance learning. Dr. Hayden seconded the motion. Motion carried.

**TAB 74:** Lynn Buchanan, D.O., File #16593

Applicant was present. Applicant was not represented by counsel

**Action Taken:** After discussion, Dr. Hayden moved to approve the application. Dr. Schwemmer seconded the motion. Motion carried.

**TAB 75:** Reuven Ha Cohen, D.O., File #16230

Applicant was present. Applicant was not represented by counsel

**Action Taken:** After discussion, Dr. Schwemmer moved to deny the application based on actions taken in other jurisdictions, California, New York, and Illinois. Dr. Hayden seconded the motion. Motion carried.

### APPLICANTS FOR OSTEOPATHIC MEDICINE RESIDENT REGISTRATIONS

**TAB 76:** Carroll Niles Phillips, File #7268

Applicant was present. Applicant was not represented by counsel

**Action Taken:** After discussion, Dr. Hayden moved to approve the application. Dr. Schwemmer seconded the motion. Motion carried.

**TAB 77:** Shaan Deepak Sadhwani, D.O., File #7251

Applicant was present. Applicant was not represented by counsel

**Action Taken:** After discussion, Dr. Hayden moved to approve the application conditioned upon receipt of a copy of diploma. Dr. Schwemmer seconded the motion. Motion carried.

**TAB 78:** Adam Ebrahim Shahsavari, D.O., File #7167  
Applicant was present. Applicant was not represented by counsel.

Dr. Jacobs appeared for PRN and provided an update.

After discussion:  
Applicant waived the ninety-day requirement for the board to act on the application on the record.

**Action Taken:** After discussion, Dr. Schwemmer moved to table the application for six months, the board delegates authority to the chair to review the PRN evaluation and any recommendations and compliance thereof; if everything is satisfactory to the board chair, the chair may approve the application; if there are any concerns the application will be brought back to the full board for review. Dr. Hayden seconded the motion. Motion carried.

## **RATIFICATION OF LICENSURE**

**TAB 79:** 1901 - Osteopathic Physician licenses issued 2.1.2020 through 4.30.20  
Motion: by Dr. Rose, seconded by Dr. Schwemmer, to ratify the 188 full license numbers 16551 through 16738, issued 2.1.2020 through 4.30.20. Motion carried.

**TAB 80:** 1902 - Osteopathic Resident Initial Registrations issued 2.1.2020 through 4.30.20  
Motion: by Dr. Rose, seconded by Dr. Schwemmer, to ratify the 21 resident registration numbers 6935 through 6955, issued 2.1.2020 through 4.30.20. Motion carried.

**TAB 81:** 1901 - Osteopathic Physician licenses issued 11.1.2019 through 1.31.2020.  
Motion: by Dr. Rose, seconded by Dr. Schwemmer, to ratify the 123 resident registration numbers 16428 through 16550, issued 11.1.2019 through 1.31.2020. Motion carried.

**TAB 82:** 1902 - Osteopathic Resident Initial Registrations issued 11.1.2019 through 1.31.2020  
Motion: by Dr. Rose, seconded by Dr. Schwemmer, to ratify the 5 resident initial registration numbers 6930 through 6934, issued 11.1.2019 through 1.31.2020. Motion carried.

## **GENERAL DISCUSSION**

**TAB 83:** 1917- Osteopathic Physician Expert Witness certificate issued 2.1.2020 through 4.30.20  
(*information purposes only*)

**TAB 84:** Approved CE Providers issued 2.1.2020 through 4.30.20 (*informational purposes only*)

TABs 83 & 84 were placed on the agenda for informational purposes only. No action taken.

**TAB 85:** Final AAOE Briefing Book May 2, 2020

**TAB 86:** FSMB HOD Book Final 2020

Dr. Rose reported the Federation recently met by Zoom meeting, in which he participated. The meeting materials and the delegation handbook were provided for the board's perusal. He noted that the Osteopathic profession was well represented.

Executive Director, Kama Monroe provided an update on current training registrations issued.

**TAB 87:** Letter from Governor DeSantis-OFARR  
Board counsel reviewed the letter with the board, providing specific information regarding the sunset provisions portion.

After discussion:

Motion: by Dr. Schwemmer, seconded by Dr. Mendez, to delegate authority to the board chair to work with board counsel on a response to the governor's requests. Motion carried.

## **PUBLIC COMMENT**

There was no public comment.

## **BOARD COUNSEL REPORT - Donna McNulty, Esq.**

### **TAB 88: RULES REPORT**

May 2020 Rules Report

April 2020 Rules Report

March 2020 Rules Report

The rules reports were included on the agenda for the board's information. The board had no questions.

## **RULE DISCUSSION**

### **TAB 89: Rule 64B15-13.001 Continuing Education for Biennial Renewal**

This item was a roll over from February meeting specifically to discuss the Prevention of Medical Errors requirement for the biennial renewal as required by statute.

Motion: by Dr. Hayden, seconded by Dr. Schwemmer, to approve the proposed substitution of language: striking surgical complications/errors and pre-operative evaluations, including obtaining informed consent from paragraph (4)(d) and inserting failure to accurately diagnose cause of back and leg pain. Motion carried.

Motion: by Dr. Hayden, seconded by Dr. Schwemmer, that the proposed changes will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including the government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed, and no legislative ratification is needed. Motion carried.

Motion: by Dr. Schwemmer, seconded by Dr. Hayden to find that a violation of this rule or any part of this rule would not be considered a minor violation. Motion carried.

Motion: by Dr. Schwemmer, seconded by Dr. Hayden to not add a sunset provision to this rule as the rule is required by statute.

## **APPLICATIONS**

**TAB 90:** Rule 64B15-12.003 Application for Full Licensure

**TAB 92:** Rule 64B15-12.005 Application for Limited License

**TAB 93:** Rule 64B15-12.009 Application for Osteopathic Medical Faculty Certificate

**TAB 94:** Rule 64B15-12.010 Osteopathic Physician Application for Temporary Certificate for Practice in Area of Critical Need

**TAB 95:** Rule 64B15-12.011 Osteopathic Physician Application for Temporary Certificate for Active Duty Military and Veterans Practicing in Areas of Critical Need

**TAB 96:** Rule 64b15-22.004 Application for Initial & Renewal of Registration as Resident/Intern/Fellow Osteopathic Physician in Training

Executive director, Kama Monroe informed the board that the applications were on the agenda with updates for implementation for upcoming bills. Two bills that contain changes to allow ACGME internships. Additionally, changes need to be made regarding student loan history.

Board counsel, Ms. McNulty noted that the governor had not yet signed the bills in question and stated that the action requested at the instant meeting would be to open the rules for development and if the governor signs the bills, the board could move forward. Open for rule development, then move with rule notice once signed.

Motion: by Dr. Rose, seconded by Dr. Schwemmer, to open rule development for Rules 64B15-12.003, 64B15-12.005, 64B15-12.009, 64B15-12.010, 64B15-12.011, and 64B15-22.004, with rule notice to occur once the bill is signed.

Board counsel requested any public comment. There was no public comment.

Motion: by Dr. Hayden, seconded by Dr. Schwemmer, that the proposed changes will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including the government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed, and no legislative ratification is needed. Motion carried.

Motion: by Dr. Schwemmer, seconded by Dr. Mendez to find that a violation of this rule or any part of this rule would not be considered a minor violation. Motion carried.

Motion: by Dr. Schwemmer, seconded by Dr. Mendez to not add a sunset provision to this rule as the rule is required by statute to protect the citizens of the state of Florida.

Dr. Hayden agreed to serve as board expert for board staff during the updating applications process.

**TAB 91: Rule 64B15-16.002 Procedure**

Motion: by Dr. Hayden, Dr. Schwemmer, seconded to repeal Rule 64B15-16.002 contingent upon the signing of SB118 by the governor.

Motion: by Dr. Hayden, seconded by Dr. Schwemmer, that the proposed changes will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including the government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed, and no legislative ratification is needed. Motion carried.

**EXECUTIVE DIRECTOR REPORT - Kama Monroe, J.D., Executive Director**

**TAB 97: Legislative Update**

Executive director, Kama Monroe provided a legislative update to the board.

607 regarding the autonomous practice of nursing requires appointment by the chair of two individuals from the board who have worked with nurse practitioners. Rose and Mendez will serve on the committee.

**TAB 98: BOARD CHAIR REPORT – Joel D. Rose, DO**

The board chair expressed his gratitude to everyone for participating in the meeting. He indicated a desire to use GoTo Meeting in future.

Dr. Rose provided topics for future discussion.

Ms. Janson was recognized for her service on the board. She will be recognized later.

**TAB 99: COMMITTEE MEETING UPDATES - Joel Rose, D.O.**

**Anesthesiology Assistants Committee**

There was a meeting.

**Council on Physician Assistants Committee**

There has been a change to the composition of the council, which must go to the governor.

**Boards of Medicine and Osteopathic Medicine's Physician Certification Pattern Review Panel**

**Boards of Medicine and Osteopathic Medicine's Joint Committee on Medical Marijuana**

**Joint Office Surgery Committee**

**Joint Board Acute Pain Rule Committee**

**Telemedicine Subcommittee**

**Multi-Board Joint Committee on Controlled Substances**

There were not updates for the above committees/councils

**Pharmacist Prescribing Joint Committee**

**Pharmacy Controlled Substances Standards Committee**

As it relates to the Board of Pharmacy, an update was provided regarding HB 389.

**LIAISON REPORTS**

**TAB 100: BUDGET LIAISON REPORT – Anna Hayden, DO**

- a. Revenue Report
- b. Expenditures

There was an inquiry regarding the artificial intelligence expenditure. An update was provided regarding ELI.

An opinion was voiced that the funds will probably be swept next year.

**TAB 101: UNLICENSED ACTIVITY LIAISON REPORT – Sandra Schwemmer, DO**

Comments were made regarding recent changes including the expansion of pharmacists and nurse practitioner allowable tasks and the need for good communication with primary care physicians.

**TAB 102: HEALTHY WEIGHT LIAISON REPORT – Bridget Bellingar, DO**

Dr. Bellingar was no longer present to provide update.

**TAB 103: Legislative Liaison: Joel Rose, DO**

Nothing new.

**TAB 104: OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

**TAB 105: FLDOH Renewal Ready Course**

Ms. Monroe provided a summary.

**TAB 106: Criminal History Matrix**

Motion: by Dr. Hayden, seconded by Dr. Mendez to approve the matrix. Motion carried.

**ADJOURN**

Motion: by Dr. Bellingar, to adjourn the meeting.

Seconded by: Dr. Schwemmer.

Meeting adjourned at 1:35 pm.

**Next Meeting: June 22, 2020**

**1 p.m.**

**Teleconference**

DRAFT