

**MARYLAND BOARD OF PHYSICIANS
BOARD
OPEN MEETING MINUTES
4201 Patterson Avenue, Baltimore, MD
Room 100
January 30, 2019**

The Maryland Board of Physicians (the Board) met Wednesday, January 30, 2019 with the following members present:

Damean W.E. Freas, D.O., Board Chair
Arun Bhandari, M.D., Chair
Matthew J. Allaway, D.O.
Marie-Alberte Boursiquot, M.D.
Mark S. Dills, P.A.
Jon S. Frank, Consumer Member
Dalila Harvey-Granger,
Alvin L. Helfenbein, Jr.
Ira Kornbluth, M.D.

Mark D. Olszyk, M.D.
Kevin Pereira, M.D.
Beryl J. Rosenstein, M.D.
Martha Schaerr, Consumer Member
Ann Marie Stephenson Thomas, D.O., M.B.A.
Maxine E. Turnipseed, Consumer Member
Scott J. Wiesenberger, M.D.
Camille M. Williams, M.D.

ABSENT: Lisa Burgess, M.D.; Robert P. Roca, M.D.; Sheila M. Smith, Consumer Member

STAFF PRESENT: Christine Farrelly, Executive Director; Ellen Douglas Smith, Deputy Director; Stacey Darin, Assistant Attorney General; David Finkler, Assistant Attorney General; Noreen Rubin, Assistant Attorney General; David Wagner, Assistant Attorney General; Shelley Taylor-Barnes, Lead Allied Health Analyst; Rhonda Deanes, Allied Health Analyst Associate; Angela Gaither, Management Associate; Oriell Harris, Compliance Analyst Associate; Wynne Hawk, Policy Legislative Manager; Sandi Van Horn, Health Policy Analyst; Yemisi Koya, Director (CEP); Cecilia Laurent, Allied Health Analyst; Ashley Mobley, Administrative Officer; Linda Monroe, Allied Health Analyst; Doreen Noppinger, Compliance Manager; Colette Satterfield, DCCR Administrative Support; James Scott, Allied Health Analyst Associate; Nicole Thompson, Licensure Supervisor; Chris Triplett, IT Manager; Mark Woodard, Health Policy Analyst; Felicia Wright, Allied Health Supervisor

GUESTS: Anna Gribble, Health Policy Analyst, Maryland Department of Health, Prescription Drug Monitoring Program, (PDMP), Kate Jackson, Manager of MDH, PDMP; Laura Jessick, Maryland Coalition Against Sexual Assault, (MCASA); Natalie Orbach, Chair, Maryland Board of Physicians, Physician Assistant Advisory Committee (PAAC)

CALL TO ORDER

UNFINISHED BUSINESS

Licensure Reinstatement – Reconsideration for SPEX Examination

Malcolm N. Joseph, M.D.

The Board discussed the application of Dr. Joseph.

On a motion made by Dr. Rosenstein, and seconded by Dr. Wiesenberger the Board voted unanimously that Dr. Joseph is not required to take the SPEX.

NEW BUSINESS

Physician Assistants Delegation Agreement Addendum for Advanced Duties

The Physician Assistant Advisory Committee (PAAC) determined that the following physician assistants meet the criteria for advanced duties established in statute and regulations, and voted to recommend approval of the delegation agreement addendum to the Board.

Previously Board Approved Procedures RECOMMENDED for APPROVAL:

| Physician Assistant | Supervising Physician | Requested Procedure(s) | Practice Setting | Date of Approval of Core Duties DA |
|----------------------------|------------------------------|--|-------------------------|---|
| Bethel Asres, PA-C | Samina Yousufi, M.D. | 1) Perform psychiatric assessment, evaluations and formulate diagnoses 2) Prescribe psychotropic medications 3) Order and interpret labs and other diagnostic studies 4) Assess initial, follow up psychiatric assessment, write prognosis notes 5) Prescribe suboxone for opioid dependency | Private | 12/30/19 |
| Penny Baker, PA-C | John Flowers, M.D. | 1) Tunneled Vascular Access | Hospital | 2/23/11 |

| Physician Assistant | Supervising Physician | Requested Procedure(s) | Practice Setting | Date of Approval of Core Duties DA |
|----------------------------|------------------------------|--|-------------------------|---|
| Travis Gaskill, PA-C | Thomas Matthew, M.D. | 1) Central venous catheter, PICC, placement of 2) Chest tubes, insertion of 3) Dressing change 4) I&D of cutaneous wounds 5) Insertion of Radial arterial line 6) Paracentesis 7) Thoracentesis 8) Cerebral oxygen monitor 9) Endotracheal intubation 10) Insertion of femoral central venous lines 11) IABP management 12) ICP monitor 13) Pulmonary artery catheter 14) Subclavian and Internal Jugular central venous line, insertion of 15) Moderate Sedation 16) Endovascular vein/Radial artery harvest 17) Open vein/Radial artery harvest 18) Temporary dialysis catheter placement | Hospital | 6/27/18 |
| Michelle Pipta, PA-C | Wai Foo, M.D. | 1) Myofascial Trigger Point Injections | Private | 1/30/19 |
| Colin Rainey, PA-C | Molly Price, M.D. | 1) Botox injections migraine protocol 2) Nerve Block (occipital, trigeminal) and trigger point injections for intractable migraine headaches and myalgias | Private | 11/28/18 |

| Physician Assistant | Supervising Physician | Requested Procedure(s) | Practice Setting | Date of Approval of Core Duties DA |
|-----------------------|-------------------------|---|------------------|------------------------------------|
| Colin Rainey PA-C | Molly Price, M.D. | 1) Sphenopalatine Ganglion Nerve Block for intractable headaches and cluster headaches using Tx360 nasal applicator deuce | Private | 11/28/18 |
| Leiming Wang, PA-C | Thomas Matthew, M.D. | 1) Moderate Sedation 2) Casting / Splinting 3) Placement of central venous catheter, peripherally inserted (PICC) 4) Insertion of chest tubes 5) Dressing change 6) I&D of cutaneous wounds 7) Insertion of Radial arterial line 8) Lumbar puncture 9) Paracentesis 10) Thoracentesis 11) Cerebral oxygen monitor 12) Endotracheal intubation 13) Insertion of femoral central venous lines 14) Flexible bronchoscopy 15) IABP management 16) ICP monitor 17) Pulmonary artery catheter 18) Ventriculostomy 19) Insertion of subclavian & internal jugular central venous line 20) Endovascular vein/Radial artery harvest 21) Open vein/Radial artery harvest 22) Temporary dialysis catheter placement | Hospital | 4/25/18 |

*On a motion made by Dr. Wiesnerberger, and seconded by Mr. Dills, the Board voted unanimously to **APPROVE** all addendum requests to perform the aforementioned advanced duties.*

Athletic Trainers Evaluation and Treatment Protocols for Approval

The Athletic Trainers Advisory Committee reviewed the Evaluation and Treatment Protocols, determined that the athletic trainers meet the criteria established in statute, and voted to recommend approval to the Board.

| Athletic Trainer | License Number | Supervising Physician | License Number |
|---------------------------|-----------------------|------------------------------|-----------------------|
| Victoria Brownfield, ATC | A0001163 | Adedapo Ajayi, MD | D0086143 |
| Gordon Duffy, II, ATC | A0001161 | Lucas Wymore, MD | D0078163 |
| Emily Estep, ATC | A0001157 | Lucas Wymore, MD | D0078163 |
| Alexandra Martellaro, ATC | A0001146 | Jeffrey Gilsdorf, MD | D0050604 |
| Gerromi Sullivan, ATC | A0001160 | David Cohen, MD | D0069264 |

*On a motion made by Dr. Rosenstein, and seconded by Dr. Stephenson Thomas, the Board voted to unanimously **APPROVE** the aforementioned Athletic Trainers Evaluation and Treatment Protocol.*

Athletic Trainers Evaluation and Treatment Protocols for Denial

| Athletic Trainer | License Number | Supervising Physician | License Number |
|-------------------------|-----------------------|------------------------------|-----------------------|
| Latifah Tyler, ATC | A0001151 | Brian Shinkle, MD | H0080651 |

*On a motion made by Dr. Pereira, and seconded by Dr. Wiesenberger, the Board voted to unanimously **DENY** the aforementioned Athletic Trainers Evaluation and Treatment Protocol.*

APPROVAL OF MINUTES

- Full Board Minutes

*On a motion made by Dr. Olszyk, and seconded by Mr. Dills, the Board voted to unanimously **APPROVE** the full Board minutes for May 9, 2018, June 13, 2018, July 11, 2018, August 8, 2018 and September 12, 2018.*

SEXUAL MISCONDUCT TRAINING –

Laura Jessick, Senior Safe Start Policy Advocate from the Maryland Coalition Against Sexual Assault, (MCASA) gave a presentation and training on the Neurobiology of Trauma regarding Sexual Assault.

PDMP PRESENTATION

Kate Jackson, Manager, of the Maryland Department of Health, Prescription Drug Monitoring Program, (PDMP) gave a presentation about the “Updates on activities, information on Advisory Board and Data Collection.”

DISCUSSION: MAINTENANCE OF CERTIFICATION – NATIONAL BOARD OF PHYSICIANS AND SURGEONS (NAPAS)

Ellen Douglas Smith, gave a presentation on a request for recognition by Certifying Boards - National Board of Physicians and Surgeons and (“NBPAS”), National Board of Osteopathic Physicians and Surgeons (“NBOPAS”). The discussion of the Board concluded that as a policy matter, board certification or re-certification is not a requirement for licensure. Board certification, however, may be a requirement for employment, hospital privileges, insurance carriers, etc. In that regard, the Board does not believe that it is the appropriate entity to evaluate re-certification or continuing certification boards for approval. The Board generally supports more flexibility in processes that ease continuing board certification and maintenance of certification requirements for physicians of all specialties while ensuring that the physicians are providing high quality, patient centered care. After careful consideration, given the inconclusive findings of the MHCC workgroup and the lack of data on quality of care, the Board believes that approval of the NBPAS and NBPOS as a certifying board is premature. The Board will continue to monitor the discussions and research projects regarding maintenance of board certification.

*On a motion made by Dr. Pereira, and seconded by Mr. Helfenbein, the Board voted to unanimously **APPROVE** a letter reflecting its discussion be sent to NBPAS and NBOPAS and other certifying bodies requesting recognition.*

POLICY/LEGISLATION

Legislative Update Regulations

Ms. Hawk provided an update of the 2019 Legislative Session. The start of session has been slow and much time has been devoted to briefings for the newly elected members, therefore no significant legislation has been introduced at this point. The Board briefed the House Appropriations Committee on Friday, January 25 on the status of the Joint Chairman's Report and licensure issues. Board staff anticipates a bill from last session to be reintroduced related to the issues of peer review and expungement. The policy unit process is to send all bills that impact the Board to the Board Legislative Committee for guidance in the development of a position. The Board will be updated as necessary.

For Discussion - “Amending regulations for PA dispensing”

Ms. Farrelly and Ms. Van Horn presented on a draft of regulations to be amended to address the dispensing of prescription drugs by physician assistants. The draft includes language regarding requirements that the Board voted to adopt at the September 12, 2018 meeting. Staff would like to post a draft on the Board’s Website to seek informal comments from stakeholders. Following an informal comment period, Board staff will return the matter to the Board.

On a motion made by Dr. Rosenstein, and seconded by Mr. Dills, the Board voted to

APPROVE to post the draft proposal for informal comments on the Board's Website so staff can continue the regulation promulgation process.

FYI –Telehealth Regulations

As an FYI to the Board on the Telehealth regulations: Board staff and Board counsel made some clarifying and non-substantive revisions from the comments to the Patient Evaluation section of the Telehealth regulations.

Updates

Dr. Freas shared with the Board that he and Ms. Farrelly testified at the Appropriations Committee Meeting.

Board staff gave an update concerning the peer review contract and the anticipated future costs.

Ms. Farrelly discussed her concerns with the building and staff safety.

*On a motion made by Dr. Boursiquot, and seconded by Dr. Pereira, the Board voted to **APPROVE** a request be sent to the Secretary for relocation of Board Offices outside of the city of Baltimore.*

Office of Controlled Substances Administration (OCSA)

The Board was briefed on the possibility of the Secretary delegating to the Board the enforcement of the CDS registration. Currently OCSA is the agency that is delegated by the Secretary to issue and handle enforcement of the CDS registration. Due to concerns regarding efficiency and consistency of discipline, it was suggested that the Board could handle the discipline of the CDS registration, so that the investigation and hearing process could be consolidated. If the delegation were to be approved, the Board would be able to find a violation of the standard of care for CDS prescribing and appropriately restrict the CDS registration consistent with the standard of care violation in the same proceeding. The Board voted in favor of the delegation to enforce the CDS registration.

*On a motion made by Ms. Schaerr, and seconded by Mr. Dills, the Board voted to **APPROVE** the delegation by the Secretary.*

The open meeting ended at 1:25 p.m.

Submitted by,



5/22/2019

Damean W. E. Freas, D.O.
Board Chair

Date