

**MARYLAND BOARD OF PHYSICIANS  
BOARD  
OPEN MEETING MINUTES  
4201 Patterson Avenue, Baltimore, MD  
Room 100  
January 29, 2020**

The Maryland Board of Physicians (the Board) met Wednesday, January 29, 2020 with the following members present:

Damean W.E. Freas, D.O., Board Chair  
Arun Bhandari, M.D., Chair  
Scott A. Berkowitz, M.D.  
Marie-Alberte Boursiquot, M.D.  
Lisa Burgess, M.D.  
Mark S. Dills, P.A.  
Jon S. Frank, Consumer Member  
Dalila Harvey-Granger,  
Alvin L. Helfenbein, Jr.  
Ira Kornbluth, M.D.  
Chika Logie, M.D.

Mark D. Olszyk, M.D.  
Kevin Pereira, M.D.  
Victor M. Plavner, M.D.  
Robert P. Roca, M.D.  
Martha Schaerr, Consumer Member  
Richard T. Scholz, M.D.  
Louise P. Senft, Consumer Member  
Ann Marie Stephenson Thomas, D.O., M.B.A.  
Maxine E. Turnipseed, Consumer Member  
Scott J. Wiesenberger, M.D.

**ABSENT:** Scott R. Sauvageot, 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; Alexandra LaFree, Law Clerk, Office of the Attorney General; Edka Wong, Law Clerk, Office of the Attorney General; Shandra Brown, Procurement; Rhonda Deanes, Allied Health Analyst Associate; Matthew Dudzic, Health Policy Analyst Associate; Angela Gaither, Management Associate; Oriell Harris, Compliance Analyst Associate; Wynee Hawk, Policy Legislative Manager; Sandi Van Horn, Health Policy Analyst; Doreen Noppinger, Compliance Manager; Todd O'Banner, Fiscal Administrator; Nicole Thompson, Licensure Supervisor; Chris Triplett, IT Manager; Mark Woodard, Health Policy Analyst; Felicia Wright, Allied Health Supervisor

**GUESTS:** Natalie Orbach, Chair, Maryland Board of Physicians, Physician Assistant Advisory Committee (PAAC); Alan Dumoff, JD, MSW, Attorney, Maryland Society of Integrative Medicine; William Rollow, M.D., Practice Director, Integrative Health Practices, LLC; David London, Median, Maryland Society of Integrative Medicine

**CALL TO ORDER**

Dr. Freas called the meeting to order at 9:05 a.m.

**NEW BUSINESS**

**Physician Assistant 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:**

| <b>Physician Assistant</b> | <b>Supervising Physician</b> | <b>Requested Procedure(s)</b>   | <b>Practice Setting</b> | <b>Date of Approval of Core Duties DA</b> |
|----------------------------|------------------------------|---|-------------------------|---|
| Heather Alhanati, PA-C     | Bradford Winters, M.D.       | 1) Central (Internal Jugular) / Arterial Line (Radial & Femoral) Insertions   | Hospital                | 2/10/16                                   |
| Ivan Borissow, PA-C        | Bradford Winters, M.D.       | 1) Arterial Line Insertion (Radial, Femoral)<br>2) Central Venous Catheter Insertion (Internal Jugular, Femoral)  | Hospital                | 10/24/12                                  |
| Andrea Campbell, PA-C      | Robert Graw, M.D.            | 1) Nonfluoroscopic X-Ray procedures of the extremities, anterior, posterior and lateral, not including the head utilizing the Mini C-Arm  | Private/Other           | Scheduled to be on 1/29/20                |
| Amy Curran, PA-C           | Hugo Benalcazar, M.D.        | 1) Myofascial Trigger Point Injections  | Private/Other           | 2/10/16                                   |
| Avia Marie Esposito, PA-C  | Teresa Muns, M.D.            | 1) Arthrocentesis<br>2) Lumbar Puncture<br>3) Closed Reduction of Fractures and Dislocations  | Hospital                | 8/22/18                                   |
| Holly Holter, PA-C         | Teresa Muns, M.D.            | 1) Closed Reduction of Fractures and Dislocations   | Hospital                | 8/22/18                                   |
| Nona Khutsishvili, PA-C    | Benjamin Bernstein, M.D.     | 1) Intense Pulse Light Laser / Hair Removal Laser<br>2) Excision and subcutaneous / Intermediate Repair (recommended approval limited to 2.5 cm or less above the neck)<br>3) ED&C Malignant Neoplasm (recommended approval limited to 2.5 cm or less above the neck)<br>4) Narrow Band UVB Treatment<br>5) Botulinum Toxin Injection<br>6) Photodynamic Therapy<br>7) Intralesional Injections | Private/Other           | 4/25/18                                   |

| <b>Physician Assistant</b> | <b>Supervising Physician</b> | <b>Requested Procedure(s)</b>  | <b>Practice Setting</b> | <b>Date of Approval of Core Duties DA</b> |
|----------------------------|------------------------------|--|-------------------------|---|
| Kendall Humbert, PA-C      | Teresa Muns, M.D.            | 1) Intubation<br>2) Lumbar Puncture<br>3) Arthrocentesis<br>4) Internal Jugular Central Venous Catheter Insertion<br>5) Closed Reduction of Fractures and Dislocations | Hospital                | 8/22/18                                   |
| Roldy Loremil, PA-C        | Aisha Rahim, M.D.            | 1) Nonfluoroscopic X-Ray procedures of the extremities, anterior, posterior and lateral, not including the head utilizing the Mini C-Arm                               | Private/Other           | 11/20/19                                  |
| Teryn Mannella, PA-C       | Stanford Coleman, M.D.       | 1) Nonfluoroscopic X-Ray procedures of the extremities, anterior, posterior and lateral, not including the head utilizing the Mini C-Arm                               | Private/Other           | Scheduled to on 1/29/20                   |
| Raven Morris, PA-C         | Jaimie Shores, M.D.          | 1) Corticosteroid Injections - Tendon/Trigger Digit  | Hospital                | 3/23/18                                   |
| Andrea Person, PA-C        | Roscoe Adams, M.D.           | 1) Nonfluoroscopic X-Ray procedures of the extremities, anterior, posterior and lateral, not including the head utilizing the Mini C-Arm                               | Private/Other           | 11/20/19                                  |
| Raymond Riley, PA-C        | Marc Weber, M.D.             | 1) Nonfluoroscopic X-Ray procedures of the extremities, anterior, posterior and lateral, not including the head utilizing the Mini C-Arm                               | Private/Other           | 12/18/19                                  |
| Wilson Robinson, PA-C      | John Marra, M.D.             | 1) Stress Testing: exercise and Pharmacologic  | Private/Other           | 5/22/19                                   |
| Wilson Robinson, PA-C      | John Marra, M.D.             | 1) Stress Testing: exercise and Pharmacologic  | Hospital                | 5/22/19                                   |
| Sanjeev Singh, PA-C        | Robert Graw, M.D.            | 1) Nonfluoroscopic X-Ray procedures of the extremities, anterior, posterior and lateral, not including the head utilizing the Mini C-Arm                               | Private/Other           | 10/30/19                                  |

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

**Physician Assistant Delegation Agreement Addendums for Denial**

| Physician Assistant    | Supervising Physician | Requested Procedure(s)  | Practice Setting | Date of Approval of Core Duties DA |
|------------------------|-----------------------|---|------------------|------------------------------------|
| Kerry Ann Martin, PA-C | Shobha Sikka, M.D.    | 1) Vaginal and Vulvar Laser for vaginal dryness, menopausal symptoms, dyspareunia, and urinary symptoms | Private          | 11/28/18                           |

*On a motion made by Mr. Dills, and seconded by Dr. Freas, the Board voted unanimously to **DENY** 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 |
|----------------------|----------------|------------------------|----------------|
| Courtney Donald, ATC | A0000960       | Daniel Redziniak, M.D. | D0067591       |
| Samantha Harmon, ATC | A0001145       | James Gilber, M.D.     | D0051910       |
| Abbey Hess, ATC      | A0001280       | Peter MacArthur, M.D.  | D0082151       |

*On a motion made by Dr. Olszyk, and seconded by Mr. Dills, the Board voted to unanimously **APPROVE** the aforementioned Athletic Trainers Evaluation and Treatment Protocol.*

**POLICY/LEGISLATION**

**Regulations**

**Draft of revisions to COMAR 10.32.06 for Update and Approval**

Ms. Van Horn provided an update regarding a draft proposal with revisions for COMAR 10.32.06 (Licensure of Polysomnographic Technologists). The draft was posted on the Board's Website in December 2019 for an informal comment period. The Board received no comments. If the Board approves the draft, staff can move forward in the regulations promulgation process.

*On a motion made by Dr. Wiesenberger, and seconded by Mr. Dills, the Board voted to **APPROVE** the recommended draft revisions so staff can continue the regulation promulgation process.*

### **Amending Regulations for PA Dispensing and Topical Medication Dispensing for Update and Approval**

Ms. Van Horn updated the Board on draft regulations to address the delegation to a physician assistant of the dispensing of prescription drugs. The same draft proposal also addresses the new permit (created by statute) to dispense certain topical medications. This proposal was posted on the Board's Website in late December 2019 to invite informal comments, and the Board received two letters with suggestions for four edits.

Ms. Van Horn and Ms. Darin discussed the edits and noted that two of the changes could be accommodated. If the Board agreed, the next steps would be to respond to the two letters, approve the draft with two changes, and continue with the promulgation process.

*On a motion made by Dr. Boursiquot, and seconded by Dr. Kornbluth, the Board voted to **APPROVE** for staff to respond to the two letters, approve the draft with the two changes and continue with the promulgation process.*

### **Progress in Developing a Course on Safe Opioid Prescribing for Update and Discussion**

In 2019, the Board issued an RFP for the development of a continuing medical education (CME) course to be offered by the Board about safe opioid prescribing. Ms. Van Horn informed the Board that eight bids were received. When reviewing the bids, Board staff found that, among other things, a majority of the vendors seemed to include most of the RFP elements in their proposals. However, some of the bids appeared to be missing several required elements.

Ms. Van Horn, Ms. Darin, and Ms. Farrelly commented on certain concerns of staff, including but not limited to the need for clarification of certain information from the vendors, the large cost range between the low and high bidders, and the ongoing commitment of the Board to review and update course content. There was discussion about the extensive availability of training on opioids, including free CMEs, plus the resources and links currently posted on the Board's Website.

Options for the Board include: (1) Discontinuing the procurement process and taking certain steps to announce that the process is being discontinued; or (2) Continuing the process and establishing a subcommittee of Board members to meet with Board staff about the bids.

*On a motion made by Mr. Frank, and seconded by Dr. Pereira, the Board voted to discontinue the procurement process; announce that the Board is suspending the development of the opioid CME due to the multitude of existing free resources already available to practitioners; and continue to refer licensees to existing free CME courses via the Board's Website. In addition meet with key legislators to update them on the Board's decision.*

## **Legislative Update**

Ms. Hawk and Mr. Dudzic gave an update on the legislative session concerning Senate Bills, House Bills, Genetic Counseling, Matching Process and Regulations on the Naturopathic Doctors. Ms. Hawk mentioned that a meeting will be held on February 18, 2020 concerning the Sunset and (SB) 103. She also informed the Board that a Hearing is scheduled for February 20, 2020 regarding the Office of Administrative Hearings bill.

## **Telehealth – Health Care Practitioners Update**

Mr. Woodard and Mr. Finkler updated the Board on the House and the Senate Telehealth bills. These bills would authorize physicians and all practitioners licensed under the Health Occupation Article to use telehealth by asynchronous and synchronous means that overturns the Board's recently adopted regulations. They also shared what is known about those supporting the bill and those in agreement with the Board.

The staff recommended that the position on these bills HB 448 and SB 402 be Support with Amendments. The amendments would authorize asynchronous prescribing of birth control pills and the second amendment would be to urge a legislative directed study in consultation with the Department of Health and the Board on the issue what other state's do regarding what type of patient evaluation is required prior to initiating the practice of medicine.

After some discussion there was no disagreement with the staff recommendation.

## **Update on the Letter of Surrender Template (LOS) and Preferred Consent Order Provisions.**

Ms. Darin presented to the Board updated (LOS) and Preferred Consent Order Provisions for approval.

*On a motion made by Dr. Wisenberger, and seconded by Ms. Schaerr, the Board voted to **APPROVE** the updated drafts for the Letter of Surrender and the Preferred Consent Order Provisions.*

## **MBP – Licensee Emails**

The Board has voted unanimously several times that emails of licensees should not be disclosed. In the past, the Department requested emails of licensees be shared by the Board. The Board declined to share the emails of licensees. The new request from MDH regarding Coronavirus was discussed.

*On a motion made by Dr. Boursiquot, and seconded by Mr. Helfenbein, the Board voted to approve the sending of emails to physicians with guidance on the emerging Coronavirus outbreak on behalf of the Secretary. The Board voted that this is a specific exception for this limited purpose only.*

## **BOARD STAFF TRAINING:**

Ms. Brown and Mr. O'Banner conducted Expense Report Training to the Board members.

**BOARD STAFF PRESENTATIONS:**

Ms. Thompson gave a present on the Interstate Medical License Compact (IMLC). She mentioned that the Board started processing the IMLC applications in July 2019. Since the IMLC is a pathway to expedite and streamline the process for obtaining multiple state licenses for physicians seeking to practice medicine in multiple IMLC states. A Maryland licensed physician with an active, unrestricted medical license may apply for a license in another IMLC state or request a letter of qualification, (LOQ) via the IMLC. The LOQ qualifies a physician for licensure in other IMLC states. It is valid for 365 days from the date it is issued by the member Board.

Ms. Thompson concluded with the staff process and procedures of what a physician must do to obtain the Letter of Qualification, (LOQ) and State of Principal License, (SPL).

**EXTERNAL PRESENTATION:**

Mr. Dumoff, Esq., Dr. Rollow and Dr. Saltzman gave a presentation to the Board on a proposed bill for Integrative Medicine.

**The open meeting ended at 12:55 p.m.**

Submitted by,

A handwritten signature in blue ink, appearing to read "Damean W. E. Freas".

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