

**MARYLAND BOARD OF PHYSICIANS
BOARD
OPEN MEETING MINUTES
4201 Patterson Avenue, Baltimore, MD
Room 100
June 13, 2018**

The Maryland Board of Physicians (the Board) met Wednesday, June 13, 2018 with the following members present:

Present in Board Room (Panel A)

Arun Bhandari, M.D., Chair
Matthew J. Allaway, D.O.
Marie-Alberte Boursiquot, M.D.
Lisa Burgess, M.D.
Jon S. Frank, Consumer Member
Alvin L. Helfenbein, Jr., Consumer Member
Ira Kornbluth, M.D.
Kevin Pereira, M.D.
Robert P. Roca, M.D.
Sheila M. Smith, Consumer Member

Present via Conference Call (Panel B)

Damean W.E. Freas, D.O., Board Chair
Edward J. Brody, Consumer Member
Mark S. Dills, PA-C
Mark D. Olszyk, M.D.
Beryl J. Rosenstein, M.D.
Martha Schaerr, Consumer Member
Maxine E. Turnipseed, Consumer Member
Thomas M. Walsh, M.D.
Scott J. Wiesenberger, M.D.
Camille M. Williams, M.D.

ABSENT: Dalila Harvey-Granger, M.D.; Ann Marie Stephenson, D.O., MBA

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; Lisa Dorsey, Lead Licensure Analyst; Alexandra Fota, Compliance Analyst Associate; Angela Gaither, Management Associate; Wynee Hawk, Policy Legislative Manager; Yemisi Koya, M.D., Director CEP; Doreen Noppinger, Compliance Manager; Dierdra Rufus, Lead Licensure Analyst; Colette Satterfield, DCCR Administrative Support; Marty Teramani, Network Supervisor; Chris Triplett, IT Manager; Nicole Thompson, Licensure Supervisor

GUEST: Kim Lang, Director, Health Occupations Boards and Commissions

CALL TO ORDER

Dr. Bhandari, called the meeting to order at 9:00 a.m.

Board Counsel Report

Dr. Harold Alexander v. Bd of Physicians, Court of Special Appeals, Case No. 515, Board Case No. 2015-0019

On May 30, 2018, the Court of Special Appeals affirmed Panel B's decision revoking the medical license of Dr. Alexander license in October 2016, for violating the standard of care and unprofessional conduct in the practice of medicine.

The Court of Special Appeals (COSA) affirmed the Board's findings that Dr. Alexander's violations were egregious. The COSA also upheld existing Maryland law that the same underlying conduct can constitute violations of multiple disciplinary grounds of the Practice Act for standard of care and unprofessional conduct.

Conceded Eminence License

Behdad Afzali Khoshkbijari, M.D. and Zelia M. Correa, M.D.

Board staff presented Dr. Khoshkbijari and Dr. Correa's applications for renewal of their licenses by conceded eminence and recommended approval.

*On a motion made by Dr. Pereira, and seconded by Dr. Burgess, the Board voted unanimously to **APPROVE** Dr. Khoshkbijari and Dr. Correa's license renewals by conceded eminence.*

APPROVAL OF MINUTES

- Full Board Minutes
 - August 9, 2017
 - December 6, 2017
 - January 10, 2018

*On a motion made by Dr. Boursiquot, and seconded by Mr. Helfenbein, the Board voted unanimously to **APPROVE** the above minutes.*

REQUEST FOR PROCUREMENT (RFP)

Ms. Farrelly and Mr. Finkler described the supervisor process and explained why staff believes that seeking a company to provide supervisors would lead to better reports to the Board and better outcomes for disciplined licensees. Board staff requested approval to solicit bids through a Request for Procurement to find a company that would find, train, and provide supervision for practitioners being monitored.

*On a motion made by Mr. Frank, and seconded by Mr. Helfenbein, the Board voted unanimously to **APPROVE** the Board staff request.*

Policy Legislation

Ms. Hawk reported on the 2018 Joint Chairmen's Report ("JCR"), which restricted \$150,000 from the special fund of the Board of Physicians ("Board") to be expended for the development of three continuing medical education ("CME") courses. The three courses identified for development are: opioid use disorder and risks associated with opioid use, medical best practices for sickle-cell disease, and medical best practices and treatment for Lyme disease.

The Board discussed numerous concerns with this restriction including the lack of Board involvement and input prior to the restriction, the role of hospitals, residency programs, etc. in teaching physicians, the existing resources available within MDH and federal agencies regarding these diseases, the redundancy, the overall expense, the perception of Board endorsement, the legislation of standard of care, the controversy regarding treatments of these diseases, and concerns that this would set a precedent and potentially result in all special "diseases" requesting a CME.

The Board reaffirmed its commitment to its development of a CME course in opioids. The funds to cover the cost of the course are already set aside for this purpose in the Board's budget so the restriction is unnecessary.

On a motion made by Dr. Pereira, and seconded by Dr. Kornbluth, the Board voted unanimously against using Board funds for the development of courses on specific diseases, sickle cell disease and Lyme disease. The Board will send a letter to the Committees under the Chairs' signatures.


BOARD VOTE TO CLOSE SESSION

CLOSED SESSION: Pursuant to the General Provisions Article §3-305(b)(8), and a motion made by Dr. Boursiquot, and seconded by Dr. Pereira, Panel A unanimously voted to close its meeting on June 13, 2018 at 9:38 a.m., in room 100.


SUMMARY OF CLOSED SESSION:

The Board went into closed session to consult with Counsel and Board staff about potential litigation.

Submitted by,



Arun Bhandari, M.D.
Chair, Panel A



Date