

**MARYLAND BOARD OF PHYSICIANS
BOARD
OPEN MEETING MINUTES
4201 Patterson Avenue, Baltimore, MD
Room 100
March 24, 2021**

The Maryland Board of Physicians (the Board) met Wednesday, March 24, 2021 with the following members present **via conference call**:

Panel B

Damean W.E. Freas, D.O., Board Chair
Scott Berkowitz, M.D.
Mark S. Dills, PA-C
Victor M. Plavner, M.D.
Carol E. Ritter, M.D.
Scott R. Sauvageot, Consumer Member
Martha Schaerr, Consumer Member
Richard T. Scholz, M.D.
Maxine E. Turnipseed, Consumer Member
Matthew T. Wallace, M.D.
Scott J. Wiesenberger, M.D.

Panel A

Mark D. Olszyk, M.D.
Marie-Alberte Boursiquot, M.D.
Jon S. Frank, Consumer Member
Alvin L. Helfenbein, Jr., Consumer Member
Ira Kornbluth, M.D.
Chika Logie, M.D.
Kevin Pereira, M.D.
Robert P. Roca, M.D.
Louise Phipps Senft, Consumer Member
Ifeyinwa A. Stitt, M.D.

ABSENT: Lisa Burgess, M.D.

OFFICE OF ATTORNEY GENERAL STAFF PRESENT VIA CONFERENCE CALL:

Stacey Darin, Assistant Attorney General; David Finkler, Assistant Attorney General; Noreen Rubin, Assistant Attorney General; David Wagner, Assistant Attorney General

STAFF PRESENT: Christine Farrelly, Executive Director; Doreen Noppinger, Compliance Manager; Angela Gaither, Management Associate; Marty Teramani, Network Supervisor; Brittany Winborne, Compliance Analyst Associate

STAFF PRESENT VIA CONFERENCE CALL: Ellen Douglas Smith, Deputy Director; Matthew Duzdic, Health Policy Analyst; Wynne Hawk, Policy Legislative Manager; Sandi Van Horn, Health Policy Analyst; Linda Monroe, Allied Health Analyst; Zach Spivey, Compliance Analyst; Felicia Wright, Allied Health Supervisor

GUEST PRESENT VIA CONFERENCE CALL: Jennifer Norris, Chair, Physician Assistant Advisory Committee (PAAC)

CALL TO ORDER

Dr. Freas, called the meeting to order at 9:02 a.m.

HOUSEKEEPING RULES – As a reminder Dr. Freas reviewed the Housekeeping Rules with the Board.

2020 FINANCIAL DISCLOSURE FILINGS – Reminder Ms. Farrelly, Executive Director reminded Board Members to complete and submit forms no later than April 2021. Dr. Freas mentioned the importance of completing this form. In addition, Ms. Wright advised the Board members leaving to complete the Termination Disclosure form also located on the State Ethics Commission website. (<https://efds.ethics.maryland.gov>)

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 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
Molly Collins, PA-C	Babar Shafiq, M.D.	1) Arthrocentesis 2) Closed Reduction of Vascularly Stable Fractures 3) Closed Reduction of Vascularly Stable Dislocations 4) Joint Injections 5) Myofascial Injections/Trigger Point Injections	Hospital	3/25/20
Austin Decker, PA-C	Stephen Schenkel, M.D.	1) Limited OB Ultrasound – Early Pregnancy Diagnosis	Hospital	9/26/12
Jairus Johnson, PA-C	Michael Fiocco, M.D.	1) Endoscopic/Open Vein Harvest 2) Endoscopic/Open Vein Artery Harvest 3) Intubation – Urgent/Emergent 4) Chest Tube Insertion/Removal 5) Removal of Dialysis Catheter 6) Removal of Perm Cath’s 7) Removal of IABP 8) Insertion of A-Lines (Femoral/Upper Extremity) 9) Insertion of Central Lines (Subclavian, Internal Jugular, Femoral) 10) Thoracentesis (w/wo Ultrasound)	Hospital	12/16/20

Physician Assistant	Supervising Physician	Requested Procedure(s)	Practice Setting	Date of Approval of Core Duties DA
David Peyser, PA-C	Stephen Schenkel, M.D.	1) Limited OB Ultrasound – Early Pregnancy Diagnosis	Hospital	7/24/13
Suzanne Steele, PA-C	Robert Graw, M.D.	1) Non-fluoroscopic x-ray, procedure of the extremities, anterior, posterior and lateral, not including the head utilizing the mini c-arm	Private Practice/ Other	9/23/20

*On a motion made by Mr. Dills, and seconded by Dr. Pereira, 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
Andrea Durham, ATC	A0000615	Samuel Sanders, MD	D0068951
Adam Dwyer, ATC	A0001344	Gary Sherman, MD	D0058252
Maiya Gibson, ATC	A0001359	Norman Godwin, III, MD	D0086201
Alanna Kazmierski, ATC	A0001362	Vincent Rollo, MD	D0052235
Gloria Krestan, ATC	A0001367	Yvette Rooks, MD	D0050588
Kelley Legge, ATC	A0000059	Jeffrey Peck, MD	D0088563

*On a motion made by Ms. Turnipseed, and seconded by Dr. Pereira, the Board voted to unanimously **APPROVE** the aforementioned Athletic Trainers Evaluation and Treatment Protocols.*

BOARD APPROVED COURSE LIST – Mr. Spivey presented the Course List for approval.

*On a motion made by Mr. Dills, and seconded by Dr. Boursiquot, the Board voted to unanimously **APPROVE** the Course List.*

PER DIEM RATES - Ms. Farrelly asked the Board to review and approve the new per diem rates that will be effective July 1, 2021.

*On a motion made by Dr. Olszyk, and seconded by Dr. Scholz, the Board voted to unanimously **APPROVE** the new per diem rates effective July 1, 2021.*

APPROVAL OF MINUTES

- February 24, 2021

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

POLICY/LEGISLATION

Updating COMAR 10.32.02.10 (Sanctioning Guidelines)

Ms. Van Horn presented a draft of an update to Code of Maryland Regulations (COMAR) 10.32.02.10 (“Sanctioning Guidelines for Physicians”). Due to various legislation, certain disciplinary grounds were added to statute. The draft of regulations adds language related to those grounds, plus suggestions for minimum and maximum sanctions and fines. Other draft changes include the addition of a new category under COMAR 10.32.02.10B(3), a revision to the minimum sanction in COMAR 10.32.02.10B(9), and changes of “Board” to “disciplinary panel” as needed. The plan is to post a draft of the revisions on the Board’s Website to invite informal comments.

*On a motion made by Dr. Plavner, and seconded by Dr. Boursiquot, the Board voted to unanimously **APPROVE** to post the proposed draft regulations revisions on the website for informal comments.*

Proposed Regulations – Administrative Expungement

Mr. Dudzic presented the Board with a draft of regulations to allow for expungement of certain administrative disciplinary actions. These regulations would allow licensees to apply to remove certain administrative actions from a public profile after a period of three years or more had elapsed, provided no disqualifying events occurred during that three-year period. The actions that could be expunged under these proposed regulations included failure to pay taxes, failure to complete continuing medical education, failure to renew a license, and delinquent child support. Administrative expungement would not be permitted for any disciplinary action taken pursuant to H.O. §14-404.

*On a motion made by Dr. Plavner, and seconded by Dr. Freas, the Board voted to unanimously **APPROVE** the proposed draft regulations, and to post on the website for public comments.*

Update MLARP Workgroup

Mr. Dudzic provided the Board with an update on the Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants, (MLARP) Workgroup. The Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants, (MLARP) incentivizes health care providers to practice in health professional shortage areas and medically underserved areas in the State by providing eligible physicians, physician assistants, and medical residents in their last year of residency an opportunity to practice in a designated Health Professional Shortage Area (HPSA) while receiving funds towards their student loans. In 2020, Senate Bill 501

established the MLARP Workgroup to study and further expand the program, and Damean W. Freas, D.O. and Matthew Dudzic were appointed to sit on the workgroup on behalf of the Board. In its recent meetings, the workgroup submitted an interim report to the legislature and reviewed other state models for physician support for service programs. A copy of the meeting minutes, presentation materials, and interim report is available on the MLARP Workgroup website.

PA Statutory Revision and Workgroup

Ms. Hawk reviewed the status of Board staff progress on the statutory revision of Title 15, the response of the Maryland Academy of Physician Assistants, (MdAPA) and the implications to the PA Workgroup. Because the communications have made clear that Board objectives and MdAPAs are not aligned, the Board voted to disband the PA Workgroup. The Board remains open to future discussions.

*On a motion made by Dr. Boursiquot, and seconded by Dr. Wallace, the Board voted to unanimously **APPROVE** the disbanding of the PA Workgroup.*

Legislative Update

With approximately 3 weeks left in the legislative session, Ms. Hawk updated the Board on the status of legislation deemed to be Board priorities.

Fee Reduction

Ms. Farrelly mentioned to the Board that she discussed the Board's financial situation with Ms. Taylor, the Board's fiscal Manager. The Board is capable of supporting a fee reduction for all licensure fees for the next two renewal cycles.

*On a motion made by Ms. Schaerr, and seconded by Dr. Boursiquot the Board voted to unanimously **APPROVE** continuing to pay the MHCC fee for all license renewals from July 1, 2021 to 6/30/2023.*

the reduction of the PA Licensure fees for the next two renewal cycles.

OTHER BUSINESS – FOR YOUR INFORMATION ONLY

- a. Physician Assistant Advisory Committee Meeting Minutes – February 3, 2021
- b. Athletic Trainers Advisory Committee Meeting Minutes – February 9, 2021
- c. Physician Initial Licensure and Reinstatement Lists
- d. Physician Assistant Initial Licensure and Reinstatement Lists
- e. Physician Assistant Delegation Agreement List
- f. Respiratory Care Practitioners Initial Licensure and Reinstatement Lists
- g. Radiation Therapists, Radiographers, Radiologist Assistants and Nuclear Medicine Technologists, Initial Licensure and Reinstatement Lists
- h. Athletic Trainers Initial Licensure and Reinstatement Lists
- i. Perfusionist Licensure and Reinstatement Lists
- j. Polysomnographic Technologist Licensure and Reinstatement Lists

VOTE TO CLOSE SESSION

CLOSED SESSION: Pursuant to Maryland General Provisions Article §3-305(b)(13), on a motion made by Mr. Dills, and seconded by Dr. Wallace, Panel A unanimously voted to close its meeting on March 24, 2021 at 10:20 a.m., in room 100, to comply with the statutory requirement under Health Occ. §1-401 that prevents public disclosure of medical review committee proceedings.

SUMMARY OF CLOSED SESSION:

The Panel consulted with counsel in its closed session pursuant to General Provisions §3-305(b)(13) to review confidential licensure and investigative application information.

CONVENE TO CLOSE

Submitted by,

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