

**MARYLAND BOARD OF PHYSICIANS  
BOARD  
OPEN MEETING MINUTES  
4201 Patterson Avenue, Baltimore, MD  
Room 100  
October 21, 2020**

The Maryland Board of Physicians (the Board) met Wednesday, October 21, 2020 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.  
Lisa Burgess, 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.  
Ifeyinwa A. Stitt, M.D.

**ABSENT**: Louise Phipps Senft, Consumer Member

**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 Dudzic, Health Policy Analyst Associate; Oriell Harris, Compliance Analyst Associate; Wynee Hawk, Policy Legislative Manager; Linda Monroe, Allied Health Analyst; Dierdra Rufus, Lead Allied Health Analyst; Nicole Thompson, Licensure Supervisor; Felicia Wright, Allied Health Supervisor

**GUEST PRESENT VIA CONFERENCE CALL**: Jennifer Norris, Chair, MBP, Physician Assistant Advisory Committee; Dr. Jim Goldsmith, President, Maryland State Board of Dental Examiners; Dr. Arpana Verma, Vice President, (MSBDE), Dr. Arthur Jee, Former President, MSBDE; Penny Heisler, Executive Director, Maryland Acupuncture Board; Thomas Ingegno, LAc., Chair (MAB) and Sherri Black, LAc, RN, Esq., MAB

**CALL TO ORDER**

Dr. Freas, called the meeting to order at 9:07 a.m.

**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:**

<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>
Jennifer W. Aponte, PA-C	Barnett G. Mennen, M.D.	1) Botox Injection 2) Dermal Filler Injection	Private Practice/ Other	04/22/20
Amanda C. Bell, PA-C	Kinjal N. Sheth, M.D.	1) Endotracheal Intubation	Hospital	11/20/19
Andrea Campbell, PA-C	Fatima Hussein, M.D.	1) Nonfluoroscopic 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
Christy M. Cane, PA-C	Kinjal N. Sheth, M.D.	1) Central Venous Catheter Insertions	Hospital	11/20/19
Arpad J. Erdos, PA-C	Kinjal N. Sheth, M.D.	1) Central Venous Catheter Insertions	Hospital	4/22/20
Avia Marie Esposito, PA-C	Teresa Muns, D.O.	1) Endotracheal Intubation	Hospital	8/22/18
Jonathan Fausey, PA-C	Scott Gelman, M.D.	1) Joint Aspirations of any large, medium and small joints or Bursa (including hand, wrist, elbow, shoulder, hip, ankle, feet and tendons) 2) Joint Injections of any large, medium and small joints or Bursa (including hand, wrist, elbow, shoulder, hip, ankle, feet and tendons) 3) Closed Reduction with or without manipulation 4) Simple or uncomplicated upper and lower extremity fractures and dislocations, using splinting and/or Hematoma Blocks	Hospital	7/16/20

Physician Assistant	Supervising Physician	Requested Procedure(s)	Practice Setting	Date of Approval of Core Duties DA
Madison Greif, PA-C	Stephen Schenkel, M.D.	1) Limited Ultrasound – Early Pregnancy Diagnosis	Hospital	8/22/18
Rachel H. Kirkpatrick, PA-C	Kinjal N. Sheth, M.D.	1) Central Venous Catheter Insertions	Hospital	1/29/20
Meghan D. Landymore, PA-C	Barnett G. Mennen, M.D.	1) Botox Injection 2) Dermal Filler Injection	Private Practice/ Other	Scheduled to on 10/21/20
Megan Lattimer, PA-C	Stanford Coleman, M.D.	1) Nonfluoroscopic x-ray, procedure of the extremities, anterior, posterior and lateral, not including the head utilizing the mini c-arm	Private Practice/ Other	1/29/20
Sophia Leonard-Burns, PA-C	Wai Leong Foo, D.O.	1) Ther Inj Carp Tunnel 2) Arth Inj Small Jt./Bursa w/o US 3) Arth Inj Major Jt./Bursa w/o US 4) Arth Inj Interm Jt./Bursa w/o US 5) Occipital Nerve Block (large, medium, small joint inject with and without US 6) N Block other Peripheral 7) Chemodenerv Muscle Migraine ((Botox Injection) 8) Trigger Point Injection	Private Practice/ Other	9/23/20
Autumn H. Stone, PA-C	Brandon Bruns, M.D.	1) Insertion of Skeletal Traction Pins (also known as Steinman Pins) 2) Closed Reduction of Fractures (forearm, humerus, femur, tibia, ankle)	Hospital	11/20/19
Melissa Taylor, PA-C	Robert Graw, M.D.	1) Nonfluoroscopic x-ray, procedure of the extremities, anterior, posterior, and lateral, not including the head utilizing the mini c-arm	Private Practice/ Other	11/20/19

*On a motion made by Mr. Dills, and seconded by Dr. Roca, 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.

<b>Athletic Trainer</b>	<b>License Number</b>	<b>Supervising Physician</b>	<b>License Number</b>
Regyn Davis-Young, ATC	A0001340	Lance LeClere, M.D.	D0079014
Nya Dobbs, ATC	A0001077	Milford Marchant, M.D.	D0068990
Adam Dwyer, ATC	A0001344	David Tuel, M.D.	D0042016
Chalisa Fonza, ATC	A0001352	Anne Rettig, M.D.	D0076109
Allison Gardiner, ATC	A0001307	Milford Marchant, M.D.	D0068990
Jessica Giaccone, ATC	A0001149	Bryan Herron, M.D.	D0051875
Jason Maccannon, ATC	A0001341	Taylor Wiley, M.D.	D0087173
Rebecca Rohrer, ATC	A0001346	Bryan Herron, M.D.	D0051875
Cody Walker, ATC	A0001347	Syed Hasan, M.D.	D0071283
Rachel Warner, ATC	A0001313	Gary Sherman, M.D.	D0058252

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

### **APPROVAL OF MINUTES**

- August 26, 2020

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

- September 23, 2020

*On a motion made by Ms. Turnipseed, and seconded by Mr. Sauvageot, the Board voted to unanimously **APPROVE** the full Board and closed minutes.*

### **POLICY/LEGISLATION**

#### **For Update and Discussion**

#### **Dental Board – Draft of Proposed Legislation – Updated**

MSBDE President, Dr. Jim Goldsmith; Vice President, Dr. Arpana Verma, and immediate Past-President, Dr. Arthur Jee, appeared to discuss the proposed Dental Board Vaccine legislation. The Board generally supported the proposal and reserved the opportunity to make comments on the regulations that may contain more detail. Beyond the specific Dental Board proposal, there were lingering questions raised, after the Dental Board representatives left the meeting, as to how ImmuNet was working and concerns about penalties and discipline for failure to report to ImmuNet. No vote was taken.

## **Acupuncture Board – Draft of proposed regulations**

Ms. Hawk presented an overview of the history of the passage of legislation, other stakeholder issues, correspondence received and specific issues with the therapies and procedures allowed in the Acupuncture Board's proposed regulations. Acupuncture Board representatives were invited to respond to Board questions. After discussion, the Board requested more information and detail for certain enumerated therapies that seem very broad, such as the collection and interpretation of clinical data.

## **COVID Licensure Waiver for established practitioner patient relationship**

David Finkler presented about revisiting the Board's suspension of certain licensure provisions. The Board allowed out-of-state practitioners in existing relationship with a Maryland patient, to continue to treat Maryland patients without a license. After six months under the State of Emergency the Board considered rescinding that provision and requiring individuals practicing in Maryland to obtain Maryland licenses. After a discussion that considered issues regarding safety, accountability, and issues related to the COVID-19 pandemic, the Board voted to rescind the exception after an additional 6 months, allowing ample time for practitioners to obtain a Maryland license through reciprocity, the compact or traditional means, or to transfer care.

*On a motion made by Dr. Olszyk, and seconded by Dr. Wallace, the Board voted unanimously to rescind the COVID Licensure Waiver for established practitioner patient relationship and provide 6 months to obtain Maryland licensure. Dr. Berkowitz recused.*

## **Title 15 – Physician Assistants Statutory Rewrite**

Wynee Hawk along with David Finkler presented draft language for a statutory rewrite of the Physician Assistant statute (Title 15). The statute is being rewritten for clarity, to clear up misinterpretations and to further protect Maryland patients. The draft is only a starting point and has been shared with MAPA, MedChi, the PA Workgroup, PAAC, and individual physicians and physician assistants. MAPA has repeatedly been asked for suggested draft language and specific comments but has only replied with unsupported generalizations. The content of a letter received by MAPA late yesterday was shared. The Board discussed advanced duties and other issues of concern and recommended continuing the process of rewriting the language while continuing to obtain recommendations to the language from stakeholders.

## **Regulations**

### **Proposed Regulations – COMAR 10.32.08 – Licensure of Athletic Trainer Regulations**

COMAR 10.32.08 Licensure of Athletic Trainers required updated to comply with HB 560 (Ch. 612)/SB 395 (Ch. 613) and SB 732 (Ch. 579). After receiving no public comment, the Board voted to approve the draft of the proposed revisions to COMAR 10.32.08 to proceed to the next stage of the promulgation process.

*On a motion made by Dr. Playner, and seconded by Mr. Dills, the Board voted to unanimously **APPROVE** the proposed draft regulations revisions to proceed with the promulgation process.*

**Proposed Regulations COMAR 10.32.01.03G(1)(h)(3) – Licensure Qualifications for Initial Licensure**

COMAR 10.32.01.03G(1)(h)(3) required updates to come into alignment with the statutory requirements found in H.O. §14-307(g)(2)(ii). After receiving no public comment, the Board voted to approve the draft of the proposed revisions to COMAR 10.32.01.03G(1)(h)(3) to proceed to the next stage of the promulgation process.

*On a motion made by Ms. Schaerr, and seconded by Mr. Dills, the Board voted to unanimously **APPROVE** the proposed draft regulations revisions to proceed with the promulgation process.*

**OTHER BUSINESS – FOR YOUR INFORMATION ONLY**

- a. Physician Assistant Advisory Committee Meeting Minutes – addendum
- b. Athletic Trainers Advisory Committee Meeting Minutes – addendum
- 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. Polysomnographic Technologist Licensure and Reinstatement Lists

**VOTE TO CLOSE SESSION**

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**CLOSED SESSION:** Pursuant to Maryland General Provisions Article §3-305(b)(13), on a motion made by Dr. Boursiquot, and seconded by Mr. Sauvageot, Panel B unanimously voted to close its meeting on October 21, 2020 at 10:49 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.

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**SUMMARY OF CLOSED SESSION:**

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

**CONVENE TO CLOSE**

Submitted by,

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