

**MARYLAND BOARD OF PHYSICIANS
FULL BOARD
OPEN MEETING MINUTES
Wednesday, January 25, 2017**

PRESENT

Damean W.E. Freas, D.O., Board Chair	Avril M. Houston, M.D.
Arun Bhandari, M.D., Chair - Panel A	Ira Kornbluth, M.D.
Jonathan A. Lerner, P.A.-C. Secretary – Panel B	Celeste M. Lombardi, M.D.
Brenda G. Baker, Consumer Member	Mark D. Olszyk, M.D.
Marie-Alberte Boursiquot, M.D.	Kevin Pereira, M.D.
Edward J. Brody, Consumer Member	Robert P. Roca, M.D.
Gary J. Della’Zanna, D.O.	Beryl J. Rosenstein, M.D.
Jon S. Frank, Consumer Member	Martha Schaerr, Consumer Member
Charles Gast, Consumer Member	Thomas M. Walsh, M.D.
Jacqueline Golden, Consumer Member	

ABSENT: Lisa Burgess, M.D.; Alexis J. Carras, M.D.; Jacek L. Mostwin, M.D.

STAFF PRESENT: Christine Farrelly, Executive Director; Noreen Rubin, Assistant Attorney General; Stacey Darin, Assistant Attorney General; David Finkler, Assistant Attorney General; David Wagner, Assistant Attorney General; Rhonda Deanes, Allied Health Analyst Associate; Lisa Dorsey, Licensure Analyst; Angela Gaither, Management Associate; Cheryl Green, Allied Health Analyst Associate; Michelle Harrison, Allied Health Analyst; Wynee Hawk, Policy Legislative Manager; Sandi Van Horn, Health Policy Analyst; Kim Jackson, Training Coordinator; Jasmin Johnson, Office Secretary; Yemisi Koya, M.D., Director; Cecilia Laurent, Allied Health Analyst; Linda Monroe, Allied Health; Dierdra Rufus, Licensure Supervisor; Colette Satterfield, DCCR Administrative Support; Nicholas Smith, IT Support; Mark Woodard, Health Policy Analyst; Felicia Wright, Allied Health Supervisor

GUESTS: Anthony Raneri, M.D., Chair, MBP Physician Assistant Advisory Committee (PAAC) and Brandon Wright, DHMH

CALL TO ORDER

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

ACTION AGENDA

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 for approval.

Requested Procedures RECOMMENDED for DENIAL:

Highlighted procedures are not for consideration

Christine Farrelly, Executive Director, informed the Board that Chase Charwat, PA-C and Brian G. Johnson, M.D., Supervising Physician withdrew the request for Ms. Charwat to perform conscious/moderate sedation.

Physician Assistants	Supervising Physician	Requested Procedure(s)	Practice Setting	Date of Approval of Core Duties DA
Chase Charwat, PA-C	Brian G. Johnson, M.D.	1) Joint Injection/Aspiration** 2) Arterial Cannulation (femoral & radial)** 3) CVC Insertions** 4) Chest Tube Insertions** 5) Conscious/Moderate Sedation 6) ET Intubation** 7) HD Catheter Insertion** 8) Lumbar Puncture** 9) Mediport Placement** 10) Paracentesis/Thoracentesis** 11) Per. Bili Catheter Changes** 12) Thyroid Biopsies** 13) Drainage Catheter Changes**	Hospital	11/30/16

First Time Requested Procedures RECOMMENDED for APPROVAL:

Physician Assistants	Supervising Physician	Requested Procedure(s)	Practice Setting	Date of Approval of Core Duties DA
Jonathan Kwei Chiang, PA-C	Brad Cogan, M.D.	1) Insertion & Removal of Port Catheters	Hospital	Scheduled to be on January 25, 2017

Previously Board approved procedures RECOMMENDED for APPROVAL:

Physician Assistants	Supervising Physician	Requested Procedure(s)	Practice Setting	Date of Approval of Core Duties DA
Bethany Kate Augustine, PA-C	Jaime Jude Barnes, M.D.	1) Central Line Insertions Mgmt.	Hospital	11/30/16
Dennis Carlson, PA-C	Robert Graw, M.D.	1) Nonfluoroscopic X-Ray procedures of the extremities, anterior, posterior & lateral, not including the head utilizing the Mini C-Arm Intubation/Advanced Airway Central Line Insertions	Private Practice/Other	Scheduled to be on 1/25/17
Jonathan Kwei Chiang, PA-C	Brad Cogan, M.D.	1) Thoracentesis 2) Paracentesis 3) Insertion & Removal of Non-Tunneled Central Lines	Hospital	Scheduled to be on 1/25/17
Donell D. Deremer, PA-C	Tina B. West, M.D.	1) Facial Nerve Blocks 2) Pulsed Dye Laser	Private Practice/Other	6/29/16
Bryn M. Krane, PA-C	Justin R. Hoover, M.D.	1) Trochanteric Bursal Injections 2) Intra-Articular Knee Injections 3) Knee Aspirations	Hospital & Private/Practice Other	11/30/16
Danial Landes, PA-C	Robert Graw, M.D.	1) Nonfluoroscopic X-Ray procedures of the extremities, anterior, posterior & lateral, not including the head utilizing the Mini C-Arm	Private Practice/Other	Scheduled to be on 1/25/17
Melanie S. Niemeyer, PA-C	Ann M. Lindgren, M.D.	1) Botulinum Toxin Injections 2) Chemical Peels 3) Dermal Filler Injections 4) Fractional Non-Ablative Laser Resurfacing 5) Diode Laser (532 nm and 940 nm) 6) Microneedling 7) Sclerotherapy of Telangectasia (Microsclerotherapy)	Private Practice/Other	1/28/15

The Board voted to disapprove the request from Jonathan Chiang, PA-C and Brad Cogan, M.D. for Mr. Chiang to perform insertion of port catheters because the physician assistant is unable to perform safely the delegated duties.

On a motion made by Dr. Houston, and seconded by Dr. Della'Zanna, the Board voted to unanimously **APPROVE** all the above addendum requests to perform the aforementioned advanced duties, except for the request from Mr. Chiang and Dr. Cogan for Mr. Chiang to perform the insertion of port catheters.

Athletic Trainers Evaluation and Treatment Protocols

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
Heather Mohler, ATC	A0000929	John Wilckens, MD	D0052636

On a motion made by Dr. Olszyk, and seconded by Ms. Golden, the Board voted unanimously to **APPROVE** the Athletic Trainer Evaluation and Treatment Protocols.

Physicians Conceded Eminence for Initial Licensure and Renewal

- Rosane DaCruz Ferreira, M.D./Control #125130
- Andrea A. Poretti, M.D./D48424

On a motion made by Dr. Della'Zanna, and seconded by Dr. Houston, the Board voted unanimously to **APPROVE** Dr. Ferreira for licensure by conceded eminence.

On a motion made by Dr. Houston, and seconded by Mr. Brody, the Board voted unanimously to **APPROVE** the renewal of Dr. Poretti's license for conceded eminence.

Physicians Assistant's Delegated Psychiatric Duties (Core/Advanced)

Christine Farrelly, Executive Director, stated that at the November 2016 Board meeting, the Board discussed physician assistant's delegated core/advanced psychiatric duties. She stated that Board staff reviewed approximately 50 delegation agreements addendums and identified various delegated medical acts specific to the practice of psychiatry. The medical acts were categorized as either "Core" or "Advanced" duties and forwarded to Dr. Robert Roca, Psychiatrist Board Member and the PAAC for review and comment. Dr. Roca and the PAAC did not agree on the medical acts that were considered advanced duties.

Dr. Roca stated that his characterization of the psychiatric duties were specific to PAs practicing in psychiatric settings. Dr. Raneri stated that the PAAC's review of the duties were not specific to PAs practicing in psychiatric settings, but to PAs practicing in internal medicine and other

primary care settings.

Since Dr. Roca and the PAAC did not agree on the characterization of the specified psychiatric duties, the Board directed Dr. Roca and the PAAC to meet, come to a consensus regarding the “Core/Advanced” designation of the specified psychiatric duties and to report their recommendation to the Board.

*On a motion made by Dr. Freas, and seconded by Della’Zanna, the Board voted unanimously to **TABLE** the above until a recommendation is received.*

Policy

Draft of the “FSMB Guidelines for the Chronic Use of Opioid Analgesics”

Sandi Van Horn, Policy Analyst, presented a draft of the Federation of State Medical Board (FSMB) Guidelines for the Chronic Use of Opioid Analgesics. The FSMB is accepting comments through January 30, 2017.

Athletic Trainers – Draft Regulations

The athletic trainer regulations were revised to reflect the statutory changes resulting from 2016 legislation.

*On a motion made by Mr. Gast, and seconded by Dr. Della’Zanna, the Board voted unanimously to **APPROVE** the Athletic Trainers draft regulations.*

Conceded Eminence – Draft Regulations

The Conceded Eminence regulations were revised to respond to the Board's prior direction and to make additional changes recommended by Board Counsel and staff. The Board directed staff to make two additional amendments before moving the regulations forward.

*On a motion made by Dr. Della’Zanna, and seconded by Ms. Schaerr, the Board voted 17 to 2 to **APPROVE** the Conceded Eminence draft regulations with additional amendments. Dr. Rosenstein and Dr. Pereira were opposed to the term limits.*

Revision of Naturopathic Doctor Regulations

The Naturopathic Doctor regulations were revised to implement the criminal history records check requirements, clarify the continuing education requirements, and add a pathway for licensure by reciprocity.

*On a motion made by Dr. Rosenstein, and seconded by Dr. Houston, the Board voted unanimously to **APPROVE** the revision of the Naturopathic Doctor regulations.*

Advertising and Solicitation – Draft Regulations

The Board voted to amend COMAR 10.32.01.13A by deleting the specific modes of advertising to state "A physician may place advertisements."

*On a motion made by Dr. Olszyk, and seconded by Dr. Walsh, the Board voted unanimously to **APPROVE** amending the Advertising and Solicitation draft regulations.*

House Bill 628 – Secretaries of Principal Departments – Supervision and Review of Decisions and Actions by Units Within Departments

HB 628 is a result of the North Carolina Dental Board Supreme Court Decision concerning antitrust. Board Counsel discussed proposed language for amendments to the bill.

*On a motion made by Mr. Gast, and seconded by Ms. Golden, the Board voted unanimously to **APPROVE** Board Counsel's proposed amendments.*

Procedural Issues

The Board discussed extensions for individuals under a Board Order.

*On a motion made by Mr. Brody, and seconded by Ms. Schaerr, the Board voted unanimously to **APPROVE** delegating to staff the granting of reasonable extensions for completion of terms and conditions to individuals under a Board Order.*

CLOSED SESSION: "Pursuant to Maryland General Provisions Article §3-305(b)(13), on a motion made by Dr. Olszyk, and seconded by Ms. Golden, the Board unanimously voted to close its meeting on January 25, 2017 at 11:17 a.m., in room 100 for the purpose of complying with the Maryland Medical Practice Act that prevents public disclosures about particular proceedings or matters. Pursuant to Md. Hth. Occ. Ann. 14-411 (a) and (b), the Board is prohibited from disclosing any information contained in a proceeding record or file of the Board"

The Board agreed to return to Open Session for training on the Open Meeting Act.

Open Meetings Act Training

Yemisi Koya, Director, Communications, Education and Policy Unit, conducted training on the Open Meeting Act for the new Board members. (Copy of training attached.)

SUMMARY OF CLOSED SESSION:

There was one case for Ratification of Final Order, one for Failure to Report, one for Intent to Deny, one for Authorization for Licensure and one for Consideration of Withdrawal presented to the Board for approval.

Submitted by,

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