

**MARYLAND BOARD OF PHYSICIANS**  
**4201 Patterson Avenue, Baltimore, MD**  
**Room 100**  
**OPEN BOARD MEETING MINUTES**  
**Wednesday, July 26, 2017**

**PRESENT**

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Damean W.E. Freas, D.O., Board Chair	Mark D. Olszyk, M.D.
Brenda G. Baker, Consumer Member	Kevin Pereira, M.D.
Marie-Alberte Boursiquot, M.D.	Robert P. Roca, M.D.
Edward J. Brody, Consumer Member	Beryl J. Rosenstein, M.D.
Gary Della'Zanna, D.O.	Martha Schaerr, Consumer Member
Mark S. Dills, P.A.	Ann Marie Stephenson, D.O., M.B.A.
Jon S. Frank, Consumer Member	Maxine E. Turnipseed, Consumer Member
Charles Gast, Consumer Member	Thomas M. Walsh, M.D.
Dalila Harvey-Granger, M.D.	Scott J. Wiesenberger, M.D.
Ira Kornbluth, M.D.	

**ABSENT:** Arun Bhandari, M.D., Chair - Panel A; Lisa Burgess, M.D.

**STAFF PRESENT:** Christine Farrelly, Executive Director; Ellen Douglas Smith, Deputy Director; Noreen Rubin, Assistant Attorney General; David Finkler, Assistant Attorney General; David Wagner, Assistant Attorney General; Shelley Taylor-Barnes, Lead PA Analyst; Rhonda Deanes, Allied Health Analyst Associate; Alexandra Fota, Compliance Analyst Associate; Angela Gaither, Management Associate; Cheryl Green, Allied Health Analyst Associate; Michelle Harrison, Allied Health Analyst; Wynne Hawk, Policy/Legislative Manager; Sandi Van Horn, Health Policy Analyst; Kim Jackson, Training Coordinator CEP; Brenda Jones, IT Program Analyst II; Thomas Keech, Consultant; Yemisi Koya, M.D., Director CEP; Cecilia Laurent, Allied Health Analyst; Linda Monroe, Allied Health Analyst; Colette Satterfield, DCCR Administrative Support; Marty Teramani, Network Supervisor; Mark Woodard, Health Policy Analyst; Felicia Wright, Allied Health Supervisor

**GUESTS:** Anthony Raneri, M.D., Chair, MBP Physician Assistant Advisory Committee; Gary Warburton, DDS, MD, FACS, University of Maryland; Jennifer Norris, Physician Assistant Advisory Committee, (PAAC); Brian Donahue, Member, Perfusion Advisory Committee (PAC); Richard Alcorta, M.D., Director, Maryland Emergency Medical Services; Ashura Buckley, M.D., Physician, Polysomnography Professional Standards Committee (PPSC); Adil Degani, M.D., Physician (PPSC); Anna D. Jeffers, Consumer Member, Athletic Trainers Advisory Committee (ATAC); Nicole Farmer, M.D., Physician, Naturopathic Medicine Advisory Committee (NMAC); Eldon Miller, Ph.D., Consumer Member, (NMAC); Michael Lord, Executive Director, Maryland State Ethics Commission; Richard Moszner

## **CALL TO ORDER**

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

## **APPROVAL OF MINUTES**

### **April 26, 2017 Minutes**

*On a motion made by Mr. Brody, and seconded by Dr. Pereira, the Board voted unanimously to **APPROVE** the April 26, 2017 Minutes.*

## **MEDICAL ORDERS FOR LIFE SUSTAINING TREATMENTS – PRESENTATION**

Dr. Richard Alcorta, Director of Maryland Emergency Medical Services gave a presentation on proposed changes to the Medical Orders for Life Sustaining Treatments (MOLST) form.

*On a motion made by Mr. Brody, and seconded by Dr. Olszyk, the Board voted unanimously to **APPROVE** the changes to the MOLST form.*

## **UNFINISHED BUSINESS**

### **Postgraduate Training Equivalency**

Nawaf Aslam-Pervez, DDS, M.D. and Dr. Gary Warburton, DDS, MD, FACS, University of Maryland

The Board revisited Dr. Aslam-Pervez's request for the Board to determine that his three years of postgraduate training in oral-maxillofacial surgery is equivalent to at least one year of training accredited by the American Council on Graduate Medical Education (ACGME). Dr. Gary Warburton, DDS, MD, FACS, University of Maryland, spoke in support of the Board approving Dr. Aslam-Pervez's postgraduate training equivalency request.

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**CLOSED SESSION:** *“Pursuant to Maryland General Provisions Article §§3-305(b)(7), on a motion made by Dr. Olszyk, and seconded by Ms. Schaerr, the Board unanimously voted to close its meeting on July 26, 2017 at 10:00 a.m., in room 100.*

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The Board returned to open session at 10:15 a.m.

*On a motion made by Dr. Rosenstein, and seconded by Mr. Brody, the Board voted to **APPROVE** Dr. Aslam-Pervez's postgraduate training equivalency request to consider his three years of oral-maxillofacial surgery at the University of Maryland as equivalent to at least one year of ACGME-accredited postgraduate training.*

The Board asked staff to research other states' procedures for postgraduate training equivalency and to draft regulations removing the equivalency requirement for review at the Board's September 2017 meeting.

*On a motion made by Dr. Olszyk, and seconded by Dr. Walsh, the Board voted 17 to 2 to **APPROVE** Board staff drafting regulations to remove the postgraduate training equivalency section of the regulations. Dr. Roca and Dr. Pereira abstained.*

#### **SUMMARY OF CLOSED SESSION:**

The Board consulted with counsel to obtain legal advice on a legal matter.

#### **POLICY/LEGISLATION**

##### **Amending Regulations: Cases before the Panels**

As part of the 2017 Sunset Review legislation, the law was amended to allow certain cases that were under the jurisdiction of the full Board to move to the jurisdiction of the disciplinary panels. The purpose was to simplify procedures so that a disciplinary panel could act on certain cases, fines and make other technical corrections that were previously delegated to the full Board.

Board staff has been reviewing the regulations affected by the change in statute and is recommending that the Board vote to approve amending the regulations to incorporate statutory changes and allow Board staff to draft a proposal to be posted the Board's website for informal comments.

*On a motion made by Dr. Della Zanna, and seconded by Ms. Baker, the Board voted to **APPROVE** amending the regulations affected by the Sunset legislation and allow Board staff to draft a proposal to post on the Board website for informal comments.*

##### **Amending COMAR 10.32.02.10 Sanctioning Guidelines for Physicians**

Board staff recommended adding a sanctioning guideline to the regulations for a new disciplinary ground created under House Bill 1432 Health Care Providers – Prescription Opioids – Limits on Prescribing during the 2017 legislative session, and setting minimum and maximum sanctions and fines for the new ground. Staff also recommended adding minimum and maximum sanctions and fines to the criminal history records checks regulations that are currently under development.

*On a motion made by Dr. Della'Zanna, and seconded by Mr. Brody, the Board voted to **APPROVE** Board staff's recommendations.*

### **Malpractice Law - Draft Notifications**

Legislation enacted during the 2017 legislative session required physicians to notify patients if they do not have professional liability insurance coverage. Mark Woodard presented drafts of three physician notification forms to the Board for approval. The forms were prepared to comply with the new law's requirement.

*On a motion made by Dr. Della'Zanna, and seconded by Mr. Gast, the Board voted to **APPROVE** the draft physician notification forms.*

### **Delegation Agreement Revision and Clarification of Physician Assistant CME Documentation**

Wynee Hawk presented amendments to COMAR 10.32.03.07 Supervising Physicians and COMAR 10.32.03.09 Continuing Education. The amendment to COMAR 10.32.03.07 will broaden the practice setting language to "any practice setting" allowing primary supervising physicians in private practices to maintain a list of alternate supervising physicians at the office for possible Board inspection instead of sending a form to the Board for every alternate supervising physician.

The amendment to COMAR 10.32.03.09 clarifies the pharmacology requirements for renewing physician assistants who use NCCPA certification as proof of meeting the continuing education requirements. The statute and regulations currently require all renewing physician assistants to submit evidence of eight pharmacology hours prior to renewal.

*On a motion made by Dr. Rosenstein, and seconded by Dr. Pereira, the Board voted to **APPROVE** the proposed amendments to COMAR 10.32.03.07 and COMAR 10.32.03.09.*

### **ETHICS COMMISSION PRESENTATION**

Michael Lord, Executive Director, Maryland State Ethics Commission gave a presentation regarding Ethics.

The Board went in to Closed Session at 11:55 a.m. to discuss an ethics matter and returned to open session at 12:00 noon.

### **BOARD COUNSEL PRESENTATION**

Board Counsel gave the following presentations:

- History of the Board Authority Legislation
- Sunset Evaluation and the Role of the Office of Attorney General concerning the Board
- Moral Turpitude
- Unlicensed Medical Assistants

**NEW BUSINESS**

**Physician Assistants Delegation Agreement Addendum for Advanced Duties**

The Physician Assistant Advisory Committee (PAAC) determined that the following physician assistants do not meet the criteria for advanced duties established in statute and regulations, and voted to recommend that the Board deny these requests.

**Requested Procedures RECOMMENDED for DENIAL:**

Physician Assistants	Supervising Physician	Requested Procedure(s)	Practice Setting	Date of Approval of Core Duties DA
Stefanie Mary Bouma, PA-C	Richard W. Childs, M.D.	1) Conscious Sedation	Hospital	1/25/17
Katelyn Korzuch, PA-C	Dina El-Metwally, M.D.	1) Conscious/Moderate Sedation	Hospital	Scheduled to be on 7/26/17

*On a motion made by Dr. Rosenstein, and seconded by Dr. Freas, the Board voted unanimously to uphold the PAAC's recommendation.*

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.

**First Time Requested Procedures RECOMMENDED for APPROVAL:**

Physician Assistants	Supervising Physician	Requested Procedure(s)	Practice Setting	Date of Approval of Core Duties DA
Bradford Houck, PA-C	Mark Gonze, M.D.	1) Hyperbaric Medicine Therapy	Hospital	7/29/15
Kathleen Skillin, PA-C	Steve Behram, M.D.	1) Hysteroscopy 2) Diagnostic Dilation and Curettage (D&C) 3) Suction Dilation and Curettage (D&C)	Ambulatory Surgical Facility	10/29/14

*On a motion made by Mr. Dills, and seconded by Mr. Frank, the Board voted unanimously to **APPROVE** the addendum request for Bradford Houck, PA-C/Mark Gonze, M.D. to perform hyperbaric medicine therapy.*

*On a motion made by Dr. Rosenstein, and seconded by Ms. Schaerr, the Board voted unanimously to **TABLE** the addendum request for Kathleen Skillin, PA-C/Steve Behram, M.D., pending receipt and review of additional information.*

**Previously Board Approved Procedures RECOMMENDED for APPROVAL:**

Physician Assistants	Supervising Physician	Requested Procedure(s)	Practice Setting	Date of Approval of Core Duties DA
Zoya Aronova, PA-C	Marcus Sciadini, M.D.	1) Joint Injections 2) Joint Aspirations 3) Myofascial Injections/Trigger Point Injections	Hospital	Scheduled to be on 7/26/17
Stefanie Mary Bouma, PA-C	Richard W. Childs, M.D.	1) Bone Marrow Biopsies 2) Lumbar Punctures	Hospital	1/25/17
Neeraj Harry, PA-C	Mark Matsunaga, M.D.	1) Laser Tattoo Removal	Private Practice/Other	11/14/12
Caitlin Jourdan, PA-C	John Schrufer, M.D.	1) Ultrasound – Guided Sclerotherapy 2) Visually –Guided Sclerotherapy	Private Practice/Other	Scheduled to be on 7/26/17
Katelyn Korzuch, PA-C	Dina El-Metwally, M.D.	1) Arterial Line Insertion 2) Lumbar Punctures 3) Central Line Insertion 4) Endotracheal Intubation	Hospital	Scheduled to be on 7/26/17
Sarah Matz, PA-C	Robert Saltzman, M.D.	1) Knee Joint Injections 2) Shoulder Joint Injections 3) Knee Joint Aspirations	Hospital	11/30/16
Victoria Trott, PA-C	Daniel Hexter, M.D.	1) Cosmetic Botox, Xeomin, Dysport Injections	Private Practice/Other	11/20/13
Jacquelyn Villagomez, PA-C	Imran Siddiqi, M.D.	1) Central Venous Catheter Insertion 2) Arterial Catheter Insertion 3) Dialysis Catheter Insertion	Private Practice/Other	11/30/16
Katie Winner, PA-C	Dennis Kane, 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 7/26/17

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

**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.

<b>Athletic Trainer</b>	<b>License Number</b>	<b>Supervising Physician</b>	<b>License Number</b>
Kathryn Anderson, ATC	A0000962	Louis Kovacs, MD	D0074315
Timothy Finnell, ATC	A0000952	Thomas Brandon, MD	D0038138
Kinsey Gunn, ATC	A0000954	Thomas Brandon, MD	D0038138
Samantha Hammock, ATC	A0000953	Teri McCambridge, MD	D0054909
Craig Keller, ATC	A0000968	Craig Keller, MD	D0050790
Samuel Korolev ATC	A0000965	Louis Kovacs, MD	D0074315
Carlos Negron III, ATC	A0000963	Louis Kovacs, MD	D0074315
Brian Perez, ATC	A0000044	Teri McCambridge, MD	D0054909
Tessa Roberson, ATC	A0000899	James Steinberg, MD	H0060485
Morgan Taylor, ATC	A0000967	John-Paul Rue, MD	D0058956
Tyrone Turner, ATC	A0000956	Teri McCambridge, MD	D0054909
Andrew Wesdock, ATC	A0000959	Todd Tredinnick, MD	D0057576

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

**Medical License by Conceded Eminence for Approval**

Argyris Stringaris, M.D.

*On a motion made by Mr. Brody, and seconded by Dr. Roca, the Board voted to unanimously **APPROVE** Dr. Stringaris licensure by Conceded Eminence.*

## **Board Member Volunteers**

- **Open Meetings Act Training**

Dr. Freas, Ms. Schaerr, Mr. Frank and Dr. Harvey-Granger volunteered to take the Open Meetings Act training.

- **MIEMSS Representatives**

Dr. Alcorta asked Board members to volunteer to join Stem Sac Committee and Protocol Review Committee. Ms. Farrelly will get information and schedules for both committees.

- **Radiation Therapy, Radiography, Nuclear Medicine Technology and Radiologist Assistance Advisory Committee (Rad Tech)**

Dr. Della'Zanna volunteered to serve in the vacant Board member position on the Rad Tech Committee.

- **Licensure/Practice of Medicine Committee**

Dr. Ann Marie Stephenson, Dr. Kevin Pereira, Dr. Mark Olszyk, Dr. Ira Kornbluth and Ms. Martha Schaerr volunteered to serve on the Licensure/Practice of Medicine Committee.

## **Board's Opioid Response**

On March 1, 2017, Governor Larry Hogan signed Executive Order 01.01.2017.02 declaring a State of Emergency in response to the heroin, opioid, and fentanyl crisis. Board staff, with input from Board counsel, prepared Opioid Guidance, with content based on the CDC guidelines pertaining to opioid prescribing for publication on the Board's website.

Staff recommended approval of the Board's Guidance on the Board's website.

*On a motion made by Dr. Walsh, and seconded by Dr. Della'Zanna, the Board voted to **APPROVE** the proposed opioid guidance for publishing on the Board's website.*

MedChi submitted a proposal that the Board provide a grant of \$25,000.00 to MedChi to develop an Opioid online activity.

After discussion, on a Motion made by Dr. Della'Zanna and seconded by Mr. Brody, the Board voted to reject the proposal, requested that staff research existing CMEs, to avoid duplicating existing resources, and requested that staff develop an RFP so that bids can be solicited from any interested party.



## Launching of New Website

Board staff has launched a new website and recommended including each Board member's photograph and biography.

## Operations Update

Board staff reported on the following Operations Updates:

- Currently the Board has one vacancy.
- Starting August 2017, meeting minutes on panels will be changing from closed to Quasi-Judicial Functions - Administrative Functions. This effort was conducted by Board Counsel to incorporate the Open Meetings Acts policy.
- A regulatory hold has been placed on certain regulations that the Board has promulgated. The Governor reconvened his regulatory task force.
- The Secretary has not approved the dispensing regulations.
- The opioid regulations have been discussed and adding the CDC guidelines is being considered with the exception of disciplinary cases. The publication date for the regulations has been moved because the Governor's Office has to review them.

Staff stated that the Department has requested that the Board of Physicians fund the smaller Boards updates to their computer systems.

*On a motion made by Mr. Brody, and seconded by Mr. Dills, the Board voted unanimously not to **APPROVE** funding the smaller Board's updates to their computer systems.*

## Board and Panel Meetings

Due to the scheduling of quarterly full Board meetings and the lack of Panel meetings, all disciplinary cases are delayed until the following month. Board staff has recommended scheduling Full Board meetings biannually instead of quarterly. The full Board would meet in January (during legislative session) and meet again in the Fall. During the months of the full Board meetings, one Panel will meet during that month – Panel A in January and Panel B in the Fall.

*On a motion made by Mr. Brody, and seconded by Mr. Dills, the Board voted to unanimously **APPROVE** the recommended Board and Panel meetings schedule.*

## Criminal Cases

Board staff requested that the Board establish parameters for the prosecution of Board disciplinary charges when there is a pending criminal case.

In the past, the prosecutors have not communicated to the Panel that they have decided not to issue or to delay issuing the Board's disciplinary charges while they are waiting for the criminal case to be resolved which has caused some extensive case delays.

In cases where a criminal investigation is pending and the prosecutor has determined that they would prefer to hold disciplinary charges, staff recommended that the Board choose a time of 60 days when the prosecutor has to refer the matter back to the Panel for further consideration.

*On a motion made by Dr. Olszyk, and seconded by Ms. Schaerr, the Board voted to unanimously **APPROVE** the staff recommendation.*

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**CLOSED SESSION:** *“Pursuant to Maryland General Provisions Article §§3-305(b)(13), on a motion made by Mr. Olszyk, and seconded by Mr. Brody, the Board unanimously voted to close its meeting on July 26, 2017 at 1:51 p.m., in room 100.*

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**SUMMARY OF CLOSED SESSION:**

The Board agreed to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

The Board returned to open session at 1:55 p.m.

**PRESENTATION – Effective Meeting Strategies**

Yemisi Koya gave a presentation regarding Effective Meeting Strategies.

**BOARD TRAINING**

Yemisi Koya conducted Board training.

The Board went in to Closed Session at 2:56 p.m. to approve the April 26, 2017 closed meeting minutes.

Submitted by,



6/27/2018

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

Date