

**MARYLAND BOARD OF PHYSICIANS  
PANEL A  
OPEN MEETING MINUTES  
June 10, 2015**

The Maryland Board of Physicians (“the Board”) met Wednesday, June 10, 2015 at 9:04 a.m. with the following members present:

**Present in Boardroom (Panel A)**

Devinder Singh, M.D, Chair  
Carmen M. Contee, Secretary  
Brenda G. Baker  
Gary J. Della’Zanna, D.O.  
Suresh C. Gupta, M.D.  
Deborah R. Harrison  
John R. Lilly, M.D.  
Celeste M. Lombardi, M.D.  
Ahmed Nawaz, M.D.  
Robert P. Roca, M.D.

**Present via Conference Call (Panel B)**

Suresh K. Gupta, M.D., Vice Chair  
Jonathan A. Lerner, PA-C, Secretary  
Edward J. Brody  
Jacqueline Golden  
Avril M. Houston, M.D.  
Beryl J. Rosenstein, M.D.  
Priti K. Sood, M.D.

**ABSENT:** Mary G. Mussman, M.D.; Alexis J. Carras, M.D.; Jacqueline Brown; Hilary T. O’Herlihy, M.D.; Mark D. Olszyk, M.D.

**STAFF PRESENT:** Christine Farrelly, Executive Director; Ellen Douglass-Smith, Deputy Director; Noreen Rubin, Assistant Attorney General; Sylvia Brown, Human Resources; Molly Dicken, Compliance Analyst; Angela Gaither, Management Associate; Wynee Hawk, Policy; Stacie Hobbs, Management Associate; Sandi Van Horn, Policy Analyst; Yemisi Koya, Director CEP; Charles McGinniss, Compliance Analyst; Colette Satterfield, DCCR Administrative Support; Nicholas Smith, IT Support; Gretchen Westphal, Compliance Analyst; Mark Woodard, Policy.

**GUESTS:** Aviana Caper, Office of the Attorney General ; Reena Palanivel, Office of the Attorney General.

**CHAIR CALL TO ORDER/CHAIR REPORT/EXECUTIVE COMMITTEE REPORT** - Noting a quorum of the Board, Devinder Singh, M.D., Chair, called the meeting to order at 9:04 a.m.

**ACTION AGENDA**

**1. Open Meeting Minutes**

On a motion made by Dr. S.C. Gupta and seconded by Dr. Nawaz, the Board voted unanimously to **APPROVE** the Panel A May 13, 2015 open meeting minutes.

**2. Policy**

**Naturopathic Medicine Formulary Workgroup Report**

Yemisi Koya, provided an update regarding the Naturopathic Medicine Formulary Workgroup (Workgroup). Dr. Koya reported that the Board was legislatively mandated to convene the workgroup to study the development of a naturopathic formulary in the State and the routes of administration that may be used by Naturopathic Doctors (NDs) when administering natural medicines. The charge specifically

was to review the naturopathic formularies in other states and make recommendations regarding the establishment of a naturopathic formulary including the types of drugs, medicines and devices to be added to the formulary and the methods by which the drugs, medicines and devices will be included in the formulary. Finally, the Workgroup was to make recommendations regarding the routes of administration that may be used by a ND when administering natural medicines. The Workgroup's report was presented to the Board for discussion and comment.

The Board voted to support the Workgroup's recommendations. One of the Workgroup's recommendations was that controlled substances and legend drugs be excluded from the naturopathic formulary in Maryland with an exception made only for epinephrine and oxygen on an emergency basis. The Board agreed with the recommendation but emphasized for the record that epinephrine and oxygen should be administered only in emergency situations and not for chronic conditions. The Board also discussed other matters concerning the practice of Naturopathic Medicine including the supervision of Naturopathic Doctors, Naturopathic Medicine Practice Standards and the Self-regulation of NDs. The Board voted to submit a Letter of Information to the legislature outlining the issues. (The letter is attached).

On a motion made by Dr. S.C. Gupta and seconded by Dr. Della'Zanna, the Board voted unanimously to **APPROVE** no prescriptive authority beyond the limited emergency exceptions of oxygen and epinephrine.

### **Policy**

Wynee Hawk, reported on the following items:

Policy submitted pre-proposal concept papers to the Secretary of Department of Health and Mental Hygiene (DHMH) that included two proposals.

The Board is assessed 12% annually on revenues that is divided equally to support two grant programs administered by the Maryland Higher Education Commission (MHEC).

Six percent goes to the Loan Assisted Re-Payment, (LARP). This is set aside for Physicians and Physician Assistants that meet certain criteria. The second 6% goes to the Health Personal Shortage Incentive Grant, (HPSIG). The Secretary designates the health occupations considered to be "shortages". The intent is to increase licensing of individuals in that occupation. While researching and watching the budget this Session Policy discovered that there have been some issues with the administration of at least the (HPSIG) component. The Legislature has also recognized the administration problems and is requiring the Maryland Education Commission to submit a Joint Chairman's Report so they can review how certain funds are being administered. Policy has submitted a proposal to repeal the assessment, but the Secretary does not support a total repeal because he is concerned about the (LARP) component. The Secretary is requesting further discussion on the (HPSIG) component and Ms. Hawk will be setting up meetings for this issue. At the same time the committee has met with MedChi and they are very interested in pursuing this proposal and going forward, she will keep the Board apprised.

The second proposal is to address concerns regarding the Two Disciplinary Panel Systems and changing the Two Panel Systems back to the one Board System. Dr. Singh mentioned that a study was conducted regarding initially the Board of Physician's Board meetings changed from a one Full Board monthly meeting to a split Two Panel Board meeting twice a month due to a backlog of cases. The backlog was cleared stated that the backlog was cleared prior to starting the Two-Panel Board meetings.

Staff will be meeting with MedChi on June 12, 2015 to see if they are in agreement with the Board meetings moving back to a monthly Full Board meeting.

The Board voted to unanimously approve to move to a one panel Board meeting, once monthly.

On a motion made by Ms. Contee and seconded by Dr. Rosenstein, the Board voted unanimously to **APPROVE** to change Disciplinary Full Board Panel from a Two-Panel System.

### **BOARD VOTE TO CLOSE SESSION**

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***CLOSED SESSION: "Pursuant to Maryland State Government Annotated §10-501 et. seq., on a motion made by Dr. S. C. Gupta and seconded by Mr. Nawaz, the Board unanimously voted to close its meeting on June 10, 2015 at 9:30 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"***

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

There was one show cause hearing. There were five cases presented to Panel A for charging. There was one case presented to Panel A for return to board. The Disciplinary for Panel A closed meeting minutes for May 13, 2015 were approved.

Respectfully Submitted,

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Carmen Contee  
Secretary, Panel A

Date