

**FULL BOARD MEETING MINUTES**  
of the  
**BOARD OF MEDICAL EXAMINERS**  
301 S. Park Ave, 4<sup>th</sup> Floor, Helena MT  
10:00 a.m. to 4:45 p.m.  
July 17, 2015

**1. Call To Order - Establish Quorum - Introduction of Board & Staff Members Present (00:06)**

**Board Members Present:**

Dr. Bruce Hayward (Chair), Mr. Charles Farmer, Dr. Kris Spanjian, Dr. Nathan Thomas, Mr. Dwight Thompson, Ms. Tanja Brekke, Ms. Carole Erickson, Dr. Anna Earl, Dr. Mary Anne Guggenheim, Ms. Patricia Bollinger, Dr. James Feist, Ms. Katherine Tetrault (by telephone), and Dr. Jim Upchurch (by telephone)

**Board Members Absent:**

Prof. Ana Diaz

**Board Staff Present:**

Mr. Ian Marquand, Executive Officer  
Ms. Graden Hahn, Board Counsel  
Mr. Todd Younkin, Business Standards Division Administrator  
Ms. Colleen White, Procedures Specialist  
Ms. L'Joy Griebenow, Board Management  
Ms. LaVelle Potter, Compliance Officer  
Mr. Ken Threet, EMT Training Coordinator  
Dr. Harry Sibold, State EMS Medical Director

Dr. Marcie Bough, Executive Officer of Board of Pharmacy

**Guests Present:**

Mr. Michael Ramirez, Ms. Tamara Schmalz, Mr. Jim DeTienne, Ms. Barbara Good, Ms. Bree Manninen, Dr. Mary Drake, Mr. Jefferson Lin (by telephone), Mr. Jon Muir (by telephone), Ms. Jean Branscum, Ms. Jane Hamman, and Ms. Patti Steinmuller

**2. Approval and Tentative Modification of Agenda Order (1:05)**

**a. July 17, 2015 Agenda**

**MOTION: Dr. Thomas moved to adopt the July 17, 2015 agenda; Ms. Brekke seconded the motion. Motion passed unanimously. (1:25)**

**3. Review and Approve Minutes (1:40)**

**a. May 14-15, 2015 Open Session. The Board noted some changes to be made to the minutes.**

**MOTION: Dr. Spanjian moved to approve the May 14-15, 2015 Minutes as amended; Ms. Bollinger seconded the motion. Motion passed unanimously. (3:00)**

**b. May 14-15, 2015 Executive Session (3:27)**

**MOTION: Ms. Brekke moved to approve the May 14-15, 2015 Executive Session Minutes as presented; Dr. Feist seconded the motion. Motion passed unanimously. (3:39)**

**c. June 4, 2015 Open Session (3:56)**

**MOTION: Ms. Brekke moved to approve the June 4, 2015 Minutes as presented; Dr. Spanjian seconded the motion. Motion passed unanimously. (4:06)**

#### 4. Public Opportunity to Comment (4:21)

The Presiding Officer read the statement of public participation and opened the meeting for public comment. Mr. Muir thanked the Board for approving the practical side of paramedic training and noted a written examination is still needed.

#### 5. Compliance Report (7:38)

- a. July Screening Panel Report
- b. June Screening Panel Report

Ms. LaVelle Potter provided the reports. During the June screening panel, 28 cases were considered: 8 cases were dismissed with prejudice; 12 were dismissed without prejudice, in 3 cases reasonable cause was found, and 5 cases were tabled. During the July screening panel, 6 cases were considered: 1 complaint was dismissed with prejudice; 1 complaint was dismissed without prejudice, in 1 case reasonable cause was found, and 3 were tabled. This was for information purposes only; no Board action was taken.

#### 6. Division Administrator's Report—Mr. Todd Younkin (40:07)

Mr. Younkin led the discussion. This was for information purposes only; no Board action was taken.

#### 7. Board Action (8:32 and 44:31)

##### a. Board and Department administrative suspensions under SB 76—Ms. Colleen White (8:32)

- i. Proposed Board motion delegating authority to the Department re: SB 76  
Ms. White led the discussion.

**MOTION: Ms. Erickson moved to table further consideration of this agenda item until the board has received further clarification, particularly regarding reporting requirements to the NPDB [National Practitioners Data Bank]; Dr. Earl seconded the motion. (22:56) Discussion ensued. Motion passed unanimously. (39:57)**

##### b. Professional Assistance Program Contract for FY 2016—Ms. Graden Hahn (1:37:17)

Ms. Hahn led the discussion. This was for information purposes only; no Board action was taken.

##### c. Rulemaking (1:38:17)

- i. Update on MAR 24-156-82 (Fees, ECP Transition, ACU Continuing Ed)  
Mr. Marquand led the discussion. This was for information purposes only; no Board action was taken.

##### d. Interstate Medical Licensure Compact (1:39:23)

- i. Update on Compact development & Governor's appointments to Compact Commission  
Mr. Marquand led the discussion. This was for information purposes only; no Board action was taken.

##### e. Correspondence (44:31 and 1:49:47)

- i. Comment from Dr. Bill Gallea re: residency requirements for Physician licensing (continued from May) (1:49:47)  
Mr. Marquand led the discussion.

**MOTION: Dr. Spanjian moved to direct the Laws & Rules Committee to work toward a solution for a short term [physician] license at the end of residency to expedite credentialing prior to graduation; Ms. Brekke seconded the motion. Motion passed unanimously. (2:03:55)**

- ii. Letter from Alliance for Natural Health re: Nutrition and N.C. Dental Board Supreme Court decision  
Mr. Marquand led the discussion. (2:04:40)

##### iii. MPDR Reports (2:10:21)

This was for information purposes only; no Board action was taken.

- iv. Request from Dr. Mary Drake for reconsideration re: Physicians and “Medical Acupuncture” **(44:31)**  
Mr. Marquand led the discussion. Dr. Drake was before the Board. No Board action was taken.
- v. Request from Jefferson Lin for Board approval of ECMO practice as “occasional case” **(2:12:06)**  
Mr. Marquand led the discussion. Mr. Lin was present before the Board by telephone.

- f. **Presentation by Montana Association of Acupuncture & Oriental Medicine—Ms. Barbara Good & Ms. Bree Manninen (1:00:43)**  
This was for information purposes only; no Board action was taken.

- g. **Statewide ECP Protocols (2:38:21)**

- i. Request for exemption to statewide protocols (Referral to Medical Direction Committee)

**MOTION: Ms. Erickson moved to refer the request for exemption to the Medical Direction Committee; Ms. Brekke seconded the motion. Motion passed unanimously. (2:38:52)**

- h. **Scheduling of Next Meeting/Meeting Planning (2:39:19)**

- i. September 18, 2015, Helena
  - ii. Updates on 2015 and 2016 meeting dates and locations

- i. **Approval of Travel (2:49:34)**

- i. AIM Executive Director Workshop, Nov. 5-6, Scottsdale AZ

**MOTION: Ms. Brekke moved to authorize Mr. Marquand to attend the AIM Executive Director Workshop, November 5-6, in Scottsdale, AZ; Dr. Thomas seconded the motion. Motion passed unanimously. (2:50:39)**

- ii. NASEMSO National Meeting, Oct. 12-16, Louisville KY **(2:51:03)**

**MOTION: Ms. Brekke moved to authorize Dr. Sibold and Mr. Threet to attend the NASEMSO National Meeting, October 12-16, in Louisville, KY; Ms. Bollinger seconded the motion. Motion passed unanimously. (2:51:30)**

- iii. CPEP Learning Summit, Nov. 5-6, Denver CO **(2:51:50)**

**MOTION: Ms. Brekke moved to authorize Dr. Feist to attend the CPEP Learning Summit, November 5-6, in Denver, CO; Dr. Spanjian seconded the motion. Motion passed unanimously. (2:53:18)**

## **8. Board Committee, National Committee and Other Reports**

- a. Medical Direction Committee—Dr. James Upchurch **(2:54:20)**
  - i. Recommendations re: AEMT & Paramedic examinations  
Dr. Sibold led the discussion. This was for information purposes only; no Board action was taken.
- b. Laws & Rules Committee **(2:57:56)**  
Mr. Marquand led the discussion. This was for information purposes only; no Board action was taken.
- c. Outreach Committee/Board Liaison **(2:58:12)**  
Ms. Erickson led the discussion. This was for information purposes only; no Board action was taken.
- d. Acupuncture Committee **(2:58:59)**  
Ms. Brekke led the discussion. This was for information purposes only; no Board action was taken.
- e. Montana POLST Coalition Report **(2:59:03)**  
Dr. Sibold made the report. This was for information purposes only; no Board action was taken.
- f. FSMB Reports **(3:04:25)**  
Mr. Marquand made the report. This was for information purposes only; no Board action was taken.

## **9. Medical Director and EMT Training Officer Reports (3:04:44)**

- a. Medical Director Report—Dr. Harry Sibold  
Dr. Sibold led the discussion. This was for information purposes only; no Board action was taken.

**MOTION: Dr Spanjian moved to direct Dr. Sibold to adjust language to use “pressors” instead of just “norepinephrine” or “dopamine” to make the “Shock-Medical” protocols clearer [consistent with today’s discussions and return with language to the Board’s next meeting]; Dr. Earl seconded the motion. Motion passed unanimously. (3:09:51)**

**MOTION: Dr. Spanjian moved to approve the “Diabetic Emergency – Conscious” D10, D50 [etc.] protocol changes as written; Dr. Earl seconded the motion. Motion passed unanimously. (3:10:53)**

- b. Training Officer Report—Mr. Ken Threet (3:11:25)  
Mr. Threet led the discussion. This was for information purposes only; no Board action was taken.

**MOTION: Dr. Feist moved to approve the practical exam [for ECP] as written; Mr. Farmer seconded the motion. Motion passed unanimously. (3:13:34)**

#### **10. Executive Officer Report—Mr. Ian Marquand**

- a. Application Report (3:20:48)
- b. PA Supervision Agreement reviews (3:22:10)
- c. Budget Report (3:34:55)
- d. Application Forms and Processes (3:37:11)

**MOTION: Dr. Spanjian moved to approve the concept of an easy conversion from telemedicine license to physician license; Ms. Brekke seconded the motion. Motion passed unanimously. (3:48:58)**

**MOTION: Dr. Thomas moved to direct staff to remove language requiring a DEA query and NPDB self-query requirements from the podiatrist licensure application process; Ms. Erickson seconded the motion. Motion passed unanimously. (3:50:58)**

- e. EAIC Work Plan (3:51:57)

**MOTION: Dr. Guggenheim moved to have Ms. Brekke officially represent the Board at the EAIC meeting relative to the Board’s already approved written comments to the change of scope of practice [rules] for physical therapists, and that at that meeting, if [Ms. Brekke] also makes comments relative to her knowledge of the practice of acupuncture personally, she makes that clear to the committee; Dr. Thomas seconded the motion. Motion passed unanimously. (4:04:54)**

- f. Response from Board of Physical Therapy Examiners to BOME Comments re: Dry Needling rule (4:06:17)
- g. Newsletter (4:09:45)

**\*\*\* BREAK \*\*\* (4:10:13 - 4:17:18)**

#### **11. Legal Report (4:17:18)**

Ms. Hahn led the discussion. This was for information purposes only; no Board action was taken.

Chairman Dr. Hayward transitioned the meeting into Executive Session. (1:47:47)

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#### **12. EXECUTIVE SESSION**

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Chairman Dr. Hayward returned the meeting to open session. (1:49:12) Mr. Marquand summarized the action of the Board during Executive Session, namely that the Board heard and discussed the MPAP report. (4:17:34)

#### **13. Board Action (Continued)**

##### **a. Non-routine Applications**

- i. Laurel Matthews, PHYS (4:18:37)

Dr. Matthews was not present before the Board. Mr. Marquand led the discussion. This was for

information purposes; no Board action was taken.

ii. **Barbara Germin, PHYS (4:18:37)**

Dr. Germin was not present before the Board. Mr. Marquand led the discussion. This was for information purposes; no Board action was taken.

**14. Update on SB 8 and electronic prescribing—Ms. Marcie Bough, Board of Pharmacy (4:19:50)**

Ms. Bough led the discussion. This was for information purposes only; no Board action was taken.

**15. Information from Other State Agencies (4:42:00)**

a. **Jim DeTienne, DPHHS EMS/Trauma Section**

This was for information purposes only; no Board action was taken.

**MOTION: Ms. Erickson moved to have Dr. Sibold [and Mr. Threet and someone from Medical Direction Committee] have a presence at Mr. DeTienne's September 16, 2015 meeting; Dr. Guggenheim seconded the motion. (4:57:32) Discussion ensued. Motion passed unanimously. (5:01:14)**

**16. Adjourn**

**MOTION: Dr. Thomas moved to adjourn the meeting; Dr. Feist seconded the motion. Motion passed unanimously. (5:06:05)**

The meeting was adjourned at 4:45 p.m. **(5:06:24)**