

COMMITTEE MEETING MINUTES
of the
BOARD OF MEDICAL EXAMINERS -
LAWS & RULES COMMITTEE
4TH FLOOR LARGE CONFERENCE ROOM
HELENA, MONTANA
2:00 – 4:00 p.m.
December 11, 2012

1. Call to Order – Establish Quorum – Introduction of Board & Staff (00:00)

Members Present: Dr. Mary Anne Guggenheim (Presiding Chair), Ms. Pat Bollinger, Ms. Carole Erickson, Dr. Bruce Hayward, and Dr. Nathan Thomas (joined late)

Members Absent:

Staff Present: Mr. Ian Marquand, Ms. L’Joy Griebenow, Anne O’Leary, Esq., Dr. Harry Sibold

Guests Present: Ms. Marti Wangen, Mr. Mike Ramirez

2. Approval of Agenda (1:06)

The Committee reviewed the December 11, 2012 Agenda.

MOTION: Ms. Carole Erickson made a motion to approve the December 11, 2012 agenda as submitted; Ms. Pat Bollinger seconded the motion. Motion passed unanimously. (1:19)

3. Approval of Minutes (1:34)

The Committee reviewed the September 27, 2012 Minutes.

MOTION: Dr. Bruce Hayward made a motion to approve the September 27, 2012 meeting minutes as written; Ms. Carole Erickson seconded the motion. Motion passed unanimously. (2:18)

4. Public Opportunity to Comment (2:40)

The Presiding Chair read the statement of public participation and opened the meeting for public comment. There was no public comment.

5. Board Action (3:32)

- a. Physician Licensure by Expedited Process (Revisited) (3:32) and (6:16)

MOTION: Ms. Carole Erickson made a motion to accept the revisions and present the [proposed amended expedited process] rules to the full Board in January 2013; Ms. Pat Bollinger seconded the motion. Motion passed unanimously. (19:10)

- b. Hyperbaric Oxygen & Podiatry (Referral from Full Board) (20:51)

MOTION: Dr. Bruce Hayward made a motion to bring this issue to the full board at the next board meeting with the [Committee's] recommendation to send a letter to Kalispell Regional Medical Center to be drafted by legal counsel and that [the Committee] does not recommend either by rule or position paper that the Board make any public comments. [The motion was never seconded.] (1:06:30)

MOTION: Dr. Bruce Hayward made a motion to report a brief summary of the committee's discussion today to the full board including [the Committee's] perspective that any changes would have to be of a statutory nature, that [the Committee] does not recommend to the Board - either by rule or position paper - that the Board make any restrictions or cautions about the use of hyperbaric oxygen, and that [the Committee] will have as part of the report available to the full board a draft letter to Dr. Eddy summarizing what is appropriate; Ms. Pat Bollinger seconded the motion. Motion passed unanimously. (1:07:49)

[Brief recess (1:10:44)]

Ms. Marti Wangen, Executive Director for the Montana Podiatric Medical Association was introduced and spoke briefly with the Committee. (1:11:15)

- c. Rules re: Referral to Montana Professional Assistance Program (Referral from Full Board) (1:18:53)

MOTION: Ms. Carole Erickson made a motion directing that a letter be drafted with the help [of the Board's] legal counsel and executive officer to then present to the full Board in January [2013]; Ms. Pat Bollinger seconded the motion. Motion passed unanimously (1:29:58)

- d. Specialized Physician Licenses - 37-3-301(2) MCA (Ms. Carole Erickson) (1:30:34)

Discussion ensued. No Committee action was taken.

- b. Hyperbaric Oxygen & Podiatry (revisited) (1:45:33)

MOTION: Dr. Bruce Hayward made a motion to rescind the previous motion [with respect to hyperbaric oxygen & podiatry made during today's meeting]; Ms. Pat Bollinger seconded the motion. Motion passed unanimously. (1:51:50)

MOTION: Ms. Carole Erickson made a motion that Dr. Guggenheim and Dr. Sibold jointly draft a letter response to Dr. Eddy, to be reviewed by Board legal counsel and executive officer, to be presented to the full board in January [2013]; Ms. Pat Bollinger seconded the motion. Motion passed unanimously. (1:54:11)

- e. Obligatory vs. Flexible Rules re: SPEX Examinations and Related Topics (Mary Anne Guggenheim, M.D.) (1:55:49)

MOTION: Ms. Pat Bollinger made a motion to table this matter [Item 5e] until next meeting; Dr. Bruce Hayward seconded the motion. Motion passed unanimously. (1:59:46)

6. Adjourn (2:00:21)

MOTION: Dr. Bruce Hayward made a motion to adjourn; Ms. Pat Bollinger seconded the motion. Motion passed unanimously. (2:00:22)