

LAWS AND RULES COMMITTEE MEETING MINUTES
of the
BOARD OF MEDICAL EXAMINERS
301 S. Park Avenue, Basement Conference Room (B-07), Helena MT
1:00 p.m. to 4:08 p.m.
Friday, April 17, 2015

1. Call To Order - Establish Quorum - Introduction of Board & Staff Members Present (00:00:01)

Ms. Tanja Brekke, Presiding Officer for the Committee, called the meeting to order at 1:05 p.m.

Committee Members Present:

Ms. Tanja Brekke, Presiding Officer
Dr. Bruce Hayward
Professor Ana Diaz (via teleconference)
Ms. Pat Bollinger
Dr. Mary Anne Guggenheim

Committee Members Absent:

Dr. Nathan Thomas

Staff Members Present:

Mr. Ian Marquand, Executive Officer
Ms. Graden Hahn, Board Counsel
Ms. Jodi Koehnke, Administrative Specialist
Mr. Ken Threet, EMT Training Officer
Dr. Harry Sibold, State Medical Director
Ms. LaVelle Potter, Compliance Specialist
Mr. Michael Fanning, Department Counsel

Guests Present:

Ms. Joyce Dombrowski, RN, Chief Nursing Officer, St. Patrick Hospital, Missoula
Mr. Will Hunt, Acting President, MT Academy of Physician Assistants
Ms. Thelma McClosky Armstrong, Director of Telemedicine, Billings Clinic

2. Approval and Tentative Modification of Agenda Order (00:02:35)

- a. Agenda for April 17, 2015

MOTION (00:02:40): Dr. Mary Anne Guggenheim moved to approve the April 17, 2015 agenda as proposed. Ms. Pat Bollinger seconded. The motion passed unanimously.

3. Review and Approve Minutes (00:03:02)

- a. Minutes from September 4, 2014

MOTION (00:03:24): Ms. Pat Bollinger moved to approve the September 4, 2014 minutes. Professor Ana Diaz seconded. Dr. Mary Anne Guggenheim abstained from voting as she did not attend the September 4, 2014 meeting. All others voted in favor. The motion passed unanimously.

4. Public Opportunity to Comment (00:03:51)

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

5. Board Action

- a. Request from MT Academy of Physician Assistants re: chart review & duties/delegation **(00:04:50)**
Mr. Will Hunt addressed the Board regarding the rules for physician assistants.

MOTION (00:50:29): Ms. Pat Bollinger moved to table this item pending the submission of concepts from the MT Academy of Physician Assistants. (The Academy has their Annual membership and Board of Directors meeting in June and will discuss this topic. Mr. Ian Marquand has been invited to attend the meeting.) Dr. Bruce Hayward seconded. Discussion ensued. The motion passed unanimously.

- b. Unprofessional Conduct Rules (all license types) **(00:54:18)**

MOTION (01:17:38): Dr. Mary Anne Guggenheim moved that in regards to the Unprofessional Conduct Rules, to accept the standard for every profession, the statement, “commission of an act of sexual abuse, misconduct, or exploitation whether or not related to the licensee’s practice of (medicine, podiatric medicine, dietetics-nutrition or acupuncture).” Ms. Pat Bollinger seconded. The motion passed unanimously.

MOTION (01:18:14): Dr. Mary Anne Guggenheim moved in all license types to strike the reference to “chaperone” in the Unprofessional Conduct rules. Ms. Pat Bollinger seconded. The motion passed unanimously.

MOTION (01:20:56): Dr. Bruce Hayward moved for Board Counsel to draft the Acupuncturists Unprofessional Conduct rule (ARM 24.156.1412) to be consistent with the other professions. Dr. Mary Anne Guggenheim seconded. The motion passed unanimously.

- c. Update on development of rules related to SB 77 & telemedicine **(01:23:14)**

MOTION (02:51:26): Dr. Mary Anne Guggenheim moved to request Board Counsel, Ms. Graden Hahn, to begin drafting rule language on telemedicine based on the recommendations from the working group and this discussion of the Laws & Rules committee. Ms. Pat Bollinger seconded. The motion passed unanimously.

6. Adjourn (03:02:23)

MOTION (03:02:23): Ms. Pat Bollinger moved to adjourn the meeting. Dr. Bruce Hayward seconded. The motion carried unanimously.