

FULL BOARD MEETING AGENDA
of the
BOARD OF MEDICAL EXAMINERS
4TH FLOOR LARGE CONFERENCE ROOM, 301 S. PARK AVE. HELENA, MT
9:56 a.m. – 3:47 p.m.
FRIDAY, SEPTEMBER 16, 2016

Conference Call Information:
Call #: (877) 820-7831 Pass Code: 462794#

1. Call To Order - Establish Quorum - Introduction of Board & Staff Members Present (00:00:03)

Dr. Thomas called the meeting to order at 9:54 a.m.

Members Present:

Dr. Nathan Thomas, President
Dr. James Feist, Vice President
Ms. Tanja Brekke, LAc, Secretary
Ms. Pat Bollinger, RD
Dr. James Burkholder
Dr. Anna Earl
Ms. Carole Erickson
Ms. Katherine Tetrault, PA-C
Dr. James Upchurch
Mr. James Farmer, EMT
Dr. Kristin Spanjian
Prof. Ana Diaz, Ph.D.
Ms. Tammy Scott, PA-C
Dr. Anna Earl

Staff Present:

Mr. Ian Marquand-Executive Officer
Ms. Graden Hahn-Board Counsel
Mr. Todd Younkin-Division Administrator
Dr. Harry Sibold-Medical Director
Ms. LaVelle Potter-Compliance Specialist

Public Present:

Ms. Jean Branscum-Montana Medical Association
Ms. Casey Blumenthal-Montana Hospital Association
Ms. Tamara Greeling-MPAP
Dr. Colleen Murphy-via conference call
Mr. John Muir-via conference call
Dr. Dharma Rose
Mr. Steve Christiansen
Ms. Ashley Martin-via conference call
Mr. John Phillips
Dr. Samuel Spanbauer
Dr. Matt Gonzales-Providence Health
Dr. Ira Byock-Providence Health

2. Approval and Tentative Modification of Agenda Order (00:02:50)

Motion: (00:04:02) Dr.Spanjian moved to approve the September 16, 2016 agenda as presented. Ms. Brekke seconded the motion. The motion carried.

3. Review and Approve Minutes (00:04:15) Staff was instructed to change Tamara's Schmalz's name to Greeling on both sets of minutes due to her marriage.

- a. July 15, 2016 Open Session
- b. July 15, 2016 Executive Session

4. Public Opportunity to Comment (00:04:43)

(Presiding Officer Statement) “Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board that is not on the agenda of this meeting. Please note that a ‘public matter’ does not include contested cases or other adjudicative proceedings. While the Board cannot take action on any issues presented, the board will listen to comments and may ask staff to place the issue on a subsequent agenda. The presiding officer may limit the comment period in order to proceed with the board meeting.”

(00:05:20) Jon Muir-Mr. Muir asked that the board consider reviewing the critical care transport statewide ECP protocol that has not been reviewed since 2004. This will be referred to the Medical Direction Committee.

5. Compliance Report—LaVelle Potter -FYI- No Board action required. (00:06:23)

- a. August Screening Panel Report **(00:06:33)**
- b. September Screening Panel Report **(00:06:47)**

6. Legal Report—Ms. Graden Hahn -FYI-No Board action required. (00:07:05)

7. Interstate Medical Licensure Compact Report—Mr. Ian Marquand-FYI-No Board action required. (00:17:57)

8. Medical Director and ECP Training Officer Reports (00:00:00) FYI-No Board action required. (00:38:38)

- a. Medical Director Report—Dr. Harry Sibold **(00:39:04) (01:29:47)** FYI-No Board action required.
- b. Training Officer Report—Mr. Ken Threet-FYI-No Board action required.

9. Board Action

a. Statewide ECP Protocols

- i. IN Narcan for EMR, EMT (tabled from July 15)
- ii. IN Ativan (tabled from July 15)

No board action taken.

b. Licensee Administrative Action-To be discussed in Executive Session (00:40:30)

- i. Request from John Phillips, EMT

c. Non-routine Applications (00:40:39)

- i. **James Champa, Physician (tabled)** No Board action taken

- ii. **Philip Fisher, Physician (tabled) (00:40:52)**

Motion: (00:43:27) Dr. Burkholder moved to remove Dr. Fisher’s application from being tabled. Ms. Bollinger seconded the motion. The motion carried.

Motion: (00:44:10) Ms. Erickson moved to provide the three month extension for Dr. Fisher as he requested. Dr. Hayward seconded the motion. The motion carried.

- iii. **Theresa Garcia, Physician (tabled)** No Board action taken.

- iv. **Dharma Rose, Physician (tabled) (00:45:21)**

(01:03:37) After discussion, it was suggested to Dr. Rose to continue to have her application tabled and allow it to time-out.

- v. **Bryan Espinosa, Physician Assistant (tabled)** No Board action taken.

- vi. **Foster Cline, Physician (tabled)** No Board action taken.

- vii. **Samuel White, EMT (tabled)** No Board action taken

- viii. **Arthur Zilberstein, Physician (tabled) (01:05:01)**

(01:11:56) After discussion, it was determined Dr. Ziberstein’s application will be reviewed in Executive Session.

- ix. **Daniel Roth, Physician (01:12:57)**

Motion: (01:22:03) Ms. Brekke moved to table Dr. Roth's application and require his participation at the next scheduled meeting. Dr. Hayward seconded the motion. The motion carried.

(03:43:05) Mr. Marquand informed the Board he received additional information regarding Dr. Roth's application. The Board decided to call him for further discussion.

(03:51:44) After waiting a number of minutes with no call back, the original motion for Dr. Roth remains.

x. Samuel Spanbauer, Physician -To be heard in Executive Session

xi. Colleen Murphy, Physician (01:46:35)

Motion: (01:51:07) After discussion, it was determined Dr. Murphy's application will be reviewed in the Executive Session.

d. Clinical Pharmacist Practitioner Applications (01:57:19)

i. Ashley Martin

Motion: (02:00:37) Ms. Brekke moved to approve Ms. Martin's endorsement. Ms. Bollinger seconded the motion. The motion carried.

10. Working Lunch (Executive Session) (02:02:25)

2-3-203. Meetings of public agencies and certain associations of public agencies to be open to public -- exceptions.

(3) The presiding officer of any meeting may close the meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting must be open.

Dr, Thomas recessed the full board meeting.

Dr. Thomas adjourned the Executive Session meeting at 1:39 p.m. (01:33:08)

Dr. Thomas reconvened the full board meeting at 1:58 (02:03:01)

Joining the Full Board meeting by phone:

Dr. Ira Byock

Dr. Matt Gonzales

Ms. Jean Branscum

SUMMARY OF EXECUTIVE SESSION

a. MPAP Report-Ms. Tamara Greeling (02:04:05)

No Board action.

b. Licensee Administrative Action Non-routine Applications

-One Request for change in license status-no Board action.

c. Non-routine Applications

-Two non-routine applications in which license was granted

-Consideration of one application-no Board action

11. Division Administrator's Report—Mr. Todd Younkin-FYI-No Board action required. (02:04:37) Mr. Younkin was unavailable. Ms. Maggie Connor, Bureau Chief was in attendance.

The Board voiced their concern regarding the inadequacy of the phone system. Ms. Connor will bring their concerns to Mr. Younkin and report back to the Board at the next scheduled meeting.

12. Board Action (Continued)

a. Approval of Travel (03:06:35)

- i. **Interstate Medical Licensure Compact Commission, Oct. 3, Kansas City KS (Dr. James Feist, Ian Marquand)**
Motion: (03:06:49) Ms. Brekke moved to approve Dr. Feist and Mr. Marquand to attend the Interstate Medical Licensure Compact Commission. Ms. Erickson seconded the motion. The motion carried.
- ii. **Interstate Medical Licensure Compact Commission, Dec. 13, Phoenix AZ (Dr. James Feist, Ian Marquand) (03:08:10)**
Motion: (03:08:42) Dr. Burkholder moved to approve Mr. Marquand and Dr. Feist to attend the Interstate Medical Licensure Compact Commission. Ms. Erickson seconded the motion. The motion carried.
- iii. **FSMB Attorney Workshop, Nov. 9-10, Albuquerque NM (Attendees to be determined) (03:09:06)**
Motion: (03:09:43) Ms. Brekke moved to approve Ms. Hahn and Mr. Bovingdon to attend the FSMB Attorney Workshop. Dr. Spanjian seconded the motion. The motion carried.
- iv. **CPEP 2017 Learning Summit, Jan. 23-24, Denver CO (Attendees to be determined) (03:09:59)**
Motion: (03:12:13) Ms. Erickson moved to approve Mr. Marquand and Dr. Burkholder to attend the CPEP 2017 Learning Summit. Ms. Brekke seconded the motion. The motion carried.

b. Correspondence (02:21:22)

- i. MPDR Reports **(03:54:55)** No Board action required.
- ii. E-mail from Casey Blumenthal/MHA re: supervision of student PA's (ARM 24.156.1604) **(02:21:39)** No Board action required.
- iii. E-mail from Providence Health re: POLST forms **(02:38:47)**
Motion: (03:02:21) Ms. Brekke moved to support the development of an unlocked, fillable version of a PDF of POLST forms. Dr. Spanjian seconded the motion. The motion carried.
- iv. E-mail from Red Lodge Fire Rescue re: REPLICA **(03:06:05)** FYI-No Board action required.

c. Scheduling of Next Meeting / Meeting Planning (03:12:44)

- i. November 4, 2016
- ii. 2017 meeting calendar- Full Board Meeting Dates:
 January 20, 2017
 March 17, 2017
 May 18, 2017- ½ day
 May 19, 2017
 July 21, 2017
 September 15, 2017
 November 17, 2017

13. Board Committee, National Committee and Other Reports FYI – (03:15:15)

- a. Medical Direction Committee—Dr. James Upchurch **(03:15:33)** FYI-No Board action required.
- b. Laws & Rules Committee—Ms. Tanja Brekke **(03:16:25)** FYI-Mr. Marquand will set up a Laws & Rules Committee meeting for October, 2016.
- c. Outreach Committee—Ms. Carole Erickson **(03:17:40)** FYI-No Board action required.
- d. Acupuncture Committee—Ms. Tanja Brekke Application / Licensing / Renewal Report –No discussion at this meeting
- e. Montana POLST Coalition Report—Dr. Harry Sibold **(03: 27:39)** FYI-No Board action required.
- f. FSMB Reports **(03:27:54)** FYI-No Board action required.

14. Executive Officer Report- Mr. Ian Marquand-(03:28:48)- FYI-No Board action required.

- a. ECP Continuing Education Audit **(03:29:00)**
- b. Budget Report **(03:30:00)**
- c. Activities, inc. Newsletter **(03:33:10)**

15. Reports from Other State Agencies (03:33:39) FYI-No Board action required.

- a. DPPHS EMS/TS—Mr. Jim DeTienne / Dr. Greg Holzman

16. Adjourn

Motion: (03:52:03) Dr. Spanjian moved to adjourn the meeting at 4:00 p.m. Ms. Erickson seconded the motion. The motion carried.

The Department of Labor & Industry is committed to providing meeting access through reasonable accommodation under the Americans with Disabilities Act. Please contact the Board office prior to the proposed meeting date for further information.

New agenda items may be added up to “three business days” before the meeting. For the most accurate agenda, please consult the web site at www.medicalboard.mt.gov. The board may reorder the agenda at the beginning of the meeting.