

**BOARD OF MEDICAL EXAMINERS  
FULL BOARD MEETING  
301 SOUTH PARK AVENUE, 4<sup>th</sup> Floor – Large Conference Room  
HELENA MT  
DATE: March 18, 2011**

**MINUTES**

**AMERICANS WITH DISABILITIES ACT:**

The Department of Labor and 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.

**ITEM # 1: Call to Order**

Dr. Anna Earl called the meeting to order at 9:46 AM. Roll call was taken and a quorum was present.

**Members Present:** Ms. Eileen Sheehy, Dr. Mary Anne Guggenheim, Ms. Pat Bollinger, Dr. James Upchurch, Dr. Nathan Thomas, Dr. Bruce Hayward, Mr. Ryan Burke, Dr. Kristin Spanjian, Ms. Kay Bills-Kazimi, Dr. Anna Earl, Ms. Carole Erickson, Mr. Dwight Thompson

**Members Absent:** Dr. Dean Center

**Staff Present:** Ms. Jean Branscum, Ms. Anne O'Leary, Ms. Linda Ashworth, Mr. Ken Threet, Ms. LaVelle Potter

**Guests Present:** Mr. Mike Ramirez, MPAP; Mr. Michael Crump; Dr. Julie Swanson; Dr. Kenneth Crawford; Dr. Travis Walker; Dr. Patricia Evans; Dr. James Armstrong; Mr. Ronald Klein, Executive Director, Montana Board of Pharmacy; Ms. Lee Anne Bradley; Mr. Vincent Colucci; Linda Edquest, Montana Medical Association; Linda Bierbach; Mr. Jim DeTienne

**ITEM #2: Approval of Agenda:**

Dr. Anna Earl requested that agenda item #24 be moved to follow item #14.

**MOTION: Dr. Mary Ann Guggenheim made a motion to approve the March 18, 2011 agenda as amended. Ms. Carole Erickson seconded the motion. The motion passed unanimously.**

**ITEM #3: Approval of Minutes**

The Board reviewed the January 21, 2011 minutes.

**MOTION: Dr. Bruce Hayward made a motion to approve the January 21, 2011 minutes. Dr. Mary Anne Guggenheim seconded the motion. The motion passed unanimously.**

The Board reviewed the January 21, 2011 Executive Session minutes.

**MOTION: Mr. Ryan Burke made a motion to approve the January 21, 2011 Executive Session minutes. Dr. Bruce Hayward seconded the motion. The motion passed unanimously.**

The Board reviewed the February 16, 2011 minutes.

**MOTION: Ms. Pat Bollinger made a motion to approve the February 16, 2011 minutes. Dr. Mary Anne Guggenheim seconded the motion. The motion passed unanimously.**

#### **ITEM # 4: Compliance Report**

Ms. Jean Branscum presented the compliance report to the Board and updated the members on the earlier screening panel discussions. The panel reviewed 6 cases. 2 were dismissed with prejudice, 2 cases without prejudice, 1 case was tabled and 1 was noticed for investigation/peer review.

#### **ITEM # 5: Department Update**

Jack Kane, Administrator DLI/BSD was unable to attend the meeting, due to a prior commitment.

#### **ITEM #5: Open Forum for Public Comments**

##### **PUBLIC COMMENT STATEMENT:**

**In accordance with 2-3-103(1), MCA, the Board will hold a public comment period. Please note that Open Forum is the public's opportunity to address the Board on any topic that is not on the agenda for this meeting. While the board cannot take action on the issues presented, the Board will listen to comments and may ask the issue be placed on a subsequent agenda for possible action by the Board. The Chairperson of the board will determine the amount of time allotted for public comment.**

Dr. Anna Earl opened the meeting for public comment. There was no public comment.

#### **ITEM #7: Licensee Administrative Action**

A. Complaint Closure -Jeremy Tjensvold

Mr. Tjensvold was not present at the meeting. Ms. Anne O'Leary reported that when the Board moved to notice Mr. Tjensvold at the January 22, 2010 meeting, a complaint was opened. The Board passed a motion at the November 19, 2010 meeting to vacate the motion, but did not pass a motion to dismiss the complaint without prejudice. The Board was requested to pass a motion to dismiss the complaint without prejudice.

**MOTION: Mr. Ryan Burke made a motion to dismiss the complaint against Mr. Jeremy Tjensvold without prejudice. Dr. James Upchurch seconded the motion. The motion passed unanimously.**

B. Ratification - Casey Riley, EMT

Mr. Riley was not present at the meeting. Ms. Anne O'Leary stated the Mr. Riley had entered into a stipulation for a probationary license and would need Board ratification on the signed final order. The stipulation for a probationary license included one year without any traffic or other violations.

**MOTION: Mr. Ryan Burke made a motion to ratify the final order signed by Mr. Riley. Dr. Kristin Spanjian seconded the motion. The motion passed unanimously.**

C. Final Order Denying Licensure - Dr. Michael Sigler

Dr. Sigler was not present at the meeting. Ms. Anne O'Leary stated that Dr. Sigler had signed and returned the final order for license denial. Dr. Sigler had requested a hearing to resist the proposed action and then dismissed the request in order to address his residency requirement.

**MOTION: Ms. Carole Erickson made a motion to ratify the final order denying licensure to Dr. Michael Sigler. Ms. Pat Bollinger seconded the motion. The motion passed unanimously.**

D. Other - Dr. Julie Swanson

Dr. Julie Swanson attended the meeting by telephone. Dr. Swanson's application was before the Board because a gap in time, when she ceased to practice, was missed during the application review and she was granted a full unrestricted license September 13, 2010. Dr. Swanson had not practiced since November 2003 and should have

been required to take the SPEX before being issued a license. Dr. Swanson stated that during the time she had not been practicing she had completed 50 continuing medical education credits per year. She re-boarded in family medicine in 2009, receiving recertification in January 2010. She affirmed that she was currently working in Billings and would be taking the SPEX on March 31, 2011. She agreed to have the results sent to the Board.

**MOTION: Dr. Kristin Spanjian made a motion to allow Dr. Swanson to take the SPEX. If she were to not pass the exam the Board would take further action. Dr. Mary Anne Guggenheim seconded the motion. The motion passed unanimously.**

#### **ITEM #8: Unlicensed Practice**

##### A. Ms. Corry Matthews

Ms. Matthews was not present for the meeting. Ms. Anne O'Leary stated the Montana Board of Medical Examiners received a magazine article in which Ms. Matthews was advertising herself as "a certified nutritionist", but does not hold a license through the Montana Board of Medical Examiners as a nutritionist.

The response from the franchise in Missoula stated that Ms. Matthews was not affiliated with the store and the article was published from a national source outside of Montana.

**MOTION: Ms. Pat Bollinger moved to dismiss the unlicensed practice complaint against Corry Matthews without prejudice. Dr. Nathan Thomas seconded the motion. The motion passed unanimously.**

#### **ITEM #9: CPEP Learning Summit**

Dr. Kristin Spanjian reported on her recent attendance at the CPEP (The Center for Personalized Education for Physicians) Learning Summit that was held in Denver, Colorado. Mr. Mike Ramirez also attended the conference. Both Dr. Spanjian and Mr. Ramirez felt that CPEP would be an invaluable resource for the Board.

#### **ITEM #10: Non-routine Licensure Application**

##### A. Dr. Kenneth Crawford

Dr. Crawford was present for the meeting. Dr. Crawford's application was before the Board because of previous conditions placed on medical licenses in North Dakota and Iowa. His clinical privileges to prescribe schedule II controlled substances were revoked by the Blackfeet Community Hospital in 2001 and the matter was referred to North Dakota and Iowa.

Dr. Crawford's 2002 application for medical licensure in the state of Montana was presented to the full board in November 2002. At that time he was requested to take the SPEX and contact MPAP. He did not comply with the board request so his application expired in May of 2003.

In 2003 the Iowa Board revoked Dr. Crawford's medical license and filed disciplinary charges against him.

In 2007 Dr. Crawford reapplied for medical licensure in the state of Montana, but failed to provide needed information to complete the application allowing the application to expire.

Dr. Crawford was assessed by MPAP on April 28-30, 2010 and was also referred to the CPEP Assessment Program. Mr. Mike Ramirez spoke to Dr. Crawford's application. He noted that Dr. Crawford was requesting sponsorship for the SPEX.

Dr. Crawford provided a background of his bi-polar disorder and requested consideration for possible re-entry into medical practice. The Board noted that if Dr. Crawford passes the SPEX then he would need to re-enter the medical profession under a preceptorship that would outline specific steps and goals.

**MOTION: Dr. James Upchurch made a motion to allow Dr. Crawford's application to remain open for another year past the expiration date of April 12, 2011. Dr. Kristin Spanjian seconded the motion. The motion passed unanimously.**

**MOTION: Dr. James Upchurch moved to allow Dr. Crawford to take the SPEX and if he passes he would be required to have a CPEP educational plan with specific goals for clinical competency. Dr. Kristin Spanjian seconded the motion. The motion passed unanimously.**

B. Dr. Travis Walker

Dr. Walker attended the meeting by telephone. Dr. Walker is currently completing his residency program and has applied for full Montana licensure upon completion of his residency in May 2011. Dr. Walker's application was before the Board because he had a misdemeanor domestic violence and an illegal breaking and entry conviction in 1998. The board discussed the application with Dr. Walker.

**MOTION: Dr. James Upchurch made a motion to grant an unrestricted license to Dr. Walker. Dr. Kristin Spanjian seconded the motion. The motion passed unanimously.**

C. Michael Crump

Mr. Michael Crump was present for the meeting. Mr. Crump's EMT-F application was before the Board because of numerous traffic violations, several of which were related to driving while impaired. Mr. Crump was referred to MPAP on February 22, 2011. Mr. Crump is currently working as a correction officer in Shelby.

Mr. Mike Ramirez advocated for full unrestricted licensure for Mr. Crump. The Board discussed the application with Mr. Crump.

**MOTION: Mr. Ryan Burke made a motion to grant a full unrestricted license to Mr. Michael Crump. Ms. Carole Erickson seconded the motion. The motion passed unanimously.**

**ITEM #11: Executive Session – MPAP Report**

Dr. Anna Earl called the meeting into executive session to discuss the MPAP report.

Dr. Earl called the Board meeting back into open session.

Mr. Ramirez thanked the board for the support of the MPAP program.

**ITEM #12: License Petitions to Board**

A. Petition to Active Status - Dr. Patricia Evans

Dr. Patricia Evans attended the meeting in person. Dr. Evans' petition to move her license from inactive to active status was presented to the Board. Ms. Anne O'Leary noted that Dr. Evans had been out of practice for four years. Dr. Evans stated that she was scheduled for

the board of Internal Medicine review in August, but in order to eventually take the boards she would need an active license.

The Board discussed whether the taking of the SPEX would be warranted. Because of her past neurological issues she noted that she would need to be evaluated for competency.

Mike Ramirez spoke on Dr. Evans' behalf. Mr. Ramirez stated that reentry into medical practice would need to be structured to involve peer oversight. Ms. Jean Branscum noted that FSMB would be available to work with the Board with suggestions on how to proceed. Dr. Evans indicated that she would be willing to participate in a CPEP evaluation.

**MOTION: Dr. James Upchurch made the motion to require Dr. Evans to complete a CPEP common needs assessment prior to consideration of the request to move her physician license from inactive status to active status. A release of the information to the Board would also be required. Dr. Nathan Thomas seconded the motion. The motion passed unanimously.**

B. Petition for Unrestricted License - Dr. Christine Johnson

Dr. Christine Johnson attended the meeting in person. Ms. Anne O'Leary stated that Dr. Johnson was placed on a probationary license for one year beginning March 18, 2010. She only worked for six months during the probationary year. The terms of the probation stated that if she were not working the probationary period would be pulled and she would not come off of probationary period until September 18, 2011. Dr. Johnson was before the Board to petition for a full unrestricted license.

Mr. Mike Ramirez spoke to Dr. Johnson's petition advocating for a full and unrestricted license. Mr. Dwight Thompson provided input to the Board on Dr. Johnson's practice, stating that he did not have reservations granting a full unrestricted license.

**MOTION: Dr. Kristin Spanjian made a motion to grant Dr. Christine Johnson a full unrestricted license. Ms. Pat Bollinger seconded the motion. Dwight Thompson excused himself from voting. The motion passed.**

## ITEM #13: Petition for Reinstatement

### A. Dr. James Armstrong

Dr. Armstrong attended the meeting in person. Ms. Anne O'Leary stated that Dr. Armstrong was requesting consideration for reevaluation of the status of his Montana medical license seeking to overturn the five year restriction on reapplying for licensure.

Dr. Armstrong's license was indefinitely suspended September 24, 2008 with the stipulation that he could not reapply for licensure in Montana for a period of five years. He entered into a stipulation with the Montana Board based on issues involving sexual issues in Arizona. The stipulation required that in the event that he were to reapply in the state of Montana he would be required to supply sufficient proof to comply with certain restrictions as may be required by the Board, which may include, but not be limited to, unrestricted endorsement of MPAP, records of all evaluations, proof of successfully completing programs recommended by those evaluations and substantial evidence of rehabilitation.

Mr. Mike Ramirez spoke to Dr. Armstrong's petition. Mr. Ramirez noted that Dr. Armstrong had an evaluation prior to treatment and has had continuing care since then. Mr. Ramirez stated that he would direct Dr. Armstrong to the primary treatment program for reassessment and recommendations regarding conditions, specific to monitoring, for reentry.

Dr. Armstrong provided information concerning his treatment and requested the Board overturn the five-year restriction. He noted that he would be returning to Mississippi for a two week evaluation and would provide the assessment of the evaluation to MPAP.

**MOTION: Ms. Pat Bollinger moved to lift the five year restriction and allow Dr. Armstrong to submit proof of his rehabilitation, the unrestricted endorsement of MPAP and to provide all records as required as soon as possible. Dr. Bruce Hayward seconded the motion. The motion passed unanimously.**

#### **ITEM #14: Clinical Pharmacist Practitioner Approval**

Ms. Jean Branscum provided background on the clinical pharmacist practitioner licensure approval process. An applicant for clinical pharmacist practitioner registration must submit a collaborative practice agreement to the Board of Pharmacy. After approval by the Board of Pharmacy, the application and collaborative agreement is then submitted to the Board of Medical Examiners for review and approval by the full board.

Mr. Ron Klein, Executive Director of the Board of Pharmacy, was in attendance to present the applications to the Board.

A. LeeAnn Bradley

**MOTION: Dr. Mary Anne Guggenheim made a motion to concur with the Board of Pharmacy's approval of clinical pharmacist practitioner licensure for Ms. Lee Ann Bradley. Ms. Pat Bollinger seconded the motion. The motion passed unanimously**

B. Mr. Vincent Colucci

**MOTION: Dr. Kristin Spanjian made a motion to concur with the Board of Pharmacy's approval of clinical pharmacist practitioner licensure for Mr. Vincent Colucci. Ms. Pat Bollinger seconded the motion. The motion passed unanimously.**

#### **ITEM #15: POLST**

Mr. Jerry Morse stated that the POLST coalition had approached the Board last year proposing to make changes to the current form. The POLST Coalition's recommended changes to the Montana POLST form were provided to the Board.

Ms. Jean Branscum stated that the form currently in use is not nationally recognized. The coalition looked at best practices, consulted with the national group, and interviewed hospitals around the state on what worked and what didn't. All these pieces were brought together to improve the Montana form. Ms. Branscum reminded the Board that the POLST website would be changed to include the new form.

The Board members discussed the changes and requested that additions to the form should include, "all previous versions of this form are still valid".

**MOTION: Dr. Mary Anne Guggenheim moved to accept the form with clarification of the validity of prior forms that have been signed. Ms. Pat Bollinger seconded the motion. The motion passed unanimously.**

**ITEM #16: Board Generated Complaint**

The Board passed a motion on March 27, 2009 to authorize board staff to file a board generated complaint whenever it appears to staff, with advice from legal counsel as needed, that a violation of the board's laws and/or rules may have taken place. Ms. Anne O'Leary presented a delegation list of board generated complaints that would allow guidelines for staff to file a complaint.

Ms. Jean Branscum explained that the legal department has now determined that the motion passed in 2009 was too general and a more specific listing is needed and should include additional details. She stated that the document provided to board members outlined suggested circumstances that would allow board staff to initiate a complaint against a licensee under certain conditions. The document would be an internal document that could be amended at any time with a board motion.

Ms. Branscum noted that a paragraph at the end of the document addresses the current process of having board staff contact one person on the screening panel to open a complaint. A new component to the process was considered that would allow the screening panel to discuss a licensee without having a complaint filed against that person. The board agreed the current process of having a board staff contact a screening panel member to open a complaint works well. There was general discussion on whether or not it was appropriate for one screening panel member to deny the opening of a board generated complaint, or if such a circumstance should be referred to the full Screening Panel for a decision.

**MOTION: Dr. Bruce Hayward made a motion to accept the document. Dr. James Upchurch seconded the motion. The motion passed unanimously.**

**MOTION: Ms. Pat Bollinger made a motion to amend the final paragraph on the draft document to read, "A member of the Screening Panel may initiate a Board generated complaint or investigation or the member may refer the matter to the Screening Panel for decision". Ms. Carole Erickson seconded the motion. The motion passed unanimously.**

**ITEM # 17: Medical Massage**

Ms. Anne O'Leary explained that the Board of Massage Therapy had determined that massage therapists may use the term "medical massage", stating that it would

be within their scope of practice to use the term to describe the licensee's practice of massage therapy so long as that description was not a misrepresentation of the licensee's particular practice. The Board of Massage Therapy had requested that any differences of opinion between the Board of Massage Therapy and the Board of Medical Examiners be addressed in a joint meeting between the two boards. Ms. O'Leary provided information from a number of states that require a massage therapist to obtain a prescription from a physician for medical massage in order to use the term.

**MOTION: Ms. Carole Erickson made a motion instructing Ms. Anne O'Leary to draft a letter to the Board of Massage Therapy providing the research from other states, which states that the term "medical massage" requires a diagnosis and a prescription from a physician. The letter would include a suggestion that the Board of Massage Therapy follow this model and suggest changes in rule that that would lead to insurance reimbursement. Dr. Kris Spanjian seconded the motion. The motion passed unanimously.**

#### **ITEM # 18: Committee Report/Task Force**

Dr. James Upchurch stated that the Dual Role Task Force was formed to work with the Board of Nursing regarding questions related to nurses working in the pre-hospital emergency setting. Dr. Upchurch reminded the Board that an EMT medical director provides medical oversight and supervision for an emergency medical service or EMT. A medical director is authorized to use the Board of Medical Examiners' approved protocols in their entirety or may determine to limit individual EMT provider's practice where appropriate. The laws and regulations in place do not give clear guidance to an EMS medical director on how to determine if an RN's training has resulted in required knowledge and skill objectives.

The Board of Medical Examiners sets the patient care standards for nurses working in a pre-hospital location and has regulatory jurisdiction over medical directors. An EMT medical director is charged with medical oversight that follows established patient care standards.

**MOTION: Dr. James Upchurch made a motion to disband the Dual Role Task Force and create a position paper, as guidance for EMT medical directors, which would outline and define protocol to determine training levels of medical personnel working in pre-hospital emergency settings. Dr. Bruce Hayward seconded the motion. The motion passed unanimously.**

**MOTION: Dr. Kris Spanjian made a motion to rescind the previous motion to require dual licensure. Dr. Mary Anne Guggenheim seconded the motion. The motion passed unanimously.**

Dr. Upchurch stated that he would work on the position paper.

#### **ITEM #19: Legislative Report**

Ms. Jean Branscum provided the legislative report on bills that are currently being monitored by the Board.

1. **HB 25** - Ms. Branscum noted that HB 25 passed out of the Senate committee and the committee had concurred with the bill as presented. Ms. Branscum thanked Dr. Mary Anne Guggenheim, Dr. Kristin Spanjian and Mr. Mike Ramirez for their work related to HB 25. Dr. Guggenheim reported that she would continue to communicate with Representative Roberts on behalf of the Board and that the Board would help facilitate discussions with Rimrock on developing an acceptable plan.

Ms. Branscum reported the MPAP Board would be initiating a conversation with Rimrock during the MPAP board retreat in May. She indicated she would attend this meeting, and a member of the Board of Medical Examiners would also be invited to participate.

2. **HB 544** – Ms. Branscum noted that the Board had received permission from the Governor’s Office to oppose HB 544. The bill would provide abortion screening to prevent provider negligence and patient coercion. She asked for a board member to attend the hearing. Ms. Pat Bollinger volunteered to attend the hearing as a representative of the Board.
3. **LC 80** – Ms. Branscum reported on LC 80, a joint resolution between the Senate and the House that would request an interim study of the healthcare workforce needs and strategies for meeting those needs.

**MOTION: Dr. Mary Anne Guggenheim made a motion to seek permission for the Board to support LC 80. Dr. James Upchurch seconded the motion. The motion passed unanimously.**

#### **ITEM #20: EMT Testing sites**

Ms. Jean Branscum reported that the Board had passed a motion at the February 4, 2011 Board meeting directing staff to examine options on providing technical assistance for setting up additional Pearson Vue testing centers for Montana.

Mr. Ken Threet presented information regarding current centers, possible job service sites, college sites, and local library sites as possible sites for expansion.

The Board concluded that there would be opportunities for expansion of sites, but they would include the challenges of additional costs and staffing.

**MOTION: Dr. James Upchurch made a motion to direct staff to continue the exploration of possible additional Pearson Vue sites and research the use of a mobile unit as a testing possibility. Dr. Kristin Spanjian seconded the motion. The motion passed unanimously.**

#### **ITEM #21: Board Communications**

##### A. Medical Marijuana – Dr. Edwin Stickney, MD

Dr. Edwin Stickney was present by phone to discuss his correspondence to the Board, dated December 30, 2010. Ms. Jean Branscum stated that the letter outlined Dr. Stickney's differences of opinion with the board's position paper on medical marijuana certification

The Board addressed its concerns with Dr. Stickney and encouraged him to follow the guidelines set forth in the Board's position paper on medical marijuana certification; thus, protecting his license from sanctions in the event a complaint was filed against him.

**MOTION: Dr. James Upchurch made a motion to instruct Ms. Anne O'Leary to send a letter to Dr. Stickney stating that he should follow the guidelines in the Board's position paper on medical marijuana certification and note the need for medical recordkeeping. A copy of the position paper would also be included in the letter. Dr. Mary Anne Guggenheim seconded the motion. The motion passed unanimously.**

##### B. Physicians Who Order Diagnostic Tests on Self or Family – Jane Schumacher, Director Health Information Services – Sidney, MT

Ms. Schumacher's correspondence requested information on whether or not a physician could prescribe diagnostic tests on himself or family. It was noted that the Board's position paper entitled, "*Statement of Physician Prescribing For Self or Members Of The Physician's Immediate Family*" includes the following paragraph.

"In conclusion, the Board of Medical Examiners would encourage Montana-licensed physicians to consider carefully the legal and medical disadvantages of prescribing for self or immediate family members. If after due

consideration, the physician elects to issue such prescription, the Board would urge the physician to protect both himself or herself, and the family member, with appropriate medical records supporting the prescriptions.”

**MOTION: Dr. Bruce Hayward made a motion to add wording regarding diagnostic testing ordered on family members to the position paper on physician and prescribing. Dr. Kristin Spanjian seconded the motion. The motion passed unanimously.**

Dr. James Upchurch provided the language changes to Ms. Anne O’Leary requesting she update the position paper.

- C. Correspondence from the American Board of Interventional Pain Physicians. (Information only-no response required)
- D. Correspondence from the National Board of Osteopathic Medical Examiners, Inc. (NBOME) (Information only-no response required)

#### **ITEM #22: FSMB**

Ms. Jean Branscum reported that Dr. Mary Anne Guggenheim and Ms. Linda Ashworth would be attending the FSMB annual meeting in Seattle April 27 – May 1, 2011.

Jean reported that a scholarship was available for a public member on the Board to attend the meeting in Seattle. Ms. Carole Erickson indicated that she would be able to attend.

**MOTION: Ms. Eileen Sheehy made a motion to move forward a travel request to allow Ms. Carole Erickson to attend the FSMB annual meeting in Seattle. Mr. Ryan Burke seconded the motion. The motion passed unanimously.**

Ms. Branscum provided an explanation of the five resolutions that will be before the House of Delegates at the meeting. Dr. Guggenheim will be the voting delegate.

Ms. Branscum provided information on whether or not the Montana Board of Medical Examiners would like to participate in a pilot project for the Maintenance of Licensure (MOL). She suggested that this could be a topic of discussion at the May meeting. FSMB would need confirmation by June 1<sup>st</sup> if the Board would be interested in participating in the MOL Pilot Implementation Project. The subject will be placed on the May agenda.

Ms. Branscum presented information from the Post Licensure Assessment System. A new version of the SPEX is available for one member of the board to take at no cost.

### **ITEM #23: Office staff Reports**

#### A. Executive Director Report

##### a. Budget Report

The Board was provided a copy of the budget report for review.

##### b. BOME Report to the Montana Medical Association

The Board was provided a copy of the BOME report to the Montana Medical Association.

##### c. State Medical Director Update

Ms. Jean Branscum provided an update on the state medical director. The hiring team has screened applications and completed a first round of interviews. The next step will be reference checks on each of the candidates.

#### B. Legal Report – Ms. Anne O’Leary

Ms. Anne O’Leary did not have additional information to report at this meeting.

#### C. EMT Report

The Board was provided a copy of the EMT report for review.

Mr. Ken Threet stated that he had been contacted by Jobs for Montana Graduates Spring Career Development Conference to give a presentation on career possibilities for EMTs. Mr. Threet will attend and present at the conference.

He also asked the Board to direct the Medical Director Committee to develop a white paper regarding the procedures and definitions on how EMT courses are conducted in Montana. The paper would be brought back to the Board for review and approval before being sent to the National Registry.

**MOTION: Mr. Ryan Burke made a motion to direct the Medical Director Committee to develop a white paper pertaining to the procedures and definitions relating to EMT instruction in Montana.**

**Ms. Eileen Sheehy seconded the motion. The motion passed unanimously.**

D. Program Manager Report

a. License Application Report

The Board was provided a copy of the application report for review.

b. Random Certification Audit

An audit of a random list of 10% of the recent physician assistant and nutritionist renewals found that all were current on their respective certification.

c. May Board Meeting Location

Ms. Linda Ashworth reported that the upcoming May meeting will be held in Bozeman, Montana at the Homewood Suites by Hilton. Information will be provided to members of the Board in the next few weeks.

Ms. Branscum asked for ideas on topics that would be of interest for the Board education portion at the May Meeting.

**MOTION: Ms. Carole Erickson made a motion to contact FSMB to provide a speaker on the topic of telemedicine and maintenance of licensure for the May 19-20, 2011 Board meeting in Bozeman. Dr. James Upchurch seconded the motion. The motion passed unanimously.**

**ITEM 24: Physician Assistant Access to DEA-222 Order Forms**

Mr. Ron Klein reported that the Drug Enforcement Administration had requested information on whether or not physician assistants in Montana should have access to acquiring DEA 222 forms. As mid-level practitioners, the PAs have not had access to acquiring DEA 222 forms. The form is used to transfer schedule II controlled substances a wholesaler to a pharmacy.

The DEA questioned whether anything in Montana had changed regarding PAs and nurse practitioners. Mr. Klein reported the Board of Nursing stated that APRNs may have access to the DEA 222 form.

**MOTION: Dr. Bruce Hayward made a motion that physician assistants cannot obtain the DEA 222 forms. Dr. Kristin Spanjian seconded the motion. The motion passed unanimously.**

Mr. Klein will convey the message to the DEA that PAs in Montana cannot obtain the DEA 222 form.

**ITEM #25: ADJOURNMENT**

**MOTION: Dr. James Upchurch made a motion to adjourn the meeting. Dr. Bruce Hayward seconded the motion. The motion passed unanimously. The meeting was adjourned at 5:35 PM.**