

LAWS AND RULES COMMITTEE MEETING MINUTES
of the
BOARD OF MEDICAL EXAMINERS
301 S. Park Avenue, 4th Floor Small Conference Room, Helena MT
1:30 p.m. to 4:45 p.m.
February 25, 2014

1. Call To Order - Establish Quorum (00:05)

Committee Members Present:

Dr. Bruce Hayward (Presiding Officer)
Ms. Pat Bollinger (by telephone)
Ms. Ana Diaz (by telephone)
Ms. Tanja Brekke (by telephone)
Dr. Mary Anne Guggenheim

Committee Members Absent:

Dr. Nathan Thomas

Staff Members Present:

Mr. Ian Marquand - Executive Officer
Anne O'Leary, Esq. – Board Counsel
Ms. L'Joy Griebenow – Board Management

Guests:

Mr. Dwight Thompson
Mr. Don Sullivan
Ms. Becky Zaharko
Mr. Don Judge
Ms. Mary McCracken

2. Approval and Tentative Modification of Agenda Order (1:44)

The Committee considered the February 25, 2014 agenda.

MOTION: Ms. Brekke moved to accept the [February 25, 2014] agenda as presented; Dr. Guggenheim seconded the motion. (2:13) Discussion ensued. Motion passed unanimously. (3:05)

3. Review and Approve Minutes (3:18)

The Committee considered the Minutes of its December 6, 2013 meeting.

MOTION: Ms. Bollinger moved to accept the [December 6, 2013] minutes as presented; Dr. Guggenheim seconded the motion. Motion passed unanimously. (3:40)

4. Public Opportunity to Comment (4:17)

The Presiding Officer read the statement of public participation and opened the meeting for public comment. Mr. Don Judge requested an update regarding status of epi-pen protocols.

5. Board Action

a. Emeritus License for Physicians (8:06)

Ms. O'Leary led the discussion.

MOTION: Dr. Guggenheim moved to ask staff to proceed with whatever is necessary to change statute and then rule to accomplish an emeritus [license] status for physicians; Ms. Brekke seconded the motion. Motion passed unanimously. (22:42)

b. Administrative License for Physicians (24:34)

Ms. O'Leary led the discussion.

MOTION: Dr. Guggenheim moved to report to the full board that the Laws & Rules Committee examined the question of establishing a type of administrative medical license as requested by the full board at the last meeting and that after consideration the committee came to the decision not to proceed in that direction; Ms. Bollinger seconded the motion. Motion passed unanimously. (36:38)

c. Review of Telemedicine Statutes and Rules (37:49)

Mr. Marquand provided background for this discussion.

MOTION: Prof. Diaz moved that [the telemedicine statutes and rules review] be tabled until a future meeting of the full board; Ms. Brekke seconded the motion. Motion passed unanimously. (1:15:38)

d. Certification Requirements for Physician Assistants (1:16:53)

Mr. Marquand led the discussion.

MOTION: Dr. Guggenheim moved that the [Laws & Rules] Committee endorses the changes required in statute and rule as [Ms. O'Leary] has delineated to take away the requirement for certification for renewal for PA [physician assistants] licensure; Ms. Bollinger seconded the motion. (1:47:07) Discussion ensued.

Dr. Guggenheim amended her motion to:

MOTION: Dr. Guggenheim moved that the [Laws & Rules] Committee endorses the changes required in statute and rule as [Ms. O'Leary] has delineated to take away the requirement for certification for initial [physician assistants] licensure and renewal for PA [physician assistants] licensure; Ms. Bollinger seconded the amended motion. (1:48:04) Discussion ensued.

Motion passed unanimously. (1:54:34)

- e. ARM 24.156.606(3) re: Physician attempts at USMLE (1:55:52)

Mr. Marquand provided background.

MOTION: Dr. Guggenheim moved that [the Laws & Rules Committee] recommend to the board that [ARM] 24.156.606(iii) be changed from “2” to “5”; Ms. Bollinger seconded the motion. Motion passed unanimously. (1:57:30)

****BREAK**** (1:58:21 – 1:58:42)

- f. Potential Interstate Compact on Multi-state Physician Licensing (1:58:48)
g. General Legislation for 2015 (1:58:48)

Mr. Marquand led the discussion.

MOTION: Dr. Guggenheim moved that the [Laws & Rules] committee recommend to the full board that [the board] ask the Department to allow [the board] to have a placeholder for a possible bill regarding a potential interstate compact regarding physician licensure; Ms. Bollinger seconded the motion. Motion passed unanimously. (2:06:40)

- g. General Legislation for 2015 – further discussion (2:07:30)

Mr. Marquand led the discussion.

MOTION: Ms. Bollinger moved to postpone [further] agenda item [General Legislation for 2015] discussion and to authorize the staff to suggest replacement language, deletions or amendments; Dr. Guggenheim seconded the motion. Motion passed unanimously. (2:42:40)

- h. Other Statutes or Rules in Need of Review / Tasks to be Assigned (2:43:55)

Mr. Marquand led the discussion.

6. Adjourn

MOTION: Ms. Bollinger moved to adjourn; Dr. Guggenheim seconded the motion. Motion passed unanimously. (2:51:35)

The meeting adjourned. (2:52:18)