

**BOARD OF MEDICAL EXAMINERS
FULL BOARD MEETING
301 SOUTH PARK AVENUE, 4TH FLOOR – LARGE CONFERENCE ROOM
DATE: MARCH 16, 2012
TIME 9:30 AM to CONCLUSION
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 and Introductions

Dr. Anna Earl called the meeting to order at 9:47 a.m. Roll call was taken and a quorum was present.

Members Present: Dr. Anna Earl (Chair), Dr. Dean Center, Dr. Kristin Spanjian, Dr. Bruce Hayward, Dr. Nathan Thomas, Ms. Pat Bollinger, Ms. Kay Bills – Kazimi, Mr. Ryan Burke, Ms. Eileen Sheehy, Dr. James Upchurch, Tanja Brekke, Ms. Carole Erickson, and Mr. Dwight Thompson

Members Absent: Dr. Mary Anne Guggenheim

Staff present: Mr. Ian Marquand, Ms. L'Joy Griebenow, Anne O'Leary, Esq., Dr. Harry Sibold, Mr. Ken Threet, Mr. Jack Kane

Guests Present: Mr. Mike Ramirez of Montana Professional Assistance Program; Mr. Patrick Little; Mr. Ron Solbert; Mr. Craig Charlton; Jim DeTienne of DPHHS; Ms. Jean Branscum of Montana Medical Association; Ms. Sue O'Connell of Legislative Services; Mr. Bradley Williams of Montanans Against Assisted Suicide; Dr. Craig Treptow, and Dr. Bob Wilmouth of Rocky Mountain College Physician Assistant Program; Dr. Nikolai Furmansky; Dr. Susan Maier; Dr. Kendra Procacci; Ms. Sheila Wirt of Northern Montana Hospital; Ms. Kay Brown of St. Vincent Hospital; Dr. Dave Gurchieck of College of Technology of Montana State University – Billings.

ITEM # 2: Approval of Agenda

The Board reviewed the March 16, 2012 Agenda.

MOTION: Ms. Pat Bollinger made a motion to approve the March 16, 2012 agenda as amended; Ms. Tanja Brekke seconded the motion. Motion passed unanimously.

ITEM # 3: Approval of Minutes

The Board reviewed the January 20, 2012 Meeting Minutes. Ms. Pat Bollinger proposed the following addition: "Ms. (Pat) Bollinger commented that the second paragraph of the proposed statement was adequate by itself to explain the Board's position. She suggested dropping the first paragraph because it interprets law which is not in the purview of the Board."

MOTION: Dr. Bruce Hayward made a motion to approve the January 20, 2012 minutes as amended; Dr. Kris Spanjian seconded the motion. Motion passed unanimously.

The Board reviewed the January 20, 2012 Executive Session Minutes.

MOTION: Dr. Nate Thomas made a motion to approve the January 20, 2012 minutes as amended; Ms. Tanja Brekke seconded the motion. Motion passed unanimously.

ITEM # 4: Open Forum for Public Comments

Dr. Anna Earl read the Public Comment Statement into the record.

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.

Dr. Dave Gurchiek began to comment on an agenda item. Dr. Earl reminded him that Open Forum is the public's opportunity to comment on items that are not on the agenda, and noted "if, when we get to that item, if we invite public comment, you would have an opportunity to speak there and that will be determined at that time."

Ms. Kay Brown expressed concern about renewing physicians, health care plans and hospitals being unable to timely obtain current licensure verification on physicians in renewal.

Mr. Ian Marquand explained that the Business Standards Division transitioned to a new licensee database on January 23, 2012, and renewals for physicians and EMTs began January 31, 2012. The licensee lookup is currently not working, although licensees can print their own licenses. He also noted that IT has been working hard with the company who wrote the software which manages the database to resolve issues, and that to help bridge the issues, staff has been individually sending licenses by email to those licensees, clinics and hospitals so requesting.

ITEM # 5: Compliance Report

Ms. LaVelle Potter provided a written report to the board. She stated the morning screening panel meeting reviewed six cases, and continued one to the next meeting, with the following dispositions:

2012-040-MED - Dismissed with prejudice

2012-038-MED - Dismissed with prejudice

2012-039-MED - Dismissed with prejudice
2012-064-MED - Dismissed with prejudice
2012-074-MED - Dismissed without prejudice
2012-073-MED - Continued to the April 20, 2012 meeting
2012-MED-LIC-188 - Tabled

ITEM # 6: Clinical Pharmacist Practitioner Approval

A. Kendra Procacci – was present by phone

MOTION: Dr. Kris Spanjian made a motion to concur with the Board of Pharmacy's approval of clinical pharmacist practitioner certification for Ms. Kendra Procacci; Mr. Ryan Burke seconded the motion. Motion passed unanimously.

B. Kerry Haney – was not present

MOTION: Ms. Carole Erickson made a motion to concur with the Board of Pharmacy's approval of clinical pharmacist practitioner certification for Ms. Kerry Haney; Dr. Nathan Thomas seconded the motion. Motion passed unanimously.

C. Michael Rivey – was not present

MOTION: Dr. Kris Spanjian made a motion to concur with the Board of Pharmacy's approval of clinical pharmacist practitioner certification for Mr. Michael Rivey; Dr. Bruce Hayward seconded the motion. Motion passed unanimously.

The Board requested, due to the number of applications for clinical pharmacist practitioner certification, that Mr. Ron Klein, Executive Director of the Board of Pharmacy, provide an annual summary/report regarding what the numerous applicants are doing with their certifications. Mr. Marquand agreed to coordinate with Mr. Klein and his staff.

ITEM # 7: Non-Routine Applications

A. Dr. Dorothy Orsburn

Dr. Orsburn was not present for the discussion of her application. She was before the Board because she had a permanent leave from her ob/gyn post-graduate program – specifically she decided not to pursue an ob/gyn specialty and, when she left the ob/gyn program, there was a request from the program leadership that she seek counseling. There were conflicting reports as to whether the counseling was psychiatric counseling. The Board reviewed and discussed these issues.

MOTION: Dr. Kris Spanjian made a motion to grant Dr. Orsburn a full and unrestricted physician license; Dr. James Upchurch seconded the motion. Motion passed unanimously.

B. Dr. Jon Staniewski

Dr. Staniewski was present in person for the meeting and was before the Board because he has had a long practice history with considerable moving around, a malpractice case, and some anger issues. He had an evaluation, was deemed not a risk, and was subsequently licensed by another state. The Board reviewed and discussed these issues and the license application with Dr. Staniewski.

MOTION: Dr. Upchurch made a motion to grant Dr. Staniewski a full and unrestricted physician license; Dr. Kris Spanjian seconded the motion. Motion passed unanimously.

C. Dr. Susan Maier

Dr. Maier was present for the meeting by phone and was before the Board because she has not practiced medicine for over 20 years. The Board reviewed and discussed this issue and the license application process with Dr. Maier. The Board recommended the CPRP (Clinical Practice Reentry Program) offered through CPEP (Center for Personalized Education for Physicians) to Dr. Maier to aid in her reentry. Dr. Maier was reminded that if she did not complete the SPEX (Special Purpose Examination) within one year from the date of her application, that her application would be automatically withdrawn and she would have to completely reapply.

MOTION: Dr. Kris Spanjian made a motion to require Dr. Maier to successfully complete the CPRP (Clinical Practice Reentry Program) at CPEP (Center for Personalized Education for Physicians) and release CPEP to send her evaluation and completion information from that program directly to the Board of Medical Examiners before the Board will consider her application for possible licensure; Dr. James Upchurch seconded the motion. Motion passed unanimously.

MOTION: Ms. Eileen Sheehy made a motion that the Board sponsor Dr. Maier to take the SPEX exam; Dr. Bruce Hayward seconded the motion. Motion passed unanimously.

MOTION: Dr. Bruce Hayward made a motion to require Dr. Maier, once she has successfully completed the CPEP and SPEX exam, to reappear before the Board before December 14, 2012 so the Board can review her application material; Dr. James Upchurch seconded the motion. Motion passed unanimously.

D. Dr. Nikolai Furmansky

Dr. Furmansky was present for the meeting by phone and was before the Board because his medical degree was from Israel, he had a leave of absence, a misdemeanor charge (driving under the influence), and has medical practice gaps. The Board reviewed and discussed these issues and the license application with Dr. Furmansky.

MOTION: Dr. James Upchurch made a motion to grant a full and unrestricted license to Dr. Furmansky; Ms. Carole Erickson seconded the motion. Motion passed unanimously.

E. Mr. Patrick Little, EMT-Basic

Mr. Little was present for the meeting in person and was before the Board to discuss letters received from his probation officer. Mr. Little represented that he has completed over 100 hours of his community service obligation and completed his anger management program. The Board reviewed and discussed these issues and the license application with Mr. Little.

MOTION: Mr. Ryan Burke made a motion to indicate that Mr. Little would be granted a full and unrestricted license; Ms. Eileen Sheehy seconded the motion. Motion passed unanimously.

[As of the date of this Board meeting Mr. Little had not yet completed all prerequisites for licensure, e.g. obtaining an NREMT certificate. The Board's motion will be communicated to NREMT, so that Mr. Little may take the examination necessary to obtain an NREMT certificate. Upon receipt of all statutory prerequisites, staff will grant Mr. Little an EMT license.]

E. Dr. John LaBash, DO

Dr. LaBash was not present for the discussion of his application and was before the Board for termination and suspension of hospital privileges, malpractice cases, bankruptcy, etc. Dr. LaBash failed to appear despite having been ordered to appear in person before the Board per January 20, 2012 Board motion. Ms. O'Leary provided a number of response options for the Board's consideration. Ms. L'Joy Griebenow, Board Program Manager, explained to the Board that Dr. LaBash had communicated to the Board by e-mail, explaining that he was away from his home of record and that he was concerned he would not timely receive anything mailed to his home address. In response, staff sent an e-mail to Dr. LaBash which contained a courtesy copy of the letter that was mailed to his address of record; the letter notified Dr. LaBash of the Board's motion and requirement that he appear in person before the Board. Dr. Anna Earl asked "Do we have any confirmation that he knew he was to be here in person?" Ms. Griebenow replied "Yes, we do. ...What I did, on the e-mail, was that I put an automatic receipt, for both delivery and read, and the system said it both arrived and was delivered. So I have both of those.... It was delivered to him and to his e-mail that he had originally communicated with and we returned it in less than 24 hours." Mr. Marquand read from a February 20, 2012 e-mail received from Dr. LaBash " 'Please have the program manager e-mail

me as to whether I can call in my responses to Board meeting questions rather than flying in to attend personally". Mr. Marquand further noted "that is why we did this by e-mail and not just by mail. This indicated that if he was going to appear it would be most likely by phone than by in person and the Board specifically asked for in person." The Board thoroughly reviewed and discussed these issues.

Motion: Dr. Dean Center made a motion that a letter be sent to Dr. LaBash by e-mail, certified mail, and regular U.S. mail, stating in all three that if the Board does not receive an e-mail or postmarked communication by April 30, 2012 withdrawing his application, his application will be denied, and that denial will be reported to the National Practitioner Databank; Dr. Bruce Hayward seconded the motion. Motion passed unanimously.

The Board took a 15 minute break at this time.

Upon reconvening, the Board next considered Items #17A, #17B, and #17D.

ITEM # 17: Executive Director Report

Mr. Ian Marquand reminded the Board that the Board's staff has worked very hard - especially since December - for all of the training and preparation with respect to the transition between databases, etc. The staff has helped literally hundreds of licensees who were unsure of the process or had other questions, to renew, often personally assisting licensees through the entire renewal process. He also mentioned that on April 14, he will be in Missoula at the Spring Fever Trauma Conference at St. Patrick Hospital representing the Board.

A. Budget Report

Mr. Marquand presented the budget report to the Board. The Board had no questions regarding the report.

The Board had questions regarding appropriations. Mr. Ken Threet and Ms. L'Joy Griebenow answered the Board's questions.

B. Applications Report

Mr. Marquand presented an applications report to the Board. The Board had no questions regarding the report.

The Board discussed the impending re-organization of Business Standards Division. As a result, the Board requested that the application licensing process be considered at the May Board meeting.

D. Physician Application Review Time

Semi-annual report delivered to Montana Medical Association (MMA) about total number of licensees, and numbers of those licensed between July and December 2011. The report is provided to the MMA twice a year. A special report was also provided to the MMA with respect to physician application review time; this report

indicated that generally review times are decreasing. The Board had no questions regarding the reports.

Dr. Anna Earl read the Executive Session Statement, namely:

IT IS MY DETERMINATION THAT THE FOLLOWING MATTERS RELATE TO A MATTER OF INDIVIDUAL PRIVACY AND THAT THE DEMANDS OF PRIVACY CLEARLY EXCEED THE MERITS OF PUBLIC DISCLOSURE. FOR THIS REASON THE BOARD WILL NOW BE CLOSED FOR EXECUTIVE SESSION TO CONSIDER THESE MATTERS.

Dr. Anna Earl then called the meeting into executive session.

ITEM # 8: Working Lunch (Executive Session)

A. MPAP Report –

Mr. Mike Ramirez presented the report to the Board during executive session.

B. Unlicensed Practice

The Board considered two unlicensed practice cases during executive session.

Dr. Anna Earl then called the meeting back into open session.

ITEM # 9: Board Communications

Mr. Ian Marquand

- A. E-mail from Ahyoung Huff, MPT, inquiring whether Montana allows physical therapists to perform electromyography (matter referred from Board of Physical Therapists)

Board thoroughly discussed this question. Ms. Jean Branscum of the Montana Medical Association (MMA) stated that the MMA would see this as an expansion of scope.

MOTION: Dr. James Upchurch made a motion that obtaining and interpreting of electromyography (EMG) is within the scope of physician practice; Mr. Dwight Thompson seconded the motion. Motion passed unanimously.

Board directed staff to deliver this motion to the Board of Physical Therapy.

- B. E-mail from Dr. K. Allan Ward regarding risk evaluation and mitigation strategies for controlled-substance prescribing

Board directed staff to thank Dr. Ward for his communication.

C. Letter from DPHHS concerning Position Paper #17

The Board discussed this matter.

MOTION: Dr. Kris Spanjian made a motion to write the staff a letter encouraging them to report any physicians that they feel may be inappropriately prescribing medical marijuana for patients and that it will then be individually reviewed by Screening Panel; Dr. Bruce Hayward seconded the motion. Motion passed unanimously.

Staff was directed to respond to the letter consistent with this motion.

D. Letter from Robert Whipple objecting to the Board Rule 24.156.618(1) requiring a physician to take the SPEX exam to re-activate a license that has been inactive for more than 2 years

Mr. Marquand reiterated the rule requiring that a physician who has maintained an inactive license in Montana for more than two years must take the Special Purpose Examination (SPEX). The Board discussed this matter.

MOTION: Dr. Bruce Hayward made a motion to refer this issue expeditiously to the Laws & Rules Committee to develop a draft change for 24.156.618(1); Dr. Kris Spanjian seconded the motion. Motion passed unanimously.

Staff was directed to respond to the letter that the Board has heard his concern and has taken the matter under advisement.

The Board decided to receive Items 9E and 9F together.

E. Letter from Catholic Hospitals
F. Letter from Craig Carlton Concerning Position Paper #20

Mr. Marquand presented the letters. Dr. Kris Spanjian noted that the position paper "is not interpretation of law and not a rule. Therefore the public comment period that was asked for or threatened by some of these letters is not necessary. The public was given the chance to comment multiple times. But this is not a rule change, it is only a position paper. I think that needs to be understood because there is a significant distinction there."

On a separate point, Ms. Pat Bollinger thought that some of the public comments directed to the committee may have only been received by the committee and possibly not then forwarded to the full board.

The Board thoroughly discussed the letters.

MOTION: Dr. James Upchurch made a motion, and Mr. Dwight Thompson seconded, to adopt the following statement as the Board of Medical Examiner's position on physician aid-in-dying:

“The Montana Board of Medical Examiners has been asked if it will discipline physicians for participating in aid-in-dying. This statement reflects the Board’s position on this controversial question.

“The Board recognizes that its mission is to protect the citizens of Montana against the unprofessional, improper, unauthorized and unqualified practice of medicine by ensuring that its licensees are competent professionals. 37-3-101, MCA. In all matters of medical practice, including end-of-life matters, physicians are held to professional standards. If the Board receives a complaint related to physician aid-in-dying, it will evaluate the complaint on its individual merits and will consider, as it would any other medical procedure or intervention, whether the physician engaged in unprofessional conduct as defined by the laws and rules pertinent to the Board.”

Motion passed unanimously.

Staff was directed to reply to the letters expressing this motion. Staff was also directed to revise Position Paper 20 consistent with the motion, and to upload the revised Position Paper 20 to the Board’s website.

ITEM # 10: Committee & Subcommittee Reports

A. Physician / Hospital Committee - Dr. Kristin Spanjian

Dr. Spanjian informed the Board that the MMA maintenance of licensure on-line survey resulted in 149 responses. She offered to give a synopsis at the next Board meeting. She noted that in response to the question “Should maintenance of licensure requirements be implemented in Montana?” 51% said “Yes”, 36% said “No” and 12% said “No opinion”. In response to the question “Would requirements improve physician education and confidence?” 49% agreed, about 25% disagreed, and others that were not sure.

The Board thanked Jean Branscum and the Montana Medical Association for posting the maintenance of licensure survey questions for the Board.

B. Medical Director Subcommittee - Dr. James Upchurch

1. Recommendation that Subcommittee Become Standing Committee

Dr. James Upchurch proposed to the Board that the *ad hoc* Medical Director Subcommittee be made a standing Committee of the Board. Mr. Jim DeTienne of DPHHS suggested that the “Medical Director” portion of the committee name be changed to “Medical Direction”.

MOTION: Ms. Tanja Brekke made a motion to create an EMS/Medical Direction Committee; Ms. Carole Erickson seconded the motion. Motion passed unanimously.

The Board identified Dr. James Upchurch, Mr. Dwight Thompson, and Mr. Ryan Burke as potential members of the new Committee. Until members are formally

appointed to the new Committee, possibly as early as the May Board meeting, the Subcommittee will continue to operate.

The Board agreed to next hear ITEM 12 before continuing with ITEM 10B.

ITEM # 12: Rocky Mountain College Physician Assistant Program Presentation

Dr. Bob Wilmouth made a presentation concerning the Rocky Mountain College Physician Assistant Program. He explained the intensive educational modules of the 2-year program, as well as the accreditation, faculty-student ratio, precepting issues, and philosophy of the program. He also conducted a question and answer session.

The Board thanked Dr. Wilmouth for his presentation.

The Board then returned to ITEM 10B.

2. Recommendation Regarding the Missoula RSI Program

Dr. James Upchurch reported on the Subcommittee's review of the Missoula RSI Program application. As a result, the Subcommittee made two motions, specifically:

A. The Subcommittee recommends to the full Board that the Missoula Flight Service petition be approved as submitted.

B. The Subcommittee recommends to the full Board that the State Medical Director follow up with the Missoula Flight Program and provide a report to the Board within a year on the status and outcome of the petition application approval.

Mr. Ken Threet added background. Dr. Harry Sibold explained the pilot stage. Ms. Anne O'Leary was requested to read 24.156.2761 *Procedures for Revision of Board Approved EMT Curriculum and Statewide Protocols*. The Board discussed the matter.

MOTION: Mr. Dwight Thompson made a motion that the St. Patrick Hospital Flight Service petition application for RSI be approved as submitted; Dr. Nathan Thomas seconded the motion. Motion passed unanimously.

MOTION: Dr. James Upchurch made a motion that the State Medical Director follow up with the St. Patrick Hospital Rapid Sequence Intubation (RSI) Program in Missoula, Montana and provide a report to the Board within a year on the status and outcome of their RSI program; Dr. Kris Spanjian seconded the motion. Motion passed unanimously.

3. EMT Rules Update

Dr. Harry Sibold, State EMS Medical Director for the Board of Medical Examiners, and Mr. Ken Threet, State Training Coordinator for the Board of Medical Examiners, reported on their trip around Montana to receive input on the draft EMT rules. They then discussed the version of the working draft of the rules before the Board which set forth all comments received during the trip. Dr. Kris Spanjian proposed some further clarifying changes to the draft rules.

Dr. Upchurch, Mr. Ken Threet and Dr. Harry Sibold fielded questions from the Board regarding the draft.

MOTION: Mr. Dwight Thompson made a motion to send the EMT draft Rules 1.2 back to the Subcommittee to be corrected and then noticed for public comment; Ms. Carole Erickson seconded the motion. Motion passed unanimously.

Board gave consensus in favor of any necessary travel for Dr. Sibold and Mr. Threet to educate the state service providers.

The Board requested to next hear ITEM 14 before continuing with ITEM 10C.

ITEM # 14: Medical Director/EMT Reports

The Board reviewed the reports. Dr. Harry Sibold and Mr. Ken Threet fielded questions. The Board accepted the reports and thanked Dr. Sibold and Mr. Threet for their extra efforts.

The Board then returned to ITEM 10, beginning with 10C.

C. Outreach Committee

Ms. Carole Erickson reported on the progress made on the New Board Member Handbook. She requested each Board member send to Mr. Marquand five questions they wish they knew when they became a Board member. The answers to these questions will be included in the Handbook, which is designed to be a quick reference complement to "the Notebook".

D. Hyperbaric Oxygen Therapy Subcommittee

Mr. Ian Marquand made the report. Drs. Thomas and Sibold made the request that the Board consider changing this Subcommittee designation to an assigned task with Dr. Sibold to assist Dr. Thomas. The Board discussed this matter.

MOTION: Dr. Bruce Hayward made a motion to dissolve the Hyperbaric Oxygen Therapy Subcommittee; Ms. Tanja Brekke seconded the motion. Motion passed unanimously.

MOTION: Dr. Bruce Hayward made a motion to assign Dr. Thomas the task to report back to the Board on hyperbaric oxygen therapy and podiatrists, and in preparing such report to gather information from all sources and make use of appropriate staff; Dr. Kris Spanjian seconded the motion. Motion passed unanimously.

E. Laws and Rules Committee

As Dr. Guggenheim was not present, Ms. Anne O'Leary made the detailed report on the statutory amendments "wish list" to be considered for the Department to carry. Board discussed the amendments, identified desirable clarifications and suggested additions.

Ms. Jean Branscum commented that some MMA physicians feel that the Veterans Administration should revisit its policy instead of adding a penalty to the gunshot reporting section of the Montana statutes. She also commented that, with respect to any hyperbaric oxygen therapy legislation, that there should always be a trained physician always be present because hyperbaric oxygen therapy is a risky procedure.

ITEM # 11: Ratification of Statutes to be Submitted for Legislative "Wish List"

MOTION: Mr. Dwight Thompson made a motion to ratify the list of statutory revisions, as amended, submitted for the Department to consider carrying to the 2013 legislature; Ms. Eileen Sheehy seconded the motion. Motion passed unanimously.

ITEMS 12 - 14 were addressed earlier in the meeting; see above.

ITEM # 16: Department Update

Mr. Jack Kane answered the Board's questions regarding the adequacy of staffing and especially the sharing of the staff which will occur as a result of the impending division reorganization. He also emphasized that the reorganization will result in a more task-oriented division instead of a Board ("silo") organized division. He also answered the Board's questions with respect to the database transition and appropriation authority.

Dr. Harry Sibold was recognized at this time to make an addition to his earlier report. He noted that the contract for the online medical directors course is up for renewal.

MOTION: Ms. Carole Erickson made a motion to approve the contract to extend the online medical directors course; Mr. Ryan Burke seconded the motion. Motion passed unanimously.

ITEM # 15: Legal Report

Ms. Anne O'Leary indicated that she had nothing further to report at this time.

ITEM # 17 EXECUTIVE DIRECTOR REPORT (continued)

C. Physician & EMT Renewals

Mr. Ian Marquand noted that this had been discussed earlier.

E. Delegation of Authority for Non-Routine Licensee Applications

The staff has requested that the Board grant them the authority to grant licenses in non-routine applications when the only "issue" is maternity leave for a female practitioner or a traffic violation where a lack of proof of insurance is the only concern. Board discussed this request.

MOTION: Dr. James Upchurch made a motion to delegate authority to staff to issue licenses to applicants who are considered to have non-routine applications if the only reason for the non-routine designation is a gap in practice due to a maternity leave under 6 months or for only one traffic violation just for failure to provide proof of insurance; Dr. Kris Spanjian seconded the motion. Motion passed unanimously.

F. Open Meetings Article

Mr. Ian Marquand brought a recent court case (from Jefferson County regarding the Boulder School Board) about meeting outside of board meetings via e-mail.

G. Senator Baucus Letter on Medical Boards

The Board took notice of the letter. No action was taken.

ITEM # 18: Meeting Planning - Ms. L'Joy Griebenow

Mr. Ian Marquand made the report. Ms. L'Joy Griebenow answered the Board's questions.

MOTION: Ms. Eileen Sheehy made a motion to bring as many Board staff as practical, and as desire to attend, to the May 17-18, 2012 strategic planning retreat; Dr. Kris Spanjian seconded the motion. Motion passed unanimously.

Ms. L'Joy Griebenow inquired as to what subject(s) the Board desires to address during the May 17 afternoon session. It was suggested that Board members e-mail suggestions to Ms. Griebenow.

ITEM # 19: Other Business

There was no additional business identified or considered.

Adjourn

MOTION: Dr. Bruce Hayward made the motion to adjourn the meeting; Dr. Kris Spanjian seconded. Motion passed unanimously.

Next meeting: May 7, 2012