

**LAWS AND RULES COMMITTEE MEETING MINUTES**  
of the  
**BOARD OF MEDICAL EXAMINERS**  
301 S. Park Avenue, Basement Conference Room, Helena MT  
3:30 p.m. – 5:00 p.m.  
October 17, 2013

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

**Committee Members Present:**

Dr. Nathan Thomas (Presiding Officer)  
Ms. Pat Bollinger  
Ms. Carole Erickson  
Dr. Mary Anne Guggenheim  
Dr. Bruce Hayward

**Committee Members Absent:**

None

**Staff Members Present:**

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

**Guests:**

Mary McCracken  
Bradley Williams (by telephone)

**2. Approval and Tentative Modification of Agenda Order (1:22)**

The Committee considered the October 17, 2013 Agenda.

**MOTION: Dr. Hayward moved to approve the October 17, 2013 Agenda as written; Dr. Guggenheim seconded the motion. Motion passed unanimously. (1:37)**

**3. Review and Approve Minutes (1:53)**

The Committee considered the Minutes of its May 16, 2013 meeting.

**MOTION: Ms. Bollinger moved to table the May 16, 2013 Minutes until [the committee's next meeting]; Ms. Erickson seconded the motion. Motion passed unanimously. (2:09)**

**4. Public Opportunity to Comment (2:25)**

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. ARM 24.156.611 Occasional Case Exemption (3:11)  
Mr. Marquand and Ms. O'Leary led the discussion.

**MOTION: Ms. Erickson moved that 24.156.611 Occasional Case Exemption [be] revised and that the Board's legal counsel and Executive Officer bring verbiage to next full board meeting; Dr. Hayward seconded the motion. Motion passed unanimously. (13:15)**

- b. ARM 24.156.508 Approved Residency / ARM 24.156.607 Graduate Training Requirements for Foreign Medical Graduates (16:23)  
Ms. O'Leary led the discussion.

**MOTION: Dr. Guggenheim moved to direct staff to draft revised language [for ARM 24.156.508 Approved Residency and ARM 24.156.607 Graduate Training Requirements for Foreign Medical Graduates] to bring to the next full board meeting; Ms. Bollinger seconded the motion. Motion passed unanimously. (26:10)**

- c. Review of Former Board Advisories for Potential Rulemaking (27:02)  
Mr. Marquand led the discussion.

**MOTION: Ms. Guggenheim moved to ask staff to put together some proposed rule changes relative to [ARM 24.156.625, -.1005, -.1307, and -.1412] Unprofessional Conduct that might be additions that would be useful for independent practitioners including physicians, podiatrists, nutritionists and acupuncturists [to bring to the full board]; Ms. Erickson seconded the motion. (43:18) Discussion ensued. Motion passed unanimously. (44:58)**

- d. Rules on Military Training/Education/Experience as per HB 259 and SB 183 (45:24)  
Ms. O'Leary led the discussion.

**MOTION: Dr. Hayward moved to [direct] Board staff to work on a rule that would cover HB 259 and SB 183; Ms. Bollinger seconded the motion. Motion passed unanimously. (50:14)**

- e. Review of Nutritionist Rules (52:54)  
Mr. Marquand and Ms. Bollinger led the discussion.

**MOTION: Ms. Erickson moved [to direct Board staff to draft] a housekeeping change to clarify [ARM 24.156.1304] as stated and that it should be directed to the full board; Dr. Hayward seconded the motion. Motion passed unanimously. (1:07:03)**

**MOTION: Ms. Bollinger moved to [direct Board staff to] revise the rules to reflect the change [in the name of the American Dietetic] Association to the Academy [of Nutrition and Dietetics] in ARM 24.156.1301(2) and (4), and ARM 24.156.1306(1) and (2), to go to the full board; Dr. Hayward seconded the motion. (1:09:54)**

**MOTION: Dr. Guggenheim moved to clarify that the intent of her motion [with respect to ARM rules regarding unprofessional conduct] was to have staff bring it back to the [Laws and Rules] Committee first [rather than to the full board]; Ms. Erickson seconded the motion. Motion passed unanimously. (1:12:48)**

The Committee agreed by consensus that the next meeting should be early in January prior to the meeting of the full Board. **(1:13:48)**

## **6. Adjourn**

**MOTION: Dr. Guggenheim moved to adjourn; Ms. Bollinger seconded the motion. Motion passed unanimously. (1:19:53)**

The meeting adjourned. **(1:21:12)**