

**BOARD OF MEDICAL EXAMINERS
FULL BOARD MEETING
301 South Park Avenue, Helena, MT 59620
DATE: September 6, 2012
TIME 7:00 AM to CONCLUSION**

MINUTES

ITEM # 1: Call to Order and Introductions

Dr. Kris Spanjian called the meeting to order at 7:00 a.m. Roll call was taken and a quorum was present.

Dr. Anna Earl joined the meeting at this time, and assumed the chair of the meeting.

Members Present: Dr. Anna Earl (Chair), Dr. Dean Center, Dr. Kristin Spanjian, Dr. Bruce Hayward, Dr. Nathan Thomas, Ms. Pat Bollinger, Ms. Eileen Sheehy, Dr. Mary Anne Guggenheim, Ms. Tanja Brekke, Ms. Carole Erickson, Dr. James Upchurch, Mr. Dwight Thompson

Members Absent: Mr. Ryan Burke and Mr. Donald Sullivan

Staff present: Mr. Ian Marquand, Ms. L'Joy Griebenow, Anne O'Leary, Esq., Ms. Jeannie Worsech

Guests Present: Ms. Jean Branscum

ITEM # 2: Approval of Agenda

The Board reviewed the September 6, 2012 Agenda.

MOTION: Ms. Carole Erickson made a motion to approve the September 6, 2012 agenda; Dr. Bruce Hayward seconded the motion. Motion passed unanimously.

Dr. Earl read the Americans with Disabilities Act into the record.

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.

There were no individuals present who required such accommodation.

ITEM # 3: Approval of Minutes

The Board reviewed the July 20, 2012 Meeting Minutes. Ms. Pat Bollinger noted one minor typographical error.

MOTION: Dr. Dean Center made a motion to approve the July 20, 2012 meeting minutes as amended; Ms. Pat Bollinger seconded the motion. Motion passed unanimously.

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

MOTION: Dr. Dean Center made a motion to approve the July 20, 2012 executive session minutes; Dr. Bruce Hayward 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. There were no comments.

ITEM #5: Report on Expedited Licensure Methods Used in Other States/Preparation for EAIC September 11, 2012 Meeting

Ms. Carole Erickson provided a positive progress report on the licensing issues. She also noted that there is a team approach at the department level with management. She further expressed that the Board is "very fortunate to have the caliber of staff that we have in Ian, and L'Joy, and Jerry and Brad and now, with Jeannie working with them, there are real positive changes happening." She mentioned that there was a collaborative and positive meeting with Montana Medical Association (MMA), Montana Hospital Association (MHA), and Montana Association of Medical Staffing Services (MTAMSS).

Jeannie Warsech was invited to speak to the Board to report progress on internal process improvements. Ms. Warsech noted that:

- online applications have been confirmed as no longer requiring character references;
- a release of information form has been added to the online downloadable application to enable locums services, hospitals and the like to discuss a physician's application with the written permission of the physician;

- a change in internal application processing is recommended to enable internal staff to directly access National Practitioner Data Bank (NPDB) reports instead of requiring the physicians to request the written report(s) be mailed to staff, thereby potentially decreasing application processing time – this change requires board approval because there is an additional cost involved (i.e., \$9.50 per download for approximately an average of 350 applications per year);
- a change in processing is being investigated that will enable staff to download verifications off of as many states' websites as possible, again to potentially decrease application processing time – this change would require no board approval because there are no additional costs involved; and
- a change in processing is being investigated that will enable staff to use the AMA Report, and the comparable report from the AOA, for primary source verification of physician education and residency – this change would require no board approval because there are no additional costs involved.

Ms. Jean Branscum was invited to add any additional comments. She noted that:

- division management has provided contact information for who to call if one has a question; and
- a change in processing is being investigated to make the internal staff communication more responsive. Currently staff processing applications communicate with applicants on a 30/60/90 day basis with respect to any missing items; the intent of the potential change is to shorten that basis as much as reasonably possible.

Ms. Branscum complimented Ms. Worsch and internal staff in “stepping up” to make substantive, timely and positive application processing changes.

MOTION: Ms. Carole Erickson made a motion to approve the Board covering the cost of direct National Practitioner Data Bank (NPDB) queries made by internal staff during processing of all physician licensing applications; Ms. Pat Bollinger seconded the motion. Motion passed unanimously.

Ms. O’Leary clarified that the AMA Report does not verify residency for foreign grads, although foreign grads would not be eligible for expedited processing if the North Carolina model was followed.

Ms. Worsch added that another possible processing change being investigated includes invoicing applicants so they can pay their application fee online with a credit card. She further noted that, immediately prior to issuing the license, internal staff will now pull an additional (free) FSMB report to better ensure no disciplinary action occurred against the physician in interim.

The Board expressed interest in having Law & Rules Committee investigation of and preparation of draft preliminary rules to allow expedited license application processing.

Ms. O'Leary continued with her report on expedited licensing. She noted that the next EAIC meeting is September 11, 2012, and that Ms. Branscum would be reporting to the Committee at that meeting about the changes that the Board has made. One of the issues Ms. Branscum would be bringing back to the Committee is the Board's willingness to look at an expedited license. One of the first steps toward that end would be for the Board to direct the Laws & Rules Committee to draft preliminary rules for expedited processing of qualifying applications for the Board to subsequently consider.

Dr. Earl clarified that the Board would not be voting on specific details of the expedited license at this meeting but on delegating authority to the Laws & Rules Committee to begin drafting rules for expedited licensing.

Ms. O'Leary fielded the Board's questions regarding the North Carolina model of expedited license, the current licensing processes, and licensing reciprocity.

Mr. Marquand was invited to summarize the results of his survey with his peers at sister states (via Administrators in Medicine) regarding reciprocity. He confirmed that the responses he received from other states indicates that they are not interested in moving toward reciprocity but instead wanted to maintain their own standards; the states were not interested in automatically granting licensure just because a physician is licensed somewhere else. However, there is a discussion before Congress by the American Telemedicine Association seeking legislation for "automatic national reciprocity of some kind or national licensure. The states are not thrilled with that idea either. But I would say that reciprocity is not a wave that is sweeping the country right now."

MOTION: Dr. Mary Anne Guggenheim made a motion to authorize the Laws & Rules Committee to examine expedited licensure and prepare draft rules to be brought back to the full Board in the most expeditious manner possible; Ms. Pat Bollinger seconded the motion. Motion passed.

The Board requested that a report on this subject be added to the agenda for the November meeting, and to hopefully have draft rules for its consideration at that meeting.

The Board observed that it is implementing these changes because it is responding to its customers, not because of any action or threat of action by third party entities. It is acting to provide improved customer service and quality health care while protecting the public's safety.

The Board reiterated its request to division management to be moved up in the work queue to enable individuals to be able to access an application's status online.

The Board commended Ms. Carole Erickson for her extra time and effort expended on behalf of the Board to investigate the licensing processes and effectively represent the Board with many interested parties. She "has been an absolute key factor in our progress with improving our licensure process".

Adjourn

**MOTION: Dr. Bruce Hayward made a motion to adjourn the meeting;
Dr. Dean Center seconded. Motion passed unanimously.**