

# **MINUTES**

North Carolina Medical Board

**February 19-20, 2003**

**1201 Front Street, Suite 100  
Raleigh, North Carolina**

Minutes of the Open Sessions of the North Carolina Medical Board Meeting February 19-20, 2003.

The February 19-20, 2003, meeting of the North Carolina Medical Board was held at the Board's Office, 1201 Front Street, Suite 100, Raleigh, NC 27609. The meeting was called to order at 8:00 a.m., Wednesday, February 19, 2003, by Charles L. Garrett, MD, President. Board members in attendance were: Stephen M. Herring, MD, President Elect; Robert C. Moffatt, MD, Secretary; Mr. Hari Gupta, Treasurer; E. K. Fretwell, PhD; Robin N. Hunter-Buskey, PA-C; H. Arthur McCulloch, MD; Michael E. Norins, MD; Walter J. Pories, MD; Edwin R. Swann, MD; and Mr. Aloysius P. Walsh.

Staff members present were: R. David Henderson, JD, Interim Executive Director/Operations Department Director; Thomas W. Mansfield, JD, Legal Department Director; Mary Wells, JD, Board Attorney; Brian Blankenship, JD, Board Attorney; Marcus Jimison, JD, Board Attorney; Ms. Wanda Long, Legal Assistant; Ms. Lynne Edwards, Legal Assistant; Mr. John W. Jargstorf, Investigative Director; Mr. Don R. Pittman, Investigative Field Supervisor; Mr. Edmond Kirby-Smith, Investigator; Ms. Kate Mahony, Investigator; Mr. Fred Tucker, Investigator; Mrs. Therese Dembroski, Investigator; Ms. Barbara Brame, Investigator; Ms. Edith Moore, Investigator; Mr. Jason Ward, Investigator; Ms. Jenny Olmstead, Senior Investigative Coordinator; Ms. Myriam Hopson, Investigative Coordinator; Mr. Dale Breaden, Director of Communications and Public Affairs; Ms. Shannon Kingston, Public Affairs Assistant; Mrs. Joy D. Cooke, Licensing Director; Ms. Kathleen Lopez, Licensing Assistant; Ms. Alexa Kapetanakis, PA/NP Coordinator; Ms. Michelle Lee, Licensing Assistant; Tammy O'Hare, Licensing Assistant; Ms. Annette Marcussen, Licensing Assistant; Gary Townsend, MD, JD, Medical Coordinator; Mitchell S. Collman, MD, Assistant Medical Coordinator; Ms. Judie Clark, Complaint Department Director; Mrs. Sharon Squibb-Denslow, Complaint Department Assistant; Ms. Sherry Hyder, Complaint Department Assistant; Ms. Patricia Paulson, Complaint Department Staff; Ms. Deborah Aycock, Operations Assistant/HR Coordinator; Ms. Rebecca L. Manning, Information Specialist; Mrs. Janice Fowler, Operations Assistant; Mr. Peter Celentano, Controller; Mr. David Shere, Receptionist; Mr. Donald Smelcer, Director, IT Department; Ms. Brandy Forward, Compliance Department Director; and Mr. Jeffery T. Denton, Executive Assistant/Board Secretary.

## **MISCELLANEOUS**

### **Tribute to Dr. Dees**

The Board meeting today, February 19, commenced with a tribute to Dr. Dees. Dr. John T. Dees, MD, Board President, passed away on February 7, 2003. Several letters were read including one from Wayne VonSeggen, PA-C, Past President of the Medical Board and one from Ms. Dees. All Board Members were afforded the opportunity to speak.

### **Nominations**

The Executive Committee met at the Office of the Medical Board on February 19, 2003. Present were: Charles Garrett, MD; Stephen Herring, MD; Hari Gupta; and Walter Pories, MD. Due to the recent passing of the Board President and the advancement of the President Elect, the following slate of candidates for unexpired terms were made to the Board:

President Elect -  
Secretary -

Stephen Herring, MD  
Robert Moffatt, MD

There were no nominations from the floor.

**Motion:** A motion passed to approve the Executive Committee Nominations as presented to the Board; the following Board Members were elected for the noted positions for 2003 unexpired terms: President Elect, Stephen Herring, MD and Secretary, Robert Moffatt, MD.

### Presidential Remarks

Dr. Garrett commenced the meeting by reading the North Carolina Board of Ethics' "ethics awareness and conflict of interest reminder."

He congratulated the new Board officers, Drs Herring and Moffatt.

Dr. Garrett made the following announcements:

- (1) Dr. Fretwell has been assigned to the Allied Health Committee.
- (2) A letter has been sent to the President of the North Carolina Medical Society officially notifying him that a vacancy on the Medical Board has occurred involving a Medical Society nominee and requesting him to make a nomination to the Governor as soon as possible to serve out Dr. Dees unexpired term.

### NCGS § 90-14.13

The Board voted to approve a proposed modification to N. C. Gen. Stat. § 90-14.13 to be presented to the General Assembly during its current session by the North Carolina Medical Society on behalf of the Medical Board. The proposed modification is as follows:

#### **§ 90-14.13. Reports of disciplinary action by health care institutions; reports of malpractice payments by insurance companies and trust funds; immunity from liability.**

The chief administrative officer of every licensed hospital or other health care institution, including Health Maintenance Organizations, as defined in G.S. 58-67-5, preferred providers, as defined in G.S. 58-50-56, and all other provider organizations that issue credentials to physicians, physician assistants and nurse practitioners who practice medicine or perform medical acts in the State, shall, ~~after consultation with the chief of staff of that institution,~~ report to the Board any revocation, suspension, or limitation, of a physician's privileges to practice in that institution, change in staff privileges that relates to the competency, conduct or character of the physician, physician assistant or nurse practitioner. A hospital is not required to report the suspension of ~~a physician's the~~ privileges of a physician, physician assistant or nurse practitioner for failure to timely complete medical records unless the suspension is the third within the calendar year for failure to timely complete medical records. Upon reporting the third suspension, the hospital shall also report the previous two suspensions. ~~The institution shall also report to the Board resignations from practice in that institution by persons licensed under this Article.~~ The Board shall report all violations of this subsection known to it to the licensing agency for the institution involved.

Any licensed physician, physician assistant or nurse practitioner who does not possess professional liability insurance shall report to the Board any award of damages or any settlement of any malpractice complaint affecting his or her practice within 30 days of the award or settlement.

The chief administrative officer of each insurance company providing professional liability insurance for physicians, physician assistants and nurse practitioners who practice medicine or perform medical acts in North Carolina, the administrative officer of the Liability

Insurance Trust Fund Council created by G.S. 116-220, and the administrative officer of any trust fund operated by a hospital authority, group, or provider shall report to the Board within 30 days:

(1) Any award of damages or settlement affecting or involving a physician, physician assistant or nurse practitioner it insures, whether or not the physician, physician assistant or nurse practitioner is specifically named in the award of damages or settlement, or

(2) Any cancellation or non renewal of its professional liability coverage of a physician, physician assistant or nurse practitioner, if the cancellation or non renewal was for cause. The Board shall report all violations of this paragraph to the Commissioner of Insurance.

The Board may request details about any action referred to in any part of this section, and the officers shall promptly furnish the requested information. The reports required by this section are privileged and shall not be open to the public. ~~The Board shall report all violations of this paragraph to the Commissioner of Insurance.~~

Any person making a report required by this section shall be immune from any criminal prosecution or civil liability resulting therefrom unless such person knew the report was false or acted in reckless disregard of whether the report was false.

(1981, c. 573, s. 14; 1987, c. 859, s. 11; 1995, c. 405, s. 8; 1997-481, s. 2; 1997-519, s. 3.14.)

## MINUTE APPROVAL

**Motion:** A motion passed that the January 22-25, 2003, Board Minutes be approved as presented.

## ATTORNEY'S REPORT

### HEARINGS

**LEMAIRE**, Pierre-Arnaud P., MD

BOARD ACTION: Accepted proposed Consent Order to settle case rather than go forward with hearing.

**MARBACH**, James Christian, MD

BOARD ACTION: Accept proposed Consent Order to settle case rather than go forward with hearing.

**MATTESON**, Sharon Elaine, PA

BOARD ACTION: Accept proposed Consent Order to settle case rather than go forward with hearing.

**HAYES**, Lonnie M., MD

BOARD ACTION: Indefinite suspension. MD may not reapply for 6 months. Upon any reapplication Dr. Hayes must present documentation of CME pertaining to record keeping. Also an inspection of his office will be required prior to possible approval of application.

## **POLICY COMMITTEE REPORT**

Charles Garrett, MD, Chair; Stephen Herring, MD; Aloysius Walsh; Michael Norins, MD; Arthur McCulloch, MD

The Policy Committee met on Wednesday, February 19, 2003, at the office of the Board. The complete report of that meeting will be reviewed by the Board at the March 2003 Board Meeting following committee review. The following item was extracted and presented to the Full Board on February 20, 2003.

### **Optometrists Performing Certain Injections (Dr Garrett and Mr Mansfield)**

September 18, 2002, Dr Pories thanked the North Carolina Board of Optometry for notifying the Medical Board regarding optometrists treating and managing chalazia. Dr Garrett described chalazia in detail. There was a consensus that the NC Medical Board is concerned about non-physicians performing this procedure. On September 19, 2002, the Medical Board sent a letter to the Board of Optometry stating: "The Medical Board understands from your memorandum of August 13, 2002, to North Carolina Licensed Optometrists (a copy of which is attached) that your Board is preparing to issue 'privileges' to perform certain procedures requiring injections in the practice of Optometry." The Board has reviewed your memorandum and is concerned that the activities contemplated may constitute the unlicensed practice of medicine. The Medical Board wishes to advise your Board that it may take legal action in the event that optometrists perform acts that constitute the practice of medicine."

At the December 2002 Policy committee meeting, Dr Garrett stated that it appeared that the optometrists are going to begin training and certifying optometrists to do injections within the next 60-90 days. He believed it was going to happen even though they have been put on notice that that would be a violation of the MPA and the Medical Board would take action. He requests that Mr Mansfield be authorized to enter into conversation with Mr Loper, who represents the Board of Optometry, to see if we can bring this issue before a judge and get a ruling regarding scope of practice before the optometrists go forward with the injections. Mr Mansfield indicated he had spoken briefly with Mr Loper and they would like the opportunity to discuss this approach, to try to resolve differences, and to see if there is a way to get a ruling. This will take time and resources. Mr Loper indicated he did not know if the optometrists' current course of action could be held off, but he will be happy to sit down with his clients and see if they will entertain a standstill until "litigation by agreement could occur." He indicated that in his experience it would be hard to get in front of a judge and get a decision in 60-90 days.

Mr Bobbitt, representing the North Carolina Society of Ophthalmologists, commended this approach, saying it could keep anyone from getting hurt.

Mr Mansfield was ultimately authorized to confer with Mr Loper on this matter to see what can be done to facilitate the approach proposed

At this February Policy Committee meeting, Mr Mansfield made a report to the Committee in closed session to discuss potential litigation.

**Motion:** A motion passed in open session in February authorizing Mr Mansfield to continue negotiations and discussions with Mr Loper regarding potential litigation between the Medical Board and the Optometry Board.

## **EXECUTIVE COMMITTEE REPORT**

Charles Garrett, MD; Stephen Herring, MD; Hari Gupta; Walter Pories, MD

### **Finance Committee**

The Finance Committee meeting was held on Wednesday January 22, 2003, at 7:30 am and was called to order by the chairman, Hari Gupta. Board members in attendance were Robert C. Moffatt, MD, Michael E. Norins, MD. Members of the staff in attendance were R. David Henderson and Peter T. Celentano, CPA.

#### **Real Estate**

The meeting went into closed session so Mr. Gupta could update the committee on the plans to purchase property for the Board. After a discussion regarding this matter, the committee returned to open session.

The proposed floor plans were reviewed. Mr. Gupta also reviewed a preliminary budget for the renovations and up fitting that has been proposed. Dr. Norins made a motion to accept the proposals as presented to the Finance Committee by Mr. Gupta. The motion was seconded and unanimously approved.

#### **Service Contract Proposal**

Mr. Gupta discussed with the committee the service contract proposed by Mr. Paris for conducting license interviews and work with the License Committee. Mr. Gupta agreed to convey the committee's thoughts to the Executive Committee.

#### **Financials**

Mr. Celentano, CPA, presented to the committee the November 2002 compiled financial statements. November 2003 is the first month of fiscal year 2003. Mr. Celentano stated that it was difficult to draw any conclusions in looking at only one month of data. Dr. Norins suggested reviewing the financial statements on a quarterly basis. The Committee concluded that they would continue to look at the financial statements monthly in order to keep track of trends and variances.

The November 2002 Investment Summary was reviewed and accepted as presented.

### **Executive Committee**

The Executive Committee meeting was held on Wednesday January 22, 2002, at 8:30 am and was called to order by Charles L. Garrett, MD, Vice President. Board members in attendance were John T. Dees, President, Stephen M. Herring, MD, Secretary, Mr. Hari Gupta, Treasurer, and Walter J. Pories, MD, Past President. Members of the staff who attended were R. David Henderson and Peter T. Celentano, CPA.

#### **Minutes**

Minutes for the December 2002 meeting were presented and approved.

#### **Financials**

Mr. Gupta summarized the December 2002 financial statements and comments that were reviewed in the Finance Committee meeting.

#### **Service Contract Proposal**

Mr. Gupta discussed with the committee the service contract proposed by Mr. Paris for conducting license interviews and work with the License Committee. Dr. Garrett made a motion

to approve the service contract as proposed for calendar year 2003. This motion was seconded and approved.

The committee also discussed whether Board members and Board agents should be paid \$50.00 versus \$25.00 per interview. Mr. Celentano informed the committee of the estimated cost to raise the rate per interview to \$50.00 for all Board members and agents. Dr. Garrett made a motion to raise the rate to \$50.00 per interview. This motion was seconded and approved.

Dr. Garrett asked whether the Board should form a task force to look into the possibility of eliminating, in certain circumstances, the requirement for personal licensure interviews. Mr. Henderson suggested that the Licensure Rules Rewrite Committee could review this issue. Dr. Garrett made this motion, which was seconded and approved.

### **Old Business**

Real Estate: The meeting went into closed session so Mr. Gupta could update the Executive Committee on the plans to purchase property for the Board. After a discussion regarding this matter, the committee returned to open session.

Mr. Gupta reviewed with the committee the preliminary budget for the renovations and up fitting that has been proposed. Dr. Garrett made a motion to proceed with the process and to solicit bids from two other companies for the up fitting of the Boardroom. This motion was seconded and unanimously approved.

Scanning of file records: Dr. Pories invited Mr. Henderson and the directors to come to East Carolina University School of Medicine to see a presentation of the file scanning system used at the University.

ED Search: Dr. Dees discussed various aspects of the search for a permanent Executive Director, including a meeting that was held the prior evening. The deadline for receiving CVs is January 31, 2003. Mr. Henderson stated that a North Carolina employment application form is available via electronic media, and that when the number of potential candidates is reduced they could be asked to fill this application out. Background checks would be performed as well when the number of candidates is reduced. A motion was made and seconded to recommend this process to the Search Committee.

Fingerprinting: Mr. Henderson updated the Executive Committee on the rule adopted December 1, 2002, which allows the Medical Board to conduct background checks using fingerprints. This fingerprinting requirement will go into effect on February 1, 2003. Mr. Henderson thought that ample notice has been given to applicants of the new requirements as the web site was updated around the first part of December. Dr. Garrett clarified the fact that resident training licenses will be issued without waiting for the completed background check once we have a clean set of fingerprints, a signed authorization, and the background check fee. This is due to the large volume of RTL that are received in a short period of time and the relative ease following-up with a resident if something does arise with the background check.

D&O Insurance: Mr. Henderson has not yet had an opportunity to review the D&O policy and wishes to table this matter until he gathers the necessary information.

Board Agents proposal: Mr. Henderson submitted a proposal for appointing Board Agents. The proposal states that all Board members rotating off the Board be appointed to one five-year term. All current Board agents would receive a letter from the Board advising them of

this new policy and be appointed to a term that will expire on December 31, 2007. A motion was made and seconded to recommend this to the Board.

### **New Business**

Options for checking account balance: Mr. Celentano reviewed with the committee the various options available for the balance of cash that was in our checking account in the previous month. Given the large expenditures that will be incurred in the next several months and the fact that the balance is now less than \$80,000, it was agreed to not pursue any other options at this time. This will be reevaluated after the liquidation of the CD and the closing on the real estate purchase.

Legislation: Mr. Henderson and Dr. Garrett discussed whether to ask the North Carolina Medical Society to help us with any legislation in the upcoming session. It was discussed that the Medical Society might be unable to aid in getting these matters passed in the upcoming session but Dr. Garrett stated that we needed to let the Medical Society know that we have various items that need to be considered at some point. No timetable was set.

## **ALLIED HEALTH COMMITTEE REPORT**

Michael Norins, MD; Robin Hunter-Buskey, PAC; Arthur McCulloch, MD; E. K. Fretwell, PhD

### **JANUARY 2003 ALLIED HEALTH COMMITTEE MINUTES**

#### **December 2002 Minutes**

- Approved after change in Proposed 2003 PAAC member list. Dr. Hammer and Dr. Irion were both approved

#### **Ideal PA, NP, CPP applications**

- Tabled to February

#### **NCCPA exam schedule follow up**

- In order to take the PANCE exam, a PA must graduate from a program. A section of the Allied Health Vote list enables a PA to be presented to the Board for approval pending the Medical Board's receipt of passing exam scores. What happens when a PA does not provide passing scores?
- Ms. Hunter-Buskey proposed that the committee should be consistent with the licensing committee for physicians and make the application valid for one year. After six months the Medical Board staff may ask the applicant for information regarding the intent of licensure.

#### **NP Proposed Rule Change**

- Dr. Norins leads the discussion explaining his request to the full Board that the proposed NP rules be sent back to the Allied Health Committee for discussion and changes.
- The committee members shared their feelings about the NP rules changing "written protocols" to "collaborative practice agreement." Ms. Phelps noted that this change may not be in compliance to the NP Statutes.
- It has been requested by the committee that the Boards legal staff identify the areas of the current proposed changes that are not congruent with the existing statutes. These

areas as well as committee members suggested changes should be brought to the February Board meeting.

#### **Nurse Practitioner Issues**

- Medical Acts – Memorandum of medical acts
- Letter of Agreement to the BON – This letter is to be dropped in lieu of NP rule change - registration issue
- NP Protocol – Protocol for Handling Alternative Program Participants who are approved as Nurse Practitioners. It is suggested by the Allied Health Committee that after a NP's RN license is taken away from them by the Board of Nursing, the NP must completely reapply with the Medical Board. Mr. Jimison referred to 32M .0103 B subsection 7 when explaining that the Medical Board as the authority to do ask the NP to reapply.  
Task: Dr. Norins will prepare a memo in response to this process to be sent to the NC BON.
- Discipline Process – Ms. Hunter Buskey questioned the definition of action because of our promised confidentiality the Board gives to a Physician in different situations. It was suggested to change “action” to “public action.” Further discussion on the discipline process has been tabled to February.

#### **Nurse Midwives**

- CNM Application – Tabled for February
- Understand role in Midwifery Committee – Tabled for February

#### **Presentation of Chart: Role of the NCMB in the oversight of Allied Professionals**

- Mr. Jimison states the purpose of this chart to be a reference guide for the Allied Health Committee members. Ms. Phelps agreed to send a clean revised copy to the committee members in a week.

#### **CPP Joint Subcommittee**

- Original CPP Joint Subcommittee convened to create rules for CPP's.
- Suggested by Dr. Norins to reestablish this committee to meet and discuss any issues and maintain a direct contact with the Board of Pharmacy.
- Dr. Norins will include in his report that “The Allied Health Committee would like to entertain exploration of reactivating the Joint Subcommittee of the Pharmacy Board and the Medical Board in regards to oversight of the CPP's.”
- The committee would like the legal department to make sure this subcommittee is in compliance with all of the necessary statutes.

#### **EMS Disciplinary Committee Report**

- This report was accepted as information and will be presented to the Full Board.

\*\*Dr. Norins gave a report from the Task Force on NP/MD Relationships meeting held January 16, 2003.

\*\*Ms. Hunter Buskey suggests a conference call be held between the committee members before the next NP Joint Subcommittee.

### **APPLICANTS LICENSED**

**PA** (\*\*\*)Indicates PA has not submitted Intent to Practice Forms)



Idol, Julie Lynn	Edmunds, John Howard	Greensboro
Ingle, Carolyn Collins	Lue, Alvin Joseph	Winston-Salem
Jamieson, Mark Stephen	Nicholson, James Evans III	Rocky Mount
Knight, Valerie Denise	Cox, Robert Wayne	Grifton
Kowaleski, Jennie Lynn	Zacco, Arthur	Apex
Locklear, Arbus Earl	Pridgen, James Henry	Whiteville
Manzi, Monica Ann	Butler, Robert Hoyt	Asheboro
McCormack, Meg	Welty-Wolf, Karen Elizabeth	Mebane
McElroy, Shannon Glynn	Kastner, Robert Jeffrey	Wilmington
McGowan, Rebecca Dees	Webb, Bob Lee	Horse Shoe
McQuigg, Bogan Manuel	Deese, Joseph Earl	Laurinburg
Merrill, Susan Ellen	Gaffney, Mary Elizabeth	Charlotte
Nelson, Larry Dean	Elliott, Charles Martin	Charlotte
Newcomb, Christopher E	Blair, Charles Edward	Asheville
Purcell, Craig Sumner	Harrington, Robert William Jr.	Sanford
Raja, Sabrina Shaheen	Clements, John Carl	Mooresville
Reeve, Douglas Scott	Kelsch, John Martin Jr.	Raleigh
Rodriguez, Carol Ellen	Spangenthal, Selwyn	Charlotte
Rogers, Roy Kent	Grant, Terry Alan	Goldsboro
Sherrod, Melissa Martin	Carley, Richard Scott	Supply
Smith, Stacey Moose	Huang, Samuel Fong-yin	Durham
Soni-Patel, Payal H	Hyde, Lee Sanford	Asheville
Stamper, Jason John	Redding, Mark Peter	Concord
Stumm, Robert Michael	Hoski, James Joseph	Asheville
Sunderlin, Keith Bradley	Moore, Jeffrey Alan	Laurinburg
Taylor, Chris	Lerrick, Kenneth Scott	Greenville
Thompson, Amy Lynn	Sran, Sarbjeet Kaur	Hickory
Velaz-Faircloth, Maria	Coleman, Arnett	Durham
Villarreal, Alfredo DeLeon	Stansberry, Howard Arthur	Fayetteville
Vondenstein, Mindy Marie	Muldowney, Sean Michael	Concord
Walters, Tammy Elaine	Cunningham, Scott Lance	Rocky Mount
Washington, Sandra P	Cook, Alan	Raleigh
Wood, Roger Lee	Samia, Mark Arthur	Raleigh

**NP – Initial Applications Recommended for Approval after Staff Review-**

<u>NURSE PRACTITIONER</u>	<u>PRIMARY SUPERVISOR</u>	<u>PRACTICE CITY</u>
Anderson, Ashley	Bustard, Victor	New Bern
Ashford, Sharon	Rogers, Mary Kathryn	Charlotte
Brauer, Chastity	Rathbun, Mary Anne	Charlotte
Brophy-Sponder, Christina	Brown, Cynthia H	Asheville
Douglas, Kemi	McClure, Michael	High Point
Duke, Cheryl	Frere, Robert C	Greenville
Errante, Natalie	Detrick, Kenneth J	Salisbury
Gamwell, Judy	Caldwell, Ronald	Asheville
Gamwell, Judy	Jones, Lawrence	Asheville
Jakiela, Barbara	Farrell, Mary Anne	Cherokee
Luka, Lydia	Jones, Lawrence	Asheville
Mabe, Layla	Nascimento, Luiz	Hamlet
Mears, Sarah	Tanaka, David T	Durham

Nelson, Walter	Lee, Daniel	Greenville
Newton, Gloria	Hart, R Eric	Hickory
Nooe, Mary Ann	Lavoie, Mary-Lynn	Greensboro
Patterson, Kathy	Williams, Bret C	Yanceyville
Price, Elayne	Sigmon, J. Gregg	Wilson
Schwertfeger, Renee	Sanderson, Iain	Durham
Scott, Linda	Murphy, Timothy	Ft Bragg
Turnage, Denise	Shaw, Robert	Greenville
Vick, Gretchen	Watson, Peter R	Kinston
Wagmeister, Mary	Smull, David	Winston-Salem
Yelton, Corinne	Richardson, Judith	Asheville

**NP - Subsequent Applications administratively approved-**

<u>NURSE PRACTITIONER</u>	<u>PRIMARY SUPERVISOR</u>	<u>PRACTICE CITY</u>
Bailey, C Dianne	Cain, Wilbert	Goldsboro
Bierwirth, Wendy	Bengtson, Mary W	Raleigh
Bland, Kathryn	Crumpler, Randall S	Garner
Boatwright, Melanie	Vernon, Michael S	Charlotte
Bridges, Robyn	Hejazi, Masoud S	Wentworth
Carlton, Melissa	Corley, Charles A	Lenoir
Corn, Lisa	Bregier, Charles Jr.	Charlotte
Davidson, Rosemary	DeVaul, Chanson A	Elizabeth City
DiSalvo, Linda	Marshall, Sheila F	Cary
Etter, Michael	Stroup, Daniel F	Hayesville
Fender, Tonya	Pascale, James A	Fayetteville
Frederiksen, Julie	Joyner, William L	Wilmington
Gentry, Jennifer	Galanos, Anthony	Durham
Glass, Angela	Gibbons, Elizabeth B	Cary
Hill, Beverly	Maclean, Susan	Burnsville
Lee, Patti	Robinson, Derrick L	Wilmington
Loux, Diane	Arkansas, Carmen	Sylva
Macon, Teresa	Portner, Bruce	Winston-Salem
McAlister, Amy	Lawson, Healy W	Raleigh
McGee, Amanda	Croft, James M	Morganton
McKnight, Anne	Heine, Robert P	Durham
Newman, Peggy	Burks, April N	Mamers
Orsini, Janice	Manning, James E IV	Greensboro
Pearce, Patricia	Vukoson, Matthew B	Chapel Hill
Peckous, Beverly	Clayton, Christy L	Cary
Printz, Mary	Privette, Douglas C	Greenville
Randall, Jane	Phillips, Delana	Nags Head
Sanford, Christine	Joyner, William L	Wilmington
Scott, Margaret	Manning, James E IV	Greensboro
Smith, Robin	Echterling, Susan C	Charlotte
Waller, Gail	Grandis, Arnold S	Greensboro
Wekony, Melinda	Coughlin, Paul	High Point
Wood, Lawrence	Bradner, Richard L	Charlotte

**Motion:** A motion passed to approve the report.

## FEBRUARY 2003 EMERGENCY MEDICAL SERVICES REPORT

### EMS ADVISORY COUNCIL

#### **Scope of Practice Issues** – Presented by Dr. Greg Mears

- Clarification of classification of Albuterol. All entries which have multiple drugs per type or class are listed by the drug type. Proposal is to reclassify Albuterol under Beta-Angst. This is not a new scope of practice drug but a reclassification to be consistent with existing policy to avoid confusion.
- Add Narcan (Naloxone) to EMT-Intermediate medication list. Correction of oversight from old version of document – EMT-IMT have always been permitted to use Narcan.
- Addition of Lovenox (Enoxaparin Sodium), a low molecular weight Heparin anticoagulant, to N.C. skills and Medication document. Current EMT's permitted to use Heparin wish to use this drug as well.  
**Rational:** Less theoretical side effects and standard of care in many medical scenarios.
- Change word thrombolytic to fibrinolytic which is consistent with current terminology.

Dr. Mears and Mr. Ed Browning have in the past presented any change in scope issues to the Allied Health Committee and full Board when requested. None of these changes can be implemented without approval of the North Carolina Medical Board. I have volunteered to make this presentation on their behalf – no response as of February 17, 2003.

### DISCIPLINE COMMITTEE

- Two EMT's credentials approved.
- One EMT's license revoked.

Details of these cases will be on file at the Medical Board when the EMS minutes are available.

- Eight cases reviewed resulting in the case(s) being cleared for credentialing or the applicant has been requested to appear before the Discipline Committee.

**Motion:** A motion passed to approve the revised formulary and the EMS Report.

## LICENSING COMMITTEE REPORT

Robert Moffatt, MD, Chair; E.K. Fretwell, PhD; Robin Hunter-Buskey, PAC; Edwin Swann, MD

Procedure for physicians requesting return of their license after surrender, or suspension

Catchline: The current process for a physician whose license has been inactive for less than one year who is requesting return of their license following a surrender or suspension is the Reactivation process. This process requires completing the application form, paying the registration and late fee (\$145.00), obtaining a FSMB Board Action Data Bank inquiry report and the personal interview.

Committee Recommendation: Table – Staff to prepare a table to show more definitive examples of applicants who will fall into this category.

BOARD ACTION: Table – Staff to prepare a table to show more definitive examples of applicants who will fall into this category.

### **G.S. 90-9**

Catchline: It has been suggested the section of G.S. 90-9 that requires attendance of at least 4 years medical school be rectified to provide an avenue for licensure for physicians who attended less than the required amount of medical school. For example: If a physician has less than the number of years of medical school required by G.S. 90-9, they must be certified by an ABMS or AOA specialty board to be eligible for licensure. NOTE: This will require opening the Medical Practice Act.

Committee Recommendation: On reconsideration, remove this item from the agenda.

BOARD ACTION: On reconsideration, remove this item from the agenda.

BOARD ACTION: A motion was made and passed to allow staff to make decisions regarding applicants with 36 months of medical school versus 4 years of medical school, without consulting with the Board unless necessary.

### **Mini-residencies**

BOARD ACTION: The License Committee was instructed to look at the subject of mini-residencies and develop a list of alternatives for applicants to use to bring their skills up to date if they have not been associated with the practice of medicine for long periods of time.

A motion passed to close the session to investigate, examine, or determine the character and other qualifications of applicants for professional licenses or certificates while meeting with respect to individual applicants for such licenses or certificates.

The Board reviewed 2 license applications. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session

### **SPLIT BOARD LICENSURE INTERVIEWS**

A motion passed to close the session to investigate, examine, or determine the character and other qualifications of applicants for professional licenses or certificates while meeting with respect to individual applicants for such licenses or certificates.

Five licensure interviews were conducted. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

## APPLICANTS PRESENTED TO THE BOARD

Deepa Abraham	Deborah Esteves	Parag Arunkumar Pandya
Baron Scott Adkins	Kimberley Jessica Johnson	Holly Howard Parker
Kevin Paul Allen	Evans	John Ashley Parker
Jason Richard Ambrose	Kerri Ann Faughnan	Stephen Frederick Parsons
Sean Thomas Amsbaugh	Andrea Stephanie Fernandez	Dennis Seetall Persaud
Joel Chua Ang	Joseph Ignatius Gaglione	Duc Thinh Pham
Matthew Christian Banks	Nikhil Ramniklal Gandhi	Bradley Hunter Pierce
Anne Wood Beaven	Gregory Allen Garth	Erika Lynn Rager
Ramsis Kyril Benjamin	Mahfuzul Haque	Maggie Lee Corbett Ray
Gabriel Elliot Berry	Vallathucherry Chakalakumbil	Sulekha Ray
Jason Mohan Bhan	Harish	Arra Suresh Reddy
Kenneth Owura Bonaparte	Forest DeWitt Holden	Richard Bernard Reiling
Robert Foster Bradley V	Paula Rocha Hayes	Philip David Rose
Elizabeth Ann Briere	Shelley-Ann Violet Hope	Thomas Michael Schaller
Anne Hearn Bussian	Cressent Marjorie Hudson	Matthew John Scholer
Kimberly Ann Heath Caldwell	Randell Allen Hyler Jr.	Stephen Lowell Sebert
Joseph Michael Carbone	Michael Bradley Jacobs	Gregroy Luke Seidensticker
Marie Archambault Carlson	Edgar John Jimenez	Charles Michael Semprevivo
Chukwuemeka Ogbonnaya	Thomas Chet Johns	William Douglas Shaw Jr.
Chima	David Wilburn Kaminski	Upinder Singh
Yu-Chi Emily Chung	Samir Padmasen Kanani	Alexander Joachim Slotwiner
Orlando Joseph Cicilioni Jr.	Mary Anne Kegley	Alison Townsend Snider
Gail Yvonne Cockrell	Carter Alan Kenamond	Amy Louise Springer
Mauricio Gabriel Cohen	Scott Edward Konopka	Shelley Bundy Stanko
Bernard Augustus Corbett, III	Richard Patrick Konstance II	Hansen Su
Leonard Bryan Cotton Jr.	Hans Mawuli Kwaku	Jason Paul Suits
Keenya Lazette Crawford	Jami Ritch Lacey	Raymond Sykola Jr.
Mimi Carol Cumbest	Elizabeth Ann Lacy	Carl Joseph Szczesniak
Anita Krishna Das	Mark Douglas Landers	Richard Brad Thompson
Patrick Santiago Deburge	Patricia Adele Lange	Billy Carl Trent
John Paul Denny	Edward Alan Lewis	Kevin Leonard Turner
Susan Davenport Denny	Brian Richard Matlaga	Tracela Cameron Vaden
Elizabeth Rae Dewey	Charles Joseph Matthews	Robert Christopher Van Winkle
Brian Carpenter Doyle	Clifford Homer Mault	Vincent James Verdi
Frederick Alexander Dressler	Ashford Samuel McAllister	Matthew John Vreeland
Nirali Manish Dubal	Lynda Lee Burt McHutchison	Robert Wesley Wetherington
Joseph Alexander Duncan	Micheal Grant Miller Jr	Gening Zhu
Deirdre Ann Durkis	Christine Patrice Nielson	
Gamal A. Elsaidi	Yetunde Odusanya-Olowe	

## LICENSES APPROVED BY ENDORSEMENT AND EXAM

Deepa Abraham	Anne Wood Beaven
Baron Scott Adkins	Ramsis Kyril Benjamin
Kevin Paul Allen	Gabriel Elliot Berry
Jason Richard Ambrose	Jason Mohan Bhan
Sean Thomas Amsbaugh	Kenneth Owura Bonaparte
Joel Chua Ang	Robert Foster Bradley V
Matthew Christian Banks	Anne Hearn Bussian

Kimberly Ann Heath Caldwell  
Joseph Michael Carbone  
Marie Archambault Carlson  
Chukwuemeka Ogonnaya Chima  
Yu-Chi Emily Chung  
Orlando Joseph Cicilioni Jr.  
Gail Yvonne Cockrell  
Leonard Bryan Cotton Jr.  
Keenya Lazette Crawford  
Mimi Carol Cumbest  
Anita Krishna Das  
Patrick Santiago Deburge  
John Paul Denny  
Susan Davenport Denny  
Elizabeth Rae Dewey  
Brian Carpenter Doyle  
Frederick Alexander Dressler  
Nirali Manish Dubal  
Joseph Alexander Duncan  
Deirdre Ann Durkis  
Gamal A. Elsaidi  
Deborah Esteves  
Kimberley Jessica Johnson Evans  
Kerri Ann Faughnan  
Andrea Stephanie Fernandez  
Joseph Ignatius Gaglione  
Nikhil Ramniklal Gandhi  
Gregory Allen Garth  
Vallathucherry Chakalakumbil Harish  
Paula Rocha Hayes  
Shelley-Ann Violet Hope  
Cressent Marjorie Hudson  
Randell Allen Hyler Jr.  
Michael Bradley Jacobs  
David Wilburn Kaminski  
Samir Padmasen Kanani  
Mary Anne Kegley  
Carter Alan Kenamond  
Scott Edward Konopka  
Richard Patrick Konstance II  
Hans Mawuli Kwaku  
Jami Ritch Lacey  
Elizabeth Ann Lacy  
Mark Douglas Landers  
Edward Alan Lewis  
Brian Richard Matlaga  
Clifford Homer Mault  
Ashford Samuel McAllister  
Lynda Lee Burt McHutchison  
Micheal Grant Miller Jr

Christine Patrice Nielson  
Parag Arunkumar Pandya  
Holly Howard Parker  
John Ashley Parker  
Stephen Frederick Parsons  
Dennis Seetall Persaud  
Bradley Hunter Pierce  
Erika Lynn Rager  
Maggie Lee Corbett Ray  
Sulekha Ray  
Richard Bernard Reiling  
Thomas Michael Schaller  
Matthew John Scholer  
Stephen Lowell Sebert  
Gregroy Luke Seidensticker  
Charles Michael Semprevivo  
William Douglas Shaw Jr.  
Upinder Singh  
Alexander Joachim Slotwiner  
Alison Townsend Snider  
Shelley Bundy Stanko  
Hansen Su  
Jason Paul Suits  
Raymond Sykola Jr.  
Carl Joseph Szczesniak  
Richard Brad Thompson  
Billy Carl Trent  
Kevin Leonard Turner  
Tracela Cameron Vaden  
Robert Christopher Van Winkle  
Vincent James Verdi  
Matthew John Vreeland  
Gening Zhu

**INTERVIEW FORMS NOT RECEIVED**

Robert Wesley Wetherington

**APPLICANTS S FOR REINSTATEMENT**

Bernard Augustus Corbett, III  
Edgar John Jimenez  
Thomas Chet Johns  
Amy Louise Springer

**APPLICANTS FOR REACTIVATION:**

Patricia Adele Lange

**FACULTY LIMITED LICENSE**

Mauricio Gabriel Cohen  
Mahfuzul Haque

## **COMPLIANCE COMMITTEE REPORT**

Michael Norins, MD, Chair; Robin Hunter-Buskey, PA-C; Aloysius Walsh; Edwin Swann

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes.

The Compliance Committee reported on two compliance cases. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

## **COMPLAINT COMMITTEE REPORT**

Hari Gupta; Aloysius Walsh; Edwin Swann, MD; Walter Pories, MD

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes.

The Complaint Committee reported on 79 complaint cases. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

## **INVESTIGATIVE COMMITTEE REPORT**

Stephen Herring, MD; Arthur McCulloch; Charles Garrett, MD; Robert Moffatt, MD

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes.

The Investigative Committee reported on 31 investigative cases. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

### **DISCUSSION ITEM:**

Investigative Committee requests Full Board Discussion at the February 2003 Board Meeting re: the investigation of all actions taken on physicians by insurance companies.

## INFORMAL INTERVIEW REPORT

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16 and 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes.

Eighteen informal interviews were conducted. A written report was presented for the Board's review. The Board adopted the Split Boards' recommendations and approved the written report as modified. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

## MALPRACTICE COMMITTEE REPORT

Hari Gupta; Aloysius Walsh; Edwin Swann, MD; Walter Pories, MD;

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes.

The Malpractice Committee reported on 33 cases. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

## ADJOURNMENT

This meeting was adjourned on February 20, 2003.

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Stephen M. Herring, MD  
Secretary