

MINUTES

OF THE MEETING OF
THE BOARD OF MEDICAL EXAMINERS

OF THE STATE OF NORTH CAROLINA
JANUARY 23 - JANUARY 27, 1991

MARRIOTT CRABTREE HOTEL
RALEIGH, NORTH CAROLINA

MINUTES

CALL TO ORDER

F. M. Simmons Patterson, Jr., M.D., President of the Board of Medical Examiners of the State of North Carolina, called the meeting to order on Wednesday, January 23, 1991, at 7:30 p.m., at the Marriott Crabtree Hotel, Raleigh, North Carolina.

The Board members present at this meeting included: Nicholas Emanuel Stratas, M.D., Secretary; John T. Daniel, Jr, M.D.; Harold L. Godwin, Jr., M.D., Walter Michael Roufail, M.D.; John Wesley Nance, M.D.; and Mrs. Kathryn Howell Willis.

Staff members present included: Bryant D. Paris, Jr.; Donald R. Pittman; William H. Breeze, Jr.; Robert J. Broyles; L. D. Beaver; Edmund Kirby-Smith; Leslie Newton; Joy Cooke; Kathy Burke; and Betty Ann Preston.

ANDERSON, David James Mearns, M.D. - Scotland

On January 24, 1991, at the North Raleigh Hilton, Raleigh, North Carolina, the Board of Medical Examiners of the State of North Carolina held a hearing at the request of David James Mearns Anderson, M.D. regarding the Board's denial of a license to practice medicine in the State of North Carolina. Dr. Anderson was represented by counsel, Douglas Kingsbery.

On January 25, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Stratas that the Board allow Dr. Anderson the opportunity to take the FLEX exam and when Dr. Anderson becomes certified by the American Board of Obstetrics and Gynecology the Board will issue him a full and unrestricted license.

ADCOCK, Kenneth Dan, M.D. - Greenville, SC

On January 26, 1991, the Board adopted a motion made by Mrs. Willis and seconded by Dr. Patterson that the Board of Medical Examiners approve Dr. Adcock for licensure.

KRISHNAN, Eledath Unni, M.D. - Youngstown, OH

On January 26, 1991, the Board adopted a motion made by Dr. Patterson and seconded by Mrs. Willis that the Board of Medical Examiners approve Dr. Krishnan for licensure.

WARREN, Philip Rand, M.D. - Monroe, LA

On January 26, 1991, the Board adopted a motion made by Mrs. Willis and seconded by Dr. Patterson that the Board of Medical Examiners approve Dr. Warren for licensure.

BUCKLEY, Daniel John, M.D. - Winter Haven, FL

On January 26, 1991, the Board adopted a motion made by Mrs. Willis and seconded by Dr. Patterson that the Board of Medical Examiners approve Dr. Buckley for licensure and that Dr. Buckley provide documentation of the rest of the CME he has taken.

KOLKIN, Jon, M.D. - Lexington, KY

On January 26, 1991, the Board adopted a motion made by Dr. Patterson and seconded by Mrs. Willis that the Board of Medical Examiners approve Dr. Kolkin for reinstatement of his license and that Dr. Kolkin is to provide documentation of his CME credits.

AMY, John Van Camp, M.D. - Punta Gorda, FL

On January 26, 1991, the Board adopted a motion made by Mrs. Willis and seconded by Dr. Patterson that the Board of Medical Examiners approve Dr. Amy for licensure.

BEDELL, Richard Ferrandou, M.D. - Boulder, CO

On January 26, 1991, the Board adopted a motion made by Dr. Patterson and seconded by Mrs. Willis that the Board of Medical Examiners approve Dr. Bedell for reinstatement of his license.

GREENBERG, Arthur, M.D. - Fayetteville, NC

On January 26, 1991, the Board adopted a motion made by Dr. Patterson and seconded by Dr. Stratas that the Board of Medical Examiners approve Dr. Greenberg for licensure.

FARMER, Thomas, M.D. - Rock Hill, SC

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Patterson that the Board defer any action on this licensure application until such time as it receives information from South Carolina on the disposition of a complaint against him.

THOMPSON, George Allen, M.D. - Banner Elk, NC

As a result of the licensure interview on January 26, 1991, the Board adopted the following motion made by Dr. Patterson and seconded by Dr. Stratas:

1. that the Board will hold Dr. Thompson's license in abeyance until he can complete the following:
 - take and pass SPEX
 - accumulate at least 50 hours of Category I CME in orthopedics and provide documentation of same
 - provide a letter from the risk management office of the hospital approving the use of Dr. Thompson as a orthopedic surgical trainee;
 - provide a letter from the orthopedic surgeon that Dr. Thompson will be used as a surgical trainee only and include in this letter a detailed structured plan of supervision;
 - provide a letter from the hospital administrator, and endorsed by the surgeon, that he has approved of the detailed structured plan of supervision as set forth by the surgeon and include any other plans for supervision the hospital may have;
2. that upon receipt and review of the above-mentioned documentation, the Board will consider granting Dr. Thompson a one-year temporary license limited to office out-patient work.

JHAVERI, Rajiv Mahendrabhai, M.D. - Durham, NC

On January 26, 1991, the Board adopted a motion made by Dr. Godwin and seconded by Dr. Nance that the Board of Medical Examiners extend Dr. Jhaveri's VIP license for a period of two years and that the Board expects Dr. Jhaveri to present certification from the American Board of Anesthesiology at the end of that two-year period.

EMS REPORT

Dr. Nance, the Board's Liaison Representative to the Office of Emergency Medical Services, presented the following report to the full Board:

On January 24, 1991 the Board of Medical Examiners unanimously adopted a motion made by Dr. Nance and seconded by Dr. Godwin that the Board approve the 305 initial applications and 177 recertification applications for Advanced Life Support personnel submitted by the Office of Emergency Medical Services. The Board also adopted a motion made by Dr. Nance and seconded by Dr. Godwin that the Board approve the 157 Bee Sting Certifications submitted by the Office of Emergency Medical Services.

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Daniel and seconded by Dr. Roufail that the Board approve the authorization of the Department of Human Resources, Division of Facility Services, Office of Emergency Medical Services to develop draft guidelines and rules for EMD programs within the state for review by the Board.

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Patterson and seconded by Dr. Nance that more information is needed on the complication rate on the use of umbilicus vein insertion by EMS personnel in the field before the Board can approve the use of this procedure.

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Nance and seconded by Dr. Daniel that the Board accept as information the material on Moore County EMS request to approve nurses to give EMS orders (EMS to draft a letter) and the fact that EMS is to draft a letter on thrombolytics.

COMPLAINT RESPONSES - LETTER 2A

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Stratas that the Board replace the current Letter 2A (no basis) with the following.

At its recent meeting, the Board of Medical Examiners of the State of North Carolina has carefully reviewed the matters addressed by your complaint and has concluded that under the provisions of the Medical Practice Act there is no basis for further action by the Board.

LAPP, Charles W., M.D. - Raleigh, NC

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Patterson and seconded by Mrs. Willis that the Board send Dr. Lapp a copy of the applicable law and remind him that it is against the law to prescribe for a known addict.

ENERGY MEDICINE CLINIC

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Patterson and seconded by Dr. Godwin that the Board refer this matter to the Attorney General.

3808S

RAINEY, Michael J., D.O. - Scranton, PA

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Daniel that the Board accept this letter as information and advise Mr. Flaherty that in order for Dr. Rainey to be licensed in this state, it will be necessary for him to take the FLEX exam.

REINSTATEMENT OF LICENSES SUSPENDED FOR FAILURE TO REGISTER

On January 25, 1990, the Board of Medical Examiners of the State of North Carolina unanimously adopted a motion made by Dr. Patterson and seconded by Dr. Godwin that the Board approve the reinstatement of the license suspended for failure to register of the following physician:

Richard James House	DOB: 12/21/45
80 C - Route 2	Graduate: Indiana Univ. 71
Seven Springs, NC 28578	

- (1) Suspended 6/10/88
- (2) Interviewed for reinstatement by Dr. Nance 1/9/91

Howard Carlisle Bean, Jr.	DOB: 12/15/50
PSC #4000 - Naval Hospital	Graduate: Medical College
MCAS Cherry Point, NC 28533-4000	of SC 77

- (1) Suspended 6/15/82
- (2) Interviewed for reinstatement by Dr. Nance 1/17/91

MALPRACTICE REVIEW PROCESS

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Stratas and seconded by Dr. Daniel that the Board accept as information the review process for reports from liability insurance carriers as stated below:

Review Process for Reports from Liability Insurance Carriers

Over the year that we have been reviewing reports as required by the law, our process has continued to evolve as we have learned. The following is an attempt to document where we are currently.

1. Reports are received from insurance carriers which include the National Practitioner Data Bank form and additional information for the NCBME (our form includes a request for a narrative summary of the incident and summaries or copies of expert witness reviews).

2. A staff member reviews the report -- if it is incomplete, further information is requested from the insurance carrier.
3. Information is entered into our computer and referenced as to any pre-existing file the physician may have.
4. Collated information comes to the Board of Medical Examiners Malpractice Committee for initial review.
5. Disposition by the Malpractice Committee includes:
 - a. receive as information with no need for further action
 - b. a recommendation is made to schedule the physician for an informal interview for determination of the need for any further action
 - c. a recommendation is made to obtain further follow-up information (a narrative summary from physician, patient records, investigative report, etc.)
6. In cases of follow-up information, when it has been received, all collated information is brought before either the full Board or the Malpractice Committee as an investigative report and disposed of in any of the appropriate manners.

Attached is a list of objective criteria which we have developed to help determine whether there may be need for further review, investigation, an informal interview, or perhaps even formal action.

This procedure continues to evolve and has, in fact, changed with almost each meeting of the Board over the past year. Continued suggestions and modifications will be welcomed in order to make this as appropriate and efficient a process as possible.

Insurance company report
Includes:
-- NPDB form
-- NCBME form w/attachments

If incomplete, further information is requested	Staff review If complete: -- MD's data file flagged -- information collated into initial report
---	---

Malpractice Committee review
Disposition includes:

Receive as information	Request further details from MD,** hospital, investigator, etc.	Schedule for informal interview
------------------------	---	---------------------------------

File with routine malpractice reports*	Investigative file created
--	----------------------------

Follow-up report presented to full Board or Malpractice Committee. Disposition varies.	MD comes before split or full Board. Disposition varies.***
--	---

* If an investigative or complaint file exists, the malpractice report relating to the physician is placed in the existing file.

** If follow-up information has been requested directly from the physician, at the conclusion of the Board's review the physician is written a letter and advised that the Board has accepted the report as information and that no further action will be taken at that time.

*** Disposition generally includes:
-- receive as information
-- monitor
-- conduct investigation into general practice activities
-- formal action (Consent Order or formal charges with hearing)

REINSTATEMENT OF LICENSES FOR FAILURE TO REGISTER

On January 24, 1991, Mr. Paris raised the question of whether the Board wanted all the physicians whose license had been suspended for failure to register to meet with the Board on Saturday afternoon.

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Patterson and seconded by Dr. Stratas that the Board will treat those physicians as they would any other physician applying for licensure.

PROPOSED RULE: AGENTS OF THE BOARD TO CONDUCT LICENSURE INTERVIEWS

On January 24, 1991, the Board of Medical Examiners adopted a motion made by Dr. Godwin and seconded by Dr. Daniel that the Board approve the proposed rule regarding agents of the Board conducting licensure interviews; that the Board designate Drs. Alexander, Duckett, Citron and Fitz to conduct licensure interviews (for geographical purposes) for a period of six months; that after that six month period the Board would review this procedure; that compensation be paid in the amount of -\$100 per diem plus expenses. Dr. Stratas opposed this motion.

MINNESOTA BOARD UPDATE - "MANAGEMENT OF PRESCRIBING"

On January 24, 1991, the article by the Minnesota Board on "Management of Prescribing" was discussed.

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Stratas and seconded by Dr. Godwin that Dr. Stratas will circulate the book from the Minnesota Board to each Board member for their review and to decide its relevancy to the NC Board.

On January 24, 1991, the following motion was made by Dr. Nance and seconded by Dr. Roufail that the nine points regarding the management of prescribing be fine-tuned to this Board's needs and be sent out as an insert to the upcoming Bulletin. On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Daniel that the Board table the motion made by Dr. Nance until January 25, 1991.

On January 25, 1991, the Board again discussed the use of Minnesota's "nine steps" as an insert to the Bulletin. Concern was expressed that the Board was acting too quickly in sending out this information. It was explained that this information is the same as what the Board has now and that it better clarifies the issues. On January 25, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Nance and seconded by Dr. Stratas that Dr. Nance and Dr. Roufail will review the "nine steps" and edit them to meet the Board's needs and present their results to the Board at its March 1991 meeting and that Dr. Roufail and Dr. Nance will be the first Board members to review the Minnesota book recommended by Dr. Stratas.

DEFINITION OF SURGERY

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Daniel that the Board accept as information the Attorney General's 1983 opinion regarding this subject.

3808S

OFFICE BUILDING – AVENUES FOR PURCHASE

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Daniel that the Board ask Dr. Stratas to speak with Kenneth Royal on the issue of buying a building. Dr. Stratas asked that Mr. Paris be involved and that he be given figures that show actual building cost vs. rental.

HOSPITAL RADIOLOGIC SERVICES TO CHIROPRACTORS – LETTER FROM ATTORNEY GENERAL

On January 25, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Patterson and seconded by Dr. Godwin that the Board send the Attorney General's office a copy of its 1983 opinion on chiropractors.

OSTEOPATHIC NATIONAL BOARD – REVIEW OF EXAM

On January 25, 1991, Mr. Paris indicated that Drs. Alexander, Citron and Estes will meet with the members of the National Osteopathic Board (Drs. Mochan, Ward and Smoley) to review the osteopathic exam. This review is scheduled for Saturday, February 23, 1991, in Greensboro, NC.

BICKLEY, Samuel Taylor, M.D. – High Point, NC

On January 25, 1991, the Board reviewed a letter from Mr. Hollowell, Dr. Bickley's attorney, requesting further information on the Board's denial of Dr. Bickley's DEA. Specifically, the letter asked what the Board perceives to be Dr. Bickley's deficiencies in prescribing, etc.

On January 25, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Nance that the Board respond that it is currently issuing a clarification of its prescribing guidelines in its next Bulletin.

REGISTRATION FORM

On January 25, 1991, Mr. Paris presented the Board with a draft of a new form to be used during the next registration period. It was suggested that a disclaimer should be added regarding the questions, "The following questions are requested by the North Carolina Medical Society for statistical purposes." Mr. Paris indicated he would meet with George Moore and tell them that answering the questions on the form is not mandatory.

3808S

CLAIM INFORMATION FORM – APPLICATION BY ENDORSEMENT

On January 25, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Stratas that the Board approve the claim information form to be used as an attachment to the application by endorsement deleting any reference to "threatened claim, etc."

VIP REGISTRATION – FOREIGN MEDICAL GRADUATES

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Stratas and seconded by Dr. Daniel that Dr. Stratas and Mr. Paris study this matter further and bring their recommendations back to the Board at its next meeting.

IRUELA, Maria Eugenia, M.D. – Pembroke Pines, FL – kb

On January 26, 1991, Dr. Iruela appeared for the required licensure reinstatement interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for reinstatement of his licensure.

STEINBERGER, Robert, M.D. – Washington, MO – kb

On January 26, 1991, Dr. Steinberger appeared for the required licensure interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for licensure.

RUSH, John Jeffrey, M.D. – Florence, S.C. – kb

On January 26, 1991, Dr. Rush appeared for the required licensure interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for licensure if and when the two physician letters are corrected.

3808S

JULIEN, Stephen Paul, M.D. - Coral Springs, FL - kb

On January 26, 1991, Dr. Julien appeared for the required licensure interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for licensure if and when a written explanation of the suit is received.

PACK, Winifred, M.D. - Storrs, CT - kb

On January 26, 1991, Dr. Pack appeared for the required licensure interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for licensure.

CHAPMAN, Rees Cecil, M.D. - Norfolk, VA - kb

On January 26, 1991, Dr. Chapman appeared for the required licensure interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for licensure.

PHILLIPS, Roger Morgan, M.D. - Antigo, WI - kb

On January 26, 1991, Dr. Phillips appeared for the required licensure interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for licensure.

TWOMBLEY, James Michael, M.D. - Dillon, SC - kb

On January 26, 1991, Dr. Twombley appeared for the required licensure interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for licensure.

WAHI, Ranjit Singh, M.D. - Downers Grove, IL - kb

On January 26, 1991, Dr. Wahi appeared for the required licensure interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for licensure if and when PhD documentation is received. (No letter is necessary.)

BEST, James Ernest, M.D. - Greensboro, NC - kb

On January 26, 1991, Dr. Best appeared for the required licensure reinstatement interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee that this physician be offered the opportunity to take FLEX II or to withdraw his application.

WILSON, John Leighton, M.D. - Pine City, MN - kb

On January 26, 1991, Dr. Wilson appeared for the required licensure interview before a subcommittee of Dr. Godwin, Dr. Daniel, and Dr. Roufail.

On January 26, 1991, the Board of Medical Examiners unanimously adopted a motion that the Board accept the recommendation of the subcommittee and approve this physician for licensure if and when a copy is received of the Minnesota Board letter clearing him of the complaint.

LAWLOR, Eugene Francis, III, M.D. - New Britain, CT - jc

On January 25, 1991, Dr. Lawlor appeared for his licensure interview before Dr. Stratas and Dr. Nance.

On January 26, 1991, the Board adopted a motion made by Dr. Stratas and seconded by Dr. Nance that the Board of Medical Examiners approve Dr. Lawlor for licensure.

NORAN, William Harold, M.D. - Jacksonville, FL - jc

On January 26, 1991, Dr. Noran appeared for his licensure interview before Dr. Stratas and Dr. Nance.

On January 26, 1991, the Board adopted a motion made by Dr. Nance and seconded by Dr. Stratas that the Board of Medical Examiners approve Dr. Noran for licensure.

LAKSHMAN, Sankar, M.D. - Johnson City, TN - jc

On January 26, 1991, Dr. Lakshman appeared for his licensure interview before Dr. Stratas and Dr. Nance.

On January 26, 1991, the Board adopted a motion made by Dr. Stratas and seconded by Dr. Nance that the Board of Medical Examiners approve Dr. Lakshman for licensure.

TAJLILI, Morteza, M.D. - Salisbury, NC - jc

On January 26, 1991, Dr. Tajlili appeared for his licensure interview before Dr. Stratas and Dr. Nance.

On January 26, 1991, the Board adopted a motion made by Dr. Nance and seconded by Dr. Stratas that the Board of Medical Examiners approve Dr. Tajlili for licensure.

BRADER, Alan Hayden, M.D. - Pittsburgh, PA - jc

On January 26, 1991, Dr. Brader appeared for his licensure interview before Dr. Stratas and Dr. Nance.

On January 26, 1991, the Board adopted a motion made by Dr. Stratas and seconded by Dr. Nance that the Board of Medical Examiners approve Dr. Brader for licensure.

REED, Robert Andrew, M.D. - Mobile, AL - jc

On January 26, 1991, Dr. Reed appeared for his licensure interview before Dr. Stratas and Dr. Nance.

On January 26, 1991, the Board adopted a motion made by Dr. Nance and seconded by Dr. Stratas that the Board of Medical Examiners approve Dr. Reed for licensure.

ANGOLD, Adrien, M.D. - Durham, NC - jc

On January 26, 1991, Dr. Angold appeared for his licensure interview before Dr. Stratas and Dr. Nance.

On January 26, 1991, the Board adopted a motion made by Dr. Stratas and seconded by Dr. Nance that the Board of Medical Examiners approve Dr. Angold for a Certificate of Registration as a Visiting Professor and upon receipt of a letter from Dan Blazer and when he passes American Boards we will be prepared to issue a permanent license.

NURSE PRACTITIONER COMMITTEE REPORT - kb

NP Applications Approved

MARGARET JEAN SMITH BAKER	PNP	DR. JONATHAN EDAN KLEIN
ELLEN JANE BARBOUR	FNP	DR. JOHN JOSEPH GALLAGHER
LUCY ANNE BANCROFT BROBST	FNP	DR. JAMES JOSEPH DE LIGIO
MARY LOEWENGUTH CLARKE	ANP	DR. MARK EDWARD WILLIAMS
MARY WALL MATTHEWS CULBRETH	FNP	DR. CHARLES FORREST MURRAY, JR.
STEPHANIE LYNN DOBBINS	FNP	DR. RICHARD DON SKILLEN
BETH ELISSA GOLDBERG	PNP	DR. CHRISTOPHER MORGAN LAKIN
MARGARET T. JOHNSON-SAYLOR	ANP	DR. CHARLES FORREST MURRAY, JR.
MARY KATHERINE LACKEY	FNP	DR. LOLO ALLEN DOBSON, JR.
ANN ALLSBROOK LINDER	FNP	DR. WILLIAM BROWNING CROMER
LAURETTA ANN LYNN-MERRILL	ANP	DR. MICHAEL ELLIOTT NORINS
ELIZABETH J. A. MACDONALD	OGNP	DR. IDA JANICE DEAS STRATTON
AUDREY C. SHULTMAN MCGREGOR	SNP	DR. ELIZABETH HERTHA VAN DOREN
SYLVIA D. MEBANE-BROOKS	FNP	DR. DEVAINDER GOLI
JO ANN RAPER RHINEHART	FNP	DR. CRAIG ALBERT MILLS
LINDA FAYE LEE SANDERSON	FNP	DR. JAMES HENRY MCCALLUM, JR.
JULIE ANN SMITH	OGNP	DR. BRITTON EDGAR TAYLOR
DONNA ANNE FORGAY STEADMAN	ANP	DR. DONALD WILSON MOORE
DEBORAH LYNN WARFORD STOKELY	FNP	DR. THOMAS MILTON FUTRELL
KATHERYNE KAMERICK TODD	FNP	DR. THOMAS FRANK KOINIS

NP Application Approved with Conditions

PATRICIA ANNE RUTTER CARUANA	FNP	DR. TIMOTHY KENNEY GRAY
MERIAM HOPE MILES GERNER	NP	DR. RICHARD MARK FOWLER, IV

NP Educational Programs Approved - recommended for approval by the Joint Practice reviewers:

- Master's Program - Adult Nurse Practitioner
Medical College of Virginia
Richmond, Virginia
- Certificate Program - Adult Nurse Practitioner
Carle Clinic
Urbana, Illinois

PHYSICIAN ASSISTANT COMMITTEE REPORT - kb

On January 23, 1991, the Board adopted a motion made by Dr. Daniel and seconded by Dr. Roufail that the following recommendations of the PA Committee be accepted and implemented.

PA Applications Approved

WILLIAM JAMES ADERHOLD, JR.
WILLIAM JAMES ADERHOLD, JR.
SPRAGUE SILVER CHESHIRE
NATALIE JANE HOFFMAN
MICHAEL KREITZ, JR.
ALAN MASON LANGDON
LYNN ANN OLMSTED
ROBIN ANN ROUCHARD
EDWARD CARL WARREN
ELLEN ELISE YEAGER

DR. RICHARD PRINCE DOOLITTLE
DR. BERNARD JAMES OWENS, III
DR. DEBORAH RUTH NORTON
DR. MICHAEL LEE BROOKS
DR. RICHARD ELBERT AKERS
DR. HARRY GLENN ADAMS
DR. KIRK BRADLEY JENSEN
DR. LOUIS CHARLES ARGENTA
DR. ROBERT ALDEN DAVIS, JR.
DR. JAMES MARION DOUGLAS, JR.

PA Applications Approved If and When Satisfactorily Completed

LAURIE ANN MCCARTHY
GLENN ROLAND MCKEON
LEON SHARPE, JR.

DR. JOSEPH ODELL MOORE
DR. MICHAEL JOHN FEASEL
DR. CLIFTON DAVENPORT

PA Application for Back-up Physician Approved

BACK-UP PHYSICIAN - DAVID E. DRAKE, M.D.

Leon Sharpe, PA
Nathaniel Johnson, PA
Ulyssee Hood, PA

Primary MD - Ramnik Zota, M.D.
Primary MD - Ramnik Zota, M.D.
Primary MD - R.G. Townsend, Jr., M.D.

WIEGAND, Paul H., M.D. - Durham, NC - kb

On January 23, 1991, the Board discussed a letter from Dr. Wiegand asking if he must answer all the background questions on page 3 of the PA application.

The Board adopted a motion made by Dr. Daniel and seconded by Dr. Roufail that Dr. Wiegand be written a letter indicating that if he wishes to apply as primary supervising physician, he must complete the application form as required.

POSITION STATEMENTS OF THE BOARD

On January 24, 1991, the Board of Medical Examiners unanimously adopted a motion made by Dr. Stratas and seconded by Dr. Daniel that Dr. Roufail contact Dr. Alexander to advise him that after due consideration the Board will leave the statement on the treatment of and prescribing for family members as is; that the statement regarding mandatory reporting reflect the statute; that the Board adopt the following Position Statements of the Board and that this information be sent to the Journal for publication:

STATEMENT REGARDING DOCUMENTATION OF PHYSICIAN/PATIENT RELATIONSHIP

It is the position of the Board of Medical Examiners of the State of North Carolina that a valid physician/patient relationship is documented by the presence of medical records and should contain the following as outlined:

1. An appropriate history and physical or mental examination for the patient's chief complaint as appropriate to the specialty;
2. Diagnostic tests when indicated;
3. A working diagnosis;
4. Treatment; and
5. Documentation by date of all prescriptions written for drugs, with name of medication, strength, dosage, quantity and number of refills.

STATEMENT REGARDING MEDICAL EDUCATION

It is the position of the Board of Medical Examiners that those physicians with less than three years of medical school be required to come before the full Board for the required informal interview.

STATEMENT REGARDING GUIDELINES ON PHYSICAL EXAMINATIONS

It is the position of the Board of Medical Examiners that proper care is needed to avoid charges of sexual misconduct by physicians. Patient complaints of sexual misconduct by physicians are the most sensitive and difficult matters the Board investigates. In order to prevent misunderstandings and protect physicians and their patients from allegations of sexual misconduct, the Board offers the following guidelines:

1. Maintaining patient dignity should be foremost in the physician's mind when undertaking a physical examination. The patient should be assured of adequate auditory and visual privacy, and should never be asked to disrobe in the physician's immediate presence. Examining rooms should be safe, clean, and well maintained, and

- should be equipped with appropriate furniture for the examination and treatment (examining table, chairs, etc.). Gowns, sheets and/or other appropriate apparel should be made available to protect patient dignity and decrease embarrassment to the patient while promoting a thorough and professional examination.
2. A third party should be readily available at all times during a physical examination, and it is suggested that the third party be actually present when the physician performs an examination of the sexual and reproductive organs or rectum. It is incumbent upon the physician to inform the patient of the option to have a third party present. This precaution is essential regardless of physician/patient gender.
 3. The physician should individualize the approach to physical examinations so that the patient's apprehension, fear, and embarrassment are diminished as much as possible. An explanation of the necessity of a complete physical examination, the components of that examination, and the purpose of disrobing may be necessary in order to minimize the patient's apprehension and possible misunderstanding.
 4. The physician and staff should exercise the same degree of professionalism and caution when performing diagnostic procedures (i.e., electrocardiograms, electromyograms, endoscopic procedures and radiological studies, etc.) as well as surgical procedures and post-surgical follow-up examinations when the patient is in varying stages of consciousness.
 5. The physician should be alert to suggestive or flirtatious behavior or mannerisms on the part of the patient, and should not be in a compromising position.
 6. The physician shall not exploit the physician/patient relationship for sexual or any other purposes. Moreover, such an allegation against a physician constitutes grounds for investigation on the basis of unprofessional conduct.

STATEMENT REGARDING HOSPITAL MANDATORY REPORTING REQUIREMENTS

It is the position of the Board of Medical Examiners that the Board wishes to receive information regarding any disciplinary action confirmed by a hospital's Board of Governors, Chief of Staff, or Disciplinary Committee; that the Board further wishes to receive information on all suspensions acted upon by the Governing Board of a hospital as well as any situations that may represent violations of the Medical Practice Act in this state; and that any reduction in privileges must be reported to this Board.

STATEMENT REGARDING PHYSICIAN EXTENDERS IN URGENT CARE SITUATIONS

It is the position of the North Carolina Board of Medical Examiners that it is not the prevailing and accepted practice of medicine by supervising physicians to allow physician assistants and nurse practitioners in urgent care centers to treat any patient with a potentially dangerous medical condition without that patient being seen at the time of treatment by that supervising physician.

STATEMENT REGARDING SEXUAL EXPLOITATION OF PATIENTS

It is the position of the Board of Medical Examiners of the State of North Carolina that entering into a sexual relationship with a patient, consensual or otherwise, while a physician/patient relationship exists is unprofessional conduct and grounds for the suspension or revocation of a physician's license. Formal actions taken by the Board of Medical Examiners are released to the public through news media and medical organizations.

STATEMENT REGARDING TREATMENT OF AND PRESCRIBING FOR FAMILY MEMBERS

It is the position of the Board that, generally, a physician should not prescribe for family members. Treating one's family is not illegal, but the Board wishes to remind physicians that such prescribing practices may lead to problems. Written records of all prescriptions for controlled substances and the medical indications for them should be maintained, but in many instances such recording is neglected. Also, any prescriptions issued should be within the scope of the physician's medical practice. The Board urges physicians to delegate the medical care of themselves and their family members to one or more of their colleagues in order to preclude involvement with governmental regulatory agencies who monitor physicians' prescribing practices.

Furthermore:

1. Treatment of the immediate family members should be reserved for minor illnesses, temporary or emergency situations;
2. Appropriate consultations should be obtained for the management of major or extended periods of illness;
3. No Schedule II, III, or IV controlled substances should be given or prescribed except in emergency situations;
4. Records should be maintained of written prescriptions or administration of any Schedule II, III, or IV controlled substances.

STATEMENT REGARDING THE USE OF ANORECTICS

It is the position of the North Carolina Board of Medical Examiners that under special circumstances anorectic agents may fill a limited adjunct role in the treatment of obesity in individual patients, if such treatment primarily involves diet, exercise, behavior therapy and frequent supervision by the physician.

If used, anorectic agents should be used for short term, non-repetitive periods of not more than twelve weeks.

Anorectic agents may produce drug dependency in some patients.

The policy of the North Carolina Board of Medical Examiners regarding the use of amphetamines and methamphetamines for treatment of obesity is still in effect. There are no indications for use of these drugs in weight control.

STATEMENT REGARDING WRITING OF PRESCRIPTIONS FOR CONTROLLED SUBSTANCES

It is the position of the Board that prescriptions for controlled substances or mind-altering chemicals should be written in ink or indelible pencil or typewritten and should be manually signed by the practitioner at the time of issuance.

No prescription for controlled substances or mind-altering chemicals should be issued for a patient in the absence of a documented physician-patient relationship.

No prescription for controlled substances or mind-altering chemicals should be issued by a practitioner for himself.

STATEMENT REGARDING THE BROADCASTING, TELEVISIONING, RECORDING OR PHOTOGRAPHING OF PUBLIC BOARD MEETINGS AND HEARINGS

It is the position of the Board that in order to promote the orderly transaction of business and the proper conduct of administrative and rulemaking public hearings before the Board of Medical Examiners of the State of North Carolina, any party intending to broadcast, televise, record or photograph any public Board meeting or hearing shall provide notice of such intent to the Executive Secretary of the Board at least twenty-four hours prior to the scheduled public Board meeting or hearing; provided, however, that the Board shall not refuse permission to broadcast, televise, record or photograph a public Board meeting or hearing based solely upon a determination that prior written notice was not provided in a timely fashion.

Public Board meetings and hearings may be broadcast, televised, recorded or photographed in accordance with the following guidelines:

1. The President of the Board or the presiding officer of the hearing or designee shall designate a reasonable location or locations within the meeting or hearing room from which the broadcasting, televising, recording or photographing may take place;
2. The broadcasting, televising, recording or photographic equipment employed at the public meeting or hearing shall be silent, unobtrusive, self-contained, self-powered, and without flash or auxiliary lighting, so as not to interfere with any individual's ability to hear, see and participate in the meeting or hearing and so as not to interfere with the orderly transaction of Board business or the conduct of the hearing;

3. If the President, the presiding officer or designee determines that such broadcasting, televising, recording or photographing is interfering with the orderly transaction of Board business or the conduct of the hearing, is inhibiting a participant's presentation to the Board or is interfering with the orderly transaction of Board business or the conduct of the hearing, or is interfering with the dignity of the proceedings, he/she may terminate or limit such broadcasting, televising, recording or photographing.

ADJOURNMENT

The meeting was adjourned on January 26, 1991.

Nicholas Emanuel Stratas, M.D., Secretary
BOARD OF MEDICAL EXAMINERS OF THE
STATE OF NORTH CAROLINA

3808S

