

MINUTES

North Carolina Medical Board

May 21-23, 2008

**1203 Front Street
Raleigh, North Carolina**

Minutes of the Open sessions of the North Carolina Medical Board Meeting held May 21-23, 2008.

The May 21-23, 2008, meeting of the North Carolina Medical Board was held at the Board's Office, 1203 Front Street, Raleigh, NC 27609. The meeting was called to order at 8:05 a.m., Wednesday, March 26, 2008, by Janelle A. Rhyne, MD, President. Board members in attendance were: George L. Saunders, III, MD, President Elect; Ralph C. Loomis, MD, Secretary; Ms. Pamela Blizzard; Thomas R. Hill, MD; Ms. Thelma Lennon; John B. Lewis, Jr., LLB; H. Arthur McCulloch, MD; Peggy R. Robinson, PA-C; and William A. Walker, MD. Also present were R. David Henderson, Executive Director, and Thom Mansfield, Legal Director. Donald E. Jablonski, DO and Janice E. Huff, MD were not present.

MISCELLANEOUS

Presidential Remarks

Dr. Rhyne commenced the meeting by reading from Governor Easley's Executive Order No. 1, the "ethics awareness and conflict of interest reminder." No conflicts were reported.

Dr. Rhyne asked the Board members if there would be any absences for the July Board meeting. Dr. Rhyne commented that she would only attend the first day of that meeting.

Executive Director's Announcements

Mr. Henderson congratulated Dr. Rhyne for winning her election as a member of FSMB Board of Directors.

Mr. Henderson presented an award to Mr. Curt Ellis, Investigations Director, for his five-year anniversary with the NC Medical Board.

Mr. Henderson spoke on behalf of Dr. Jablonski asking for any suggestions/comments for the FSMB Planning Committee, which he is a part of.

- Mr. Henderson discussed the FSMB meeting and asked for any items needed to be reviewed. ~ It was suggested that we bring Dr. Barrett to the NCMB to present him his award.
- ~ There was a discussion about the SC Board wanting a joint retreat with the Southern Medical Boards.
 - ~ Dr. Saunders asked if we will get a copy of the FSMB Committee tapes.
 - ~ Dr. Saunders suggested reviewing Dispute Resolutions.
 - ~ Judge Lewis commented that the Public Member meeting should be earlier in the event so they could attend.
 - ~ Ms. Blizzard announced that she knows Ms. Leslie Ratliff from the Dispute Resolution Committee and would get in contact with her.

MINUTE APPROVAL

Motion: A motion passed that the April 23, 2008 Board Minutes are approved as presented.

ATTORNEY'S REPORT

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

Written reports on 147 cases were presented for the Board's review. The specifics of the non-public matters in this report are not included.

A motion passed to return to open session.

EXECUTED CASES May 2008

PUBLIC ACTIONS

Augustus, Carl Trent MD

Notice of Charges and Allegations executed 05/05/2008

Bobbitt, William Haywood MD

Consent Order executed 4/23/08

Brooks, Michael Lee MD

Consent Order executed 5/16/08

Chander, Ernest Romesh MD

Consent Order executed 4/23/08

Chowbey, Vandana Pandey MD

Re-Entry Agreement executed 04/14/2008

Dugliss, Malcolm Andrew John PA

Consent Order executed 03/28/2008

Farahany, Hossein H. MD

Consent Order executed 5/13/08

PUBLOC executed 5/19/2008

Farringer, Gina Mills NP

Consent and Waiver and Public Letter of Concern executed 4/11/08

Goins, Natasha Halmi MD

Re-entry Agreement executed 4/22/2008

Goldwasser, Harry David MD
Consent Order executed 4/08/08

Grajewski, Robert Sigmund MD
Consent Order executed 3/28/08

Haldea, Daulat Singh MD
Consent Order executed 4/23/08

Hassan, Keith Lawrence MD
Public Letter of Concern executed 05/21/2008

Haynes, Gregory Delano MD
Consent and Waiver and Public Letter of Concern executed 4/7/08

Horchak, Alex Michael MD
Non-Disciplinary Consent Order executed 05/09/2008

Hyman, Miles Donald MD
Consent Order executed 4/2/08

Justis, Christopher Morrow MD
Consent Order executed 4/9/08

Keller, Philip Arthur PA
Consent Order executed 04/16/2008

Khayata, Mazen H. MD
Consent Order executed 4/16/08

Lemaire, Pierre-Arnaud Paul MD
Consent Order executed 4/23/08

Levine, Melvin David MD
Request for Inactive License executed 4/4/08

Liu, Yong Jian MD
Consent Order executed 04/16/2008

McAlister, Linda Theresa MD
Amended Notice of Charges and Allegations; Notice of Hearing executed 4/10/08

O'Dell, Kevin Bruce MD
Consent Order executed 4/11/08

Onyekaba, Igwebuike MD
Consent Order executed 4/11/08

Payton, James Bayard MD
Order Terminating Consent Order executed 4/24/08

Pyke, George Albert MD
Notice of Revocation executed 05/09/2008

Rea, Gary Lynn MD
Public Letter of Concern executed 5/15/08

Renfro, Frederick Arlen
Denial letter executed 04/02/2008

Rosenfeld, Jeffrey MD
Notice of charges and Allegations; Notice of Hearing executed 5/7/08

Smith, David Lewis PA
Consent Order executed 3/26/2008

Smith, Frances Li PA
Re-Entry Agreement executed 05/09/2008

Sutton, Frank Morrison MD
Order Terminating Consent Order executed 5/7/08

Tysinger, John Reed MD
Consent Order executed 5/15/08

Watts, Larry Thomas MD
Consent Order executed 03/28/2008

Weaver-Bailey, Ellen Lois, PA
Re-Entry Agreement executed 04/25/2008

Weintraub, Richard Alan MD
Notice of Charges and Allegations; Notice of Hearing executed 05/05/2008

Williford, Robert Earl MD
Public Letter of Concern executed 4/8/08

Yagger, Scott David MD
Consent Order executed 05/05/2008

Zaslow, Ely David MD
Notice of Charges and Allegations; Notice of Hearing executed 5/9/08

EXECUTED CASES May 2008

NON PUBLIC ACTIONS

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

Written reports on 26 cases were presented for the Board's review. The specifics of the non-public matters in this report are not included.

A motion passed to return to open session

PROPOSED CONSENT ORDERS PRESENTED

McAlister, Linda Theresa MD
Fayetteville, NC
DATE OF BIRTH: 10/20/1950
SPECIALTY: Obstetrics and Gynecology;

Brosius, Todd/Harrison, Cindy
CASE NUMBER: 2004-12536-002

Hearing scheduled for June 2008

Dr. McAlister was represented by Ed Hollowell.
The Board was represented by Todd Brosius.

BOARD ACTION: Accept proposed Consent Order

Flechas, Jorge David MD
Hendersonville, NC
DATE OF BIRTH: 09/02/1951
SPECIALTY: Family Practice;

Carpenter, Katherine/Edwards, Lynne
CASE NUMBER: 2003-9387-001

May 21-23, 2008

Hearing scheduled for June 2008

Dr. Flechas was represented by James Wilson.
The Board was represented by Katherine Carpenter.

BOARD ACTION: Accept proposed Consent Order

RULE AMENDMENT

21 NCAC 32B .0306 LETTERS OF RECOMMENDATION

Catchline: The Board has in place other ways of checking a physician's character, i.e., criminal background check, it has been recommended that 21 NCAC 32B .0306 be amended.

1/2008 BOARD ACTION: Amend 21 NCAC 32B .0306 as follows:

An applicant for license by endorsement of credentials shall request that ~~three~~ two letters of recommendation be submitted to the Board on his behalf. The letters shall be originals addressed to the Board and shall contain the original signature of the author. ~~One of the letters shall be from someone who has known the applicant for a period of 10 years. Two of the letters~~ Letters shall be from physicians and shall be on Board forms. Recommendations shall not be from relatives

Publish in NC Register: Volume 22, issue number16

Public Hearing: April 15, 2008

Comment Period ended: April 15, 2008

Comments received: None

5/2008 BOARD ACTION: Adopt rule amendment as published in the NC Register. Submit to Rules Review Commission for approval.

POLYSOMNOGRAPHER LICENSURE

Mr. Mansfield submitted the draft of a bill that was filed last year providing for licensure of polysomnographers. The Board reviewed the proposed bill.

BOARD ACTION: Accept as information.

DEATH PENALTY CASE

Mr. Brosius reported that the case is going forward to the Supreme Court. Additionally he indicated that June 11, 2008 is the deadline for filing the brief.

BOARD ACTION: Accept as information

Executive Committee Report

The Executive Committee of the North Carolina Medical Board was called to order at 10:35 am, Wednesday May 21, 2008 at the offices of the Board. Members present were: Janelle A.

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Rhyne, MD, Chair; Ralph C. Loomis, MD; Harlan A. McCulloch, MD; and George L. Saunders, MD. Also present were R. David Henderson (Executive Director), Thomas W. Mansfield (Director of Legal Department), Hari Gupta (Director of Operations), Jean B. Fisher (Director of Public Affairs), and Peter T. Celentano, CPA (Comptroller).

Financial Statements

Mr. Celentano, CPA, presented the March 2008 compiled financial statements. March is the end of the first five months of fiscal year 2008.

Mr. Celentano reviewed with the Committee our current cash position and the amount on the Balance Sheet as of March 31, 2008. The Statement of Cash Flows was reviewed and accepted as presented. Mr. Celentano also reviewed with the Committee the results of operations for the first five months of fiscal year 2008. Dr. Loomis made a motion to accept the financial statements as reported. Dr. McCulloch seconded the motion and the motion was approved unanimously.

Mr. Eugene Raymond, Senior Vice President and Senior Portfolio Manager at BB&T, gave a presentation to the Committee on our Investment Portfolio as of May 15, 2008. The Committee reviewed with Mr. Raymond our current portfolio and investment performance over the past year. The Committee considered the timing of future meetings with BB&T and agreed Mr. Raymond should return in November 2008 to review the Board's investments for fiscal year 2008.

Old Business

Posting of Malpractice Payment History Online: Pursuant to G.S. 90-5.2, the Board has approved proposed rules for comment that would, if adopted, require the Board to publish all malpractice payments or judgments within the past seven years. The Committee discussed the status of the rule-making process and implementation of the proposed rules.

New Business

Proposed Change to Registration Question: The Committee considered the possibility of revising one of the annual renewal questions. The question currently asks whether, during the past year, the licensee has had a malpractice claim/lawsuit filed against them. The Committee considered whether the Board should expand the current question to ask licensees whether they have been sued in the past year and not limit the question to malpractice suits. The purpose of this question would be to collect information of concern to the Board not related to malpractice lawsuits. Dr. Rhyne made a motion to allow the staff to draft possible changes to the question and to put this item on the agenda for the July Executive Committee Meeting. Dr. Loomis seconded the motion and the motion was approved unanimously.

Continuing Education: One of the recommendations from the Board retreat last year was that the Board do a better job of informing licensees of areas of concern. The Committee discussed whether this could be done through Board-sponsored CME regarding Board laws, rules and position statements. The course would be approved for category 1 CME credit. Dr. Saunders made a motion to allow staff to develop an online course that would be a requirement for all new license applicants as well as those licensees coming before the Board as a result of an informal interview or other disciplinary action. Dr. Loomis seconded the motion and the motion was approved unanimously.

The meeting adjourned at 12:25 pm.

POLICY COMMITTEE MEETING

MINUTES

Review of minutes from the March 26, 2008 Committee Meeting

COMMITTEE ACTION: Approve March 2008 minutes.

5/2008 BOARD ACTION: Accept Committee recommendation

BOARD CERTIFICATION DISTINCTION

- Issue: How may North Carolina-licensed physicians advertise their board certification status to the general public?
- March 2008 – Referred back to Policy Committee for further consideration

COMMITTEE ACTION: Accept the following Position Statement to be published in the Forum for comments.

5/2008 BOARD ACTION: Accept the proposed Position Statement with the following change. Do not delete the following sentence: "If patient photographs are used, they should be of the physician's own patients and demonstrate realistic outcomes." This Position Statement is to be published in the Forum for comments.

PROPOSED POSITION STATEMENT:

ADVERTISING AND PUBLICITY*

It is the position of the North Carolina Medical Board that physician advertising or publicity that is deceptive, false, or misleading is unprofessional conduct. The key issue is whether advertising and publicity, regardless of format or content, are true and not materially misleading.

Information conveyed may include:

- a. the basis on which fees are determined, including charges for specific services;
- b. methods of payment;
- c. any other non-deceptive information.

Advertising and publicity that create unjustified medical expectations, that are accompanied by deceptive claims, or that imply exclusive or unique skills or remedies must be avoided. Similarly, a statement that a physician has cured or successfully treated a large number of patients suffering a particular ailment is deceptive if it implies a certainty of results and/or creates unjustified or misleading expectations. ~~If patient photographs are used, they should be of the physician's own patients and demonstrate realistic outcomes.~~

Consistent with federal regulations that apply to commercial advertising, a physician who is preparing or authorizing an advertisement or publicity item should ensure in advance that the communication is explicitly and implicitly truthful and not misleading. Physicians should list their names under a specific specialty in classified telephone directories and other commercial directories only if they are board certified or have successfully completed a training program in that specialty accredited by the Accreditation Council for Graduate Medical Education or approved by the Council on Postdoctoral Training of the American Osteopathic Association.

Furthermore, physicians should only advertise themselves as board certified if they identify the

area of board certification and have received their certification from a specialty board recognized by the American Board of Medical Specialties or the American Osteopathic Association.

**Business letterheads, envelopes, cards, and similar materials are understood to be forms of advertising and publicity for the purpose of this Position Statement.*

REVIEW OF POSITION STATEMENTS

- *Retention of Medical Records (Brosius)*
- *Medical Record Documentation (Brosius)*
- Amended version attached (to be reviewed after the Federation has completed its process)
- May 2008 – It was reported that the FSMB's version dealt mostly with electronic medical records.

COMMITTEE ACTION: A draft of the proposed changes will be presented at the July Committee meeting for consideration.

5/2008 BOARD ACTION: Accept Committee recommendation

NCCN WILKES CHRONIC PAIN INITIATIVE – May 2008

- Issue: Request from Wilkes Regional Medical Center for the Board's opinion on minimum requirements for patient encounters under naloxone prescribing circumstances.
- The Policy Committee will consider a Position Statement at its May 2008 meeting.

COMMITTEE ACTION: Adopt with following Position Statement. The Position Statement will not be published in the Forum for comments.

5/2008 BOARD ACTION: Allow Legal to edit the Position Statement in order to make its purview more general. The Position Statement will not be published in the Forum for comments.

PROPOSED STATEMENT

Project Lazarus

The Board is concerned about the three-fold rise in overdose deaths over the past decade in the State of North Carolina both by means of prescription and non-prescription drugs. The Board is encouraged by the efforts of Project Lazarus, a pilot program in Wilkes County that is attempting to reduce the number of drug overdoses by making the drug naloxone and an educational program on its use available to those persons at risk of suffering a drug overdose, their families and peers. Naloxone is the antidote used in emergency medical settings to reverse respiratory depression due to opioid toxicity.

The goals of Project Lazarus are consistent with the Board's statutory mission to protect the people of North Carolina. The Board therefore encourages its licensees to abide by the protocols employed by Project Lazarus and to cooperate with the program's efforts to make naloxone available to persons at risk of suffering drug overdose.

REVIEW OF POSITION STATEMENT:

- Departure from or Closing of Medical Practices

Issue: Review Committee referred this issue to Policy Committee to determine if the current position statement should be amended to cover nurse practitioners physician assistants.

5/2008 – It was pointed out that not all physician extenders work in the same circumstances. Many physician extenders are at-will employees; others work in practice environments in which they are the owner and/or the sole practitioner. The statement should cover both extremes. It was suggested that the layout of the statement could be similar to the Physician Supervision position statement, which lists circumstances to be considered on a case by case basis. Additionally, it was stated that continuity of care for patients must be the ultimate concern.

COMMITTEE ACTION: Todd Brosius and Dr. Walker will prepare an amended version of the Position Statement for the Committee's consideration.

5/2008 BOARD ACTION: Accept Committee recommendation

CONTINUED COMPETENCE COMMITTEE REPORT

The Continued Competence Committee of the North Carolina Medical Board was called to order at 1:00 p.m., Thursday, May 22, 2008, at the office of the Board. Members present were: Peggy Robinson, PA-C, Chair; Ralph Loomis, MD; and John Lewis, LLB. Also attending were: Janelle Rhyne, MD, President; Michael Sheppa, MD, Medical Director; Hari Gupta, Director of Operations; Thom Mansfield, Legal Director; Katherine Carpenter, Board Attorney; Christina Apperson, Legal Intern; and Maureen Bedell, Recorder.

March Minutes

Motion to approve the March minutes was approved.

OLD BUSINESS

FSMB Maintenance of Licensure Model Policy

A discussion was held discussing the Licensure Model Policy. It was noted that at its annual meeting on May 3, FSMB's House of Delegates adopted both the guiding principles and the board of directors' recommendation to conduct impact studies. Over the next 12 months FSMB will be working closely with member boards and partner organizations to carry out this charge. Dr. Sheppa commented that it is important for us to continue to give guidance to our licensees. As it stands 80% of the people in the process will not be affected by this. It is the remaining 20% that are not ABMS certified that will have a more rigorous process.

CME Audits

Mr. Gupta updated everyone on the January and April CME letters that went out. Of the 250 letters from January, 239 have complied. The April batch of letters was much lower as most have already complied.

NEW BUSINESS

FSMB PLAS Program

Dr. Sheppa reviewed the handout from the FSMB on PLAS. He noted that this program will be for the 20% noted above. This will be used to access the competence of doctors.

Coalition for Physician Enhancement Meeting Debrief

Mr. Mansfield reviewed the Coalition for Physician Enhancement meeting he attended in Dallas from April 10-11, 2008. It was discussed that the NCMB have Dr. Pohl, from Albany NY, come and tell us about the program. This program is being compared to CPEP and PACE. The Committee supported the idea that Mr. Mansfield and Dr. Sheppa should go to Albany to visit the site for a better understanding of what they offer.

Dr. Rhyne's Article on *Trends in Maintaining Clinical Medical Expertise* and the Response Letter to Dr. Masters

The committee reviewed Dr. Rhyne's article and the letter from Dr. Masters. It was felt that Dr. Rhyne completely answered all of Dr. Master's questions.

Reentry Agreement Contents

Dr. Sheppa reviewed items for consideration to include in Reentry Agreements. He listed three items for the licensees and eight or so for the mentors. A discussion of the items then followed. It was then decided that Dr. Sheppa would take the current NCMB licensing reentry agreement and modify it with his suggestions and put it on the agenda for July consideration.

A motion was approved to adopt the skeleton outline and for Dr. Sheppa to mold the new outline.

The next regular meeting of the Continued Competence Committee is tentatively set for Thursday, July 17, 2008.

ALLIED HEALTH COMMITTEE REPORT

The Allied Health Committee of the North Carolina Medical Board met on Wednesday, May 21, 2008 and Thursday, May 22, 2008 at the office of the Board.

Present: Peggy Robinson, PA-C, Chairperson, Judge John Lewis, Marcus Jimison, Legal, Lori King, CPCS, Licensing, Quanta Williams, Licensing, B. Gartside, Licensing, Dr. Hill, F. Gray, M. Phelps, M. Borden, J. Katz, S. Gardner, M. Katz, B. Hall, I. Shearer.

Absent: Dr. Huff

Open Session

Limitations on Prescribing Controlled Substances for PAs and NPs. Limitations on Prescribing Controlled Substances for PAs and NPs. Marcus Jimison discussed.

Committee Recommendation: Prescribing of controlled substances and "do not fill before" prescriptions were discussed. Should PA and NP Rules regarding controlled substances be more restrictive than they are for physicians? It is necessary to limit PAs and NPs beyond what the existing DEA Laws and regulations require? At this time, the Committee recommends to not

change the Rules and to adopt a statement in the Frequently Asked Questions that PAs and NPs can benefit from the DEA statement if their primary supervising physician allows it.

Board Action: Do not change the Rules and to adopt a statement in the Frequently Asked Questions that PAs and NPs can benefit from the DEA statement if their primary supervising physician allows it.

PA On-Line Intent to Practice Form. PA on-line Intent to Practice Form issues. Change the process from PAs completing the on-line ITP Form to the physicians completing the on-line ITP Form. This would require a Rule Change (PA Rule 21 NCAC 32S.0112 Notification of Intent to Practice) and Board approval. L. King discussed.

Committee Recommendation: Continue to have PAs complete the online Intent to Practice Form and the Board to discipline those PAs that complete the ITP Form without prior physician's knowledge and approval.

Board Action: Continue to have PAs complete the online Intent to Practice Form and the Board to discipline those PAs that complete the ITP Form without prior physician's knowledge and approval.

PA Specialties and Board Certification. Removal of PA specialties and Board Certification off website. L. King discussed.

Committee Recommendation: For information. PA specialties and Board Certification has been removed from the website and Primary Area of Practice has been added.

Board Action: For information. PA specialties and Board Certification has been removed from the website and Primary Area of Practice has been added.

PA/Physician Supervision Site Distance. PA/Physician Supervision Site Distance. L. King discussed.

Committee Recommendation: Recommend not creating distance limitations at this time. Defer to the full Board.

Board Action: Recommend not creating distance limitations at this time.

PAAC Members 2008 – 2009. List of members presented.

Committee Recommendation: Approve list of members.

Board Action: Approve list of members.

Doctorate of Nursing programs

Catchline: More than 200 nursing schools have established or plan to launch doctorate of nursing practice programs to equip graduates with skills the schools say are equivalent to primary-care physicians.

BOARD ACTION: Continue (discuss at the July meeting)

Perfusionist Report (Open Session)

Catchline: Open session portion of PAC minutes (March & April)

BOARD ACTION: Accept as information

Perfusionist Certification

Catchline: Ian Shearer, LP, current Chair of the PAC will be present (Thursday) to educate members on the certification process for perfusionists

BOARD ACTION: Accept as information

Student Anesthesiologist Assistants

Catchline: Frank Gray, an attorney representing CRNAs, will be present to discuss some concerns the CRNAs had about the rule regarding supervision of student anesthesiologist assistants.

BOARD ACTION: NCMB to express concerns in a letter addressed to NC Hospital Assoc. (cc: SSA, NCBON, and NCMS) At this point, no rule change is suggested.

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

Written reports on 6 cases were presented for the Board's review. The specifics of the non-public matters in this report are not included.

A motion passed to return to open session

Physician Advisory Council (PAAC) – May 21, 2008

The Physician Advisory Council (PAAC) met on Wednesday, May 21, 2008 at the office of the Board.

Present: Peggy Robinson, Chairperson, Judge John Lewis, Marcus Jimison, Lori King, CPCS, Licensing, James Hill, Patricia Dieter, Marc Katz, J. Katz, Katy Martinelli, B. Hall, E. Powell, M. Phelps, M. Borden, R. Hunter-Buskey.

Absent: Dr. Huff

Open Session

NCCPA Certification. This was discussed at the NCMB Allied Health Committee in March, 2008. The Board recommendation was: Defer to 05/08 PAAC meeting and then followup at

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next AHC meeting. Should NCMB Rule 21 NCAC 32S.0102 (3) Qualifications for License be amended to include: "has successfully completed the Physician Assistant National Certifying Examination ***and is certified at initial licensure.***"

Committee Recommendation: No change to PA Rule at this time. Revocations to be investigated.

PA Competency and Certification Requirements. PA Competency and Certification Requirements were discussed.

Committee Recommendation: Discuss at future PAAC meetings after further information has been gathered/received.

NCMB Paperwork Requirements. PAs want to know what to include in their Scope of Practice documents so that they will be consistent with the Board's Rules. Scope of Practice, Practice Agreements, QI meeting documentation, etc. were discussed.

Committee Recommendation: Practices and primary supervising physicians to dictate (not NCMB) job descriptions, delineation of privileges, practice agreements, scopes of practice, performance evaluations and quality improvement reports.

PA/MD Dispensing Regs. PA/MD Dispensing Regulations were discussed.

Committee Recommendation: PAs to contact Pharmacy Board.

PAAC Members. PAAC Members 2008 – 2009. List presented for information.

Committee Recommendation: Approve list.

Next PAAC Mtg. Date. Tentative date of November 19, 2008. Information only.

Initial PA Applicants Licensed 04/01/08 – 04/30/08

PA-C's

Name

Batchelor, Jeanette Nadine
 Cade, Emily Alexandra
 Cooper, Michelle Aurelia Robinson
 Edwards, Jessica Brooke
 Fialka, Marisa Rose
 Funchess, Sir Wesley
 Hardy, Elisabeth Kay
 Pena, Leslie Marie
 Till, Susan Brown
 Waltz, Nichole Ann
 Weaver-Bailey, Ellen Lois
 Williams, Denise Michelle

PA-C's Reactivations/Reinstatements/Re-Entries

- Ake, Larry Wayne – Reinstatement
- Lamkin, Angela Nuckols – Reactivation

Additional Supervisor List**PA-C's**

Name	Primary Supervisor	Practice City
Ake, Larry	Conti, Eugene	Moyock
Ardelean, Rhonda	Vaden, Tracela	Matthews
Asher Prince, Heather	Patterson, Kristine	Chapel Hill
Asher, Kelly	Sidhu-Malik, Navjeet	Durham
Astern, Laurie	Traylor, Henry	Raleigh
Avner, Belina	Lewis, Marvin	Cameron
Bacon, Jenise	Carducci, Bryan	Burlington
Banks, Mark	Rowley, Mark	High Point
Batchelor, Jeanette	Holland, Michael	Rocky Mount
Battle, Lydia	Allgood, Sara	Charlotte
Baxter, Marvin	Johnson, Charles	Butner
Beeman, Sandra	Beittel, Timothy	Wilmington
Bethea, Angela	Lewis, Marvin	Anderson Creek
Binstock, Michael	Bebb, Gregory	Wilmington
Bishop, Candace	Christenbury, Jonathan	Charlotte
Biter, Scott	Boaten, Afua	Raleigh
Blake, John	McClelland, Scott	Wilmington
Boatwright, Jennifer	Konopka, Scott	Wake Forest
Boik, Dianne	Wilson, Bryan	Charlotte
Brock, Lauren	Estes, Ralph	Hendersonville
Brock, Lauren	Francis, Robert	Hendersonville
Cade, Emily	Mitchell, Philip	Burnsville
Cade, Emily	Peverall, Elizabeth	Burnsville
Cade, Emily	Stella, M.	Burnsville
Carson, Rachel	Forstner, James	Southport
Cashion, Sandra	Moran, Joseph	Raleigh
Cashwell, Laura	Triplett, Patricia	High Point
Craig, Dinah	Whitman, Bruce	Lumberton
Curl, David	Downs, John	Chapel Hill
DeGaetano, Emiko	Girault, Gisele	Charlotte
Dilello, Michael	Boswell, Robert	Wilmington
Drinkwater, Don	Enochs, Paul	Cary
Driscoll, Laurie	Pofahl, Walter	Greenville
Edwards, Jessica	Klumpar, David	Pinehurst
Flederbach, Greta	Moore, Jeffrey	Morehead City

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Ford, Angela	Hunt, Mary	Greensboro
Fox, James	Chi, Hong-Yup	Catawba
Funchess, Sir	Daniels-Mitchell, Karen	Charlotte
Gentile, Elizabeth	Rudisill, Elbert	Hickory
Gold, Wayne	Van Trigt, Peter	Greensboro
Gonzalez, Eugenio	Richardson, Wendell	Wilmington
Guilbault, Martha	Childers, Martin	Winston Salem
Hammond, Jane	Bate, David	Asheville
Hampton, Joy	Jackson, Anthony	Elizabeth City
Hanson, Phillip	Maharty, Donald	Fayetteville
Hemsath, Robert	Finch, George	Rutherfordton
Hensler, Rachel	Moore, Barry	Wilmington
Hepler, James	Michau, Kenneth	Raleigh
Herron, Brian	Asimos, Andrew	Charlotte
Hildner, Joanne	Anderson, Jeffery	Havelock
Hoag, David	Hughlett, Richard	Shelby
Hong, Holly	Clark, Sandra	Chapel Hill
Hudak, Pamela	Melton, Gwenesta	Fayetteville
Ireton, Susan	Cohen, Max	Greensboro
Jackson, Timothy	Menon, Padman	Virginia Beach
Jacobs, Natasha	Wilson, Thomas	Whiteville
Jacobs, Natasha	Cottle, Ronald	Whiteville
Johnson, Glen	Flom, Jonathan	Fayetteville
Johnson, Theresa	Jackson, Anita	Clayton
Jusseume, Maria	Landolf, Michael	Raleigh
Kasbohm, Elizabeth	Conley, Mary	Raleigh
Keller, Philip	Wilkinson, James	Kitty Hawk
Keller, Philip	Walker, Dana	Kitty Hawk
Kelley, Rosemary	Dambeck, Allyn	Goldsboro
Kirby, Lesli	Mehlhop, Paul	Greenville
Kunze, Joel	DeSantis, Michael	Hickory
Kurtz, Harry	Moran, Joseph	Raleigh
Lamkin, Angela	Agnello, Victor	Huntersville
Lehnberg, James	Perry, Joseph	Winston Salem
Locklear, Leverne	Chavis, Herman	Red Springs
Locklear, Leverne	Powell, Eddie	Raeford
Lord, Elizabeth	Grant, James	Rocky Mount
Malanka, Phyllis	Almirall, Peter	Oak Island
McHatton, Timothy	Traylor, Henry	Raleigh
McNeal, JoAnn	Citron, Michael	Goldsboro
Melgar, Tammy	Lawrence, Michael	Greenville
Metzger, Donald	Whitman, Bruce	Lumberton
Moore, Elwood	Hasty, Christopher	Greenville
Morea, Tracy	Butler, Richard	Raleigh
Noland, Katherine	Kavde, Uday	Raleigh

Ogilvie, James	Salahuddin, Abu	Fayetteville
Oliver, Linda	Douglas, Michael	Asheville
Ostroff, Erin	Compton, David	Charlotte
Ostroff, Erin	DePietro, Perry	Charlotte
Patterson, Jimmy	Cannon, Brett	Albemarle
Patterson, Mary	Calogero, Thomas	Dallas
Patz, Nancy	Laughlin, Walter	Wilmington
Pedacchio, Misty	Thomas, Millard	Asheboro
Pendred, Sabrina	Walker, George	Kernersville
Phillips, Jason	Godfrey, Wanda	Garner
Pyles-Sweet, Kris	Covington, Valencia	Charlotte
Ranson, Kristina	Adusumilli, Sankar	Raleigh
Ranson, Kristina	Enochs, Paul	Cary
Ranson, Kristina	Inge, Jack	Raleigh
Ranson, Kristina	High, Rhett	Raleigh
Ranson, Kristina	Stephens, Tammi	Raleigh
Repnikova, Lilia	Joiner, Jancinta	Lexington
Rice, William	Edwards, Allen	Hickory
Richardson, Lorenzo	Schmitt, Philip	Morganton
Richardson, Lorenzo	Abraham, Kurian	Morganton
Ritchie, Stephanie	Tucker, Peter	Charlotte
Robeson, Brian	Sotolongo, Carlos	Durham
Rojas, Brian	Adusumilli, Sankar	Raleigh
Rojas, Brian	Enochs, Paul	Cary
Ryon, Marc	Lawson, Ellen	Asheville
Saunders, Sarah	Rosenberg, Beth	Chapel Hill
Sexton, Peter	Hansen, Roger	Winston Salem
Shanton, Gregory	Whitlock, Gary	Morehead City
Smith, Janet	Bizzell, Nancy	Monroe
Smith, Kimberly	Clayton, Robert	Louisburg
Stamper, Elmer	Jones, Larry	Raleigh
Stindt, Diana	Powell, Bayard	Winston Salem
Sumner, Lori	Bregier, Charles	Charlotte
Surber, Veronika	Chavez, Alexander	Jacksonville
Surber, Veronika	Jarvis, Lorraine	Jacksonville
Swansiger, David	Haque, Mahfuzul	Greenville
Trzcienski, Michael	Wind, Ruth	Raleigh
Trzcienski, Michael	Adusumilli, Sankar	hazard
Trzcienski, Michael	Enochs, Paul	Cary
Van Dyke, Leslie	Bounous, Christine	New Bern
Van Rhee, James	Canupp, Tony	Elkin
Vanausdoll, Melissa	Hong, Matthew	Matthews
Vilman, LeAnn	Doolittle, Robert	Greensboro
Webster, William	Moore, Donald	Madison
White, Steven	Partridge, James	Durham

White, Steven	Traylor, Henry	Raleigh
White, Yara	Cargile, Leslie	Black Mountain
Whitehead, Michael	Compton, David	Charlotte
Whitehead, Michael	DePietro, Perry	Charlotte
Wilber, Joseph	Raupp, Mark	Chapel Hill
Williams, Antonio	Murray, Jeffrey	Durham
Williams, Denise	Husain, Ali	Fayetteville
Wright, Robert	Moulton, Michael	Wilmington
Wyatt, Charles	Agarwal, Abhay	Laurinburg
Yates, Heather	Weiser, Mark	Lexington
Young, Richard	Del Do, Shari	Clinton
Zagon, Laura	Marlowe, Thomas	Charlotte

ALLIED HEALTH VOTE LIST

Initial Nurse Practitioners Applicants

NAME	PRIMARY SUPERVISOR	PRACTICE CITY
ABBOTT, LATOYA	SUSAN, AUFFINGER	WINSTON SALEM
ABRAHAM, ACHAMMA	CHARLES, JOHNSON	BUTNER
BANKS, KATHRYN	CONNELL, COVINGTON	RALEIGH
BUTLER, CAROL	PEARLY, GRAHAM	ELIZABETHTOWN
CROWLEY, GAIL	AATIF, HUSAIN	DURHAM
DAVIS, MEREDITH	VELUKUMAR, NANJAGOWDER	WINSTON SALEM
DIAL, SCARLET	JANET, LEHR	DURHAM
DIXON, LORI	PAM, SHOLAR	STATESVILLE
GADDIS, MERRY	DAVID, TANAKA	DURHAM
GAINEY, TAMMIE	ANITA, JACKSON	ROCKINGHAM
HARRIS, NENA	DAVID, PEARSON	CHARLOTTE
KARCINSKI, NICOLE	CAMILLO, GUALTIERI	CHAPEL HILL
KENT, RENAE	TIMOTHY, BEITTEL	WILMINGTON
LAY III, HARRY	TIMOTHY, BEITTEL	WILMINGTON
MASSEY, SHERRY	RONALD, BROWN	CHARLOTTE
MAST, MAN	ARTHUR, GREEN	GREENSBORO
RATLIFF, TAMEKIA	JOSEPH, HAKAS	PINEHURST
SEELEY, DANIEL	DANIEL, BERNSTEIN	THOMASVILLE
SIMMONS, COURTNEY	TIMOTHY, COLLINS	WINSTON-SALEM
STARRETT, JENNIFER	BARRY, MOORE	WILMINGTON
THOMLEY, PAUL	DANIEL, BERNSTEIN	THOMASVILLE
WEEKS, SUSAN	DONALD, MOORE	MADISON
WELCH, RUSSELL	ROBERT, NUDELMAN	GREENSBORO
WILLIAMS, MELINDA	TARA, BASTEK	RALEIGH

Nurse Practitioner Additional Supervisors

BALUHA, KATHLEEN	CRANE, STEVEN	HENDERSONVILLE
BROWN, PENNY	FISHER, NEIL	WINTON
BROWN, PENNY	LASSITER, GADDY	WINTON
BROWN, PENNY	FISHER, NEIL	WINTON
BROWN, PENNY	LASSITER, GADDY	WINTON
CANEL, MARY	LAUGHLIN, WALTER	WILMINGTON
CARNEY, SUZANNE	ZIMMER, MARY	CHARLOTTE
CARUSO, DIANE	WILLIAMS, SUSAN	WINSTON-SALEM
CHANCY, GWENDOLYN	THIGPEN, FRONIS	WHITEVILLE
CLARK, AMY	SUNDERLAND, BRENT	CHARLOTTE
COLLINS, MARY	KORUDA, MARK	CHAPEL HILL
CROSBY, BARBARA	DILL, GREGORY	LAKE LURE
CULLINAN, SHARON	ETIENNE, STEFANIE	RALEIGH
CURRAN, MARY ALYCE	SPENCER, HONNIE	CONCORD
DAVIS, AMANDA	ANDERSEN, SUSAN	WILSON
DAVIS, JACQUELINE	SIM, PETER	RANDLEMAN
DESKIN, PATRICIA	AUFFINGER, SUSAN	WINSTON SALEM
DOYLE, MELISSA	RIZVI, SYED	FAYETTEVILLE
EVERHART, DELPHINE	ERLANDSON, STEPHEN	ELKIN
GAMEWELL, MARILYN	WOLYNIK, JOSEPH	MOORESVILLE
GANNOTTA, RICHARD	KELSCH, JOHN	RALEIGH
GILREATH, TYRAL	BUCHANAN, SONYA	CHARLOTTE
GREM, CHRISTINE	BOOHENE, PAULINA	GASTONIA
GRINAR, DONALD	BUNN, BARRY	TARBORO
GUNDERSON-FALCONE, GRACE	PLEASANT, HENRY	RALEIGH
HERRERA, ALIDA	BUCKNER, DONALD	WAYNESVILLE
HOGAN, CATHERINE	D'AMICO, THOMAS	DURHAM
HUCK, KIM-MARIE	HSU, SHIAOWEN	DURHAM
HUFFMAN, ROBERT	ROBERTS, JOSEPH	BLADENBORO
HUMPHREY, APRIL	MORRIS, KENNETH	GREENSBORO
HWANG, JANE	BENNETT, BERNARD	CHAPEL HILL
KECK, AUDREY	DOWNS, JOHN	CHAPEL HILL
KENNEDY, KRISTA	MCMILLAN, EDWARD	CHARLOTTE
KITCHEN, CONSTANCE	JONNALAGADDA, M.	JACKSONVILLE
KLEIN, BARBARA	VOGEL, JOSHUA	WILMINGTON
LEHMAN, BETSY	FARRINGTON, CECIL	GRAHAM
LEWIS, CARRIE	MARTIN, PAUL	DURHAM
MARLER, GREGORY	MCDONALD, RALPH	HICKORY
MCINNIS, ELIZABETH	SHEPHERD, JACK	MATTHEWS
MEBANE-BROOKS, SYLVIA	JOHNSON, CHARLES	BUTNER
MELTON, RODGER	PERRY, JOSEPH	WINSTON-SALEM
MONROE, MONTRICIA	BARNABEI, ROBERT	CHARLOTTE
MOORE, JOLEEN	CASEY, DAVID	PINEHURST

MORROZOFF, JR, WILLIAM	CHAVIS, HERMAN	RED SPRINGS
MURPHY, LUANNE	LAWAL, OLUJIDE	LAURINBURG
MURTHA, EMILY	BRENNAN, KEVIN	WILMINGTON
NORMAN, TONJA	TAORMINA, VELMA	GASTONIA
O'HANLON, LORETTA	SNYDER, TERENCE	ASHEVILLE
O'LEARY, DIANE	CALDWELL, RONALD	ASHEVILLE
OLSON-KENNEDY, KRISTIN	REECE, NEIL	HICKORY
PLENTL, MARIA	LUKES, ANDREA	DURHAM
PRUITT, LYSIANE	HAQ, MUHAMMAD	FAYETTEVILLE
REYNOLDS, SHARON	CHURCH, SAMUEL	HAYESVILLE
RICE, LYNN	BUTLER, LINDA	RALEIGH
ROBINSON, MELISSA	RUSSELL, LORI	CONCORD
ROESKE, CHRISTIE	SHUKLA, NILIMA	GASTONIA
SANDS, MARY	MEADORS, MICHAEL	WINSTON-SALEM
SMITH, REGINA	BARNABEI, ROBERT	HUNTERSVILLE
SMYTH, FRANCES	PETERS, ROBERT	TARBORO
SMYTH, FRANCES	COWARD, KAREN	TARBORO
STANFIELD, BETH	MCCONVILLE, ROBERT	SANFORD
STANFIELD, BETH	MCCONVILLE, ROBERT	SANFORD
STARR, TAMARA	SHUKLA, NILIMA	GASTONIA
TARABAN, LORA	FISHER, WILLIAM	N WILKESBORO
TEWOLDE, CATHERINE	HILLIARD, MICHELE	CHARLOTTE
THEIN, KIMBERLY	SCOTT-LOWE, JANINE	FORT BRAGG
THOMAS, APRIL	LUCKE, JOHN	ASHEVILLE
THOMAS, CHRISTINE	BOWENS, WILLIAM	COMO
THOMAS, RAFAELA	GARRETT, JAMES	JACKSONVILLE
TICKERHOFF, STEPHANIE	BOALS, AARON	KERNERSVILLE
VAWTER, JEAN	ECHTERLING, SUSAN	SALISBURY
WHALEY, JIMMY	KERNODLE, HAROLD	BURLINGTON
ZANNIS, STEPHANIE	HUNSINGER, SUSAN	ADVANCE

Licensed Perfusionist Vote List

PARKS, DANIEL

Perfusionist Report (Closed Session)

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

Written reports on 1 case was presented for the Board's review. The specifics of this report are not included as these actions are not public information.

BOARD ACTION: Accept as information

A motion passed to return to open session.

JOINT SUBCOMMITTEE

North Carolina Board of Nursing – Raleigh, NC

Time & Place of Meeting	A meeting of the Joint Subcommittee was held at the North Carolina Board of Nursing office in Raleigh, NC on March 26, 2008. Meeting convened at 12:30 p.m.
Presiding	Peggy Robinson, PA-C (NCMB)
Members Present	Mary Ann Fuchs, RN (NCBON) Janice Huff, MD (NCMB) John Lewis (NCMB) Gale Adcock, RN, FNP (NCBON) Dan Hudgins (NCBON)
Members Absent	None
Staff Present	Polly Johnson, Executive Director (NCBON) Julia L. George, Associate Executive Director of Programs (NCBON) Linda Burhans, Director of Education & Practice (NCBON) Donna Mooney, Manager of Discipline Proceedings (NCBON) Mary Shuping, Legal Counsel (NCBON) Jack Nichols, Legal Counsel (NCBON) Marcus Jimison, Legal Counsel (NCMB) Eileen Kugler, Practice Consultant (NCBON) Michael Sheppa, MD – Medical Director (NCMB) Judie Clark, Complaints Director (NCMB) Quanta C. Williams, Physician Extender Coordinator (NCMB) Jean H. Stanley, Administrative Assistant to MJC and NCBON
Guests	Hagan Pace, FNP Stefanie Sandlin, ANP Bette Ferree, FNP – NP Council Debbie Varnan, FNP – NP Council Gail Pruett – NCNA Susan Vebber – NCNA Sherry Close, ANP Shannon Speece, ANP Cheryl Duke – PCMH Shaina Everett, ANP Carmalinda Early, ANP Shannon Winn, ANP Laura Carmon, ANP Leonilde Alves – NCAPA Lisa Shock – NCAPA John Stover – NP Council
Reading of Ethics Statement (Conflict of Interest)	Ms. Robinson asked committee members to state any conflicts of interest. Dr. Huff recused herself from Closed Session case 06.
Announcements	Ms. Robinson welcomed committee members, staff, and guests.
Approval of Joint Subcommittee January 16, 2008 Minutes	MOTION: That the Joint Subcommittee approve the Open Session Minutes of January 16, 2008. Passed. MOTION: That the Joint Subcommittee approve the Closed Session Minutes of January 16, 2008 with the following corrections to the interview summary: remove "(according to the supervising physician)", "the supervising physician disputes the fact that he knew the NP was leaving", and change the last sentence to read "At the time of the interview he did not provide..." Add language to show findings (no evidence of wrong doing in Case 14) and the Committee's decision (PLOC). Passed.

May 21-23, 2008

Joint Subcommittee Agenda of March 26, 2008	The Joint Subcommittee approved the January 16, 2008 agenda with the addition of one item (Reporting public actions of BON in the Forum) and the removal of the item under New Business regarding free clinics.
Online application & renewal update FAQs – revised	This process is underway and going well. The subsequent application has just been added online. FYI – The FAQs have been revised to be consistent with the online application process.
Disciplinary Actions taken since January 16, 2008 NP Rule Changes	The Board of Nursing reported 2 disciplinary actions taken against NPs since the January meeting. NCMB reported one. The Committee discussed revising the rules to improve clarity and to address the changes in the application and renewal processes. (21 NCAC .0803/ 21 NCAC 32M .0103; 21 NCAC .0804/ 21 NCAC 32M .0104; 21 NCAC .0806/ 21 NCAC 32M .0106; 21 NCAC .0809/ 21 NCAC 32M .0109; 21 NCAC .0813/ 21 NCAC 32M .0115) MOTION: Approve Changes
NCMB Complaints & Investigations cases with a recommendation of AAI	At its January meeting NCMB voted to allow senior staff to dispose of any complaint or investigation with a recommendation of Accept As Information. NCMB staff would like to handle NP cases the same way. MOTION: Accept as information
CLOSED SESSION	MOTION: That the Joint Subcommittee go into Closed Session for purpose of reviewing extracted cases. Passed. See Closed Session Minutes for details.
OPEN SESSION	MOTION: That the Joint Subcommittee go into Open Session for purpose of taking action on extracted cases. Passed.

Case No.	Motion	Follow Up
01	• PLOC to NP regarding improper advertisement	NCMB
02	Prior to receiving approval to practice • Evaluation by an addictionologist • Complete an Ethical/Legal Decision Making course within 3 months or suspend license until course is completed	NCBON
03	• Documentation course • Establish review mechanism with Supervising Physician • Non-public consent agreement	NCBON
04	• Offer PubLOC, if NP does not accept, then charge	NCMB
05	• Dr. Sheppa to re-review • Table until May meeting	
06	• PubLOC • NP also to obtain CME re: OMD comments Course (diabetes treatment) to be a minimum of 10 hours / category 1 / to be completed in 6 months When CME requirement is met staff will close case.	NCMB
07	• Documentation Course	NCBON
08	• AAI	
09	• PLOC regarding anemia • AAI regarding Gardasil	NCMB
10	• AAI	
11	• AAI	
12	• AAI	
13	• AAI	
14	• AAI	
15	• Letter of Concern	NCBON
16	• Letter of Concern	NCBON

MOTION: To approve the recommendations for closed session cases 01 – 16. Passed.

May 21-23, 2008

Compliance Visits Update	Eileen Kugler and Don Pittman have gone out on 2 compliance visits with NPs – both went well. Ms. Kugler reported that they were well received. They plan to continue doing the site visits jointly. The mail reviews have not started yet, but notices will be sent out next week for these.
Other Business	<ul style="list-style-type: none"> Interim Status given to NPs requires countersigning of notations of medical acts in patient charts & documentation of weekly meetings signed by all in attendance. Only 1 legal signature can be on electronic records. If a supervising physician adds the notation “I have reviewed this record by NP Jones.” Will this be accepted? Bona fide e-signatures will be accepted. NP Reporting in “The Forum” – Committee discussed reporting public actions taken against NPs by the Board of Nursing be published in “The Forum”. The Committee agreed to this.
Next Meeting	May 21, 2008 at 12:30 p.m. until 2 p.m. - North Carolina Board of Nursing – Raleigh, NC. Lunch available at 12 noon
Adjournment	MOTION: 2:08 pm – Meeting be adjourned. Passed.

LICENSE COMMITTEE REPORT

Acceptable Photos for the application process

Catchline: The Board has always required photographs for medical school certification to be of durable quality. Recent technology now allows scanning of photograph and printing on regular copy paper. Will the Board accept this type of photo. An “original” example will be shared at the May meeting.

BOARD ACTION: For now, stay with requiring an actual photograph.

Immigration Status of Applicants

Catchline: It has been suggested that NCMB require proof of US citizenship or legal residence for foreign-born applicants as part of the license process.

BOARD ACTION: The Board agreed that licensees should be legal immigrants. Staff tasked to research how to accomplish and report back to the Board.

Proposed 10-Year Rule amendment

Catchline: As a result of discussion at the May 2008 Board meeting it is recommended that NCAC 32B .0315 (2) be amended.

BOARD ACTION: Amend NCAC 32B .0315 to read: The SPEX requirement may be waived by the Board upon receipt of a **current 3 year** AMA Physician's Recognition Award or equivalent AOA CME. If the AMA/PRA is submitted to satisfy this requirement, copies of the CME documentation used to obtain the award must be included as part of your NC medical license application **showing the majority of the PRA CME to be clearly relevant to your specialty or area of practice.**

Proposed Guidelines for Board members regarding when to invite an applicant for a one-on-one or split-Board interview.

Catchline: Mr. Henderson requested staff prepare proposed guidelines for Board members regarding when to invite an applicant for a one-on-one interview or a split-board interview. Staff has been unsuccessful to date in getting together for discussion. A meeting is scheduled for May 15th and we hope to have a proposal for the Committee's consideration at the May meeting.

BOARD ACTION: Dr. Kirby explained his procedure for determining what type of interview an applicant should have – if affirmative answers involve quality of care issues applicant should appear for split Board interview. If affirmative answers involve factual issues, i.e. character, a single Board member interview will probably be sufficient.

DWI HISTORY AND NC PHP EVALUATION

Catchline: As a result of discussion at the May 2008 Board meeting the following is proposed.

DWI HISTORY AND NC PHP EVALUATION:

License applicants will be referred for NC PHP assessment under the following circumstances

1. Any DWI arrest within the past 5 years.
2. Two or more previous DWI arrests over any period of time.
3. Any DWI arrest where the BAC (if available) was greater than 0.14.
4. In some cases an out-of-state assessment by another state's PHP, which is known and trusted by the Board, will be accepted in lieu of a NC PHP evaluation.

If the license application is otherwise clean, and NC PHP evaluation, performed in compliance with the criteria above, identifies no alcohol or substance abuse problems, no applicant interview will be required with regard to the question of a previous DWI arrest.

BOARD ACTION: Establish the following policy with regard to applicants with DWI history and NC PHP evaluations:

Applicants for license will be referred for NC PHP assessment under any one of the following circumstances:

1. Any arrest within the past 5 years for the operation of any vehicle under the influence of any impairing substance.
2. Two or more previous DWI arrests, or the equivalent, over any period of time.
3. In some cases an out-of-state assessment by another state's PHP, which is known and trusted by the Board, will be accepted in lieu of a NC PHP evaluation.

If the license application is otherwise clean, and NC PHP evaluation, performed in compliance with the criteria above, identifies no alcohol or substance abuse problems, no applicant interview will be required with regard to the question of a previous DWI arrest.

A private letter of concern (PLOC) will be sent to applicants who meet this criteria.

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

Written reports on 10 cases were presented for the Board's review. The specifics of the non-public matters in this report are not included.

A motion passed to return to open session.

LICENSES APPROVED FROM APRIL 10, 2008 – MAY 5, 2008

Full License

Alici-Evcimen, Yesne
 Amerson, Theresa Cambre
 Anders, Carey Kernodle
 Anderson, Edward Scott
 Anderson, Paula Ann
 Antoniazzi, Jill Marie
 Arida, Muhammad Abdelkarim
 Asbee, Shelly Marie
 Balbastro, Jeeathbell
 Ballard, Karen Suzanne
 Ballard, William Evan
 Barnes De La Roza, Melissa Elizabeth
 Barnett, Jason Cory
 Batra, Kalindi Aimee
 Benjamin, Jennifer Ruth
 Benonis, Mary Elizabeth
 Benson, Peter Jon
 Biedlingmaier, John Francis
 Black, Andrew Charles
 Boles, Jeremiah Chad
 Boone, Mira Margaret
 Boswell, Kristen Elisabeth
 Bramlette, James Glenn Schweer
 Braquet, Ray Michael
 Brown, Teri Gray
 Burkhart, Bradd Gregory
 Buttram, John Grant
 Cain, Brian Kristian
 Camp, Jennifer Howard
 Capps, Anthony David
 Carney, David Spencer
 Casal, Suzette Germaine
 Casimir, Fitzgerald Junior
 Chancellor, Jennifer Ann

May 21-23, 2008

Chanin, Matthew Penn
Chen, Oliver Szu-Ping
Chipman, Joseph Nathan
Chowbey, Vandana Pandey
Chung, Eugene Ho-Joon
Cohen, Brian Louis
Collura, Paul Thomas
Cox, Mitchell Wayne
Danile, Laura Elaine
Darwish, Husam Hussain
David, Alexis Rene'-Adkins
Davis, Cheryl Jones
De Joya, German Dy
Dooley, Joshua Ryan
Downs, Heather Leigh
Duncan, Todd Harrison
Duru, Ugonna Ada
Ehlers, Justis Potter
Englund, Jennifer Laura
Espiritu, Michael Trinidad
Fedoriw, George
Fernald, John Patrick
Ferro, Thomas Joseph
Firozvi, Amir Alam
Fosnaugh, Adam Warren
Frans, Ebenezer Edward Abeku
Fuller, Shandi Joycelyn
Gilbert, Kristy Proctor
Gill, James Brian
Gobaleza, Dominador Geli
Gollan, Timothy John
Goth, Karen Mary
Grosse, Jay Weston
Gupta, Rajan Tilak
Hagen, Christine Louise Jopling
Hanna, Mark Jamieson
Harcourt, Roger Lee
Harford, Rhondey Ian O'Brien
Harrison, Robert William
Havlik, Heather Schlesner
Hebda, William Bernard
Henry, Christopher Sterling
Hickman, Jennifer Martin
Hogenauer, Daniel Owsley

Hoover, Jennifer Jarrett
Hoover, Michael Shane
Hughes, John Robert
Humphrey, Holly Lain
Hurwitz, Amy Samara
Husain, Amina
Hutchings, Jeffrey Charles
Hwang, Eugene Ickjin
Idler, Cary Scott
Jakowski, Joseph Daniel
Jenkins, Casey Daniel-Carlyle
Jere, Grace Mayamiko
Johnson, Benston Daniel
Johnson, Lynn Harrington
Jones, Melissa Michelle
Kahill, Ailisa Hipp
Kahl, Christina Ross
Kanich, William Steele
Kanich, William Steele
Karra, Ravi
Kasuganti, Shilpa Rao
Keagy, Gregory Stephen
Kendall, Thomas William
Kerner, Paul Jason
Khaghany, Kamran John
Kiehl, Allison Heather
Kinsler, Allen Conley
Kirman, Christian Nathan
Kirsch Rupp, Mary Nell
Klotz, Jennifer Lynn
Kornegay, Christopher Chad
Kunkle, David Arthur
Ladapo, Jumoke Mary
LaMantia, Michael Andrew
Landau, Joshua P
Lane, Zhaoli
Lee, Walter Tsong
Lemaire, Jean Turnier
Lewis, Eric Van
Lockhart, Evelyn Louise
Love, Edward Willis
Lovett, Ethridge June
Macrie, Jessica Webster
Mangalat, Sheetal Niranjana
Martin, Suzanna Elizabeth

McCormick, Jeremy James
McDonald, Skye Diann
McGehee, Blake Eugene
Mehta, Rohit
Meigs, Daniel Paul
Meyer, Claudine Gahamanyi
Min, Zhao
Mitchell, Kamari Demond
Monroe, Rasheeda Taliaferro
Mooberry, Micah Joe
Moody, John Scott
Musgrave, Elizabeth McElreath
Neumann Patel, Laura Elizabeth
Nichols, Michael Allison
Orr, Justin Dennis
Osborn, Patrick Marshall
Ou, Yvonne
Pagano, Richard Ralph
Park, Ariane
Patel, Hetal
Pathan, Ayaz
Patino, Gilberto
Patsias, Georgis
Patterson, Phillip Justin
Paulk, Eric Michael
Payne, Richard
Picciocca, Richard Gordon
Pomerantz, Richard William
Prabhakar, Shashi Kumar
Prabhu, Ajita Satish
Qi, Ming
Rappaport, Carol Ann Grolnick
Reed, Derek M
Reynolds, Stacy Lynn
Richardson, Gaa Odetta
Roginsky, Rina Rosa
Roos, Tammi C
Rowand, Mark Baker
Saeed, Muhammad Usman
Salansky, Jessica Beth
Samuels, Brian Christopher
Sauer, Mariam Shahbazian
Schuler, Christopher Michael
Schuman, Paula Claire
Scurry, William Cooper

Sherrell, James Christopher
Shuler, William Henry
Simons, Nathan Trevor
Small, Peter Michael
Solomon, Hemant
Stefanoski, Stevco
Steinbaker, Christopher Ryan
Stewart, Heather Denise
Stock, Mark William
Strother, Byron Keith
Tagle, Laura Koeppel
Tejera Morales, Tania
Terlonge, Delouis
Thananopavarn, Paul
Thompson, Kerri-Ann Rochelle
Tsalik, Ephraim Lee
Verma, Anuradha
Vidwan, Parampreet Singh
Voorhees, Adam Zydor
Walker, Jeffrey Alan
Walsh, Katherine Jean
Waltonen, Joshua Douglass
Wang, George Tian Yi
Weaver, Donald John
Wellman, Samuel Secord
Williams, Eric Sean
Yeung, Patrick Peter
Zimmerman, Sarah Pritchett

Reactivation

Johnson, Charles David
Mankad, Mehul Vipul

Reinstatement

Arnder, Lance Lee
Cooper, Vidette Violette
Gaither, Michael DeLeon
Goins, Natasha Halmi
Scheurich, Neil Edward
West, Joseph Eugene

Faculty Limited License

Aeschlimann, Nicolas Del Rio
Baker, Arthur Maine
Balthazar, Ursula
Nguyen, Thao Van Thi

DISCIPLINARY (COMPLAINT) COMMITTEE REPORT

Ralph Loomis, MD, Chair; Arthur McCulloch, MD; Donald Jablonski, DO; John Lewis, JD; William Walker, MD

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

The Disciplinary Committee (complaints) reported on five 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.

PROFESSIONAL LIABILITY INSURANCE PAYMENTS

Ralph Loomis, MD; Arthur McCulloch, MD; Donald Jablonski, DO; John Lewis, JD; William Walker, MD

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

The Professional Liability Insurance Payments Committee reported on 58 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.

DISCIPLINARY (MEDICAL EXAMINER) COMMITTEE REPORT

Ralph Loomis, MD; Arthur McCulloch, MD; Donald Jablonski, DO; John Lewis, JD; William Walker, MD

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

The Medical Examiner Committee reported on one case. 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.

DISCIPLINARY (COMPLAINT) REVIEW COMMITTEE REPORT

Ralph Loomis, MD, Chair; Arthur McCulloch, MD; Donald Jablonski; John Lewis, JD; William Walker, MD

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

The Disciplinary (Complaint) Review Committee reported on 28 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

NORTH CAROLINA PHYSICIANS HEALTH PROGRAM (NCPHP) COMMITTEE REPORT

Thelma Lennon, Chair; Thomas Hill, MD, Janice Huff, MD

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

The Board reviewed 59 cases involving participants in the NC Physicians Health Program. The Board adopted the committee's recommendation to approve the written report. The specifics of this report are not included as these actions are not public information.

A motion passed to return to open session.

DISCIPLINARY (INVESTIGATIVE) COMMITTEE REPORT

Ralph Loomis, MD; Arthur McCulloch, MD; Donald Jablonski, DO; John Lewis, JD; William Walker, MD

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

The Disciplinary (Investigative) Committee reported on 22 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

INFORMAL INTERVIEW REPORT

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

Twenty-nine 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.

DISCIPLINARY (INVESTIGATIVE) REVIEW COMMITTEE REPORT

George Saunders, MD, Chair Pamela Blizzard, Thomas Hill, MD; Janice Huff, MD

A motion passed to close the session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 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 and/or to preserve attorney/client privilege.

The Disciplinary (Investigative) Review Committee reported on 36 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.

SPECIAL COMMITTEE ON NATUROPATHY

Attending: Dr. Loomis, Chair; Dr. Rhyne; Dr. Saunders; Dr. Kirby; David Henderson and Maureen Bedell

A conference call was held on May 21st with Mr. Boyd Landry from The Coalition For Natural Health, as he is a spokesman for the naturopathic practitioners who oppose licensing for the "traditional naturopaths."

On May 22nd the NCMB held an open discussion pertaining to the licensing of Naturopathic practitioners. Twelve speakers discussed their positions either for or against this position.

CLOSING NOTES

Rules Hearing

A discussion was held regarding the logistics of the Public Hearing on proposed rules being held on June 30th at the NCMB.

May 21-23, 2008

Hearing Officers

Thom Mansfield reviewed a proposed list of Hearing Officers who have agreed to be part of the Hearing Panels. The list includes Dr. Herring, Dr. Norins, Dr. Garrett, Judge Ralph Walker, Judge Donnie Smith and Judge Joy Hamilton.

A motion was passed to approve the list.

CPEP/PACE Assessments

Dr. Saunders discussed CPEP and PACE regarding concerns of individuals coming up short because of the substandard population going there for help.

Dr. Saunders would like to have a letter written to all the facilities asking for:

- ~Success rate statistics of participants
- ~Ethnic backgrounds of participants
- ~Male/female ratio of participants

A motion was passed to approve asking for this information and analysis.

ADJOURNMENT

This meeting was adjourned at 12:50p.m., May 23, 2008.

Ralph C. Loomis, MD
Secretary