



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

JANET OLSZEWSKI  
DIRECTOR

## MICHIGAN BOARD OF MEDICINE MAY 26, 2010 MEETING

### APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Medicine met in regular session on May 26, 2010, at the Ottawa Building, 611 West Ottawa Street, Conference Room 3 (Upper Level Conference Center), Lansing, Michigan.

### ***CALL TO ORDER AND WELCOMING OF NEW MEMBERS***

George Shade, Jr, M.D., Chairperson, called the meeting to order at 10:13 a.m.

Dr. Shade welcomed Dr. Graham and asked him to introduce himself.

### ***ROLL CALL***

***Members Present:*** George Shade, Jr, M.D., Chairperson  
Abd A. Alghanem, M.D., Vice Chairperson  
Busharat Ahmad, M.D.  
Richard E. Burney, M.D.  
Oliver G. Cameron, M.D., Ph.D.  
David L. Dull, M.D.  
William Fenn, PA-C, Ph.D.  
Peter T. Graham, M.D.  
Cheryl Graham Solomon, Public Member  
Michael Helmer, Public Member  
Vivian Leung, Public Member  
Leticia J. San Diego, Ph.D., Public Member  
Nathaniel Smith-Tyge, Public Member  
David S. Weingarden, M.D.

***Members Absent:*** Theresa L. Fraley, Public Member  
Rao V.C. Gudipati, M.D.  
Lynn Larson, Public Member  
Frank Raines, III, Public Member  
Suzanne Hugly Thomashow, M.D., Ph.D.

**Staff Present:** Laurie VanBeelen, Board Secretary, Health Regulatory Division  
Rae Ramsdell, Director, Health Regulatory Division  
Amy Shell, Policy Administration Manager, Health Regulatory Division  
Kiran Parag, Analyst, Health Regulatory Division  
Perry Bell, Analyst, Professional Practice Section  
Stephanie Williams, Investigator, Health Investigation Division,  
Detroit Office  
Michele Wagner-Gutkowski, Assistant Attorney General  
Robert Jenkins, Assistant Attorney General  
Philip Wojtanowski, Intern, Office of Attorney General

**Others Present:** R. George Farhat, M.D.

## **APPROVAL OF MINUTES**

*MOTION* by Helmer, seconded by Cameron, to approve the minutes of the March 17, 2010 meeting as presented.

*MOTION PREVAILED*

## **APPROVAL OF AGENDA**

*MOTION* by Fenn, seconded by Weingarden, to approve the agenda with the following correction:

Under 7. NEW BUSINESS, B. should read "FSMB Editorial Committee Update."

*MOTION PREVAILED*

## **COMMITTEE REPORTS**

### **INVESTIGATIONS AND ALLEGATIONS**

Burney reported that during the months of April and May, 69 cases were provided to the Committee for review with 40 being authorized for investigation, 23 closed, 4 were returned to the Department for additional information, and 2 cases remained to be reviewed.

Burney stated that he requested and received from the Department follow-up information on cases authorized for investigation. He indicated this information was requested to inform the Committee on the status of the investigations that have been authorized. He stated that at the end of each committee meeting he is asking each committee member to share what types of cases they have reviewed and have committee dialogue regarding the decision rendered. Burney indicated that he is seeking more committee involvement in each case that is being reviewed.

## **OPERATIONS COMMITTEE**

Weingarden advised that the committee met today and discussed many issues. He highlighted the discussion held regarding the survey which was sent to various medical schools inquiring as to the school's practices in teaching their students in the areas of boundary issues and controlled substance issues. Weingarden stated that the Ohio Board of Medicine speaks with 1<sup>st</sup> year students as to these issues, as well as ethics. He indicated that the Ohio Board then provides a follow-up visit with the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> year students.

Weingarden reported that discussion was held concerning the SPECS exam and the FSMB's current recommendations. He explained that this is a one-day exam with an emphasis on clinical practice.

Weingarden referred the Board to the information provided regarding DEA changes in the electronic prescribing of controlled substances. He stated that even though these changes go into effect on June 1, 2010, the current vendor/intermediary, SureScripts/RxHub, does not have the software completed to ensure complete password protection and that it will be at least 1 1/2 years before this new change can be put into practice.

Additional information discussed by the Committee at today's meeting was as follows:

- 1) consideration by the NCCPA regarding modifications to PA-C competencies changing the recertification cycle to ten years from the current six years;
- 2) obtaining the results of a national survey of other medical boards regarding trends of fines and penalties assessed, as well as disciplinary guidelines;
- 3) alternative remediation legislation; and
- 4) Dr. Shade will be speaking at the annual MOA meeting in October to provide an update of the Board's work.

## **DISCIPLINARY SUBCOMMITTEE**

Helmer advised that at today's meeting 24 matters will be decided. Shade thanked the DSC members for being present so that today's meeting can go forward.

Helmer advised that he has recently become a resident of the state of Florida. Due to residency requirements specified in the Public Health Code, he advised that he will need to resign from the Board. Helmer commented that he enjoyed serving on the Board and felt he was able to learn from his experience. Shade thanked Helmer for his service on the Board. Shade asked Smith-Tyge to assume the responsibility of Chairperson of the DSC which he accepted.

## **CHAIRPERSON'S REPORT**

No report.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **FSMB Annual Meeting Update**

Graham Solomon thanked the members of the Board for the opportunity to attend. She indicated that this was the first year that the FSMB provided a scholarship for a public member to attend and recommended that a different public member attend each year. Graham Solomon stated there was a meeting just for public members which she indicated was invaluable. She expressed that this experience has provided her a better understanding of the role that the FSMB plays in the state boards. Graham Solomon spoke of the networking opportunities attendees were provided. She commented that she was given the impression that other boards look to Michigan as a leader.

Ahmad agreed with Graham Solomon's comments that Michigan is a leader and other states look to the Michigan Board when they are considering various issues. He stated that there were many opportunities to interact with other state board members. Ahmad indicated that attendees had the opportunity to keep very busy and attend many different sessions, and spoke of the sessions on the role of state boards in health care reform. He reported there were helpful sessions on the topics of electronic health records, telemedicine and license portability. Ahmad stated his belief that the Michigan Board needs to continue to be involved with this annual meeting and thanked the Board for the opportunity to attend.

Ramsdell reported that Wisconsin has been given a federal grant to work with other states on the topic of license portability and that Michigan will be involved in this project. She will provide additional details as the project moves forward.

The Board was also directed to the 5/26/2010 memo from Ramsdell which provided an overview of the FSMB annual meeting.

### **FSMB Editorial Committee Update**

San Diego provided a PowerPoint highlighting plans for the FSMB's 100<sup>th</sup> Year Celebration which will take place in 2012. She encouraged the Board to provide suggestions as to how the Michigan Board of Medicine can be showcased during this celebration. San Diego reported that the Editorial Committee's report regarding preparations for the centennial is due to the FSMB's Board of Directors in July.

## **REGULATORY CONSIDERATIONS: FINES LEVIED**

Fenn commented that the DSC members have noticed some inconsistency with cases which had similar factors, circumstances, and allegations, but had differing fines. Ramsdell stated that the Department is creating a committee to look at ways to provide Boards with some direction as to suggested guidelines during the sanctioning of cases. Weingarden commented that the operations committee will be obtaining sanctioning trend information from the FSMB. Additional information will be provided to the Board after the information has been obtained.

## **NEW ENGLAND JOURNAL OF MEDICINE APRIL 22, 2010 ARTICLE "INCREASING THE VALUE OF THE STATE MEDICAL LICENSE"**

Burney indicated that this article was pertinent to previous discussions of the Board. He stated that he believes this article references mechanisms by which the Board can move forward with the maintenance of licensure topic. Shade commented that the operations committee is researching this topic and will be providing information in the future. Ramsdell stated that the Department would like the Board of Medicine and the Board of Osteopathic Medicine and Surgery to coordinate their efforts in this regard.

## **DEPARTMENT UPDATE**

VanBeelen stated that all Board members have the opportunity to obtain a state ID badge following today's meeting which will allow members to bypass building security for future meetings.

Ramsdell directed the Board to the legislative update provided in the FYI folders.

Perry Bell, analyst with the Bureau's Professional Practice Section, introduced himself and indicated that he is the staff person responsible for answering all scope of practice questions.

## **REGULATORY CONSIDERATIONS**

None

## **PUBLIC COMMENT**

Dr. Shade invited other attendees to introduce themselves.

## **ANNOUNCEMENTS**

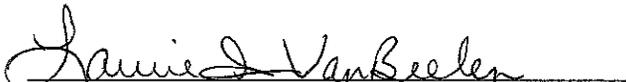
The next regularly scheduled meeting will be held on July 21, 2010 at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

## **ADJOURNMENT**

*MOTION* by Fenn, seconded by Weingarden, to adjourn the meeting at 11:08 a.m.

  
George H. Shade, Jr, M.D., Chairperson

  
Date Minutes Approved

  
Laurie A. VanBeelen, Board Secretary

  
Date Minutes Prepared