

Minutes
BOARD OF OSTEOPATHIC MEDICINE
November 14-15, 2008
Crown Plaza Orlando Universal
7800 Universal Boulevard
Orlando, Florida 32819
(407) 355-0550

Friday, November 14, 2008

The meeting was called to order by Dr. McCann, Chair, at 4:00 pm. Those present for all or part of the meeting included the following:

MEMBERS PRESENT:

Robert McCann, D.O., Chair
Ronald Burns, D.O., Vice Chair
Allan R. Escher, D.O.
Rina A. Palladino - Consumer Member
Joel Rose, D.O.
James S. St. Louis, D.O. (Saturday)

MEMBERS ABSENT:

Tom Najjar - Consumer Member
James S. St. Louis, D.O. (Friday)

COURT REPORTER:

American Court Reporting
(407) 896-1813

BOARD STAFF PRESENT:

Christy Robinson, Acting Executive Director
Ronda L. Bryan, Program Administrator

BOARD COUNSEL:

Deborah Loucks, Esquire

DEPARTMENT OF HEALTH:

Blake Hunter, Esquire

REVIEW AND APPROVAL OF MINUTES

Tab 1 - Minutes from August 22-23, 2008 Board Meeting

Action Taken: Dr. Rose moved to APPROVE the minutes with several corrections. Dr. Burns seconded the motion, which passed unanimously.

COMPLIANCE REVIEW AND APPEARANCES

Tab 20 – Barry J. Kaplan, D.O. – Request for Reinstatement and Probationary Terms

The respondent was present and represented by Kathryn L. Kasprzak, Esq. Dr. Kaplan advised the Board that his proposed monitor was on his way to the meeting.

Action Taken: This matter was tabled to allow the monitor to be present. Additional discussion of this item can be found later in the minutes.

RULES REPORT AND DISCUSSION – Deborah Loucks, Esquire

Tab 2 – Rules Report

Ms. Loucks updated the Board on the status of the following rules:

64B15-6.011 - Disciplinary Guidelines (Physician Assistant)

No action or language at this time.

64B15-6.01051 – Citation Authority (Physician Assistant)

No action or language at this time.

64B15-6.0038 – Formulary (Physician Assistant)

Ms. Loucks indicated that the Physician Assistant Council recently held a rules workshop on this rule.

64B15-12.003 – Applications for Licensure

It was the consensus of the Board that no Statement of Estimated Regulatory Costs or other action was needed.

64B15-13.001 – Continuing Education for Biennial Renewal

After much discussion, the following changes to the language were requested by the Board:

- (1)(a) - Beginning in the 2010-2012 licensure biennium, five of the continuing medical education hours for renewal shall include one hour of professional and medical ethics education, one hour Florida Laws and Rules, one hour on the federal and state laws related to the prescribing of controlled substances, and a two hour Prevention of Medical Errors Course.
- (3)(d)- The One hour of Risk Management or professional and medical ethics education may be fulfilled by attending at least three (3) hours of disciplinary matters at a regular meeting of the Board of Osteopathic Medicine in compliance with the following:

1. The licensee must sign in with the Executive Director of the Board, or designee, before the meeting day begins.

2. The licensee must remain in continuous attendance.

3. The licensee must sign out with the Executive Director of the Board, or designee, at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. The licensee may receive CME credit in risk management or professional and medical ethics education for attending the disciplinary portion of a Board meeting only if the licensee is attending on that day solely for that purpose; the licensee may not receive such credit if appearing at the Board meeting for another purpose. Members of the Board of Osteopathic Medicine may receive risk management or profesisonal and medical ethics credit for such attendance at one full day of disciplinary hearings at a regular meeting of the Board.

4. A licensee may use no more than five (5) hours of continuing education in the area of risk management for the purpose of completing the continuing education requirements for each biennial renewal.

(e) For purposes of this rule, a two hour Prevention of Medical Errors course shall include a study of root cause analysis, error reduction and prevention, and patient safety. The course shall address medication errors, surgical errors, diagnostic inaccuracies, and system failures, and shall provide recommendations for creating safety systems in health care organizations. The course must include information relating to the five most mis-diagnosed conditions during the previous biennium, as determined by the Board. The following areas have been determined as the five most mis-diagnosed conditions: wrong-site/patient surgery; cancer; cardiac; timely diagnosis of surgical complications and failing to diagnose pre-existing conditions prior to prescribing contraindicated medications.

(f) For purposes of this rule, a one (1) hour course on the federal and state laws related to the prescribing of controlled substances shall include: a review of the applicable federal and state laws and rules; review of the current Florida statistics regarding morbidity and mortality of controlled substance related deaths; pharmacology of opiate drugs; proper prescribing of opiate drugs; and a review of physician liability for over prescribing of controlled substances.

(4) The following courses are approved by the Board:

(a) Organized courses of post graduate study offered by or approved by the American Osteopathic Association or the American Medical Association or any of their divisional societies;

(b) Organized courses of post graduate study sponsored by a medical school recognized and approved by the American Osteopathic Association or the American Medical Association;

(c) Organized courses of post graduate study sponsored by a specialty college of the American

Osteopathic Association or the American Medical Association;

(d) Organized courses of post graduate study sponsored by the Public Health Service, state or territorial health services, or a branch of the United States Armed Services;

(e) Fellowships approved by the American Osteopathic Association or the American Medical Association; Internship or residency approved by the American Osteopathic Association or the Accreditation Council for Graduate Medical Education; each fellow, intern and/or resident shall be responsible for obtaining the continuing medical education required under this rule. For fellows, interns, and/or residents in approved AOA, AMA or ACGME educational training programs, ten (10) continuing medical education credit hours shall be awarded for successful completion of each 6 month training program period;

(f) Teacher hours, lecture hours or scientific papers read and published which are approved for credit by the American Osteopathic Association;

(g) Annual convention and mid-year seminars sponsored by the Florida Osteopathic Medical Association;

(h) Internship or residency approved by the American Osteopathic Association or the Accreditation Council for Graduate Medical Education;

(i) Routine hospital programs, including clinical and pathological conferences, mortality review, medical audit committees, tumor board, peer review or utilization review; that are approved by the American Osteopathic Association, (AOA), the American Medical Association, (AMA), or by the Board.

(5) Home study hours up to a maximum of eight (8) hours per biennium may be utilized toward continuing education requirements for renewal. In order to be acceptable, said home study hours must be approved by the AOA, the AMA, the Board, or approved for credit as a college or university extension course with approved grading and evaluation standards. Any licensee who is a member of the Armed Forces of the United States on active duty and for a period of six (6) months after discharge from active duty may obtain all forty (40) hours of continuing education through home study.

- (6) In addition to the continuing medical education credits authorized above, a volunteer expert witness who is providing expert witness opinions for cases being reviewed pursuant to Chapter 459, F.S., shall receive ~~5-0~~ five (5) hours of credit in the area of risk management for each case reviewed. A volunteer expert may not accrue in excess of 15 hours of credit per biennium pursuant to this paragraph. Former Board members serving on the Probable Cause Panel shall be allowed a maximum of 15 hours of credit per biennium pursuant to Section 456.013, F.S. ~~A volunteer expert may not accrue in excess of 15 hours of credit per biennium pursuant to this paragraph.~~

64B15-14.007 – Standard of Care for Office Surgery

No action needed at this time.

64B15-14.0055 – Pain Management Facilities

Action Taken: After discussion, Dr. Burns moved to notice the rule for a Rules Workshop to be held at the next meeting. Dr. Rose seconded the motion, which passed unanimously. Staff was directed to obtain participation from the Board's Interested Parties list, FOMA and other stakeholders for the next meeting.

64B15-14.0076 – Requirement for Osteopathic Physician Office Registration; Inspection of Accreditation

No action needed at this time.

64B15-19.002 – Violations and Penalties

Ms. Loucks indicated that this language was not noticed yet as it required a Statement of Estimated Regulatory Costs to be evaluated by the Board.

Tab 3 – Health Care Clinic Establishment Program

This was an informational updated regarding the new law to become effective January 1, 2009 requiring certain clinics and offices to register with the department in order to prescribe drugs.

Tab 38 – 64B15-7.005 – Anesthesiologist Assistant Protocols and Performance

The Board took testimony from several interested parties that spoke in favor of the proposed increase to the number of Anesthesiologist Assistants a physician may supervise.

Action Taken: After much discussion, Dr. Rose moved to approve the proposed change as presented. Dr. Burns seconded the motion, which passed unanimously.

COMPLIANCE REVIEW AND APPEARANCES (cont.)

Tab 20 – Barry J. Kaplan, D.O. - Revisit

The respondent was present and represented by Kathryn L. Kasprzak, Esq. Dr. Kaplan's proposed monitor John Chois, DO was now present. The Board asked Dr. Chois to review the proposed practice plan submitted by Dr. Kaplan and advise what procedures he believed Dr. Kaplan should be able to perform under his supervision.

Action Taken: After much discussion, Dr. Rose moved to set the following terms of probation:

- Probation for 3 years
- Indirect Supervision by an approved monitor to include: 25% chart review, quarterly monitor reports and no direct or indirect financial relationship with the monitor
- Appearance with monitor at the first meeting after probation begins and annually thereafter
- Semiannual appearances
- If any new procedures are to be performed, Respondent must appear with the monitor to obtain approval
- Changes to practice plan must be approved by the Board and shall include a plan for management of adverse incidents
- Appear before Board every six months
- No direct or indirect financial relationship with monitor
- Probation will be tolled if Respondent leaves practice for 30 days or more

Dr. Burns seconded the motion, which passed unanimously.

Additional Action Taken: Dr. Rose moved to approve Dr. Chois as the monitor. Dr. Escher seconded the motion, which passed unanimously. The Board asked that Dr. Chois correct his CV to indicate that he is an osteopathic physician and submit it to the compliance officer.

EXECUTIVE DIRECTOR'S REPORT – Christy Robinson

Tab 4 – Budget Report

Ms. Robinson briefly updated the Board on the current status of the budget and reminded the members to make travel arrangements as far in advance as possible in order to reduce the travel expenses.

DEPARTMENT OF HEALTH'S REPORTS

Tab 5 - Prosecutors Report

Mr. Hunter provided the Board with an overview of the cases and complaints as of July 11, 2008.

Tab 6 – Compliance Report

Information Only

COUNCIL ON PHYSICIAN ASSISTANTS REPORT – Ronald Burns, D.O.

Tab 7 – October 2, 2008 Meeting Minutes

Dr. Burns provided a detailed report of the PA Council's October 2nd meeting. He also provided an overview of the November 6th Formulary Rules Workshop.

ANESTHESIOLOGIST ASSISTANT COMMITTEE REPORT – Ronald Burns, D.O.

Informational Only

PHARMACIST PRESCRIBING COMMITTEE REPORT – Joel Rose, D.O.

Tab 8 – August 14, 2008 Meeting Minutes

Informational Only

GENERAL BUSINESS / CORRESPONDENCE

Tab 9 – FSMB October 1, 2008 Capitol Rotunda

Informational Only

Tab 10 – Draft of Physician Workforce Annual Report

Informational Only

Tab 11 – Correspondence from Pamela King to Nova Southeastern University, Re: Record Keeping Course

Informational Only

Tab 39 – Nomination of Morton Morris, D.O., Award Recipient

Dr. McCann called for nominations for the annual Morton Morris, D.O. Award.

Dr. Rose moved to nominate Ms. King, former Executive Director of the Board to receive the award. Dr. Escher seconded the motion. Dr. Burns then moved to nominate Steve Winn, FOMA Executive Director to receive the award. The motion was seconded.

Action Taken: After much discussion, it was the decision of the Board to present Steve Winn with the Morton Morris, D.O. award.

After additional discussion, Dr. McCann advised that he would be presenting the annual Board Chair Award to Pamela King, former Executive Director.

RATIFICATION OF LICENSES ISSUED

Tab 12 – Ratification of Licenses Issued July – October 2008

Action Taken: Dr. Burns moved to approve the ratification of licenses issued from July to October. The motion was seconded by Ms. Palladino and passed unanimously.

APPROVED OF NON-DISCIPLINARY VOLUNTARY RELINQUISHMENTS

Tab 13 – Licensees Seeking to Relinquish their License with no Pending Discipline

Action Taken: Dr. Burns moved to approve the non-disciplinary voluntary relinquishments. The motion was seconded by Dr. Escher and passed unanimously.

NEW BUSINESS

Discussion Regarding Board Representation at National Meetings

Dr. McCann indicated that he would be attending the American Association of Osteopathic Examiners (AAOE) 2009 meeting in New Orleans. Dr. McCann also stated that he would like to attend the Federation of State Medical Boards (FSMB) as the board's delegate.

Action Taken: A motion was made by Dr. Escher for Dr. McCann to attend the AAOE and FSMB meeting. The motion was seconded by Ms. Palladino and passed unanimously.

Authorization for Advanced Registered Nurse Practitioners to Prescribe Controlled Substance

Ms. Robinson explained that there is a proposed Senate bill to extend the prescribing authority of Florida-licensed ARNP's who have attained specialty certification from a nationally recognized certifying entity to prescribe controlled substances.

The Board expressed concerns with this proposal including:

1. ARNP's training was not on the same level as a physician's
2. Concern with the possibility increased of deaths involving controlled substances if more providers had this type of prescribing authority
3. General concern with an increase in number of health care practitioner's prescribing.
4. ARNP's currently have a mechanism in place to have a physician call in prescriptions for patients via the protocol agreement.

Action Taken: After much discussion, it was the consensus of the Board to oppose this bill.

Discussion Regarding Prescription Drug Database Threshold Monitoring Program

Ms. Robinson provided an overview of the threshold concept for prescription drug database monitoring program. The Board noted several concerns with this concept.

Action Taken: After discussion, Dr. Rose moved to oppose the threshold concept. The motion was seconded by Dr. Burns and carried unanimously.

Discussion Regarding a Change in the 2009 Meeting Dates

Ms. Robinson indicates that she received a request from a member to reconsider their 2009 February meeting date due to a conflict with the Florida Osteopathic Medical Association annual meeting.

Action Taken: After discussion, Dr. Rose moved to change the next meeting date to February 6-7, 2009. The motion was seconded by Dr. Burns and carried unanimously.

The meeting recessed at 6:15 p.m.

SATURDAY, November 15, 2008
9:00 am

COMPLIANCE REVIEW AND APPEARANCES (continued)

Tab 15 – Joan Bernstein, D.O. – Request for Extension of Time

This item was withdrawn from the agenda.

Tab 16 – Gary Blumberg, D.O. – Request to Terminate Probation

The respondent was present and represented by Bruce Lamb, Esq. Dr. Pomm from PRN was also present. Dr. McCann advised the Board that Dr. Blumberg was making his final appearance and requesting termination of probation. Dr. Pomm advocated for Dr. Blumberg to be released from his contract.

Action Taken: After discussion, Dr. Rose moved to approve the request for termination of probation to end February 21, 2009 and continue with PRN until end of probation. The motion was seconded by Ms. Palladino and carried unanimously.

Tab 17 – Mary J. Eicher, D.O. – Request to Terminate Probation

This matter was withdrawn from the agenda.

Tab 18 – Beatrice C. Eugene, D.O. – Request for Early Termination of Probation

The respondent was present without counsel. Dr. McCann advised the Board that the final order entered on October 3, 2007 required Dr. Eugene to be on probation for 3 years and only allowed her to petition the Board for early termination of probation after 8 months. Dr. Eugene has requested an early termination of probation prior to her completing 18 months of probation.

Action Taken: After discussion, Dr. Rose moved to deny Dr. Eugene's request for early termination of probation because of ineligibility. The motion was seconded by Dr. Burns and carried unanimously.

Tab 19 – Mark G. Kantzler, D.O. – Required Appearance

The respondent was present without counsel. Dr. Pomm with PRN was also present. Dr. McCann advised the Board the Dr. Kantzler was making a required appearance. Dr. Kantzler provided testimony before the Board.

Action Taken: After discussion, Dr. Rose moved to accept Dr. Kantzler's annual appearance. The motion was seconded by Dr. Burns and carried unanimously.

Tab 21 – Alex D. Wargo, D.O. – Required Appearance

The respondent was present and represented by Moncia Rodriguez, Esq. DR. Pomm with PRN was also present. Dr. McCann advised the Board that Dr. Wargo was making his required appearance to set his probationary terms. Dr. Wargo and Dr. Pomm provided testimony before the Board.

Action Taken: After discussion, Dr. Burns moved to accept Dr. Wargo's appearance. The motion was seconded by Dr. Rose and carried unanimously.

Additional Action Taken: After additional discussion, Dr. Burns moved to find that he had demonstrated appropriate competency due to passing the COMVEX exam. The motion was seconded by Dr. Rose and carried unanimously.

Additional Action Taken: Dr. Rose moved to grant authority to the Board Chair to provide temporary of the monitor and require an appearance at the next meeting. Ms. Palladino seconded the motion, which passed unanimously.

Additional Action Taken: Dr. Rose moved to reinstate the license and set the following terms for probation:

- Probation for 1 year
- Supervision to include: 25% of chart review, quarterly reports
- Submission of practice plan to be approved by the Board Chair
- Dr. Wargo and monitor to appear at next board meeting
- Tolling provision if out of practice for more than 30 days

The motion was seconded by Dr. Burns and carried unanimously.

NEW DISCIPLINARY CASES

Tab 22 – Sharon L. Johnston, D.O. – Case Number 2007-23896 – Informal Hearing

The respondent was not present or represented by counsel. Mr. McCann was recused due to participation in the probable cause panel. Mr. Hunter represented the department and presented the case to the Board. Allegations of complaint: 459.015(1)(c), F.S. (2007), being found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of osteopathic medicine.

Dr. Rose moved to adopt the findings of fact in the case. Dr. Escher seconded the motion, which passed unanimously. Dr. Rose then moved to adopt the conclusions of law in the case. Dr. Burns seconded the motion, which passed unanimously. Dr. Rose moved to adopt the agenda materials as evidence. Dr. St. Louis seconded the motion and passed unanimously.

Action Taken: After discussion, Dr. Escher moved to REVOKE License. Ms. Palladino seconded the motion, which passed unanimously. Dr. Rose then moved to assess costs of \$12,390.29, paid within 30 days of release from prison.

Additional Action Taken: After additional discussion, Dr. Rose moved to extend the timeframe in which to pay the costs in this case to 1 year of the Final Order. Ms. Palladino seconded the motion, which passed unanimously.

Tab 23 – Shani Studnik, D.O. – Case Number 2007-40367 – Informal Hearing

The respondent was not present or represented by counsel. Mr. Hunter represented the department and presented the case to the Board. Allegations of complaint: 459.015(1)(d), F.S. (2007), false, deceptive, or misleading advertising.

Dr. Burns moved to adopt the findings of fact in the case. Dr. Rose seconded the motion, which passed unanimously. Dr. Burns moved to adopt the conclusions of law in the case. Dr. Rose seconded the motion, which passed unanimously. Dr. Burns moved to adopt the agenda materials as evidence. Dr. Rose seconded the motion and passed unanimously.

Action Taken: After discussion, Dr. Burns moved to impose the following penalty:

- Letter of Concern
- \$1,000 fine, paid in 30 days
- Completion of one (1) hour professional ethics course within one year
- Identify herself as a D.O. and specify board specialty in all future advertisements

Ms. Palladino seconded the motion, which passed unanimously.

Additional Action Taken: After discussion, Dr. Rose moved to impose cost of \$142.33, paid within 30 days. Dr. Burns seconded the motion, which passed unanimously.

Tab 24 – Ismail Salahi, D.O. – Case Number 2007-28450 – Settlement Agreement

Dr. Salahi was present and represented by Bill Furlow, Esquire. Mr. Najjar was recused due to participation on the probable cause panel. Mr. Hunter represented the department and presented the case to the Board. Allegations of complaint: 459.015(1)(bb), F.S. (2007), by performing or attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong procedure, or unauthorized procedure and 459.015(1)(o), F.S. (2007), failing to keep legible medical records.

Action Taken: After discussion Dr. Rose moved to REJECT the settlement agreement as presented. Dr. Burns seconded the motion, which passed unanimously.

Additional Action Taken: After additional discussion, Dr. Rose moved to offer the following counter settlement agreement:

- Letter of Concern
- \$7,500 fine, paid in 30 days
- \$2,289.37 costs, paid in 30 days
- Completion of the one (1) hour medical records course within one year (NOVA or Board approved)
- Completion of five (5) hours of CME in risk management within one year
- Completion of a 1 hour course on ethics
- Submit report explaining time-out procedures, what constitutes informed consent, medical team roles, number procedures that can be accurately completed within 1 day, procedures that are performed, mechanisms to ensure the safety of the public and the outcome of any civil action. The report shall be submitted to the Board for placement on the February 2009 meeting agenda. If approved by the board, the report shall be presented in a one hour lecture format to the facility within 6 months of the Final Order.
- The chief of staff at the facility shall submit an affidavit was completed.

Dr. Burns seconded the motion, which passed unanimously

Both parties accepted the terms of the counter settlement agreement for the record.

LICENSURE COMPLIANCE REVIEW

Tab 25 – Michael Strolla, D.O.

Dr. Strolla was present with Dr. Pomm. Dr. McCann explained that Dr. Strolla was present for his required appearance and requesting that the restriction be removed from his license. Dr. Strolla and Dr. Pomm provided testimony of plans to continue the UF program and PRN 5 year's contract.

Action Taken: After discussion, Dr. Rose moved to approve the appearance and the PRN report. Dr. Escher seconded the motion, which passed unanimously. Dr. Rose then moved to lift the license restriction and impose the following conditions to run concurrent with his PRN contract:

- Submit practice plan to the board, temporary approval by the Board Chair
- All changes to the practice plan must be approved by the Board
- Comply with PRN contract and any recommendations
- Provide the Board office with the exam score from the Certification in Addictive Medicine
- Conditional license to run concurrent with the PRN contract

Dr. Burns seconded the motion, which passed unanimously.

LICENSURE APPEARANCES

Tab 26 – Amal K. Agarwal, D.O.

Dr. Agarwal was present without counsel. The applicant was required to appear before the Board to discuss charges, failure to disclose charges on training and full application and residency evaluation.

Action Taken: After interviewing the applicant, Dr. Rose moved to approve the applicant for licensure. Ms. Palladino seconded the motion, which passed unanimously.

Tab 27 – Christopher E. Blair, D.O.

Dr. Blair was present without counsel. The applicant was required to appear before the Board to discuss his training sequence and malpractice judgment.

Action Taken: After interviewing the applicant, Dr. Burns moved to approve the applicant for licensure. Dr. Rose seconded the motion, which passed unanimously.

Tab 28 – Vinson M. DiSanto

Dr. DiSanto was present without counsel. The applicant was required to appear before the Board to discuss his defaulted student loans and failure to disclose other state licenses.

Action Taken: After interviewing the applicant, Dr. Rose moved to approve the applicant for licensure. Dr. Escher seconded the motion, which passed unanimously.

Tab 29 – Mark Flood, D.O.

Dr. Flood was present without counsel. The applicant was required to appear before the Board to discuss his charges, default on student loans, failure to disclose action by Illinois Board and Illinois Chiropractic license. Dr. St. Louis recused himself from the discussion and the vote.

Action Taken: After interviewing the applicant, Dr. Burns moved to approve the applicant for licensure. Dr. Rose seconded the motion, which passed unanimously.

Tab 30 – Timothy A. Highley, D.O.

Dr. Highley was not present or represented. Dr. Highley was required to appear before the Board at the August and November 2008 meetings to discuss reasons for leaving training program and failure to disclose Kentucky license.

Action Taken: Dr. Highley is required to appear at the February 2009 meeting.

Tab 31 – Victor A. Jaffe, D.O.

Dr. Jaffe was present with Dr. Pomm. Dr. Jaffe was required to appear before the Board to discuss his unapproved leave of absence from training program, resignation from training program, restrictions during training program and PRN evaluation.

Action Taken: After interviewing the applicant and Dr. Pomm, Dr. Rose moved to approve the applicant for licensure. Dr. Burns seconded the motion, which passed unanimously.

Tab 32 – Joshua Keith, D.O.

Dr. Keith was present without counsel. Dr. Keith was required to appear before the Board to discuss his medical conditions and reasons for leaving training program. After interviewing the applicant, the applicant waived his 90 day rights for the Board to act on his application.

Action Taken: After discussion, Dr. Rose moved for the applicant to have a PRN evaluation to be approved by the Chair and that the Chair can require another appearance if necessary. Dr. Burns seconded the motion, which passed unanimously.

Tab 33 – Mary E. Short, D.O.

Dr. Short was present without counsel. Dr. Short was required to appear before the Board to discuss her sequence of training program.

Action Taken: After interviewing the applicant, Dr. Burns moved to approve the applicant for licensure. Ms. Palladino seconded the motion, which passed unanimously.

Tab 34 – Scott E. Spagnolo-Hye, D.O.

Dr. Spagnolo-Hye was present with Dr. Pomm. Dr. Jaffe was required to appear before the Board to discuss his reasons for leaving training program, participation in an impairment program in New York and medical condition.

Action Taken: After interviewing the applicant and Dr. Pomm, Dr. Burns moved to conditionally approve the applicant for licensure with the following conditions:

- During the remainder of his training, the training program must provide quarterly reports to the Board
- If the applicant moonlights, he must provide a practice plan to the Board for approval.

Dr. Escher seconded the motion, which passed unanimously.

Tab 37 – Natalie C. Sieb, D.O.

Dr. Sieb was present without counsel. Dr. Pomm was present. Dr. Sieb was required to appear before the Board to discuss medical conditions, limitations placed on her during residency, leave of absence during training, and PRN evaluation.

Action Taken: After interviewing the applicant and Dr. Pomm, Dr. Burns moved to conditionally approve the applicant for licensure with the following conditions:

- During the remainder of her training, the training program must provide quarterly reports to the Board
- If the applicant moonlights, he must provide a practice plan to the Board for approval.

Dr. Rose seconded the motion, which passed unanimously.

PHYSICIAN IN TRAINING REGISTRATION APPEARANCES

Tab 36 – Natalie Sieb, D.O.

Dr. Sieb was present and requested to withdraw her training application.

Action Taken: Dr. Rose moved to accept the request to withdraw the training application. Dr. Burns seconded the motion, which passed unanimously.

Tab 35 – Joshua Glauser, D.O.

Dr. Glauser was present without counsel. Dr. Galuser was required to appear before the Board to discuss his dismissal from his training program.

Action Taken: After interviewing the applicant, Dr. Escher moved to approve the applicant for licensure contingent upon staff verification that Dr. Glauser submitted the correct application. Ms. Palladino seconded the motion, which passed unanimously.

OLD BUSINESS

Rules Discussion- Revisit

64B15-13.001 – Continuing Education for Biennial Renewal

Ms. Loucks presented draft language to the Board based on their previous revisions.

Action Taken: After discussion, Dr. Rose moved to approve the proposed language with the following corrections:

- Removal of the domestic violence course in (3)(a)
- Insertion of the word “hour” in (3)(c)

Dr. Burns seconded the motion, which carried unanimously.

Adjourn - With no other business the meeting was adjourned at 1:24 p.m.