

**MINNESOTA BOARD OF MEDICAL PRACTICE
BOARD MEETING
2829 UNIVERSITY AVE. SE
MINNEAPOLIS, MN 55414-3246**

September 8, 2012

The Minnesota Board of Medical Practice met on September 8, 2012, at its offices in Minneapolis, Minnesota.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Jon Thomas, M.D., MBA, President; Ahsan Bhatti, M.D., FACP; Debbie Boe; Mark A. Eggen, M.D.; V. John Ella, J.D.; Rebecca Hafner-Fogarty, M.D., MBA; Subbarao Inampudi, M.D., FACR; Kelli Johnson, MBA; Gerald Kaplan, MA, LP; Tracy Tomac, M.D.; and Joseph Willett, D.O.

*Dr. Hafner-Fogarty was not present for the Executive Session portion of the meeting.

PUBLIC SESSION

Jon Thomas, M.D., MBA, President of the board welcomed Ahsan Bhatti, M.D., FACP to the board. Dr. Bhatti is Chief of the Gastroenterology Department at Affiliated Community Medical Center. Dr. Bhatti represents Congressional District Seven and replaces James Langland on the board.

The minutes of the July 14, 2012, Board meeting were received and approved as circulated.

Kermit Fruechte, JD, Assistant Attorney General made a presentation to the board on Review Organization (Peer Review) in Minnesota. A question and answer session followed.

On recommendation of the Licensure Committee, physician applicants 1 - 322 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Licensure Committee, physician applicant 323 of the agenda was approved for Emeritus registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 324 - 330 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Athletic Trainers Advisory Council, athletic trainer applicants 331 - 362 of the agenda were approved for registration subject to the receipt of verification documents.

On recommendation of the Physician Assistant Advisory Council, physician assistant applicants 363 - 430 of the agenda were approved for licensure subject to the receipt of verification documents. It was noted that physician assistant applicant 426 had been removed from the agenda.

On recommendation of the Respiratory Therapist Advisory Council, respiratory therapist applicants 431 - 476 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Naturopathic Doctor Advisory Council, naturopathic doctor applicants 477-478 of the agenda were approved for licensure subject to receipt of all verification documents.

On recommendation of the Midwifery Advisory Council, midwifery applicant 479 of the agenda was approved for licensure subject to receipt of all verification documents.

Due to the absence of Licensure Chair, Subbarao Inampudi, M.D., FACR, from the Licensure Committee meeting, Rebecca Hafner-Fogarty, M.D., MBA, member of the Licensure Committee presented the minutes of the August 16, 2012, Licensure Committee Meeting.

The minutes and actions of the August 16, 2012, meeting of the Licensure Committee were received and approved as circulated.

Robert Leach, JD, Executive Director presented the 2012 Fiscal Year Statistical Report. Mr. Leach stated that the total number of healthcare professionals regulated by the board continues to increase annually. Mr. Leach also noted that in fiscal year 2012, the board took fewer disciplinary actions than the previous year; however, in fiscal year 2011 disciplinary actions were significantly higher than previous years.

Mr. Leach will present the Fiscal Year Statistical Report to the Minnesota Medical Association Reference Committee on September 14, 2012.

A question and answer session followed. Board staff will correct a redundancy that was noted in Table F.

Drs. Thomas and Willett and Mr. Leach gave an overview of the first meeting of the Workgroup to Study the Medical Practice Act that was held on August 20, 2012. The Workgroup was a result of the articles in the Star Tribune on the board. A lengthy discussion followed.

Dr. Willett stated that the Workgroup has requested a list of changes to the Practice Act. Board members and staff agreed it should be a short list. Board staff has compiled a list of housekeeping items.

Joseph Willett, D.O., suggested a change that would allow more than one doctor of osteopathy to serve on the board at the same time. After a brief board discussion, a motion was made and passed unanimously to change the language in the Minnesota Board of Medical Practice Act §147.01, Subdivision 1, from “one board member must hold a degree of doctor of osteopathy...” to at least one board member must hold a degree of doctor of osteopathy...”

Gerald Kaplan, MA, LP suggested that the ad hoc group, that was created at the May 12, 2012, board meeting to advise the board members on the Workgroup, be disbanded. After a brief board discussion, a motion was made and passed unanimously to disband the ad hoc committee. The full board will vet the information and decide on how to proceed.

Other suggested changes to the Practice Act were:

- A completed residency program as a requirement for licensure as a physician.
- Allow the board to proactively investigate practice trends that are concerning.
- Clarification of the definition of peer review and more access to data collected by peer review panels.

Board members were invited to attend the Workgroup to Study the Medical Practice Act meetings; board staff will e-mail the meeting dates, time, and location to board members.

Dr. Thomas asked board members to e-mail any additional ideas prior to the next meeting of the Workgroup, September 17, 2012.

Dr. Thomas presented the next agenda item, Appointment of a Nominating Committee. Three names were submitted for the Nominating Committee:

- Dr. Jon Thomas,
- Dr. Tracy Tomac, and
- Mr. John Ella

A motion was made and unanimously passed to accept the recommendation of Dr. Jon Thomas, Dr. Tracy Tomac and Mr. John Ella to the Board's Nominating Committee.

Mr. Leach proposed the following Board meeting dates for 2013:

Regular Board Meetings

January 12
March 9
May 11
July 13
September 14
November 9

Contested Case Hearings

February 9
April 13
June 8
August 10
October 12
December 14

Mr. Leach asked board members to check their schedules. The Board will finalize the board meeting dates at its November 10, 2012, meeting.

Dr. Hafner-Fogarty presented two items of new business.

Dr. Hafner-Fogarty stated that she sits on the Board of Directors of the Federation of State Medical Boards' (FSMB) Foundation. The FSMB Foundation is currently trying to raise money, and asked any board member who is interested in donating, to contact her.

Dr. Hafner-Fogarty asked the board if they would be interested in participating in an upcoming FSMB Foundation national study to develop best practices and guidelines for board investigators. Since the board uses the Attorney General's Office for their investigative needs, Mr. Fruechte will present this to the appropriate individuals at the Attorney General's Office.

Debbie Boe stated she had an interest in serving on the FSMB Ethics and Professionalism Committee. After board discussion, it was decided that because Dr. Thomas is currently serving as the Chair-Elect of the FSMB Board of Directors; the board will not follow normal protocol of obtaining board endorsement prior to a board member submitting their application for a seat on a FSMB committee. Any board member interested in serving on a committee at the FSMB should submit their application to the FSMB.

Dr. Thomas gave a brief report on the American Telemedicine Association's support of a nation-wide, licensure portability system.

End of public session.

EXECUTIVE SESSION

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Jon Thomas, M.D., MBA, President; Ahsan Bhatti, M.D., FACP; Debbie Boe; Mark A. Eggen, M.D.; V. John Ella, J.D.; Rebecca Hafner-Fogarty, M.D., MBA; Subbarao Inampudi, M.D., FACR; Kelli Johnson, MBA; Gerald Kaplan, MA, LP; Tracy Tomac, M.D.; and Joseph Willett, D.O.

*Dr. Hafner-Fogarty was not present for the Executive Session portion of the meeting.

FLOYD O. ANDERSON, M.D.

On recommendation of the Complaint Review Committee, the Stipulation and Order for stayed suspension and conditioned license signed by Dr. Anderson was approved.

BRADLEY R. BANGTSON, M.D.

On recommendation of the Complaint Review Committee, the Stipulation and Order for reinstatement of license and restricted and conditioned license signed by Dr. Bangtson was approved.

GEORGE BOYUM, M.D.

On recommendation of the Complaint Review Committee, the Stipulation and Order for restricted and conditioned license signed by Dr. Boyum was approved. Dr. Willett recused.

CHRISTINE A. COMMERFORD, R.T.

On recommendation of the Complaint Review Committee, the Stipulation and Order for stayed suspension and conditioned license signed by Ms. Commerford was approved.

TILOK GHOSE, M.D.

On recommendation of the Complaint Review Committee, the Stipulation and Order for unconditional license signed by Dr. Ghose was approved.

DAVID L. GILBERTSON, D.O.

On recommendation of the Complaint Review Committee, the Stipulation and Order for unconditional license signed by Dr. Gilbertson was approved. Dr. Willett recused, Mr. Kaplan abstained, and Ms. Boe opposed.

There being no further business, the meeting was adjourned.



Keith Berge, M.D.
Secretary
MN Board of Medical Practice

October 31, 2012
Date