The mission of the Minnesota Board of Medical Practice is to protect the public's health and safety by assuring that the people who practice medicine or as an allied health professional are competent, ethical practitioners with the necessary knowledge and skills appropriate to their title and role.

AGENDA FOR
THE MINNESOTA BOARD OF MEDICAL PRACTICE
BOARD MEETING THAT WILL BE HELD ON:
JANUARY 11, 2020, 9:00 AM
AT:
2829 UNIVERSITY AVENUE
FOURTH FLOOR, CONFERENCE ROOM A
MINNEAPOLIS, MN 55414-3246

PUBLIC SESSION

President: Maria K. Statton, M.D., Ph.D., Board President

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EXECUTIVE SESSION – CLOSED TO THE PUBLIC
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<th>DISTRICT</th>
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<tr>
<td>STATTON, Maria K., M.D., Ph.D.</td>
<td>8</td>
<td>10/15/12</td>
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<tr>
<td>(President)</td>
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<td>LOMBARDO, Kathryn D., M.D.</td>
<td>At large</td>
<td>3/11/17</td>
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<td>(Vice President)</td>
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<td>RENIER, Hugh P., M.D., FAAFP</td>
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<td>(Secretary)</td>
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<td>WILLIAMS, Stuart T., J.D.</td>
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REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Approve the minutes of the November 9, 2019, Board Meeting as circulated.

MOTION BY: ___________________
SECOND: _______________________
( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

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

NOVEMBER 9, 2019

Draft Minutes

The Minnesota Board of Medical Practice met on November 9, 2019, at its offices in Minneapolis, Minnesota.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Allen G. Rasmussen, M.A., President; Maria K. Statton, M.D., Ph.D., Vice President; Cheryl L. Bailey, M.D.; Christopher M. Burkle, M.D., J.D., FCLM; Patricia J. Lindholm, M.D., FAAFP; John M. (Jake) Manahan, J.D.; Hugh P. Renier, M.D., FAAFP; Kimberly W. Spaulding, M.D., M.P.H.; Maria K. Statton, M.D., Ph.D.; Patrick R. Townley, M.D., J.D.; and Stuart T. Williams, J.D.

PUBLIC SESSION

Agenda Item 1: Call to Order and Roll Call
The meeting was called to order by Board President Allen G. Rasmussen, M.A. Roll call was taken by Board staff.

Agenda Item 2: Draft Minutes of the September 14, 2019, Board Meeting
The draft minutes of the September 14, 2019, Board meeting were received and approved as circulated.

Mr. Rasmussen thanked Essentia Health for hosting the September Board meeting and recognized Board member Hugh Renier, M.D., FAAFP, for his facilitation of the planning of the meeting.

Agenda Item 3: Public Comments
Mr. Rasmussen opened the floor to public comments on the current Board agenda. Public comments are limited to one minute per speaker.

A member of the public addressed the Board regarding her chronic pain experience.

A licensee of the Board and member of the public addressed the Board regarding the Attorney General’s Office and the Board’s involvement with his license.

Agenda Item 4: Center for Personalized Education for Professionals (CPEP) Presentation
CPEP’s Outreach and Communications Director, Bill O’Neill, M.B.A., presented to the Board on CPEP’s Operations and Services.

Mr. O’Neill invited Board members and staff to attend CPEP’s February 10-11, 2020, Learning Summit, a two-day overview of CPEP assessments and seminars, in Denver, Colorado. Dr. Lindholm stated that she attended the Learning Summit in 2018 and thought it was a valuable experience and an enlightening process. Dr. Lindholm reported that a colleague participated in a CPEP assessment and received a report with very specific and accurate recommendations.

A question and answer session followed the presentation.
Mr. Rasmussen thanked Mr. O'Neill for the informative presentation.

**Agenda Item 6: October 15, 2019, Policy & Planning Committee Report**

Agenda item 6 was heard prior to Agenda item 5, Presentation on Proposed Legislation by the Minnesota Athletic Trainers Association.

Stuart Williams, J.D., Chair of the Policy & Planning Committee, summarized the October 15, 2019, Policy & Planning Committee meeting.

- **Review of November 8, 2014, Board Resolution and Status of Research**
  Mr. Williams informed the Board that a moratorium on investigating allegations related to treatment of Lyme disease was initially adopted in 2010, after vigorous debate and divided Board vote. The self-imposed moratorium was adopted to allow time for development of definitive research on treatment. In 2014, the Board voted to continue the moratorium, as no definitive research had been conducted. The Resolution called for the Board to reexamine the issue based on evidence available at the end of the five-year period.

  The Committee reviewed and discussed the Board’s 2014 Resolution to engage in a moratorium not to exceed five-years on the investigation, disciplining, or issuance of Corrective Action Agreements based solely on long term prescription and administration of antibiotic therapy for treatment of “chronic Lyme disease,” except in the event of a complaint by a patient or other specific party on behalf of the patient for this specific use of antibiotic therapy. The Committee also reviewed results of a 2016 randomized trial, published in the New England Journal of Medicine, and articles published in August and September 2019 by the Centers for Disease Control and Prevention.

  Following discussion, the Committee recommended that the Board rescind the Resolution and discontinue the moratorium.

  No one appeared at the Policy and Planning Committee meeting or the full Board meeting to express opposition or support of the Resolution.

  After Board discussion, a motion was made and unanimously passed to rescind the 2014 “chronic Lyme disease” Resolution and moratorium.

  The Board does not and never has had any similar limitations placed on its statutory authority to investigate complaints.

- **Proposed 2020 Legislation by the Minnesota Athletic Trainers Association (MATA)**
  The Committee heard a presentation from MATA President Theresa Mackey, EdD, LAT, ATC. President-Elect Lisa Schniepp, AT, ATC, and State Government Relations Representative Amy Hamilton, MA, ATC, on proposed 2020 legislation. The Committee also heard from the Minnesota Physical Therapy Association (MNPTA) regarding concerns that the MATA bill language is overly broad in expanding the scope of practice for athletic trainers.

  The Committee suggested that the Board should not take a position on scope of practice issues. The Board is not responsible for establishing the scope and standard of practice, rather, the Board is responsible for implementing and enforcing legislation that is adopted. The Board needs to be aware of proposed legislation impacting professions regulated by the Board so that it can comment on whether the proposed language is enforceable.
The Committee recommended that the Board take no position on the proposed legislation.

Following Board discussion, a motion was made and unanimously passed to take no position on the 2020 MATA proposed legislation.

The Board will hear briefly from members of MATA during this Board meeting.

- **Proposed 2020 Legislation by the Minnesota Academy of Physician Assistants (MAPA)**
  The Committee heard a summary from MAPA Legislative Committee Co-Chair Leslie Mitteer, PA-C, MPAS, DFAAPA, on legislation that was introduced during the 2019 legislative session, proposing changes to the Physician Assistant Practice Act, Minn. Stat. §§ 147A. MAPA intends to pursue the proposed legislation during the 2020 legislative session. Many of the proposed changes relate to supervision and physician oversight of physician assistants.

  The Committee recommended that the Board take no position on the proposed legislation.

  Following Board discussion, a motion was passed to take no position on the 2020 MAPA proposed legislation. Kimberly W. Spaulding, M.D., M.P.H., opposed the motion.

  Chair of the Physician Assistant Advisory Council Gay Lentfer, PA., attended the Board meeting and offered a brief summary of the proposed MAPA legislation.

- **Proposed 2020 Legislation by the Minnesota Council of Certified Professional Midwives (MCCPM)**
  MCCPM President Aly Folin, CPM, LM, provided an overview of proposed changes to the Minnesota Traditional Midwives Practice Act, Minn. Stat. §147D. The Committee also reviewed materials provided by MCCPM. Most of the proposed changes, as the Committee understands, are intended to remove obsolete language from the statute. MCCPM did not have a draft bill for the Committee to review, therefore, the Committee was not asked to recommend a formal position.

- **Proposed Changes to the Minnesota Medical Practice Act**
  The Committee considered revisions to the Medical Practice Act, Minn. Stat. §§147.038, subd. 1, 147.039 and 147.091, Subd. 8. The changes clarify timelines for retaining investigative authority relative to cancellation of license, and for tolling the statute of limitations.

  The Committee recommended that the Board authorize introduction of the proposed changes during the 2020 legislative session.

  Following Board discussion of the proposed changes, a motion was made and unanimously passed to authorize introduction of proposed changes during the 2020 legislative session.

Mr. Williams encouraged Board members to contact him with any issue(s) for the Policy & Planning Committee agenda.

**Agenda Item 5: Presentation by the Minnesota Athletic Trainers Association (MATA)**
State Government Relations Representative Amy Hamilton, MA, ATC, and MATA and President Theresa Mackey, EdD, LAT, ATC., from the Minnesota Athletic Trainer Association summarized
the scope of practice changes and modernization of definitional language proposed by MATA, modifying the Minnesota Athletic Trainers Practice Act, Minn. Statute § 148.7801–148.7815.

Ms. Hamilton and Ms. Mackey asked that the Board’s decision to take no position on the proposed legislation be communicated in writing to confirm that MATA came before the Board and the Board had an opportunity to review the proposed language.

Mr. Rasmussen thanked Ms. Hamilton and Ms. Mackey for their presentation.

Agenda Item 7: Report of New Credentials, September 4 to October 31, 2019
An informational report was included in the Board agenda of licenses issued on a weekly basis by Board staff between September 4 and October 31, 2019.

Agenda Item 8: September 13, October 10, and November 9, 2019, Licensure Committee Report
Dr. Spaulding summarized discussions from the Licensure Committee’s meetings held on September 13, October 10 and November 9, 2019. Dr. Spaulding noted that the Licensure Committee is meeting monthly to review complex applications, interview applicants for advisory council appointments and conduct business.

Agenda Item 9: Executive Director’s Report
Ms. Martinez provided a summary of the executive director’s report.

Ms. Martinez reiterated the Board’s thanks to Dr. Renier and Essentia Health for hosting the Board meeting in Duluth on September 14, 2019. Ms. Martinez asked Board members to consider hosting a meeting in greater Minnesota in 2020.

PLANNING FOR THE 2020 LEGISLATIVE SESSION
Ms. Martinez thanked the Board for the authorization to move forward with proposed changes to the Medical Practice Act and summarized legislative planning, as follows:

- Representatives from the Health Licensing Boards (HLBs) met with the Governor’s policy counsel to review anticipated legislation.
- Met with Senators and Senate staff to review anticipated legislation.
- Testified at a Senate hearing on a bill establishing an insulin assistance program and submitted fiscal notes on the bill. Ms. Martinez doesn’t anticipate any fiscal impact to the Board for implementation of this program.
- Met with representatives from professional associations for physicians, physician assistants, athletic trainers and traditional midwives to discuss 2020 legislative and policy initiatives.
- The HLB Executive Directors’ Forum discussed initiatives of common interest.

INTERSTATE MEDICAL LICENSURE COMPACT (IMLC)
The Interstate Commission met by teleconference on September 17, 2019 and adopted budget amendments.

The Interstate Commission convened in-person in Las Vegas, Nevada, on November 19–20, 2019. Board member John (Jake) Manahan (as designee to represent Commissioner Patrick Townley, M.D.), Commissioner Ruth Martinez and Licensure Unit Manager Elizabeth Larson attended the meeting.
Ms. Martinez noted that the Federal Bureau of Investigation (FBI) has yet to approve statutory language adopted during the 2019 legislative session that would have enabled the Board to receive criminal history record information for the purpose of qualifying licensees to participate in the IMLC. It has been over six months since the legislature adopted language requested by the FBI and for which the HLBs had received preliminary approval from the FBI. Ms. Martinez noted that there have been some staffing changes at the FBI that may be impacting the approval process and she noted that other member states are also having problems meeting the FBI’s requirements for receiving criminal history record information. The IMLC is continuing to communicate with the FBI to try to address their concerns and enable member states to fully participate in the compact process.

ENGAGEMENT/OUTREACH/CONFERENCES/EVENTS
The Board continues its engagement with internal and external stakeholder groups.

Bureau of Criminal Apprehension (BCA)
Representatives from the HLBs and other stakeholders participated in a day-long meeting, hosted and facilitated by the BCA, to discuss possible incorporation of federal rap back into the criminal background check process in Minnesota. There is broad interest in rap back, although there will be associated costs for technology and human resources that don’t currently exist. The HLBs will continue to participate in discussions with other stakeholders.

National Tri-Regulator Symposium
Dr. Christopher Burkle, Dr. Patricia Lindholm, Mr. Stuart Williams and Ruth Martinez attended the national Tri-Regulator Symposium in Frisco, Texas, on September 26 – 27, 2019. Content focused on artificial intelligence, effective data acquisition and risk-based regulation.

Attendees agreed that the Symposium was very informative, particularly the presentation on artificial intelligence. The Symposium was collaborative and provided ideas for a Minnesota Tri-Regulatory Symposium. The Minnesota Boards of Medical Practice, Nursing and Pharmacy previously hosted two state-based symposia, in 2016 and 2018.

Federation of State Medical Boards (FSMB) Board Attorney Workshop
Deputy Director Elizabeth Huntley and Complaint Review Unit Manager Kate Van Etta-Olson attended the FSMB Board Attorney Workshop in New Orleans, Louisiana, on November 7-8, 2019. Content included sessions on the corporate practice of medicine doctrine, common behaviors of addicted professionals, and the standard of care for experimental modalities.

Ms. Huntley thanked Board members for their support of staff to attend this workshop. It was very enriching and a nice reminder of how different and yet how similar the regulatory Boards are in structure and in how each Board receives legal counsel. Ms. Van Etta-Olson agreed with Ms. Huntley and added that it was nice to have more diversity in topics this year.

Ms. Martinez also expressed gratitude to the Board for supporting Board staff and Board members to participate in conferences, workshops, groups and coalitions. Participation enables the Board to stay engaged in discussions on healthcare delivery and regulation.

Center for Personalized Education for Professionals (CPEP)
On November 8, 2019, Bill O’Neill from CPEP met with Board staff to provide an overview of CPEP’s programs and services. His presentation helped new staff learn more about the program.
Dr. Bailey asked if the Board refers licensees to organizations other than CPEP, such as programs in Minnesota that may be less expensive for the licensee. Ms. Martinez responded that Board staff keep track of available programs and services through a Request for Proposals (RFP) process. The Board’s recommendations are determined case-by-case to match individual needs with appropriate services.

Minnesota Academy of Family Physicians (MAFP)
Ms. Martinez participated in a panel presentation, Family Physicians: What You Need to Know, on November 4, 2019, in Edina. Co-panelists included Warren Newton, MD, MPH, President and CEO of the American Board of Family Medicine, Julie Sonier, President of Minnesota Community Measurement, and Lisa Regehr, Director of CME Accreditation for MAFP.

INTERNAL CONTROLS
By July 31 of each year, the Board’s Executive Director and Board Chair are required to complete and submit to Minnesota Management and Budget (MMB) an Annual Internal Control System Certification and Control Environment Self-Assessment. As the Administering Board for the Health Professionals Services Program (HPSP), the Board also submits the Certification and Self-Assessment for HPSP.

On October 4, 2019, the Board received feedback from the (MMB) Internal Control and Accountability Unit noting that the Board submitted the required documents on time and provided strong documentation of its internal controls process and action plans, consistent with best practices. HPSP received similar feedback.

On October 9, 2019, Amy Jorgenson, CPA, Director of Enterprise Internal Controls and staff from the MMB Internal Control and Accountability Unit, met with HLB executives to present on and discuss best practices for internal controls.

Ms. Martinez will continue to educate herself, Board staff and Board members on how internal controls impact the Board. Ms. Martinez stated it was a good exercise to go through the 2019 internal controls reporting process.

OTHER BUSINESS
• Board Member Appointment Update
  Ms. Martinez and other HLB executive directors recently met with the Governor’s Policy Counsel to review legislative initiatives and to discuss concerns about the Board appointment process. The Governor’s staff was very receptive.

  Ms. Martinez acknowledged Minnesota Medical Association Policy Counsel Kari Winning, J.D., MHA, who has also communicated with the Governor’s office about the importance of Board member appointments.

  Ms. Martinez invited Board members to contact the Governor’s office to directly communicate the need for Board member appointments. She thanked Board members for their hard work, particularly with less than a full complement of appointees, to carry out their substantial duties.

• Small Agency Resource Team
  Effective November 13, 2019, the HLBs initiated a contract with the Small Agency Resource Team (SmART) at the Department of Administration for administrative services support, including financial and human resource support.
• **New Board Staff**  
Ms. Martinez introduced Licensure Case Manager Conrad Sexe, who attended the Board meeting, and welcomed Complaint Review Unit Medical Regulations Analyst Zachary Beare, who was not present at the meeting.

The Board took a 10-minute break.

**Agenda Item 10: 2020 Federation of State Medical Boards (FSMB) Annual Meeting**  
Ms. Martinez encouraged all Board members to plan to attend the FSMB Annual Meeting in San Diego, California, from April 30 – May 2, 2020. The FSMB Annual Meeting is a valuable way for Board members to become better acquainted, which contributes to their capacity to engage as a highly functioning Board.

Former Board member Joseph R. Willett, D.O., FACOI, is serving on the FSMB Board of Directors. Current Board member Stuart T. Williams, J.D., is serving on the FSMB Bylaws Committee.

• **Minnesota Welcome Reception:**  
Ms. Martinez provided a brief history of the Minnesota Welcome Reception. The Reception has historically been held Wednesday evening prior to the start of the FSMB Annual Meeting. Ms. Martinez asked the Board to consider whether it would like to continue hosting a reception. A motion was made and unanimously passed to host a Minnesota Welcome Reception at the FSMB 2020 Annual Meeting.

• **Call for Nominations:**  
Ms. Martinez informed the Board that there are elected positions to the FSMB Board of Directors and Nominating Committee. If any Board member is interested in campaigning for an elected office at the FSMB, the Board must nominate the individual and send a letter to the FSMB in support of the candidacy; the deadline is December 31, 2019.

Stuart T. Williams, J.D., noted that, in addition to elected positions, there are opportunities to be appointed to serve on FSMB standing committees. The FSMB also appoints workgroups and taskforces to examine issues that come up during the year.

Ms. Martinez noted that most of the workgroups, taskforces, and standing committees meet by telephone. Ms. Martinez asked that Board members interested in being considered to serve on a standing committee to please contact the FSMB or her. The FSMB incoming Chair of the Board of Directors will make committee assignments following the FSMB 2020 Annual meeting.

• **Resolutions:**  
Ms. Martinez provided a brief history of Minnesota’s resolutions and resolutions submitted to the FSMB by other states. Ms. Martinez invited Board members with a topic of interest for a resolution to bring it to the January 11, 2020, Board meeting for discussion. The deadline for resolutions is February 29, 2020. Ms. Martinez suggested that Board members could review previous FSMB agendas that include resolutions submitted to the FSMB.

• **Call for Nominations for FSMB Awards**  
Ms. Martinez asked Board members to notify her of any person who should be nominated by the Board for an FSMB award. Ms. Martinez noted that former Board members have been award recipients.
Agenda Item 11: 2020 Minnesota Tri-Regulatory Symposium
Ms. Martinez asked the Board to discuss whether to co-host a Minnesota 2020 Tri-Regulatory Symposium. The Boards of Medical Practice, Nursing and Pharmacy held Tri-Regulatory Symposia in June 2016 and June 2018.

Following Board discussion, a motion was made and unanimously passed to approve co-hosting a Minnesota 2020 Tri-Regulatory Symposium.

Ms. Martinez invited Board members to contact her with topic suggestions for the Symposium. Scope of practice was suggested.

Ms. Martinez will communicate with the Boards of Nursing and Pharmacy that the Board is interested in co-hosting a Symposium in 2020.

Agenda Item 12: Campaign Finance and Public Disclosure Form Completion Requirement
Ms. Martinez reminded Board members that they are required to complete a Campaign Finance and Public Disclosure form online between January 1 and January 31, 2020. A fine may be imposed against those who fail to comply. The form cannot be filled out prior to January 1, 2020.

Agenda Item 13: Election of Board Officers for 2020
The Nominating Committee consisting of Patricia J. Lindholm, M.D., FAAFP, John M. (Jake) Manahan, J.D., Cheryl L. Bailey, M.D., and Allen G. Rasmussen, M.A., met by teleconference on October 25, 2019, at 5:00 P.M.

The Committee nominated the following persons to the offices listed below:
- President: Maria K. Statton, M.D., Ph.D.
- Vice President: Kathryn D. Lombardo, M.D.
- Secretary: Hugh P. Renier, M.D., FAAFP
- Voting Delegate to the Federation: Patricia J. Lindholm, M.D., FAAFP
- Alternate Voting Delegate to the Federation: Allen G. Rasmussen, M.A.

Mr. Rasmussen asked for any additional nominations for 2020 Board Officers. There were none.

Motions were separately made to close nominations and cast a unanimous ballot for each Board officer candidate and voting delegate/alternate voting delegate to the Federation. All motions passed unanimously.

Mr. Rasmussen thanked the Nominating Committee and congratulated the newly elected Board Officers.

Agenda Item 14: Interstate Medical Licensure Compact Commissioner Appointments
Ms. Martinez and Dr. Townley’s Interstate Medical Licensure Compact Commissioner Appointments expire on January 6, 2020.

Dr. Townley is not seeking reappointment and recommended appointment of Mr. Manahan as his replacement as an IMLC Commissioner. Ms. Martinez expressed interest in continuing to serve as an IMLC Commissioner. No other Board members expressed interest in serving as IMLC Commissioners.

A motion was made and unanimously passed to recommend Mr. Manahan and Ms. Martinez to the Governor’s Office for appointment as IMLC Commissioners.
Agenda Item 16: Establish 2020 Board Meeting Dates
Agenda Item 15 was presented after agenda item 16.

Mr. Rasmussen presented the 2020 Board meeting dates.

A motion was made and passed unanimously to accept the following Board meeting dates:

**REGULAR BOARD MEETINGS**
- January 11
- March 14
- May 9
- July 11
- September 12
- November 14

**CONTESTED CASE DATES**
- February 8
- April 11
- June 13
- August 8
- October 10
- December 12

Agenda Item 15: Appointees to Advisory Committees, Task Forces and Workgroups
Mr. Rasmussen appointed representatives to the following advisory committees, taskforces and workgroups:

- **Prescription Monitoring Program (PMP) Advisory Task Force**
  Kathryn Lombardo, M.D., was reappointed as the Board’s representative and Maria K. Statton, M.D., Ph.D., was appointed to serve as the alternate. Mr. Rasmussen suggested that the sitting President of the Board should serve as the alternate.

- **Health Professionals Services Program – Program Committee**
  Mr. Rasmussen will remain the Board’s representative and Executive Director Ruth Martinez, M.A., was reappointed as the alternate.

- **State Opioid Oversight Project (SOOP) Work Group**
  Dr. Lombardo was reappointed as the Board representative. Ms. Martinez was reappointed as the alternate.

- **Council of Health Boards**
  Dr. Statton was appointed as the Board’s representative and Ms. Martinez was reappointed as the alternate.

- **Minnesota Healthcare-Associated Infection Prevention Advisory Group**
  Complaint Review Unit Manager Kate Van Etta-Olson was reappointed as the Board’s representative.

Agenda Item 17: New Business
Mr. Williams expressed concern that the Board may be unable to convene a quorum to conduct business in 2020. With two additional terms expiring in January 2020, the Board will have only nine Board members. Mr. Williams encouraged Board members to continue serving after January 2020 until new Board members are appointed.

Dr. Bailey suggested that Board members notify Governor Walz that the Board may not be able to function in 2020 without new Board member appointments.
Agenda Item 18: Corrective or Other Actions
Corrective and other actions were presented for Board information only.

Mr. Rasmussen adjourned the public session.
The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Allen G. Rasmussen, M.A., President; Maria K. Statton, M.D., Ph.D., Vice President; Cheryl L. Bailey, M.D.; Christopher M. Burkle, M.D., J.D., FCLM; Patricia J. Lindholm, M.D., FAAFP; John M. (Jake) Manahan, J.D.; Hugh P. Renier, M.D., FAAFP; Kimberly W. Spaulding, M.D., M.P.H.; Maria K. Statton, M.D., Ph.D.; Patrick R. Townley, M.D., J.D.; and Stuart T. Williams, J.D.

**SHARYN L. BARNEY, M.D.**
On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for voluntary surrender signed by Dr. Barney.

**ANNIE L. BURTON, M.D.**
On recommendation of the Complaint Review Committee, the Board approved the Order of Unconditional License.

**STANLEY C. GALLAGHER, D.O.**
On recommendation of the Complaint Review Committee, the Board approved the Order of Unconditional License.

**NAIYER IMAM, M.D.**
On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for reprimand signed by Dr. Imam.

**NANCY A.J. KERMATH, M.D.**
On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for indefinite suspension signed by Dr. Kermath.

**DIETRICH R. LAWRENZ, M.D.**
On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for stayed suspension, reprimand, and conditioned license signed by Dr. Lawrenz.

**DEBORAH M. NOWAK, M.D.**
On recommendation of the Complaint Review Committee, the Board approved the Order of Unconditional License.

**SEAN T. O'GRADY, M.D.**
On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for stayed suspension and conditioned license signed by Dr. O'Grady.

**MICHAEL A. PAOLINI, II, M.D.**
On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for voluntary surrender signed by Dr. Paolina, II. Dr. Townley recused.

**PHILLIP P. SCHWEND, D.O.**
On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for reprimand and conditioned license signed by Dr. Schwend.

**TROY J. SHELTON, M.D.**
On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for reprimand signed by Dr. Shelton.
MATTHEW G. THORSON, M.D.
On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for reprimand and conditioned license signed by Dr. Thorson.

Kathryn D. Lombardo, M.D.
Secretary
MN Board of Medical Practice

Date: December 30, 2019
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION: For information only

MOTION BY: ___________________ SECOND: ___________________

( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

At each public Board meeting, time is allowed for comments from members of the public regarding the current Board agenda. Each member of the public is allowed one minute for comment.
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

For information only and in appreciation of Board service.

MOTION BY: ___________________  SECOND: ______________________________
( ) PASSED  ( ) PASSED AMENDED  ( ) LAYED OVER  ( ) DEFEATED

BACKGROUND:

Dr. Statton will present a Board Service Plaque to Irshad H. Jafri, M.D., B.S., FACP.

Dr. Jafri served on the Board for two consecutive terms, from 2012 to 2019. During his Board service, Dr. Jafri served on all of the Board’s standing Committees; Complaint Review, Licensure and Policy & Planning. Dr. Jafri also served as the Board Secretary from January 2016 through December 2016.
REQUESTED ACTION:

For information only and in appreciation of Board service.

MOTION BY: ___________________ SECOND: ___________________

(  ) PASSED      (  ) PASSED AMENDED     (  ) LAYED OVER     (  ) DEFEATED

BACKGROUND:

Dr. Statton will present a Board Service Plaque to Gerald T. Kaplan, MA, LP.

Mr. Kaplan previously served on the Board from 2000 to 2004. Most recently he served two consecutive terms from 2011 to 2019.

During his most recent Board service, Mr. Kaplan served on the Complaint Review and Policy & Planning Committees. Mr. Kaplan served as Vice President of the Board from January 2016 through December 2016 and President of the Board from January 2017 through December 2017. He also served at the national level on the Federation of State Medical Boards' Ethics & Professionalism Committee from May 2013 through April 2016 and on the Awards Committee from May 2017 through April 2018.
DATE: January 11, 2020
SUBJECT: Presentation from the Attorney General’s Office by Assistant Attorney General David Cullen

SUBMITTED BY: Maria K. Statton, M.D., Ph.D., Board President

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:
For information only.

MOTION BY: _____________________SECOND: _____________________
( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:
Assistant Attorney General David Cullen will provide a presentation to the Board.
DATE: January 11, 2020
SUBJECT: Report of New Credentials

SUBMITTED BY: Licensure Committee

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:
For informational purposes only.

MOTION BY: SECOND:
( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:
For information only, attached are listings of new credentials issued from November 4, 2019 to January 2, 2020.
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</tr>
<tr>
<td>Hazel, Rebecca Lee</td>
<td>Traditional Midwife</td>
</tr>
</tbody>
</table>
REQUESTED ACTION:

For informational purposes only.

MOTION BY: SECOND:

( ) PASSED  ( ) PASSED AMENDED  ( ) LAYED OVER  ( ) DEFEATED

BACKGROUND:

See attached November 9, 2019 Licensure Committee Meeting Minutes.
LICENSURE COMMITTEE MEETING MINUTES
Minnesota Board of Medical Practice
University Park Plaza, 2829 University Avenue SE, Suite 500
Minneapolis, MN 55414-3246
NOVEMBER 9, 2019

FINAL MINUTES

The Licensure Committee ("Committee") met on November 9, 2019 at 7:30 AM in the Board of Medical Practice conference room.

Committee Members Present: Kimberly Spaulding, M.D., M.P.H., Jake Manahan, J.D., and Hugh Renier, M.D., FAAFP

Others Present: Greg Schaefer, Assistant Attorney General; Ruth Martinez, Elizabeth Huntley, Jada Fehn, Elizabeth Larson, and Conrad Sexe, Board staff

ADMINISTRATIVE ISSUES:

The remaining meeting date for 2019 is scheduled on December 12 at 1:00 PM.

Physicians Requesting Resigned/Inactive Status: For information only, the Committee was provided with a list of 13 requests.

Respiratory Therapists Requesting Resigned/Inactive Status: For information only, the Committee was provided with one request.

Physicians Requesting Cancellation of License While Under Discipline: For information only, the Committee was provided with one request.

Physician Assistants Requesting Cancellation of License While Under Discipline: For information only, the Committee was provided with one request.

The Committee closed the public session and moved to executive session.
DATE: January 11, 2020  SUBJECT: Licensure Committee Meeting Minutes

SUBMITTED BY: Licensure Committee

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:
For informational purposes only.

MOTION BY:  SECOND:
( ) PASSED  ( ) PASSED AMENDED  ( ) LAYED OVER  ( ) DEFEATED

BACKGROUND:
See attached December 12, 2019 Licensure Committee Meeting Minutes.
The Licensure Committee ("Committee") met on December 12, 2019 at 1:00 PM in the Board of Medical Practice conference room.

Committee Members Present: Hugh Renier, M.D., FAAFP, Jake Manahan, J.D., and Kathy Lombardo, M.D.

Others Present: Greg Schaefer, Assistant Attorney General; Ruth Martinez, Jada Fehn, Elizabeth Larson, and Conrad Sexe, Board staff

**ADMINISTRATIVE ISSUES:**

The first meeting date for 2020 is scheduled on January 11 at 7:30 AM.

**Physicians Requesting Resigned/Inactive Status:** For information only, the Committee was provided with a list of four requests.

The Committee closed the public session and moved to executive session.
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Appoint the following people to three-year terms to the Acupuncture Advisory Council with terms ending January 1, 2023:

Acupuncture Practitioner #1:
Gary (Steve) Compton, LAc

Acupuncture Practitioner #2:
Deborah Zurcher, LAc, DC

MOTION BY: SECOND:
( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

Advisory Council on Acupuncture members are appointed to three-year terms (Minn. Stat. § 147B.05). The following Council members’ terms expired on January 6, 2020.

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gary (Steve) Compton</td>
<td>Acupuncture Practitioner Member #1</td>
</tr>
<tr>
<td>Elizabeth Kelly</td>
<td>Acupuncture Practitioner Member #2</td>
</tr>
</tbody>
</table>

One application was received for the acupuncture practitioner seat #1:
Gary (Steve) Compton, LAc (incumbent)

One application was received for the acupuncture practitioner seat #2:
Deborah Zurcher, LAc, DC

The Licensure Committee is recommending Mr. Gary (Steve) Compton and Ms. Deborah Zurcher for appointment to the Council.

See attached applications.
Application for the position Acupuncture Practitioner

Part I: Position Sought

Agency Name: Acupuncture Advisory Council
Position: Acupuncture Practitioner

Part II: Applicant Information

Name: Gary Compton
Phone: 
Mailing Address: 
Email: 
County: Hennepin
Felony Conviction: No
Mn House District: 63A
US House District: 5
Recommended by the Appointing Authority: True

Part III: Appending Documentation

Cover Letter and Resume

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<tbody>
<tr>
<td>Cover Letter</td>
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<tr>
<td>Resume</td>
<td>application/vnd.openxmlformats-officedocument.wordprocessingml.document</td>
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Additional Documents (.doc, .docx, .pdf, .txt)

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</tbody>
</table>
Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian
Political Party: No Party Preference
Age:
Gender: Male
Disability: No
Hispanic, Latino or Spanish origin: No Answer

Part V: Signature

Signature: Gary Steven Compton
Date: 11/6/2019 5:13:46 PM
Application for the position Acupuncture Practitioner

Part I: Position Sought

Agency Name: Acupuncture Advisory Council
Position: Acupuncture Practitioner

Part II: Applicant Information

Name: Deborah Zurcher
Phone:
Mailing Address:
Email:
County: Carver
Felony Conviction: No
Mn House District: 47A
US House District: 3
Recommended by the Appointing Authority: False

Part III: Appending Documentation

Cover Letter and Resume

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<td>Resume</td>
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Additional Documents (.doc, .docx, .pdf, .txt)

Type | File Name
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https://commissionsandappointments.sos.state.mn.us/ApplicationAdditionalDocument/ApplicationFinal/25153
Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian
Political Party: No Answer
Age:,
Gender: Female
Disability: No
Hispanic, Latino or Spanish origin: No

Part V: Signature

Signature: Deborah Zurcher
Date: 11/2/2019 10:24:48 AM
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Appoint the following people to four-year terms to the Advisory Council on Athletic Training, with terms ending January 1, 2024:

Athletic Trainer #3:
Andrea Allyn, AT, MBA

Athletic Trainer/Physical Therapist:
Jaynie Bjornaraa, AT, PT, PhD, MPH

Public Member #1:
Alexander Adams

MOTION BY: SECOND:
( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

Advisory Council on Athletic Training members are appointed to four-year terms (Minn. Stat. § 148.7805). The following Council members' terms expired on January 1, 2020.

<p>|</p>
<table>
<thead>
<tr>
<th>Council Member</th>
<th>Position</th>
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<tbody>
<tr>
<td>Andrea Allyn</td>
<td>Athletic Trainer Member #3</td>
</tr>
<tr>
<td>Jaynie Bjornaraa</td>
<td>Athletic Trainer/Physical Therapist Member</td>
</tr>
<tr>
<td>Kenji Sudoh</td>
<td>Physician Member</td>
</tr>
<tr>
<td>Alexander Adams</td>
<td>Public Member #1</td>
</tr>
</tbody>
</table>

Two applications were received for the athletic trainer seat #3:
• Robert Broxterman, AT, MS
• Andrea Allyn, AT, MBA (incumbent)

One application was received for the athletic trainer/physical therapist seat:
Jaynie Bjornaraa, AT, PT, PhD, MPH (incumbent)

One application was received for the public member seat #1:
Alexander Adams (incumbent)
The Licensure Committee is recommending Ms. Andrea Allyn, Ms. Jaynie Bjornaraa, and Mr. Alexander Adams for appointment to the Council.

See attached applications.
Application for the position Licensed Athletic Trainer

Part I: Position Sought

Agency Name: Athletic Trainer's Advisory Council
Position: Licensed Athletic Trainer

Part II: Applicant Information

Name: Robert John Broxterman
Phone:
Mailing Address:
Email:
County: Ramsey
Felony Conviction: No
Mn House District: No Answer
US House District: No Answer
Recommended by the Appointing Authority: False

Part III: Appending Documentation

Cover Letter and Resume

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<tbody>
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Additional Documents (.doc, .docx, .pdf, .txt)

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</table>
Part IV: Optional Statistical Information

Race and Natural Origin: No Answer
Political Party: No Answer
Age: 
Gender: Male
Disability: No Answer
Hispanic, Latino or Spanish origin: No Answer

Part V: Signature

Signature: Robert J. Broxtermann
Date: 1/14/2019 1:42:24 PM

AGENCY DETAILS

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Subscribe for email updates!
Application for the position Licensed Athletic Trainer

Part I: Position Sought

Agency Name: Athletic Trainer's Advisory Council  
Position: Licensed Athletic Trainer

Part II: Applicant Information

Name: Andrea Nelson Allyn  
Phone: 
Mailing Address: 
Email: 
County: Douglas  
Felony Conviction: No  
Mn House District: 128  
US House District: 7  
Recommended by the Appointing Authority: True

Part III: Appending Documentation

Cover Letter and Resume

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<tbody>
<tr>
<td>Resume</td>
<td>application/msword</td>
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</tbody>
</table>

No additional documents found.
Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian
Political Party: No Answer
Age:
Gender: Female
Disability: No
Hispanic, Latino or Spanish origin: No Answer

Part V: Signature

Signature: Andrea Nelson Allyn
Date: 11/19/2019 10:56:52 AM
Application for the position Licensed Athletic Trainer

Part I: Position Sought

Agency Name: Athletic Trainer’s Advisory Council
Position: Licensed Athletic Trainer

Part II: Applicant Information

Name: Jaynie Bjornaraa
Phone: (
Mailing Address: 
Email: 
County: Hennepin
Felony Conviction: No
Mn House District: 61B
US House District: 5
Recommended by the Appointing Authority: False

Part III: Appending Documentation

Cover Letter and Resume

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</table>
Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian
Political Party: No Party Preference
Age: 
Gender: Female
Disability: No
Hispanic, Latino or Spanish origin: No

Part V: Signature

Signature: Jaynie Bjornaraa
Date: 12/3/2019 4:10:29 PM
Application for the position Public Member

Part I: Position Sought

Agency Name: Athletic Trainer's Advisory Council
Position: Public Member

Part II: Applicant Information

Name: Alexander Adams
Phone:
Mailing Address:
Email:
County: Hennepin
Felony Conviction: No
Mn House District: 598
US House District: 5
Recommended by the Appointing Authority: False

Part III: Appending Documentation

Cover Letter and Resume

Additional Documents {.doc, .docx, .pdf, .txt)

Type
File Name

No additional documents found.
Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian
Political Party: Democratic-Farm-Labor
Age: 
Gender: Male
Disability: No
Hispanic, Latino or Spanish origin: No Answer

Part V: Signature

Signature: Alexander Adams
Date: 11/8/2019 10:18:18 AM
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Appoint the following people to four-year terms to the Advisory Council on Licensed Traditional Midwifery, with terms ending January 1, 2024:

Midwife Member #3:
Kathryn Hogan, LTM, CPM

Midwife Member #1:
Tavniah Betts, LTM, CPM, MPH

BACKGROUND:

Advisory Council on Licensed Traditional Midwifery members are appointed to four-year terms (Minn. Stat.§ 147D.25). The following Council members’ terms expired on January 1, 2020.

Council Member | Position
--- | ---
Kathryn Hogan | Midwife Member #3
Tavniah Betts | Midwife Member #1

One application has been received for the midwife member seat #3:
Kathryn Hogan, LTM, CPM (incumbent)

One application has been received for the midwife member seat #1
Tavniah Betts, LTM, CPM, MPH (incumbent)

The Licensure Committee is recommending Ms. Kathryn Hogan and Ms. Tavniah Betts for appointment to the Council.

See attached applications.
Application for the position Licensed Traditional Midwife

Part I: Position Sought

*Agency Name:* Advisory Council On Licensed Traditional Midwifery
*Position:* Licensed Traditional Midwife

Part II: Applicant Information

*Name:* Kathryn Hogan
*Phone:* 
*Mailing Address:* 
*Email:* 
*County:* Hennepin
*Felony Conviction:* No
*Mn House District:* 63A
*US House District:* 5
*Recommended by the Appointing Authority:* False

Part III: Appending Documentation

Cover Letter and Resume

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<tr>
<td>Resume</td>
<td>application/pdf</td>
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</tbody>
</table>

Additional Documents (.doc, .docx, .pdf, .txt)
Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian
Political Party: No Answer
Age: 
Gender: Female
Disability: No
Hispanic, Latino or Spanish origin: No

Part V: Signature

Signature: Kathryn Hogan
Date: 11/14/2019 5:36:27 PM
Application for the position Licensed Traditional Midwife

Part I: Position Sought

Agency Name: Advisory Council On Licensed Traditional Midwifery  
Position: Licensed Traditional Midwife

Part II: Applicant Information

Name: Tavniah Leigh Betts  
Phone:  
Mailing Address::  
Email: ia.  
County: St. Louis  
Felony Conviction: No  
Mn House District: 07A  
US House District: 8  
Recommended by the Appointing Authority: True

Part III: Appending Documentation

Cover Letter and Resume

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<tbody>
<tr>
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<tr>
<td>Resume</td>
<td>application/pdf</td>
</tr>
</tbody>
</table>

Additional Documents (.doc, .docx, .pdf, .txt)
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No additional documents found.

**Part IV: Optional Statistical Information**

- **Race and Natural Origin:** No Answer
- **Political Party:** No Answer
- **Age:**
- **Gender:** No Answer
- **Disability:** No Answer
- **Hispanic, Latino or Spanish origin:** No Answer

**Part V: Signature**

- **Signature:** Tavniah Betts
- **Date:** 11/21/2019 4:38:37 PM
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Appoint the following person to a two-year term to the Registered Naturopathic Doctor Advisory Council, with a term ending July 31, 2021:

Naturopathic Doctor Member #1:
Amy Johnson-Grass, ND

MOTION BY: [Blank] SECOND: [Blank]

( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

Registered Naturopathic Doctor Advisory Council members are appointed to two-year terms (Minn. Stat. § 147E.35). The following Council members' terms expired on July 31, 2019.

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lee Aberle, ND</td>
<td>Naturopathic Doctor Member #5</td>
</tr>
<tr>
<td>Amy Johnson-Grass, ND</td>
<td>Naturopathic Doctor Member #1</td>
</tr>
</tbody>
</table>

One application has been received for the naturopathic doctor seat #1:
Amy Johnson-Grass, ND (incumbent)

The Licensure Committee is recommending Dr. Amy Johnson-Grass for appointment to the Council.

See attached application.
Application for the position Registered Naturopathic Doctor

Part I: Position Sought

Agency Name: Registered Naturopathic Doctor Advisory Council
Position: Registered Naturopathic Doctor

Part II: Applicant Information

Name: Amy Johnson-grass
Phone:
Mailing Address:
Email:
County: Ramsey
Felony Conviction: No
Mn House District: 65A
US House District: 4
Recommended by the Appointing Authority: True

Part III: Appending Documentation

Cover Letter and Resume

<table>
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</thead>
<tbody>
<tr>
<td>Cover Letter</td>
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</tr>
<tr>
<td>Resume</td>
<td>application/msword</td>
</tr>
</tbody>
</table>

Additional Documents (.doc, .docx, .pdf, .txt)
A page from a document containing an application's details. The page includes:

- **Type**: Various fields such as Race and Natural Origin, Political Party, Age, Gender, Disability, and Hispanic, Latino or Spanish origin.

- **Part IV: Optional Statistical Information**: Various demographic details are listed, including:
  - Race and Natural Origin: Other
  - Political Party: Other
  - Age: No Answer
  - Gender: No Answer
  - Disability: No Answer
  - Hispanic, Latino or Spanish origin: No Answer

- **Part V: Signature**: The application is signed by Amy Johnson-Grass on 10/16/2019 2:01:15 PM.
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Appoint the following people to four-year terms to the Physician Assistant Advisory Council, with terms ending January 1, 2024:

Physician Assistant #3:
Ashlea McLeod, PA

Physician #1:
Paul Haller, MD

MOTION BY: SECOND:

( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

Physician Assistant Advisory Council members are appointed to four-year terms (Minn. Stat. § 147A.27). The following Council members' terms expired on January 1, 2020.

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashlea McLeod, PA</td>
<td>Physician Assistant Member #3</td>
</tr>
<tr>
<td>Paul Haller, MD</td>
<td>Physician Member #1</td>
</tr>
<tr>
<td>Ruth Rinker</td>
<td>Public Member</td>
</tr>
</tbody>
</table>

One application has been received for the physician assistant seat #3:
Ashlea McLeod, PA (incumbent)

One application has been received for the physician seat #1:
Paul Haller, MD (incumbent)

The Licensure Committee is recommending Ms. Ashlea McLeod and Dr. Paul Haller for appointment to the Council.

See attached applications.
Application for the position Physician Assistant

Part I: Position Sought

Agency Name: Physician Assistant Advisory Council
Position: Physician Assistant

Part II: Applicant Information

Name: Ashlea McLeod
Phone:
Mailing Address:
Email:
County: Olmsted
Felony Conviction: No
Mn House District: 26B
US House District: 1
Recommended by the Appointing Authority: False

Part III: Appending Documentation

Cover Letter and Resume

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<tbody>
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<td>Resume</td>
<td>application/pdf</td>
</tr>
</tbody>
</table>

Additional Documents (.doc, .docx, .pdf, .txt)

Type | File Name
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No additional documents found.

Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian
Political Party: No Party Preference
Age: 
Gender: Female
Disability: No
Hispanic, Latino or Spanish origin: No Answer

Part V: Signature

Signature: Ashlea Mcleod, PA-C
Date: 11/5/2019 9:23:31AM

AGENCY DETAILS

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Application for the position Physician Member

Part I: Position Sought

Agency Name: Physician Assistant Advisory Council
Position: Physician Member

Part II: Applicant Information

Name: Dr. Paul Richard Haller
Phone: 
Mailing Address: 
Email: 
County: Hennepin
Felony Conviction: No
Mn House District: 628
US House District: 5
Recommended by the Appointing Authority: False

Part III: Appending Documentation

Cover Letter and Resume

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<tbody>
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</table>
Part IV: Optional Statistical Information

Race and Natural Origin: No Answer
Political Party: No Answer
Age:
Gender: Male
Disability: No
Hispanic, Latino or Spanish origin: No

Part V: Signature

Signature: Paul Haller
Date: 11/2/2019 4:07:23 PM
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Appoint the following people to four-year terms to the Advisory Council on Respiratory Therapy, with a term ending January 1, 2024:

Respiratory Therapist Member #3:
Russell Drangeid, RT

Physician Member #1:
Erica Kuhlmann, DO

MOTION BY: SECOND:

( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

Advisory Council on Respiratory Therapy members are appointed to four-year terms (Minn. Stat. § 147C.35). The following Council members’ terms expired on January 1, 2020.

Council Member Position
Russell Drangeid, RT Respiratory Therapist Member #3
Jennifer Doyle Public Member #2
Krista Graven, MD Physician Member #2

The following Council member’s seat expired on January 1, 2019, but was vacated.

Council Member Position
Robert Kempainen Physician Member #1

The following Council member’s seat expires on January 1, 2023, but was vacated.

Council Member Position
John Boatright, RT Respiratory Therapist Member #2

One application has been received for the respiratory therapist member seat #3: Russell Drangeid, RT (incumbent)
One application has been received for the physician member seat #1:
Erica Kuhlmann, DO

The Licensure Committee is recommending Mr. Russell Drangeid and Dr. Erica Kuhlmann for appointment to the Council.

See attached applications.
Application for the position Respiratory Therapist

Part I: Position Sought

Agency Name: Respiratory Care Advisory Council
Position: Respiratory Therapist

Part 11: Applicant Information

Name: Russell Drangeid
Phone: 
Mailing Address: 
Email: 
County: Sherburne
Felony Conviction: No
Mn House District: 30A
US House District: 6
Recommended by the Appointing Authority: False

Part III: Appending Documentation

Cover Letter and Resume

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No additional documents found.
Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian
Political Party: Republican
Age:
Gender: Male
Disability: No
Hispanic, Latino or Spanish origin: No

Part V: Signature

Signature: Russell Drangeid
Date: 11/5/2019 12:06:02 PM
Application for the position Physician

Part I: Position Sought

Agency Name: Respiratory Care Advisory Council
Position: Physician

Part II: Applicant Information

Name: Erica Kuhlmann
Phone: 
Mailing Address: 
Email: 
County: Hennepin
Felony Conviction: No
Mn House District: 60A
US House District: 5
Recommended by the Appointing Authority: False

Part III: Appending Documentation

Cover Letter and Resume

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</table>
Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian
Political Party: No Answer
Age: 
Gender: Female 
Disability: No 
Hispanic, Latino or Spanish origin: No

Part V: Signature

Signature: Erica Kuhlmann 
Date: 11/1/2019 10:03:42 AM
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Approve the actions of the Policy & Planning Committee.

MOTION BY: SECOND:

( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

DATE: January 11, 2020                 SUBJECT: Health Professionals Services Program
                                               (HPSP) Program Committee Report

SUBMITTED BY: Allen G. Rasmussen, M.A.

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

For information only.

MOTION BY: SECOND:

( ) PASSED   ( ) PASSED AMENDED   ( ) LAYED OVER   ( ) DEFEATED

BACKGROUND:

Mr. Rasmussen is the Board’s representative and Chair of the Health Professionals Services Program (HPSP) Program Committee. Attached is his report of the November 12, 2019, HPSP Program Committee meeting.
The Health Professionals Services Program (HPSP) Program Committee met on Tuesday, November 12, 2019. Of the 18 Minnesota Health Related Licensing Boards, 10 were represented at the meeting (see attached minutes).

HPSP Program Manager Monica Feider, MSW, LICSW, notified committee members that 2020 Program Committee appointments need to be made by the Boards by January 1, 2020.

Ms. Feider presented the Mission Statement of HPSP and asked Program Committee members to consider its accuracy and continuous relevance (see attached minutes). Discussion followed and a decision was tabled. A taskforce was appointed by Chair Rasmussen to study the Mission Statement and bring recommendations back to the Program Committee. Members of the taskforce are:

- Jae Hyun Shim, Chair
- James Bialke
- Kathy Polhamus
- Samuel Sands

HPSP Case Manager Kimberly Zillmer, BA, LADC, will staff the taskforce. (Inclusion & Diversity process in Minnesota document is attached.)

The updated HPSP Manual will be considered at the February 11, 2020, meeting after final review by Ruth Martinez, M.A.

Tracy Erfourth presented a fictional example of how HPSP manages non-compliance with toxicology screens (presentation attached).

Samuel Sands, the Executive Director of the Board of Psychology and Chair of the Executive Directors (ED) Forum, reported that the ED Forum met on September 10 and October 1, 2019 (report attached).

The Program Committee was provided the results of HPSP’s Annual Survey of Executive Directors. All responses were positive (see attached).

The next meeting of the HPSP Program Committee is scheduled for Tuesday, February 11, 2010, at 10:00 A.M.

Respectfully Submitted,

Allen Rasmussen
HPSP Program Committee Chair
MEMBERS IN ATTENDANCE:

<table>
<thead>
<tr>
<th>P.C. Member</th>
<th>Board</th>
<th>Present</th>
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<tbody>
<tr>
<td>Jae Hyun Shim</td>
<td>Behavioral Health</td>
<td>X</td>
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<tr>
<td>Kim Hill</td>
<td>Chiropractic Examiners</td>
<td>X</td>
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<tr>
<td>Randy Snyder</td>
<td>Nursing Home Admin.</td>
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<td>Ruth Dahl</td>
<td>Dentistry</td>
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<tr>
<td>Nestor Riano</td>
<td>Chiropractic Examiners</td>
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<tr>
<td>Laura McGrath</td>
<td>Occupational Therapy</td>
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<tr>
<td>Patricia Jo Forsberg</td>
<td>Dept. Health</td>
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<tr>
<td>Margaret Schreiner</td>
<td>Dietetics and Nutrition</td>
<td>X</td>
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<td>Mollie Simpson</td>
<td>Emergency Services</td>
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<td>James Bialke</td>
<td>Pharmacy</td>
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<td>Jennifer Mohlenhoff</td>
<td>Marriage and Family</td>
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<tr>
<td>Margaret Schreiner</td>
<td>Pediatric Medicine</td>
<td>X</td>
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<tr>
<td>Allen Rasmussen</td>
<td>Medical Practice</td>
<td>X</td>
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<tr>
<td>Kathy Polhamus</td>
<td>Physical Therapy</td>
<td>X</td>
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<tr>
<td>Michelle Harker</td>
<td>Nursing</td>
<td>X</td>
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<tr>
<td>Samuel Sands</td>
<td>Psychology</td>
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<td>Laura McGrath</td>
<td>Social Work</td>
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<td>Lauri Warner</td>
<td>Veterinary Medicine</td>
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OTHERS IN ATTENDANCE: Monica Feider, Tracy Erfourth, Marilyn Miller, Laura Carlisle, Kimberly Zillmer, Lisa Solberg, and Alicia Gonzales (HPSP staff) and Daniella Filardo, Board of Occupational Therapy Practitioners.

AGENDA:

I. **Convene and Introductions:** Allen Rasmussen convened the meeting at 10:03 a.m. and introductions were made. Ms. Feider introduced Lisa Solberg as HPSP’s new case manager.

II. **Review of Minutes:** The minutes from the August 13, 2019, Program Committee meeting were approved.

III. **Review of Agenda:** The agenda was approved with an addition of Monica Feider providing a summary of the annual survey of executive directors.

IV. **Announcement – Appointments to HPSP Program Committee:** Ms. Feider reported that the health licensing board executive directors were notified that appointments need to be made to the HPSP Program Committee by January 1, 2020. Appointments are for one-year terms.

V. **Discussion – HPSP Mission:** Ms. Feider read the HPSP mission statement.

Minnesota's Health Professionals Services Program protects the public by providing monitoring services to regulated health care professionals whose illnesses may impact their ability to practice safely.

Ms. Feider asked Committee members whether they feel it is still accurate or needs to be updated. Ruth Dahl stated that the mission statement does not fully communicate all of HPSP’s functions. Discussion ensued about whether HPSP should develop a vision statement or a values statement. The discussion about the mission statement was tabled until additional work is done on developing a statement on inclusion and diversity.

VI. **Discussion – Inclusion and Diversity:** Ms. Feider provided an overview of some of the efforts being made by Governor Walz’ administration to address inclusion and diversity. Margaret Schreiner noted that the energy industry is addressing these issues. James Bialke noted that inclusion and diversity have transformed healthcare. After further discussion, it was determined that a task force would be developed to address
how HPSP can support diversity and inclusion in its workforce and ensure participants from all backgrounds are treated with respect and are guided toward services that reflect their differences whenever possible. The task force will be led by Jae Hyun Shim. James Bialke, Kathy Polhamus, and Sam Sands volunteered to participate on the taskforce. Kimberly Zillmer will staff the taskforce.

VII. **Announcement – HPSP Manual:** Ms. Feider noted that she will forward the updated HPSP Manual to Ruth Martinez for final review prior to distribution ahead of the February 11, 2020 meeting.

VIII. **Case Review:** Tracy Erfourth provided a fictional example of how HPSP manages non-compliance with toxicology screens. Members discussed the challenges associated with taking disciplinary action due to screening non-compliance.

IX. **Report - Survey of Executive Directors:** Ms. Feider provided the Committee with the results of HPSP’s annual survey of executive directors. She stated that all of the ratings about HPSP services were positive and within the “strongly agree” or “agree” ranges. An executive director asked that HPSP look at additional ways to ensure participants clearly understand the terms of monitoring. Ms. Feider agreed.

X. **Executive Director’s Forum:** Sam Sands, Executive Director of the Board of Psychology and Chair of the Executive Directors Forum, reported that:
   a. The Forum met on September 10 and October 1, 2019.
   b. ASU: The HLBs have transitioned to using SmART (Small Agency Resource Team) for financial management reporting services.
   c. The transition to using SmART for human resource services will begin in January 2020.

XI. **Adjourn** – Meeting adjourned at 11:23 a.m. The next meeting is scheduled for February 11, 2020.

*Thank you for your participation on the Program Committee.\nMinutes respectfully submitted by the staff of the HPSP.*
INCLUSION & DIVERSITY

What does it mean?
Why is it important?
What can we do?
To understand the importance of inclusion, we must first identify our differences.
What are our differences?

- Race
- Religion
- Gender
- Gender identity
- Sexual orientation
- Ethnic identity
- Country of origin
- Political party
- Geography
- Language
- Disability
- Appearance
- Age
- Level of education
- Socio-economic class
- Public assistance status
- Criminal history
- Veteran status
- Zip code
Minnesota is a leader:

Governor Tim Walz and Lieutenant Governor Peggy Flanagan today announced the hiring of Chris Taylor as the **Chief Inclusion Officer**

April 22, 2019

**About the Chief Inclusion Officer**

The Chief Inclusion Officer will help provide direction to advance the work of diversifying employees and appointments, improve employee retention, expand government contracts with diverse businesses, create equitable policies, programs, and community engagement, and fulfill the Administration’s commitment to become one of the best employers in the State of Minnesota. The Officer will also oversee the One Minnesota Council on Diversity, Inclusion, and Equity established by Governor Walz’s first executive order.

The Chief Inclusion Officer position was created in 2016 by the Dayton Administration. The role, while still housed in the Governor’s Office, has been elevated to Assistant Commissioner status.

[https://mn.gov/governor/news/?id=1055-381497](https://mn.gov/governor/news/?id=1055-381497)
Minnesota is a leader:

Governor Walz Convenes First Meeting of the One Minnesota Council for Inclusion and Equity
September 5, 2019

“I am committed to the values of One Minnesota at every level of state government,” said Governor Walz. “The Council exists to help ensure every action by our administration is done through the lens of One Minnesota. Disparities in Minnesota, including those based on race, geography, and economic status, are unacceptable. We must work every day so that every person who lives in our state can reach their full potential.”

https://mn.gov/governor/news/?id=1055-401958
Minnesota is a leader:

**MnDOT:** http://www.dot.state.mn.us/diversity-inclusion/

**Dept. of Health:**
https://www.health.state.mn.us/communities/practice/resources/equitylibrary/aecf-mission.html

**Dept. of Management and Budget:**
Training: https://mn.gov/mmb/etd/diversity-inclusion/
MnDOT Statement:

An inclusive, diverse environment

MnDOT recognizes the many benefits of a workplace environment that values and embraces individual differences. In fact, diversity and inclusion is one of MnDOT's six core values.
University of MN Statement:

We all share responsibility for equity and diversity—it’s everybody’s 
**everyday work**. We value having a diversity of views and experiences 
that enrich campus life and the academic experience. Equity and 
diversity is fundamental to everything we do at the University of 
Minnesota.

https://diversity.umn.edu/
What’s happening around MN:

• https://forumworkplaceinclusion.org/
• https://www.3m.com/3M/en_US/careers-us/working-at-3m/diversity-and-inclusion/
• https://corporate.bestbuy.com/diversity-and-inclusion/
• https://jobs.ecolab.com/working-here/diversity-inclusion/
• https://corporate.target.com/corporate-responsibility/diversity-inclusion
What can HPSP do?

• Values statement?
• Vision statement?
• Staff trainings
• Gather data
  • Are participant outcomes different based on race, gender or age?
Provided overview of the program
Read the Tennessen
Reviewed eligibility
Reason for referral: Participant self-reported to HPSP at the recommendation of their employer after they disclosed their problem use of alcohol.

Vocational History:
- Licensed: 2000
- Current employer: Clinic based setting, employed at the same facility for the past ten years
- Work hours: M-F, 8a-4:30p, no on-call, no rotation, no weekends
- Supervisor: Clinical manager
- Disciplinary action by employer: One written warning this year due to frequent absences
- Disciplinary action by licensing board: Denies
Social History:

- Married with three children, ages 10, 14, & 19
- Currently lives with spouse and two youngest children
- Support system includes: friends and coworkers
- Current stressors: marriage, spouse is not supportive and continues to encourage drinking
- Currently has medical insurance through their job
Medical History:

- Denies acute medical concerns
- Denies history of chronic pain
- Denies gastric bypass
- Denies history of head injuries
- Current medications include: Celexa, Vistaril PRN & OTC vitamins
- Primary Care provider: Same provider for the past 12 years
- Pharmacy: Reports using two pharmacies within the past year
Mental Health History:

- Denies family history of any mental health disorders
- Denies a family history of any suicides
- Denies a formal mental health assessment but has been treated for depressive symptoms by their primary care provider for the past five years
- Reports fleeting suicidal thoughts within the past month with no plan or intent, as they felt everything “coming down on me.” They deny current suicidal ideation, deny a history of suicide attempts. They identify supportive people in their life they can contact if they are not feeling safe.
- Denies any mental health hospitalizations
Mental Health History Continued:
- Psychiatric provider: They deny current or past psychiatric practitioner. They report their primary care provider recommended they see a psychiatric practitioner for medication management but they did not follow through and their primary care provider continues to prescribe their psychotropic medications.
- Therapist: No current provider. They report seeing a marriage counselor for a few months about three years ago.
- Current symptoms: increased anxiety, isolation, irritability, hopelessness and depressed mood.

Substance Use History:
- Denies family history of substance use disorders
- Denies formal substance use assessment/diagnosis
Substance Use History Cont.’

- Alcohol: First used at age 17, last use was last night
  - 17-20: Average use was Friday or Saturday, binge drinking up to 8 beers per occasion
  - 21-25: Average of three nights per week, 4-8 drinks per occasion
  - 26-30: Average of once per week, 2 drinks per occasion
  - 31-40: Reports minimal use, raising children, working full-time
  - 41-43 (Present): Use has increased over the past three years to daily use, currently consumes about one pint of liquor per evening for the past year
- **Substance Use History Cont.’**
  - Illicit substances: Denies any use or experimental use of illicit substances
  - Prescription medications: Denies any use or abuse of prescription medications
  - Detox admissions: Acknowledges one detox admission about six months ago, 48 hour stay, declined any assistances with setting up treatment services at that time. They felt that once detoxed they could maintain sobriety. They were sober about two weeks after discharge
  - Blackouts: Reports their spouse continues to complain that they do not remember conversations they have in the evening
  - Legal: DUI arrest at age 21, dropped to a Careless Driving
  - No substance use treatment history
  - No support meeting attendance
  - Longest sobriety in the past three years was two weeks after discharging from detox
Diversion:
- No diversion history - the clinic where they work does not keep any medication on site

Plan:
- Request that they refrain from professional practice
- Schedule a substance use assessment - provided three options for an assessment
- Schedule a mental health assessment - provided three options for an assessment
- Mail the Enrollment materials
May 2016:

- Received call from the substance use assessor with the following recommendations:
  - Intensive outpatient treatment
  - Sober support meetings
  - Follow all conditions of HPSP
    The assessor plans to follow-up with participant to review their recommendations and assist them with establishing treatment.

- Received copy of participants mental health assessment with the following recommendations:
  - Individual therapy on-going
  - Psychiatric practitioner for medication management

- Call to participant to review both of their assessments, ask that they follow through with all provider recommendations and to let them know I will be mailing their Participation Agreement today. I asked that they call me to set-up a time to review in person or we can review by phone.
Participation Agreement includes the following:
- 36 months of monitoring
- Enter and complete the recommended substance use treatment program
- Individual therapy and psychiatric provider
- Work site monitor
- Sober support group attendance, minimum of twice per week
- Minimum of nine toxicology screens per quarter

Received signed Participation Agreement from participant
- Mailed them a letter, including forms for monitoring and toxicology card
- Scheduled to begin calling the toxicology line June 2016

Call to primary counselor who indicates participant is actively engaged in treatment and they do not have any concerns about their ability to return to practice, full-time hours
Call to participant to confirm they are welcome to return to practice at this time
Call to work site monitor to provide an overview of the HPSP and to confirm participant can return to practice at this time. I asked that they call if they have any concerns between quarterly reporting time.
July 2016:
- Call to participant due to missing toxicology screen results on July 6. Participant reviewed their forms, they do not have any documentation of completing a screen on that day. Problem screen education provided and requested that they submit a make-up screen.

July 2016:
- Call to participant regarding missing screen results for a make-up screen that was originally requested due to missing a screen on July 6. Participant stated they forgot to submit the make-up screen. Problem screen education was provided again, I requested a make-up screen today and stated they will receive a letter in the mail regarding their two missed toxicology screens.

September 2016:
- Received documentation of successful completion from intensive outpatient substance use treatment

November 2016:
- Call to participant due to missing toxicology screen results on November 9. Participant reviewed their forms, they do not have any documentation of completing a screen on that day. I requested a make-up screen and stated I will be staffing their case for possible report to their licensing board.
- Staffed case-staffing decision is to file a report with the Board due to three problem screens in a four month period
November 2016

***FILED REPORT WITH THE BOARD DUE TO PROBLEM SCREENS***

Reporting summary:

• Profession: Licensed health care professional
• Referral source: Self Report
• Date PA signed: May 2016
• Dates previous reports were made: N/A
• Why report is being filed: Three problem screens in a four month period
• Problem screens:
  • July 6: Not completed day of request
  • July 12: Not completed day of request
  • November 9: Not completed day of request

January 2017

✓ Received memo from the Board, dismissing the report filed in November due to problem screens.
✓ Call to participant to inform them the Board has dismissed the report filed in November
March 2017:

- Received call from participant to self-report a return to use over the weekend. Participant stated they started drinking on the previous Friday through Sunday and were admitted into detox Sunday evening. They stated they will be discharged Tuesday at the earliest. I asked that they arrange to refrain from practice and obtain an updated substance use assessment. [NOT REPORTED]

- Call to work site monitor, they report there have not been any employment concerns. I stated I will call them when participant is able to return to practice.

- Received call from the counselor at detox, they state they are not recommending any further treatment at this time. The counselor indicates they spoke with the spouse and employer for collaterals and there are no concerns at home or at work. The counselor stated participant had been sober from May 2016 until March of 2017 and they believe participant needs to increase the frequency of support meetings to at least three per week and have daily contact with their sponsor. They agreed to fax me a copy of their assessment.

- Received call from participant requesting to return to practice—they have submitted three negative toxicology screens and report they are actively engaged in support meetings and are texting daily with their sponsor. HPSP will lift the request that they refrain from practice.

- Call to work site monitor to confirm participant is able to return to practice.
May 2017:

- Received call from participant stating they forgot to call the toxline on Monday and wanted to know if they missed a screen. A review of their file indicates their color was called Monday. I requested a make-up screen today and explained I will need to file a report with the Board due to this being a fourth problem screen within a 12 month period. I also explained I will be increasing their screens for one quarter.

- Call to the work site monitor-they do not have any employment concerns at this time.

***FILED REPORT WITH THE BOARD DUE TO PROBLEM SCREENS***

Reporting summary:
- Profession: Licensed health care professional
- Referral source: Self Report
- Date PA signed: May 2016
- Dates previous reports were made: November 2016 due to problem screens
- Why report is being filed: Three problem screens in a four month period
- Problem screens/Return to use:
  - July 6 2016: Not completed day of request
  - July 12 2016: Not completed day of request
  - November 9 2016: Not completed day of request
  - March 2017: First/self-reported return to use of alcohol-not previously reported
  - May 2017: Not completed day of request
August 2017:
- Received memo from the Board dismissing the compliant filed in May 2017 due to problem screens.
- Call to participant to let them know the compliant filed in May 2017 was dismissed.

September 2017:
- Received call from participant stating they forgot to call the toxline yesterday, found out from another HPSP participant their color was called so they submitted a screen today. I explained I will be staffing their case to determine if a report needs to be filed with the Board.
- Staffed case-staffing decision is to file a report with the Board due to three problem screens within a 12 month period and one return to use.
- Call to participant to inform them of the staffing decision. I stated I will send them a letter regarding the report being filed with the Board.
September 2017:
***FILED REPORT WITH THE BOARD DUE TO PROBLEM SCREENS***

Reporting summary:
• Profession: Licensed health care professional
• Referral source: Self Report
• Date PA signed: May 2016
• Dates previous reports were made: November 2016, May 2017
• Why report is being filed: Three problem screens in a four month period
• Problem screens/Return to use:
  • July 6 2016: Not completed day of request
  • July 12 2016: Not completed day of request
  • November 9 2016: Not completed day of request
  • March 2017: First/self-reported return to use of alcohol-not previously reported
  • May 2017: Not completed day of request
  • September 2017: Not completed day of request
October 2017:

- Call to participant due to missing compliance from their therapist and sponsor. Participant stated they have not had time to see their therapist or go to many meetings this quarter. They report work has been busy, they are going through a divorce and do not have any time for any appointments or support meetings. We reviewed their Participation Agreement, stressing the importance of focusing on their recovery, especially during stressful times. I asked that they schedule an appointment with their therapist within the next week and return to support meeting attendance.

November 2017:

- Received call from participant stating they are out of town visiting their family and their color was called. They stated they do not have any kits and would not know where to submit a screen. I encouraged them to review the HPSP list of possible collection sites and I will look as well and call them back. I also asked that they notify me in advance if they will be traveling and need assistance with establishing a collection site.

- Spoke with a possible collection site-they stated they can do a collection for HPSP with their kits and are willing to send the specimen to HCMC.

- Call to participant to review the above information and provide the address of the collection site. Participant stated they did not drive, cannot borrow a family members car and are not sure how they will get to the collection site. I suggested they look at public transportation or look at a rideshare option.

- Received voicemail from participant stating they were not able to submit their screen, will be home in two days and will submit a make-up screen at that time.
November 2017

- Call to participant regarding the missed screen while they were out of town. I explained I will need to file a report with the Board due to continued problem screens and explained I am concerned about their compliance with HPSP. Participant stated they are not using, have been sober eight months and do not need this program any further. We reviewed the process of withdrawing from HPSP. Participant stated they do not want to put their licensure in jeopardy and asked if they could be completed from this program. I stated we cannot successfully complete them from HPSP at this time until they have 36 months of documented compliance with their Participation Agreement. Participant ended the call.

- Call to therapist due to concerns about participants engagement in HPSP. The therapist stated participant has been attending monthly appointments and they will talk with participant about the importance of following through with their Participation Agreement and taking better care of themselves. The therapist stated participant is struggling with continued divorce and employment stressors. The therapist stated they have an appointment to meet this week.
November 2017

***FILED REPORT WITH THE BOARD DUE TO PROBLEM SCREENS***

Reporting summary:
- Profession: Licensed health care professional
- Referral source: Self Report
- Date PA signed: May 2016
- Dates previous reports were made: November 2016, May 2017, September 2017
- Why report is being filed: Three problem screens in a four month period
- Problem screens/Return to use:
  - July 6 2016: Not completed day of request
  - July 12 2016: Not completed day of request
  - November 9 2016: Not completed day of request
  - March 2017: First/self-reported return to use of alcohol-not previously reported
  - May 2017: Not completed day of request
  - September 2017: Not completed day of request
  - November 2017: Not completed day of request
REPORTS & TOXICOLOGY SCREENING CONCERNS

- Between July 2016-November 2017 participant has missed six toxicology screens and one return to use of alcohol

- Reports filed:
  - November 2016: Complaint dismissed
  - May 2017: Complaint dismissed
  - September 2017: Open complaint
  - November 2017: Open complaint
QUESTIONS TO CONSIDER

- Are we able to document this participant is managing their illness?
- Do we continue to monitor?
- Is it a public safety issue if we discharge them from HPSP?
- Do we extend monitoring?
- Do we request that they refrain from professional practice for a period of time? If so, how long?
HPSP Program Committee  
Tuesday, November 12, 2019  
10:00 AM, Conference Room A

1) Meetings held September 10 and October 1.
2) ASU: the HLBS have transitioned to using SmART services for financial management reporting services.
3) The transition to using SmART for HR will begin in January 2020.
The Health Professionals Services Program (HPSP), requests that the executive directors of the health licensing boards respond to a survey about program services on an annual basis. HPSP utilizes feedback from this survey and from feedback received throughout the year to develop quality improvement measures. Please return the completed survey to HPSP by **August 30, 2019**. Thank you.

The table below lists the questions asked to rate:

<table>
<thead>
<tr>
<th>Questions asked to rate:</th>
<th>-Strongly Agree-</th>
<th>-Agree-</th>
<th>-Disagree-</th>
<th>-Strongly Disagree-</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. I am satisfied with the timeframe from the date licensees are referred to HPSP and the date Participation Agreements are established.</td>
<td></td>
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<td>2. I am confident active monitoring (e.g., urine screens) commences within a reasonable timeframe from the date of referral.</td>
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<td>3. I am satisfied with the language and format used in HPSP Participation Agreements and Monitoring Plans.</td>
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<td>4. I am satisfied with the conditions of monitoring established by HPSP.</td>
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<td>5. I am confident that licensees referred to HPSP are being adequately monitored.</td>
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<td>6. I am satisfied with HPSP’s communication with Board staff.</td>
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<td>7. HPSP personnel are open to suggestions from your board.</td>
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<td>8. I am satisfied with HPSP’s determinations about when to report a licensee to the board and discontinue monitoring.</td>
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<td>9. I am satisfied with how HPSP addresses participant non-compliance.</td>
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<td>10. HPSP’s case documentation meets the Board’s needs.</td>
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<td>11. When HPSP asks licensees to refrain from practice, it is done appropriately.</td>
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<td>12. I consider HPSP to be a good partner in protecting the public.</td>
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NARRATIVE QUESTIONS

Please to address the following narrative questions (identifying information was removed from the responses):

1) Please provide additional information on any questions rated “disagree” or “strongly disagree” on page #1.
   a. N/A
   b. Not applicable
   c. (left blank)
   d. (left blank)
   e. N/A
   f. (left blank)
   g. (left blank)
   h. Sometimes find that the HPSP has kept individuals with repeated noncompliance in the program without a way to ensure that the licensee is safe to practice. Continued monitoring of licensees who are repeatedly and significantly noncompliant with monitoring does not ensure safe to practice. Another issue is failure to report practice issues or determine that some health issues are impacting practice and need Board intervention. Some participants have been able to avoid reevaluation or are able to subvert the toxicology screens due to their behaviors and life issues. Acknowledge that it is difficult to manage complex cases. Perhaps consideration of referrals for DBT services when behaviors continually impact attempts to maintain adequate monitoring should be considered.

2) What does HPSP do most effectively?
   a. Protects the public by effectively monitoring health care professionals
   b. HPSP seems effective in all areas. If I had to single one out, it would be reporting monitoring problems to the Board expeditiously – and with sufficient detail.
   c. (left blank)
   d. I think that HPSP is effective in communicating non-compliance and notifying boards in a timely manner. I think that the communications over the years have significantly improved. I think that with the new database and reporting that HPSP will be using will allow for even more efficient processing and organization of reports. I will be happy when other technology project proposals are completed as well and then HPSP and the Boards will have a better mechanism of communication.
   e. In my limited interaction with HPSP (3-5 cases per year), I am consistently impressed with the focus on timeliness and communication by HPSP case managers. Reports are received by Board staff often on the same day they are issued; managers are readily available by phone and/or email.
   f. Accomplish its mission
   g. (left blank)
   h. Good rapport with most clients. Good case notes and documentation of monitoring.

3) What would you like to see HPSP do differently? (Note: We use this information in formulating program goals).
   a. N/A
   b. I see no need for changes
   c. (left blank)
   d. I would like to see some sort of electronic management of cases between the boards and HPSP. Like a portal of sorts or something.
   e. As a small board without one staff person solely assigned to complaint/file management, I greatly appreciate when HPSP staff reach out to Board staff to inquire as to something I may have overlooked. It may be a written response to HPSP following a case filing; it may be inquiring as to whether the Board has taken any action (closure/disciplinary order/etc.) on an HPSP-related file, etc. If the Board has not provided information to HPSP that is expected, an inquiry from HPSP staff may be only thing that causes Board staff to realize that step was overlooked/missed. I’m not sure this is something to do differently, as I believe many HPSP staff are already doing this. I just wanted to convey that it is appreciated and should continue.
   f. No suggestions at this point
   g. (left blank)
h. Discharge those individuals with significant noncompliance. Management of licensee using medical marijuana using best practices. Not confident that initial expectations are fully understood from the start. We are assured information is provided and expected to be read but many do not do this. Could there be an initial orientation to the program to highlight the expectations more clearly?

4) Have you identified any problem(s) with HPSP over the past year that has not been addressed to your satisfaction? If yes, please explain:
   a. None
   b. No
   c. (left blank)
   d. No
   e. No.
   f. (left blank)
   g. (left blank)
   h. See above.

5) Additional comments:
   a. We are very pleased with the good work of the program and its staff
   b. (left blank)
   c. (left blank)
   d. (left blank)
   e. N/A
   f. (left blank)
   g. As we have had very few cases that have moved beyond initiation there are several questions I do not have responses for. Thanks!
   h. (left blank)

Program Manager Response
HPSP and the health licensing boards share the goal of public protection. HPSP is committed to working with the boards to this end. The suggestions listed above have been identified by HPSP staff. HPSP will assess the need for additional staff resources after the updated database projects are complete.
REQUESTED ACTION:

Review the Tuition Reimbursement Policy for any necessary changes.

MOTION BY: _____________________ SECOND: _____________________

( ) PASSED  ( ) PASSED AMENDED  ( ) LAYED OVER  ( ) DEFEATED

BACKGROUND:

The Board’s Tuition Policy has not been reviewed since 2008. For your reference and review are the following:

Board item from the September 13, 2008, Board meeting, regarding tuition reimbursement policy and the September 13, 2008, Board meeting minutes (tuition reimbursement discussion is highlighted in yellow).


Minnesota taxation on tuition::
http://mn.gov/mmb/assets/20131030_tcm1059-126045.pdf
DATE: September 13, 2008

SUBJECT: Tuition Reimbursement Policy

SUBMITTED BY: Robert Leach, J.D., Executive Director

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Discuss and vote on approval of a Tuition Reimbursement Policy.

MOTION
BY: SECOND:
( ) PASSED ( ) PASSED AMENDED ( ) LAYEO OVER ( )
DEFEATED

BACKGROUND:

See attached.
TUITION REIMBURSEMENT POLICY (PROPOSED)

To contribute to employee development, the Minnesota Board of Medical Practice encourages all employees to stay current and continuously upgrade their knowledge, skills, and abilities. Tuition reimbursement is available for courses that offer college credit from accredited institutions. This program is designed to encourage employees to develop their skills by taking recognized educational courses related to their current or future career goals with the State. Employees who are committed to continued education not only bring added value and strength to the agency but also greatly enhance their opportunities for advancement both professionally and personally.

Employee Eligibility
Full-time permanent (80 hours/pay period) and permanent part-time (hours/pay period) employees of the Minnesota Board of Medical Practice are eligible to participate if the following conditions are met:

- Employee has at least ___ of continuous service with the Board, and has satisfactorily passed their probationary period; and
- Employee is in active pay status (employees on full-time disability leave or workers' compensation leave are not eligible for reimbursement).

Permanent part-time employees may request reimbursement of eligible expenses at a prorated level reflecting their average number of hours per pay period.

Eligible Courses
For a course to be considered for tuition reimbursement, it must meet the following criteria:

- Provide academic credit;
- Be offered by a school that is accredited by a nationally recognized accrediting agency, related to High School GED courses, Bachelor's and Master's and other advanced degree courses, college courses, correspondence courses, technical courses, and/or internet courses; and
- Provide knowledge and/or skills that relate to a State of Minnesota job.

Please note the following:

- Elective and prerequisite courses that are part of an approved degree program are eligible for reimbursement.
- Courses job-related, non-degree elective or prerequisite courses) are not automatically approved; each course will be reviewed individually for consideration under this policy.
- Initial approval of a course of study does not obligate the Board to future or continued approval of courses in that course of study. Approvals are valid only for the course and semester authorized.
- Management Team, Executive Director, Full Board, or Subcommittee of the Board, or a combination will determine the eligibility of individual requests based on considerations including budget, relevance, and workload. In the case of coursework to be taken by the Board's Executive Director, approval is to be granted by the Board's Executive Committee.

Applications are reviewed by ___ based on the following:

1. Agency relatedness to career development program;
2. Immediate supervisors' input regarding the applicants; and
3. Total estimated application costs relative to the Board's Career development budget and the number of applications received.

Reimbursement Determination
The Board will not pre-pay education expenses; employees will be required to pay their own expenses and submit grades upon completion of each course for reimbursement.

Eligible Expenses: Tuition (including directly related general and instruction fees), lab fees, and technology fees.

Additional Expenses Considered for Possible Eligibility: Textbooks, registration fees, work-time missed for classes (no overtime is to be paid if the class/exam time and travel time exceed a normal workday) not to exceed 8 hours per pay period.
Ineligible Expenses: Application fees, graduation fees, parking costs, meals, late payment fees, mileage/transportation, office/school supplies, interest or drop charges.

The amount reimbursed is based upon the final grade(s) received for the course(s) as follows:

<table>
<thead>
<tr>
<th>Grade</th>
<th>FT Employee Reimbursement Percentage</th>
<th>PT Employee Reimbursement Percentage (Coro-rated)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A+/A/A-, B+/B/B-, C+/C, Pass</td>
<td>100%</td>
<td>50-100%</td>
</tr>
<tr>
<td>Less than C, Fail; Withdrawal, or Incomplete</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

If other tuition assistance is available (e.g., grants, scholarships, VA, etc.) it must be applied first. The employee may not utilize this program to obtain additional cash benefits. The remaining balance (of covered expenses) may be requested for reimbursement consideration.

The employee may take up to one paid day off to take one or more exams on the same day.

Application Process
- Employee and immediate supervisor should meet with Executive Director to discuss educational plans, developmental needs, and eligibility.
- Application must be pre-approved. Employees must submit the application prior to the beginning of the course, along with a copy of the following information:
  o Course description from the institution's catalog, bulletin, brochure, or web-site; and
  o Fee schedule, which includes the cost of the course per credit hour, and the cost of other covered fees.
- Once the application has been processed, the employee will receive a letter indicating the status of the application. A copy of the letter and relevant receipts must accompany the final request for reimbursement once the course grade is reported.

Reimbursement Process
- Within 45 days from the completion of the course, and not beyond the budget biennium closure date (generally August of odd numbered years), the applicant must submit legible copies of the following:
  o College/university invoice or statement indicating fees charged and the amount paid. The invoice must be an official school document, and contain the school's name and address. Copies of canceled checks and credit card receipts will not be accepted.
  o Official college/university grade card/report, indicating the employee's name, school term, course name(s) and grade(s) for the term.
- A pre-approved Tuition Reimbursement Application Form must be on file with the Board’s Executive Director in order to receive reimbursement. The employee must also maintain a copy of the authorization.
- An Employee Expense Reimbursement Form must be submitted with the other required documentation for the Executive Director's signature.
- Reimbursement will be provided through the State’s Payroll System.

Special Considerations
- If an employee resigns or is terminated before receiving a grade, the employee will not be reimbursed for tuition or related expenses.
- If an employee resigns or is terminated from the Minnesota Board of Medical Practice employment within months after receiving reimbursement, the employee must repay the Board in full for tuition, fees and tests.

Tax Liability
The Internal Revenue Service (IRS) requires employers to report, as taxable income, tuition reimbursement benefits for graduate level courses per IRS code (§6050S).
The Minnesota Board of Medical Practice met on its regularly scheduled meeting date, September 13, 2008, at Cragun's Conference Resort in Brainerd, Minnesota.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Carl Smith, M.D., President, Rebecca Hafner-Fogarty, M.D., MBA, Vice President, Allen Rasmussen, Secretary, Alfred Anderson, D.C., M.D., Robert Brown, Ph.D., Jack Geller, Ph.D., Bradley Johnson, M.D., Kelli Johnson, Ernest Lampe, D.D.S., M.D., James Langland, M.D., Tammy McGee, James Mona, O.O., and Gregory Snyder, M.D.

PUBLIC SESSION

Roll call was recorded by Robert Leach, Executive Director.

The minutes of the July 12, 2008, Board meeting were received and approved as circulated.

Tiernee Murphy, J.D., Assistant Attorney General gave a presentation on Due Process.

After the presentation, Ms. Murphy presented several different fictitious legal scenarios for the board to analyze and discuss.

On recommendation of the Licensure Committee, physician applicants 1 - 299 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Licensure Committee, physician applicants 300-304 of the agenda were approved for Emeritus-registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 305 - 308 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Athletic Trainer Advisory Council, athletic trainer applicants 309 - 331 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 332 - 341 and 343 - 374 of the agenda were approved for registration subject to the receipt of verification documents. Applicant was not approved for
registration. Ors. Johnson and Hafner-Folgarty asked that physician assistant applicant 342 be removed for discussion later in the agenda.

On recommendation of the Respiratory Care Practitioner Advisory Council, respiratory care practitioner applicants 375 - 400 were approved for registration subject to the receipt of verification documents. Applicants 401 - 403 will be reviewed during Executive Session.

Dr. Hafner-Fogarty stated that the Licensure Committee held a brief meeting prior to the board meeting and voted to approve a reentry plan and a temporary permit for physician assistant applicant 342 until permanent registration is granted at the January, 2009 board meeting.

The minutes of the August 14, 2008, meeting of the Licensure Committee were received and approved as circulated.

Mr. Leach presented the Executive Director's Report. Mr. Leach updated the board on SF 3583 which was authored by Representative Bob Dettmer and Senator Ray Vanderveer in the last legislative session. This bill would prohibit the Board of Medical Practice from disciplining a physician solely for prescribing, administering, or dispensing long-term antibiotic therapy for a therapeutic purpose to a patient who has been clinically diagnosed with Lyme disease by the physician. SF 3583 did not receive a hearing at the last legislative session. On August 27, 2008, Mr. Auld, Dr. Linda Van Etta (by conference call), Senator Ray Vandeveer, Representative Bob Dettmer, Senator John Marty and Mr. Leach met to discuss SF 3583. Also present were representatives of an organization of citizens interested in the treatment of Chronic Lyme Disease. Mr. Leach asked Mr. Auld to inform the board of the result of the meeting.

Mr. Auld stated that in the meeting, Dr. Van Etta proposed that a bill be drafted to fund a scientific study of chronic Lyme disease and, in addition, language that states that the board will continue any complaint against a physician based solely on the prescription of long-term antibiotics for that diagnosis. Mr. Auld stated that in the meeting there was an agreement that the statutory language regarding the study would contain a time limitation. Mr. Auld will keep the board informed if and when the bill progresses.

Mr. Leach requested that the board approve a Tuition Reimbursement Policy. Mr. Leach stated that the first item is approval of a tuition reimbursement policy, detail to be discussed if approval is made by the board. Motion was made and seconded to discuss and accept the tuition reimbursement policy for the board office.

A motion was made and passed unanimously to adopt the first paragraph of the proposed Tuition Reimbursement Policy for board staff. The first paragraph reads as follows: "To contribute to employee development, the Minnesota Board of Medical Practice encourages all employees to stay current and continually upgrade their knowledge, skills, and abilities. Tuition reimbursement is available for courses that offer college credit from accredited institutions. This program is designed to encourage employees to develop their skills by taking recognized educational courses related to their current or future career goals with the State. Employees who are committed to continued education not only bring added value and strength to the agency but also greatly enhance their opportunities for advancement both professionally and personally."
Mr. Leach thanked the board and asked the board to discuss the details of the Tuition Reimbursement Policy.

Discussion included:

- The board asked where the money would come from, Mr. Leach stated that it would come from the board budget.

- Mr. Leach stated that the Board Management Team, consisting of Mr. Leach, Mr. Auld, Ms. Martinez, Ms. Hoffman, and Ms. Kauppila, would decide who would receive tuition reimbursement and the decision would be based on various factors such as length of service.

- Mr. Leach stated that the Tuition Reimbursement Policy would be specifically for academic credits because the board is already covering other types of tuition reimbursement.

Dr. Hafner-Fogarty made a motion that the Tuition Reimbursement Policy be referred to the Staff Management Committee and they, along with board members to be selected by Mr. Leach, work on the details and then bring it to the next board meeting, November 8, 2008. Motion was seconded and passed unanimously.

Dr. Johnson suggested that (under the fifth bullet under Eligible Courses contained in the Proposed Tuition Reimbursement Policy) the Board’s Executive Director should be responsible for applications that are reviewed based on the following:

1. Agency relatedness to career development program;
2. Immediate supervisors input regarding the applicants; and
3. Total estimated application costs relative to the Board’s Career development budget and the number of applications received.

Dr. Snyder felt that reimbursement should not be dependent on grades.

Ms. McGee recommended considering cost sharing with board staff or some cost structure. Ms. McGee also felt that paying for time off to take tests may not be appropriate.

Mr. Leach informed the board that the State of Minnesota does not have a policy regarding tuition reimbursement for state employees. Mr. Leach stated that tuition reimbursement is contained within each of the employee union contracts and Mr. Leach will make sure that when the group discusses the Proposed Tuition Reimbursement Policy, the provisions in each of the union contracts are available.

Mr. Leach presented the next agenda item, the Fiscal Year 2008 Statistical Report. Mr. Leach stated that he would be presenting this report at the Reference Committee at the Minnesota Medical Association Annual Meeting. Mr. Leach stated that the board continues to issue more licenses than previous years so the number of applicants and the number of issued licenses continues to increase. The total number of individuals that the board credentials continues to increase. The board had a 4.2% increase in complaints this last fiscal year over the previous year and while the number of unresolved complaints increased from 507 to 554 the number of resolved complaints in fiscal year 2008 remained about the same as in 2007.
Mr. Leach thanked the board and asked the board to discuss the details of the Tuition Reimbursement Policy.

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Dr. Hafner-Fogarty felt that it was time to increase the $55.00 per diem given to board members. Dr. Hafner-Fogarty made a motion that the board ask the Policy and Planning Committee to work with other health licensing boards on the possibility of approaching the legislature for an increase in the per diem rate for all members of the health licensing boards. Motion seconded. Dr. Langland felt that given the budgetary concerns in the State, this may not be the appropriate time to bring this forth. Dr. Hafner-Fogarty felt that it will probably take two to three budget cycles to this passed. Motion passed, Dr. Langland opposed.

End of Public Session.
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

For information only.

MOTION BY: ___________________ SECOND: ____________________
(  ) PASSED      (  ) PASSED AMENDED     (  ) LAYED OVER     (  ) DEFEATED

BACKGROUND:

Attached is the Executive Director’s Report of activities since the last board meeting.
EXECUTIVE DIRECTOR’S REPORT  
January 11, 2020

NEW LAWS IN EFFECT JANUARY 1, 2020

Renewal Cycle Conversion
Effective January 1, 2020, the Board initiated processes for converting five allied professions (physician assistants, respiratory therapists, acupuncturists, naturopathic doctors and traditional midwives) to a birth month renewal cycle. The conversion has begun with new licensees/registrants and will be completed over the next 18 months. Fees will be automatically prorated during the conversion process.

Mandatory Opioid Continuing Education
Effective January 1, 2020, legislation went into effect requiring prescribers of controlled substances to complete two (2) hours of mandatory continuing education. The law requires the coursework to cover specific content areas and must be submitted once between January 1, 2020 and December 31, 2022. The mandate expires on January 1, 2023. Some licensees may be exempt from the requirement.

The Board has begun the process of notifying all physicians and physician assistants of the law. The Board has created a link in each individual licensee’s on-line services account providing further instructions for determining whether the licensee is subject to the mandatory continuing education requirement and instructing licensees on how to submit verification of coursework. A notice is also posted on the Board’s website and has been distributed through various professional associations.

Links to the section of law and Board’s website notice follow:

https://www.revisor.mn.gov/statutes/cite/214.12

https://mn.gov/boards/medical-practice/board-information/news/?id=414862

Repeal of Infected Healthcare Worker Program
Effective January 1, 2020, Minnesota Statutes sections 214.17 to 214.24 were repealed. These sections of statute provided for monitoring of healthcare workers infected with HIV, HBV and HCV. Deputy Director Elizabeth Huntley executed orders terminating monitoring plans for Board of Medical Practice licensees.

PLANNING FOR THE 2020 LEGISLATIVE SESSION
The 2020 Legislation Session will convene on February 11, 2020. The Board is in the process of identifying authors for proposed legislation modifying the Medical Practice Act, as authorized by the Board.

BOARD MEMBER APPOINTMENTS
The Governor’s office has notified the Board that it plans to review applications and make appointments to fill Board vacancies in March 2020.

INTERSTATE MEDICAL LICENSURE COMPACT (IMLC)
Terms for commissioners, Dr. Townley and Ms. Martinez, expired on January 1, 2020. The Board’s recommendation for appointment of Mr. Manahan and Ms. Martinez to two-year terms beginning in January 2020 have been provided to Governor Walz. Pending confirmation of their appointments, Mr. Manahan has been appointed to the Interstate Commission Technology Committee and Ms. Martinez as Chair of the Rules and Administrative Procedures Committee and Executive Committee. To review the Interstate Medical Licensure Compact Law and other relevant information, please visit:

https://imlcc.org/
ENGAGEMENT/OUTREACH/CONFERENCES/EVENTS
The Board continues its engagement with internal and external stakeholder groups.

Bureau of Criminal Apprehension (BCA)
Representatives from the HLBs and many other state agencies and organizations participated in a day-long meeting, hosted and facilitated by the BCA, to discuss possible incorporation of federal rap back service into the criminal background check process. Another meeting is scheduled for January 24, 2020 to review and evaluate subscription options, one of the first major decisions necessary to move the process forward.

https://www.dpscs.state.md.us/publicservs/pdfs/bgchecks/RAP-BACK-FAQs.pdf

Minnesota Tri-Regulatory Symposium
Executive Directors of the Boards of Medical Practice, Nursing and Pharmacy convened on December 23, 2019 to further discuss hosting a Minnesota Tri-Regulatory Symposium. We are tentatively looking at June 3, 2020, for an evening reception and event, from approximately 4:00 p.m. to 8:30 p.m. The Board of Medical Practice has invited Dr. Humayun (Hank) Chaudhry of the Federation of State Medical Boards to attend the Symposium and he has accepted the invitation. Similar invitations are being extended to the national nursing and pharmacy organizations. The Boards are working together on the details.

Please tentatively mark your calendars for this important event.

Appointed Representatives
At the November 9, 2019 Board meeting, Board President Allen Rasmussen appointed the following individuals to serve as the Board’s representatives on stakeholder groups:

• Dr. Lombardo represents the Board on the Prescription Monitoring Program Advisory Task Force. Dr. Statton serves as alternate.
• Mr. Rasmussen represents the Board on the Health Professionals Services Program (HPSP) Program Committee. Ms. Martinez serves as alternate.
• Dr. Lombardo represents the Board on the State Opioid Oversight Project. Ms. Martinez serves as alternate.
• Dr. Statton and Ms. Martinez represent the Board on the Council of Health Boards.
• Kate Van Etta-Olson represents the Board on the Minnesota Healthcare-Associated Infection Prevention Advisory Group.

ADMINISTRATIVE SERVICES
The Health Licensing Boards have initiated a contract with the Small Agency Resource Team (SmART) at the Department of Administration for administrative services support, including financial and human resource support. Financial services support began on November 13, 2019 and human resource support was initiated on January 2, 2020. The Administrative Services Unit serves as a liaison between the Health Licensing Boards and SmART.

The Board continues in its role as the Administering Board for the Health Professionals Services Program.

OTHER BUSINESS
The Board welcomed two additional staff:

• Rick Reichert joined the Licensure Unit on November 20, 2019
• Brandon Lueder joined the Complaint Review Unit on December 4, 2019
RESOURCES
The Board continues to participate in a variety of groups and monitors initiatives to facilitate best practices and provide educational resources related to medical practice, including the following:

Minnesota Department of Health Opioid Dashboard

http://www.health.state.mn.us/divs/healthimprovement/opioid-dashboard/

Minnesota Opioid Prescribing Guidelines: First edition, 2018
See the links, below:

https://mn.gov/dhs/opioid-guidelines/


https://mn.gov/dhs/assets/2017-09-opip-report_tcm1053-319647.pdf

DATE: January 11, 2020  SUBJECT: Federation of State Medical Boards  Call for Resolutions

SUBMITTED BY: Maria K. Statton, M.D., Ph.D., Board President

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Proposed resolutions should be announced at this time.

MOTION BY: ____________________  SECOND: __________________________

( ) PASSED  ( ) PASSED AMENDED  ( ) LAYED OVER  ( ) DEFEATED

BACKGROUND:

An overview of resolutions to the Federation of State Medical Board (FSMB) was provided at the November 19, 2019, Board meeting.

Proposed resolutions must be submitted to the Federation of State Medical Board (FSMB) by February 28, 2020, for consideration at the April 2020 Annual Meeting. Proposed resolutions should be announced at this time.
From: Patricia McCarty (FSMB)
Sent: Thursday, December 5, 2019 4:00 PM
To: Patricia McCarty (FSMB)
Cc: Pamela Huffman (FSMB)
Subject: COURTESY REMINDER: Calls for Nominations, Appointments, Staff Fellows, Awards and Resolutions

Dear Member Board Executive Directors and Presidents/Chairs,

In follow-up to the announcements publicized in the FSMB’s eNews, I would like to personally bring your attention to the following deadlines for submitting your documentation relating to nominations for the FSMB Board of Directors and Nominating Committee as well as Staff Fellows to the Board of Directors; applications for committee and workgroup appointments; nominations for FSMB awards; and submission of resolutions.

You may click on the following links for detailed information:

- Nominations for Elected Positions to the FSMB Board of Directors and Nominating Committee (Deadline: 12/31/19)
- Nominations for Staff Fellows to the FSMB Board of Directors (Deadline: 12/31/19)
- Applications for Appointments to Standing/Special Committees and Workgroups (Deadline: 12/31/19)
- Nominations for FSMB Awards (Deadline: 12/31/19)
- Submission of Resolutions for the FSMB House of Delegates (Deadline: 02/28/20)

Your involvement in this process can make a real impact in the direction and policy of the FSMB and will allow us to celebrate those who have played a vital role in health care regulation.

If you have questions or need assistance, feel free to contact me.

With kind regards,

Pat
Patricia McCarty, M.M.
Director
Leadership Services

Federation of State Medical Boards
400 Fuller Wiser Road | Suite 300 | Euless, TX 76039
www.fsmb.org
DATE: January 11, 2020
SUBJECT: Federation of State Medical Boards Call for Nominations and Recommendations for Committee Appointments

SUBMITTED BY: Maria K. Statton, M.D., Ph.D., Board President

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Additional nominations or recommendations for committee appointments should be announced at this time.

MOTION BY: ___________________ SECOND: ___________________
( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

An overview of nominations, and committee appointments to the Federation of State Medical Board (FSMB) was provided at the November 9, 2019, Board meeting.

John (Jake) Manahan notified Ms. Martinez of his interest in running for the Federation of State Medical Boards’ (FSMB) Nominating Committee. On December 11, 2019, Board President Allen Rasmussen, M.A., submitted a letter of nomination to the FSMB in support of Mr. Manahan’s candidacy for the Nominating Committee.
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:
Instructions for FSMB attendance.

MOTION BY: _________________ SECOND:______________________________

( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:
The Minnesota Welcome Reception will be held on April 29, 2020. The annual meeting of the FSMB will be held April 30-May 2, 2020, at the:

Manchester Grand Hyatt San Diego
1 Market Place
San Diego, CA 92101
Phone: Toll free: 1-800-233-1234

1. Those Board members planning to attend should contact Wendi Clarke at 612-548-2153, Wendi.Clarke@state.mn.us or Cheryl Johnston at 612-548-2158, Cheryl.Johnston@state.mn.us. Ms. Clarke will register you for the conference (NOT hotel reservations) and pay the conference fees.

2. The FSMB expects to publish information regarding registration for the FSMB annual meeting in early January. Once published, Board staff will send an e-mail to you with more detailed information.

   Please make your room reservations by calling 1-800-233-1234 early, as only a limited number of hotel rooms will be available at the FSMB group rate of $259.00.

3. **Airline reservations must be made through TRAVEL LEADERS (State Vendor), in order to be reimbursed by the State of Minnesota.** The travel agent assigned to the State of Minnesota is Zoey at 763-231-8445, 1-800-215-2762 or Zoey@TVLLeaders.com. If Zoey is not available, please press 1 and you'll be redirected to Zoey’s back-up, Vanessa. Please let her know you are traveling on behalf of the State of Minnesota. She will ask you what agency (MN Board of Medical Practice). An itinerary will be sent to you with a $20.00 charge, the board will reimburse you for this charge when you submit your expenses. If you are planning to bring a guest, Zoey can assist with airline reservations; however, the government rate will not apply. If you have questions regarding airfare booking, please contact Wendi Clarke at 612-548-2153, Wendi.Clarke@state.mn.us or Cheryl Johnston at 612-548-2158, Cheryl.Johnston@state.mn.us.

The Board will reimburse you for airfare (coach) based on 14-day advance purchase and overnight Saturday stay.
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Provide feedback regarding the Federation of State Medical Boards' (FSMB) proposed 2020-2025 Strategic Plan.

MOTION BY: _____________________ SECOND:______________________________

( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

On December 5, 2019, Board staff forwarded an e-mail from FSMBs’ President and CEO Humayun “Hank” Chaudhry, D.O., MACP, (please see attached) requesting feedback on the FSMBs’ proposed 2020-2025 Strategic Plan. Ms. Martinez requested Board members to forward any feedback to her or present feedback at the January 11, 2020, Board meeting.

The Board will discuss feedback at the Board meeting and submit the Board’s consolidated feedback to the FSMB after the meeting.
Dear Member Board Presidents/Chairs and Executive Directors/Secretaries,

As you may know, the FSMB periodically evaluates and updates its Strategic Plan, convening a special committee to accomplish this task. The 2019-2020 Special Committee on Strategic Planning, appointed by FSMB Chair Scott A. Steingard, DO has completed its review of the current FSMB Strategic Plan, last updated in 2015.

The Committee was asked to identify possible areas of modification of the current Strategic Plan and to develop new strategic-planning recommendations, taking into account emerging trends and changes in the environment for medical regulation over the last five years.

The Committee’s Report, in draft form, can be accessed by clicking the STRATEGIC PLAN REPORT.

During the course of its work, including a full-day meeting at FSMB headquarters in Euless, Texas, and a later teleconference, the Committee discussed the current medical regulatory environment in the United States and internationally, highlighting key trends and identifying challenges and opportunities for the FSMB.

In preparation for these discussions, the Committee reviewed a variety of information resources, including results of strategic planning surveys of state medical board leaders and other stakeholders, summaries of strategic-visioning exercises conducted by the FSMB over the last two years and other FSMB reports and data. The Committee also carefully reviewed the FSMB’s various recent major initiatives and operational priorities.

The proposed Strategic Plan for 2020-2025, included here with the Committee’s draft report on page 11, will be considered by the House of Delegates at its April meeting in San Diego, California.

Any comments or input on the draft Plan should be sent by email no later than January 24, 2020.

Sincerely,

Humayun “Hank” Chaudhry, D.O., MACP
President and CEO

Federation of State Medical Boards
400 Fuller Wiser Road  |  Suite 300  |  Euless, Texas  76039
www.fsmb.org
DATE: January 11, 2020

SUBJECT: Educational Sessions for 2020 Board Meetings

SUBMITTED BY: Maria K. Statton, M.D., Ph.D., President

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Discuss educational components to be considered for 2020 Board meetings.

MOTION BY: _____________________ SECOND: _____________________
( ) PASSED ( ) PASSED AMENDED ( ) LAYED OVER ( ) DEFEATED

BACKGROUND:

Discuss informational and educational topics for presentations at the 2020 Board meetings.

If any board member has suggestions or interest in a particular topic, please let us know at the meeting.
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

Board members to inform Board staff if they are able to attend the Center for Personalized Education for Physicians’ February 10-11, 2020, Learning Summit.

MOTION BY: _____________________ SECOND:______________________________
(  ) PASSED      (  ) PASSED AMENDED     (  ) LAYED OVER     (  ) DEFEATED

BACKGROUND:

At the November 9, 2019, Board meeting, CPEP’s Outreach and Communications Director, Bill O’Neill, MBA presented to the Board on CPEP’s Operations and Services. At that time, Mr. O’Neill invited Board members to attend CPEP’s February 10-11, 2020, Learning Summit, in Denver, Colorado. The Learning Summit is an overview and direct experience of CPEP’s assessment process and educational seminars.

At the January 11, 2020, Board meeting you will be asked if you are able to attend CPEP’s February 10-11, 2020, Learning Summit. Please check your schedule prior to the Board meeting and determine if you’d like to attend the Summit. Registration will need to be completed shortly after the Board meeting.
DATE: January 11, 2020

SUBJECT: Board Committee Appointments for 2020

SUBMITTED BY: Maria K. Statton, M.D., Ph.D., Board President

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

For information only, listed below are committee appointments for calendar year 2020.

MOTION BY: _____________________ SECOND:______________________________

(  ) PASSED      (  ) PASSED AMENDED     (  ) LAYED OVER     (  ) DEFEATED

BACKGROUND:

COMPLAINT REVIEW COMMITTEES

A. Christopher Burkle, M.D., J.D., FCLM  B. Patrick R. Townley, M.D., J.D.
Kathryn D. Lombardo, M.D.  Patricia J. Lindholm, M.D., FAAFP
Stuart T. Williams, J.D.  John M. (Jake) Manahan, J.D.

LICENSURE COMMITTEE
Kimberly Spaulding, M.D., M.P.H., Chair
Hugh P. Renier, M.D., FAAFP
Allen G. Rasmussen, M.A.

POLICY & PLANNING COMMITTEE
Stuart T. Williams, J.D., Chair
Cheryl L. Bailey, M.D.
DATE: January 11, 2020     SUBJECT: Campaign Finance and Public Disclosure Form Completion Requirement Reminder

SUBMITTED BY: Ruth M. Martinez, M.A., Executive Director

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

MOTION BY: ___________________ SECOND: ___________________
(  ) PASSED    (  ) PASSED AMENDED    (  ) LAYED OVER    (  ) DEFEATED

BACKGROUND:

Board members are required to complete a Campaign Finance and Public Disclosure form online between January 1 and January 31, 2020. Board members will receive a notice from the Campaign Finance and Public Disclosure Board prior to January 2020. Failure to complete the form could result in a fine.
DATE: January 11, 2020         SUBJECT: New Business

SUBMITTED BY: Maria K. Statton, M.D., Ph.D., Board President

REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

MOTION BY:    SECOND:
( ) PASSED    ( ) PASSED AMENDED    ( ) LAYED OVER    ( ) DEFEATED

BACKGROUND:

Any other new business to be discussed.
REQUEST FOR BOARD ACTION
MINNESOTA BOARD OF MEDICAL PRACTICE

REQUESTED ACTION:

MOTION BY: ____________________  SECOND: ___________________
(  ) PASSED      (  ) PASSED AMENDED    (  ) LAYED OVER     (  ) DEFEATED

BACKGROUND:

For information only, attached are copies of Corrective or Other Actions that were implemented since the November 9, 2019, Board meeting.
In the Matter of the
Medical License of
Bernard C. Baier, M.D.
Year of Birth: 1971
License Number: 19,836

BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE

ORDER FOR REINSTATMENT

1. The Minnesota Board of Medical Practice ("Board") is authorized pursuant to
Minn. Stat. §§ 147.001 through 147.381 (2019) to license, regulate, and discipline persons who
apply for, petition, or hold licenses to practice medicine and surgery in the State of Minnesota
and is further authorized pursuant to Minn. Stat. §§ 214.10 and 214.103 (2019) to review
complaints against physicians, to investigate such complaints, and to initiate appropriate
disciplinary action.

2. Bernard Charles Baier, M.D. ("Respondent") has been and now is subject to the
jurisdiction of the Board from which he holds a license to practice medicine and surgery in the
State of Minnesota.

3. Pursuant to Minn. Stat. § 270C.72, subd. 1 (2019), the license of a physician must
be revoked if the licensee owes the State delinquent taxes, penalties, or interest, and the
Minnesota Commissioner of Revenue so notifies the Board.

4. On May 17, 2018, the Board received a Notice of License Revocation from the
Minnesota Department of Revenue, which advised the Board of Respondent's outstanding tax
liability, and under Minn. Stat.§§ 270C.72 and 16D.08, subd. 2 (2019), the Board must revoke
Respondent's license to practice medicine and surgery in the State of Minnesota. The
Department of Revenue has informed the Board that, for purposes of Minn. Stat. § 270C.72
(2019), the Department of Revenue deems the term "revoke" to mean that the taxpayer's license will be suspended until the tax obligation has been satisfied and the tax clearance certificate has been issued.

5. On May 21, 2018, the Board sent notice to Respondent by certified mail.

6. On June 15, 2018, the Board issued an Order or Suspension and served it on Respondent.

7. On December 3, 2019, the Board received notification from the Department of Revenue that Respondent had been issued a tax clearance certificate, effective October 23, 2019, under the authority of Minn. Stat. § 270C.72 (2019).

8. The authority to sign orders reinstating licenses pursuant to Department of Revenue clearance certificates has been delegated by the Board to the Executive Director.

ORDER

1. IT IS HEREBY ORDERED that Respondent's license to practice medicine and surgery in the State of Minnesota is REINSTATED, effective October 23, 2019.

Dated: ________ 5, 2019

MINNESOTA BOARD OF MEDICAL PRACTICE

RUTH MARTINEZ
Executive Director
BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE

COMPLAINT REVIEW COMMITTEE

In the Matter of the
Medical License of
Vern E. Erickson, M.D.
Year of Birth: 1944
License Number: 26,747

AGREEMENT FOR CORRECTIVE ACTION

This agreement is entered into by and between Vern Emery Erickson, M.D. ("Respondent"), and the Complaint Review Committee of the Minnesota Board of Medical Practice ("Committee") pursuant to the authority of Minnesota Statute section 214.103, subdivision 6(a) (2018). Respondent has been advised by Board representatives that Respondent may choose to be represented by legal counsel in this matter. Respondent elected to be represented by David P. Bunde, Fredrikson & Byron, P.A., 200 South Sixth Street, Suite 4000, Minneapolis, Minnesota 55402, (612) 492-7048. The Board was represented by Kathleen M. Ghreichi, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, (651) 757-1490. Respondent and the Committee hereby agree as follows:

FACTS

1. This agreement is based upon the following facts:
   a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on April 5, 1982.
   b. On July 14, 2012, Respondent entered into a Stipulation and Order with the Board based on violations of the Minnesota Medical Practice Act. On March 8, 2014, the Board determined Respondent had completed the terms of the July 14, 2012 Order and issued an Order of Unconditional License.
c. In 2017 and 2018, the Board received complaints about Respondent's inappropriate professional boundaries. In response to the complaints, the Board initiated an investigation that revealed Respondent had business dealings with several patients. In one case, Respondent provided care to a patient, while Respondent had legal authority over the patient's financial and health affairs.

2. On August 12, 2019, Respondent met with the Committee to discuss the allegations set forth in paragraph 1. Respondent acknowledged providing care to a patient while holding legal authority over the patient's affairs.

3. Based on the discussion, the Committee views Respondent's conduct as inappropriate under Minnesota Statutes section 147.091, subdivision 1(g) (unethical or improper conduct) (2018), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify corrective action under these statutes.

CORRECTIVE ACTION

4. Respondent agrees to address the concerns referred to in paragraphs 1 and 2 by taking the following corrective action:
   
   a. Within six months of the date of this agreement, Respondent shall complete coursework, pre-approved by the Committee, on professional boundaries.

   b. The agreement shall be satisfied upon successful completion of the above coursework.

5. The agreement shall become effective upon execution by the Committee and shall remain in effect until Respondent successfully completes the terms of the agreement. Successful completion shall be determined by the Committee. Upon Respondent's signature and the Committee's execution of the Agreement for Corrective Action, the Committee agrees to close
the complaint resulting in the information referenced in paragraphs 1 and 2. Respondent understands and further agrees that if, after the matter has been closed, the Committee receives additional complaints similar to the information in paragraphs 1 and 2, the Committee may reopen the closed complaint.

6. If Respondent fails to complete the corrective action satisfactorily or if the Committee receives additional complaints similar to the allegations described in paragraph 1, the Committee may, in its discretion, reopen the investigation and proceed according to Minnesota Statutes chapters 14, 147, and 214. Failure to complete corrective action satisfactorily constitutes failure to cooperate under Minnesota Statutes section 147.091, subdivision 1(u). In any subsequent proceeding, the Committee may use as proof of the allegations of paragraphs 1 and 2 and Respondent’s agreements herein.

7. Respondent understands that this agreement does not constitute disciplinary action. Respondent further understands and acknowledges that this agreement and any letter of satisfaction are classified as public data.

8. Respondent hereby acknowledges having read and understood this agreement and having voluntarily entered into it. This agreement contains the entire agreement between the Committee and Respondent, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this agreement.

Dated: __/__/18

VERNE, ERICKSON, M.D.
Respondent

Dated: 11-9-19

FOR THE COMMITTEE

VERNE, ERICKSON, M.D.
Respondent
Jeffrey J. Kotulski, D.O.
Between the Bridges Healing Center, LLC
45 Teton Lane
Mankato, MN 56001

Minnesota Medical License No.: 37,416

Year of Birth: 1961

Date of Action: December 23, 2019

Nature of Misconduct: Engaging in any unethical or improper conduct, including but not limited to: conduct likely to deceive or defraud the public; conduct likely to harm the public; conduct that demonstrates a willful or careless disregard for the health, welfare, or safety of a patient; medical practice that is professionally incompetent; and conduct that may create unnecessary danger to any patient's life, health, or safety, in any of which cases, proof of actual injury need not be established; engaging in conduct that departs from or fails to conform to the minimal standards of acceptable and prevailing medical practice in which case proof of actual injury need not be established; improper management of medical records, including failure to maintain adequate medical records, to comply with a patient's request made pursuant to sections 144.291 to 144.298 or to furnish a medical record or report required by law; and failure to make reports as required by section 147.111 or to cooperate with an investigation of the board as required by section 147.131.

Action taken: Dr. Kotulski's license is temporarily suspended.
William G. Nelson, M.D.
2960 Winnetka Ave. N.
Suite 208
Crystal, MN 55427-2866

Minnesota Medical License No.: 32,416

Year of Birth: 1954

Date of Action: December 2, 2019

Nature of Misconduct: Engaging in unethical or improper conduct, including but not limited to conduct likely to deceive or defraud the public, conduct likely to harm the public, conduct that demonstrates a willful disregard for the health, welfare, or safety of a patient, medical practice that is professionally incompetent, and conduct that may create unnecessary danger to any patient's life, health or safety; and engaging in conduct with a patient which is sexual or may reasonably be interpreted by the patient as sexual, or in any verbal behavior which is seductive or sexually demeaning to a patient.

Action Taken: Dr. Nelson's license is temporarily suspended.
BEFORE THE MINNESOTA BOARD OF MEDICAL PRACTICE

COMPLAINT REVIEW COMMITTEE

In the Matter of the Medical License of Amanda R. Zehrer, M.D.
Year of Birth: 1988
License Number: 63,066

AGREEMENT FOR CORRECTIVE ACTION

This agreement is entered into by and between Amanda Rose Zehrer, M.D. ("Respondent"), and the Complaint Review Committee of the Minnesota Board of Medical Practice ("Committee") pursuant to the authority of Minnesota Statute section 214.103, subdivision 6(a) (2018). Respondent has been advised by Board representatives that Respondent may choose to be represented by legal counsel in this matter. Respondent elected to be represented by James S. McAlpine, Quinlivan & Hughes, P.A., 1740 West Saint Germain Street, St. Cloud, Minnesota 56301. The Board was represented by Kathleen M. Ghreichi, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota, 55101, (651) 757-1490.

FACTS

1. This agreement is based upon the following facts:

   a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on November 2, 2017.

   b. In December 2018, a patient presented to Respondent with heavy vaginal bleeding after an embryo transfer. Respondent used an office imaging study to diagnose pregnancy failure and prematurely prescribed a medication to induce uterine contractions.
2. On October 14, 2019, Respondent met with the Committee to discuss the information set forth in paragraph 1, above. Based on the discussion, the Committee views Respondent's conduct as inappropriate under Minn. Stat. § 147.091, subd. 1(k) (departure from or the failure to conform to the minimal standards of acceptable and prevailing medical practice) (2018), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify corrective action under these statutes.

CORRECTIVE ACTION

3. Respondent agrees to address the concerns referred to in paragraph 1 by taking the following corrective action:

   a. Within six months of the date of this Agreement, Respondent shall complete the following coursework, pre-approved by the Committee:

      i. Management of patients in early pregnancy, and
      ii. Treating patients undergoing assisted reproduction.

   b. Within nine months of the date of this Agreement and after successful completion of the pre-approved coursework, Respondent shall write and submit a paper, for Committee approval, describing what she learned from the coursework, how she will implement the knowledge in her practice, and reflecting on what she may have done differently with the patient.

4. The agreement shall become effective upon execution by the Committee and shall remain in effect until Respondent successfully completes the terms of the agreement. Successful completion shall be determined by the Committee. Upon Respondent's signature and the Committee's execution of the Agreement for Corrective Action, the Committee agrees to close the complaint resulting in the information referred to in paragraph 1. Respondent understands
and further agrees that if, after the matter has been closed, the Committee receives additional complaints similar to the information in paragraph 1, the Committee may reopen the closed complaint.

5. If Respondent fails to complete the corrective action satisfactorily or if the Committee receives additional complaints similar to the allegations described in paragraph 1, the Committee may, in its discretion, reopen the investigation and proceed according to Minnesota Statutes chapters 147, 214, and 14. Failure to complete corrective action satisfactorily constitutes failure to cooperate under Minnesota Statutes section 147.091, subdivision l(u). In any subsequent proceeding, the Committee may use as proof of the allegations of paragraphs 1 and 2 Respondent's agreements herein.

6. Respondent understands that this agreement does not constitute disciplinary action. Respondent further understands and acknowledges that this agreement and any letter of satisfaction are classified as public data.

7. Respondent hereby acknowledges having read and understood this agreement and having voluntarily entered into it. This agreement contains the entire agreement between the Committee and Respondent, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this agreement.

Dated: 11/5/19

AMANDA R. ZEHRER, M.D.
Respondent

Dated: 11/14/19

FOR THE COMMITTEE