

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

March 12, 2011

The Minnesota Board of Medical Practice met on its regularly scheduled meeting date, March 12, 2011, at its offices in Minneapolis, Minnesota.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Ernest Lampe, II, M.D., President; James Languard, M.D., President; Bradley Johnson, M.D. Vice President; Kelli Johnson, MBA, Secretary; Alfred Anderson, D.C., M.D.; Keith Berge, M.D.; Debbie Boe; Mark A. Eggen, M.D.; V. John Ella, J.D.; Sarah L. Evenson, J.D., MBA; Subbaro Inampudi, M.D., FACR; Tammy McGee, MBA; James Mona, DO; Gregory Snyder, M.D., DABR; and Jon Thomas, M.D., MBA

PUBLIC SESSION

The minutes of the January 8, 2011, Board meeting were received and approved as circulated.

Leonard Lichtblau, Ph.D., gave a presentation on the Pharmacology and Pharmacotherapeutics self-study course that he developed and provides for the Board in its disciplinary and corrective action activities. A question and answer session followed.

Ruth Martinez, Complaint Review Unit Supervisor gave a presentation on board member responsibilities in acting as Designated Board Members for individuals under board order. A question and answer session followed.

At the request of Ms. Martinez, Dr. Johnson gave an overview of his format for his Designated Board Member Report.

Board members requested that prior to their first designated board member meeting, respondents be informed of the role of the designated board member and the purpose for the meetings. Ms. Martinez stated that board staff will look into it. Board members requested examples of designated board member reports be sent to them for reference and also that they be included in the New Board Member Orientation.

On recommendation of the Licensure Committee, physician applicants 1 – 82 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Licensure Committee, physician applicants 83 & 84 of the agenda were approved for Emeritus registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 85 - 91 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Athletic Trainers Advisory Council, athletic trainer applicants 92 - 95 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 96 - 115 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Respiratory Care Advisory Council, respiratory therapist applicants 116 - 127 of the agenda were approved for licensure subject to the receipt of verification documents.

Bradley Johnson, M.D., Chair of the Licensure Committee presented the minutes of the February 17, 2011, Licensure Committee. Dr. Johnson commented on item number one:

In the January 8, 2011, report to the board, the Licensure Committee recommended denying licensure to a physician applicant. The Committee has since met with the individual and his attorney and is now recommending an unconditional license.

After board discussion regarding item number 1, the minutes and actions of the February 17, 2011, meeting of the Licensure Committee were received and approved as circulated.

Dr. Johnson stated that later in the agenda the board will address the home birth parent candidate for the Advisory Council on Licensed Traditional Midwifery that wasn't available for complete review at the time of the February 17, 2011, Licensure Committee meeting. Subsequent e-mail communications with the members of the Licensure Committee has allowed the Committee to make a recommendation.

Keith Berge, MD, gave an overview of his January 31 through February 1, 2011, visit to the Center for Personalized Education for Physicians (CPEP). Dr. Berge was impressed with their program and their professionalism and found the visit worthwhile. Dr. Berge noted that CPEP also offers other courses that the board may be interested in utilizing, such as a course on documentation, a practice monitoring program, an ethics remediation course, an individualized communication course, and a re-entry education course. Dr. Berge encouraged Complaint Review Committee members to visit the program and informed them that CPEP covers all expenses.

A question and answer session followed.

Dr. Johnson stated that he inadvertently omitted a couple of items from the Licensure Committee Minutes.

- Item number 6, Revisions Regarding the Maintenance of Certification (MOC) and Continuing Medical Education (CME) statement to reflect Osteopathic Continuous Certification (OCC) for board review and approval. At the January 8, 2011, board meeting, the board adopted a MOC/CME Statement to be posted on the board's website and to be published by the Minnesota Medical Association if they chose to do so. Humayun Chaudhry, DO, MS, FACP, FACOI, President of the FSMB published the Minnesota MOC CME statement in their bi-weekly newsletter. Dr. Chaudhry received feedback from other state medical/osteopathic licensing boards with concerns that the statement was not inclusive of the Osteopathic Continuing Competency (OCC) programs. Dr. Chaundhry e-mailed his proposed revisions to Dr. Eggen and the proposed changes are in the board agenda. Dr. Eggen withdrew a letter to the editor of the March issue of Minnesota Medicine that he had submitted regarding the MOC/CME Statement until the changes suggested by Dr. Chaudhry could be reviewed by the full board.

After a lengthy board discussion, a motion was made and passed unanimously to accept Dr. Chaudhry's revised Maintenance of Certification and Continuing Medical Education Licensure Requirement Statement on page 52 of the March 12, 2011, board agenda.

Changes to Maintenance of Certification and Continuing Medical Education Licensure Requirement Statement are in italic below.

Maintenance of Certification (MOC) and Continuing Medical Education Licensure Requirement

The Board of Medical Practice has authority to accept and, indeed, has accepted certification or recertification by a specialty board in lieu of compliance with the continuing medical education (CME) requirements during the cycle in which certification or recertification is granted. Minn. Rule 5605.0700 gives the Board authority to do so. The Board recognizes that lifelong learning is important to keep up to date medical knowledge and skills. *Maintenance of Certification (MOC) is available to physicians certified by American Board of Medical Specialties (ABMS) and Royal College of Physicians and Surgeons of Canada (RCPSC) physicians regardless of whether their certificates are time-limited. Osteopathic Continuous Certification (OCC) is available to osteopathic physicians certified by the American Osteopathic Association's Bureau of Osteopathic Specialists regardless of whether their certificates are time-limited.* Government payers, private insurers, and the public want assurance that physicians have current knowledge and skills. In light of MOC and OCC, the Board has revisited the issue to determine whether MOC and OCC would be acceptable as meeting the rule requirements and has determined that it does. Physicians may need to do CME for reasons other than licensure.

Robert Leach, J.D., Executive Director presented the Advisory Council Appointments:

In January the term of the physician member on the Respiratory Care Advisory Council expired but there wasn't an applicant for that seat. An application has been received from Dr. Amit Chandra and it is the recommendation of the Licensure Committee that Dr. Chandra be appointed as the physician member on the Respiratory Care Advisory Council.

A motion was made and passed unanimously to appoint Amit Chandra, MD, as the physician member on the Respiratory Care Advisory Council.

In January the terms of three council members on the Advisory Council on Licensed Traditional Midwifery expired. The midwife and the physician member applied for reappointment and it is the recommendation of the Licensure Committee that the midwife member, Alyssa Folin, LTM and the physician member Annelise Swigert, MD be reappointed on the Midwifery Advisory Council.

The home birth parent member of the Advisory Council on Licensed Traditional Midwifery, Ruth Fairchild did not reapply. The Minnesota Traditional Midwifery Practice Act provides that the home birth parent member must be chosen from a list submitted by Minnesota Families for Traditional Midwifery. Jennifer Mason's name was submitted by Minnesota Families for Traditional Midwifery. An application was received from an individual named Rebecca Bolton-Steiner. The Licensure Committee has determined that because of the statutory requirements, Jennifer Mason is recommended for appointment as the home birth parent member to the Traditional Midwifery Advisory Council.

A motion was made and passed unanimously to (re)appoint the following members to the Advisory Council on Licensed Traditional Midwifery:

Alyssa Folin, LTM, midwife member (reappointment)
Annelise Swigert, MD, physician member (reappointment)

Jennifer Mason, home birth parent member (appointment)

Mr. Leach presented the Executive Director's Report of staff activities since the last board meeting. Mr. Leach noted that Dick Auld, Ph.D., Assistant Executive Director and he met with Senator Sandra L. Pappas, along with representatives to the Boards of Nursing, Psychology and Social Work to discuss Senator Pappas proposed resolution entitled "A Resolution on Minnesota-licensed Health Care Professionals and Torture and Cruel, Inhumane or Degrading Treatment or Punishment of Prisoners." Also in attendance at the meeting were Stephen Miles, MD, Professor of Medicine and Bioethics at the University of Minnesota and Ellen Kennedy, Executive Director of World without Genocide. At the meeting, Mr. Leach and Dr. Auld suggested to Senator Pappas that she contact the Attorney General's Office (AGO) to get a legal opinion on whether or not the health licensing boards have jurisdiction and if so, whether the board be able to enforce any investigation measures with the Federal Government. Senator Pappas stated she will contact the AGO. The resolution has not been introduced and the board will be updated on the status of this resolution at the May 14, 2011, board meeting. The board discussed the possible implications of the proposed resolution.

Richard Auld, Ph.D., Assistant Executive Director updated the board on legislation of interest to the board. The Budget Committees haven't reviewed any of the health care board's budgets yet; they are currently working on the larger state departments budgets.

Mr. Leach informed Board members that the annual meeting of the Federation of State Medical Boards will be held April 28 – 30, 2011, in Seattle, Washington at the Sheraton Seattle Hotel and instructed the Board on the reservation procedures. Mr. Leach reminded board members of the new State requirement, that in order to be reimbursed for plane tickets, board members must go through Travel Leaders for their airline reservations.

Dr. Anderson informed the board that he has been invited to be on a panel to discuss pain and the treatment of pain. Dr. Anderson asked board members to attend this break-out session at the FSMB at their annual meeting on Friday, April 29, 2011.

Dr. Thomas stated that all of the board's resolutions are being reviewed at the FSMB with a fiscal note attached. The FSMB would like the board to present the resolution regarding what constitutes a full electronic medical record at the FSMB meeting. Dr. Thomas requested that board staff gather some examples of problems encountered by board staff with electronic medical records. Mr. Leach agreed.

Mr. Leach informed the board of two Corrective Action Agreements that were implemented since the last board meeting.

End of Public Session.

EXECUTIVE SESSION

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Ernest Lampe, II, M.D., President; James Langland, M.D., President; Bradley Johnson, M.D. Vice President; Kelli Johnson, MBA, Secretary; Alfred Anderson, D.C., M.D.; Keith Berge, M.D.; Debbie Boe; Mark A. Eggen, M.D.; V. John Ella, J.D.; Sarah L. Evenson, J.D., MBA; Subbaro Inampudi, M.D., FACR; Tammy McGee, MBA; James Mona, DO; Gregory Snyder, M.D., DABR; and Jon Thomas, M.D., MBA

BRADLEY R. BANGTSON, MD

On recommendation of the Complaint Review Committee, the Stipulation and Order for stayed suspension and restricted license signed by Dr. Bangtson was approved. Dr. Berge recused.

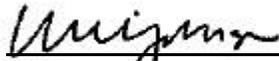
TODD J. GAVIN, MD

On recommendation of the Complaint Review Committee, the Stipulation and Order for reprimand and restricted license signed by Dr. Gavin was approved. Dr. Lampe recused.

ROGER A. JOHNSON, MD

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

There being no further business, the meeting was adjourned.



Kelli Johnson, MBA
Secretary
MN Board of Medical Practice

May 3, 2011

Date