

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

MAY 10, 2008

The Minnesota Board of Medical Practice met on its regularly scheduled meeting date, May 10, 2008, at its offices in Minneapolis, Minnesota.

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

PUBLIC SESSION

Roll call was recorded by Robert Leach, Executive Director.

The minutes of the March 8, 2008, Board meeting were received and approved as circulated. Dr. Van Etta informed the board that there should be a change to the minutes of the March board meeting; if a thimerosal free vaccination is not available, the use of a vaccination containing thimerosal is allowed.

Deborah Powell, MD, Dean of the University of Minnesota Medical School gave a presentation about the school's proposed Med 2010 plan.

Med 2010, as envisioned, is an evolving, individualized educational program for future physicians, described as learner-centered for patient-centered care.

The University plans an approach to medical education which is more like graduate school, in which students follow their interests with guidance. The educational infrastructure relies on defining competencies for physicians.

As part of this evolution, the University's Flexible MD Program permits students to expand or contract their studies from 3.5 to 6 years and, with their cost-of-degree program, pay the same tuition.

A question and answer session followed. It was agreed that Dean Powell will come back to give regular updates to the board regarding the progress of Med 2010. Also, the board would like to vet some of the competencies that the University develops.

The board took a five minute break.

Dr. Van Etta congratulated board member Dr. Alfred Anderson for the article in the Federation of State Medical Board's Newsline on the Minnesota Pain Group Report to the legislature which was chaired by Dr. Anderson. The board gave Dr. Anderson a round of applause.

On recommendation of the Licensure Committee, physician applicants 1 – 162 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Licensure Committee, physician applicants 163 - 164 of the agenda were approved for Emeritus registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 165 - 174 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 175 - 183 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 184 - 203 of the agenda were approved for registration subject to the receipt of verification documents.

On recommendation of the Respiratory Care Practitioner Advisory Council, respiratory care practitioner applicants 204 - 216 were approved for registration subject to the receipt of verification documents.

The minutes of the April 3, 2008, meeting of the Licensure Committee were received and approved as circulated.

Dr. Van Etta inquired about item number 10 in the Licensure Committee Minutes regarding the Centra-Care re-entry program. Dr. Hafner-Fogarty stated that Dr. Van Gorp from Centra-Care created a reentry program for a physician assistant who has been out of practice for a substantial amount of time. The Licensure Committee was very impressed with the reentry program crafted by Dr. Van Gorp and asked that Jeanne Hoffman, Licensure Supervisor, keep a template for future Licensure Committee's reference. The Licensure Committee also asked Ms. Hoffman to send a letter thanking Dr. Van Gorp for all his hard work in developing this excellent program. Dr. Hafner-Fogarty said that she would ask Ms. Hoffman to e-mail the template of the reentry program to all board members.

Dr. Van Etta asked for clarification regarding item number 12 in the Licensure Committee Minutes regarding the Mayo Certificate of Associate Degree Equivalency. Dr. Hafner-Fogarty explained that Mayo requested that the Licensure Committee certify their respiratory care practitioners at the time these practitioners start their clinical work in the hospital before they have completed their program. The Licensure Committee decided to continue the position that respiratory care practitioners are eligible for registration on completion of their training.

Dr. Hafner-Fogarty informed the board that a Special Licensure Committee Meeting was held prior to the current board meeting. Mr. Leach stated that the Licensure Committee will make a report to the board on the matter discussed at a future board meeting.

The Board discussed issues related to the annual meeting of the Federation of State Medical Boards.

Dr. Van Etta stated her condolences to Dr. Thomas who did not win election to the Federation's Board of Directors. Dr. Thomas thanked everyone for their support and stated that he intends to run again for office at the Federation next year with the support of the board.

Dr. Van Etta pointed out that, as a result of feedback from our board and other boards regarding the Maintenance of Competency Resolution, the recommendation on the resolution which went to the House of Delegates was significantly watered down. Dr. Van Etta said that the major portion of the resolution states that the Federation is going to endorse the Board of Directors recommendation that prior to taking any action on the Report of the Special Committee of Maintenance of Licensure, the Federation of State Medical Boards will engage in further evaluation to better understand how implementation of the proposed maintenance of licensure requirements will impact state medical boards and other state groups. Dr. Van Etta stated our board has received a request from the Federation of State Medical Boards' Board of Directors for our report on Statistics on Minnesota Physicians with Board Certificates which was developed as a part of our Taskforce on Physician Competency.

Dr. Hafner-Fogarty reported that Women's Networking Reception was a great success with a large number of attendees. Dr. Hafner-Fogarty believes that being added to the official Federation of State Medical Boards' Program boosted attendance. Dr. Hafner-Fogarty reported that they presented Doris Brooker, MD, previous board member, with a gift in honor of her receiving the Federation's Distinguished Service Award. Dr. Hafner-Fogarty thanked everybody on the board for continuing to support this meeting.

Dr. Snyder stated that there are seventy delegates to the Federation of State Medical Boards. Fifteen states of the fifty have two votes at the House of Delegates. On the current Federation of State Medical Boards' Board of Directors, seven of the fifteen are from states that have two votes. Dr. Snyder asked if this is inappropriate representation for states, like Minnesota, that have one vote. Dr. Thomas stated that it's not just the osteopathic and medical boards that get two votes; it is also states that have a licensure board and a discipline board.

Dr. Van Etta felt that the board has two resolutions for next year, and felt it's not too early to start developing them for the next Federation meeting.

The first resolution is to propose that all states go forward trying to develop reeducation/reentry programs and that the Federation starts to be the housekeeper to help coordinate these activities.

The second resolution should be that the board put forward to the Federation that every state should have two votes in the House of Delegates.

After lengthy discussion, it was decided not to pursue the resolution to the Federation that every state should have two votes in the House of Delegates, at this time.

Ms. McGee expressed a question of transparency in the process of how the voting delegate is selected to represent the board at the Federation of State Medical Boards, how it is determined if a board member can run for a federation position, and lack of conversation about the entire agenda from the House of Delegates.

After board discussion, Dr. Hafner-Fogarty suggested, to make the Federation process become regularized and to have it become part of the infrastructure of the board going forward, that the board dedicate the time that it usually sets aside for an educational presentation at each November board meeting to talk about Federation of State Medical Board relationships, potential resolutions, identify people that want to be active in the Federation, discuss if the board is going to have a candidate or multiple candidates, have a discussion among the board members about who the board should elect as its voting delegate. Mr. Leach stated that the voting delegate issue is always talked about in November because that's when the Board is presented with the Nominating Committee recommendations for officers and voting delegate.

Richard Auld, Ph.D., Assistant Executive Director gave a legislative update.

- Mr. Auld informed the board that SF 3313 and HF 3611 passed both houses and was signed by the governor and the effective date was April 11, 2008. This legislation increased the USMLE number of attempts allowed, for each of the three steps, from three to four providing the applicant is licensed in another state, free of disciplinary action, and is board certified. Dr. Hafner-Fogarty requested that board staff review applicants who applied for licensure within the last year but were denied a Minnesota medical license because they took the USMLE more than three times and send letters to the applicants if they now qualify for a Minnesota medical license.
- Mr. Auld informed the board of HF 1724 and SF 1520. The bill is regarding the credentialing of naturopathic practitioners who have gone through a specified academic training program and a residency and have passed a national standardized examination. This bill has passed the House and is currently in the Senate Finance Committee and will then go to a conference committee. Mr. Auld anticipates that it will pass the conference committee. Mr. Auld informed the board that the jurisdiction for credentialing the naturopaths would be under the Board of Medical Practice. Mr. Auld anticipates that there would be approximately 25 people who would be eligible to be credentialed under this law and that over five years that number would increase to approximately 75 to 80 people. Mr. Auld stated that Ms. Hoffman has put considerable work into developing the appropriate cost figures and the board has submitted a fiscal note to the committees in the legislature and the bill contains the board's recommended registration fees of \$200.00 for the application fee and \$150.00 for the renewal fee.
- Mr. Auld gave an update on SF 3583 that was authored by Senator Ray Vandever which 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. Mr. Auld informed the board that Mr. Leach, himself, and Dr. Van Etta had a long conference call with Senator Vandever and

Dr. Van Etta did an outstanding job of presenting the information. The conference call did not change Senator Vandever's position on this bill.

Dr. Van Etta stated that in the conference call, they suggested Senator Vandever submit a bill mandating the Minnesota Department of Health to launch a prospective rigorous scientific study on this issue. Senator Vandever did not agree to the study because of the cost it would entail.

Mr. Auld informed the board that board staff had prepared a letter with Dr. Van Etta's comments and sent the letter to various committee chairs and committee members. After the letter was sent, Senator Van De Veer requested a meeting with Senator Marty, Chair of the Health and Human Services Policy Committee. Senator Vandever rescheduled and it was again canceled just prior to the Federation's Annual meeting. Mr. Auld stated that Senator Van De Veer has again requested a meeting and board staff are in the process of trying to reschedule the meeting. Dr. Van Etta is going to be available, again, to present infection control information. Dr. Van Etta stated that they will again put forward to Senator Marty a request for the scientific study. Mr. Auld will keep the board informed regarding this bill.

- Mr. Auld stated that a \$5.00 surcharge on professional licenses was introduced and incorporated in the Health and Human Services Finance bill. The first year of revenue from this would go to offset the revenue deficient, thereafter the revenue would go to support an effort to develop a state wide licensure access system for renewal and application for licensure. This bill has progressed through the various finance committees and it currently included in the Conference Committee Report. Dr. Van Etta stated that the board's objection to this is that the board has already been through this process and already had a surcharge on the board's licensees. Mr. Auld stated that this system would include all Minnesota licenses including: plumbers, locksmith, attorneys, etc. Mr. Leach stated that most of the health licensing boards in the University Park Plaza Building have already developed their own information technology systems and online renewals.

Dr. Van Etta asked about the status of HF 3640, regarding the removal of board members for cause. Mr. Auld stated that board staff attempted to contact Senator Gerlach multiple times but he has not responded. HF 3640 has not progressed; it has missed all the legislative deadlines. Mr. Leach stated that a letter was sent to Senator Gerlach and Representative Madore following the March 8, 2008, board meeting stating that the board felt that the language should apply to all health licensing boards and should be put into Chapter 214, and not be put into the board's Practice Act. They did not respond to the letter. Mr. Leach stated he also left voice mails for both of them and they did not respond. Mr. Auld believes this issue will not move forward.

The board discussed where to hold the September 13, 2008, greater Minnesota board meeting. After a brief discussion, the board decided to hold the meeting in Detroit Lakes, Minnesota.

Dr. Van Etta asked board members when they were available to meet for the next Strategic Planning Meeting. It was decided that the Strategic Planning Meeting would be included in the July 12, 2008, board agenda and replace the educational component agenda item. Dr. Smith suggested that the Strategic Planning materials be sent out

prior to the July board meeting, with information on what has been accomplished and what is left to be accomplished.

Mr. Leach stated that board member Allen Rasmussen, not in attendance at this meeting, suggested that rather than trying to get the full board together for Strategic Planning Meeting that the board appoint a Strategic Planning Committee to handle the actual strategic planning and report back to the board and make recommendations. Mr. Rasmussen also volunteered to be on the Strategic Planning Committee. After board discussion, Dr. Thomas made a motion that the board combine the Public Policy Committee with Strategic Planning and call it the Policy and Planning Committee. Motion passed unanimously.

The Board was informed of one Corrective Action Agreement introduced 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: Linda Van Etta, President, Carl Smith, M.D., President, Rebecca Hafner-Fogarty, M.D., MBA, Vice President, Alfred Anderson, M.D., D.C., Jack Geller, Ph.D., Bradley Johnson, M.D., Kelli Johnson, Ernest Lampe, II, M.D., James Langland, M.D., Tammy McGee, James Mona, D.O., Gregory Snyder, M.D., and Jon Thomas, M.D., MBA

GREGORY L. ANGSTMAN, MD

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

MICHAEL CENTRELLA, DO

On recommendation of the Complaint Review Committee, the Stipulation and Order for indefinite suspension signed by Dr. Centrella was approved.

YOHANNES GEBRE, MD

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

KATHRYN T. MURRAY, RCP

On recommendation of the Licensure Committee, the Stipulation and Order for reprimand signed by Ms. Murray was approved.

LUTHER TERRANCE PRINCE, III, MD

On recommendation of the Complaint Review Committee, the license of Dr. Prince was reinstated.

LISA M. VOLLMER, MD

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

JEAN E. WILBER, RCP

On recommendation of the Complaint Review Committee, the registration of Ms. Wilber was reinstated.

BRENT S. WILLIAMS, MD

On recommendation of the Complaint Review Committee, the Stipulation and Order for restricted license signed by Dr. Williams was approved. Drs. Hafner-Fogarty and Langland opposed.

There being no further business, the meeting was adjourned.



Allen Rasmussen
Secretary
MN Board of Medical Practice

July 1, 2008
Date