

Missouri State Board of Registration for the Healing Arts
Missouri Council of School Administrators Building
3550 Amazonas Drive
Jefferson City, Missouri 65109

Open Session Meeting Minutes
July 24-25, 2014

The members of the Missouri State Board of Registration for the Healing Arts convened on July 24 at 8:00 am at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri 65109.

Board Members Present:

Benjamin Lampert, MD, President
James DiRenna, DO, Member
John Lyskowski, MD, Member
David Poggemeier, MD, Member
David Tannehill, DO, Member

Board Member Absent:

Jeffrey Carter, MD, Member
Bradley Freeman, MD Member

Staff Present:

Connie Clarkston, Executive Director
James Leggett, Executive I
Sarah Schappe, General Counsel
Frank Meyers, Associate General Counsel
William Voss, DO, Interim Chief Medical Officer
Melvin Abend, MD, Medical Staff
William Smittle, DO, Medical Staff
Kenneth Hammond, Chief Investigator
Paul Williams, Probation Supervisor
John Short, Probation Supervisor
John Heidy, Probation Supervisor
Kim Beffa, Enforcement Supervisor
Kim Brester, Administrative Services Coordinator
Shannon Mills, Paralegal
Andrew Funk, Information Support Coordinator
Rachel Hatfield, Processing Technician II
Andrea Fischer, Processing Technician II
Tammy Branch, Processing Technician I

The order of the items reflected in these minutes are not necessarily reflective of the order in which the items were reviewed and discussed.

MOTIONS TO CLOSE

1. I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed, under Sections 610.021 (14), 324.001.8 and 324.001.9, RSMo for the purpose of discussing

investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant.

2. I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed, under Section 610.021 (1), RSMo for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney.
3. I move that this meeting be closed, and that all votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed, under Section 610.021 (1), RSMo for the purpose of deliberation on discipline.
4. I move that this meeting be closed, and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed, under Section 610.021 (3), RSMo for the purpose of discussing hiring, firing, disciplining or promoting employee of this agency.
5. I move that this meeting be closed and that all records and votes, pertaining to and/or resulting from this closed meeting be closed, under Sections 610.021 (14), 324.001.8 and 324.001.9 RSMo for the purpose of discussing applicants for licensure.
6. I move that this meeting be closed and that all records and votes pertaining to and/or resulting from this closed meeting be closed under Section 610.021 (13), RSMo for the purpose of making performance ratings pertaining to individual employees.
7. I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed, under Section 610.021 (7), RSMo for the purpose of discussing and/or reviewing testing and examination records.
8. I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed, under Section 610.021 (5), RSMo for proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees.
9. I move that this meeting be closed, and that all records and votes pertaining to and/or resulting from this closed meeting be closed, for the purpose of reviewing and approving the closed minutes of one or more previous meetings under Section of 610.021, RSMo which authorized this agency to go into closed session during those meetings.

Dr. Lampert advised the Board that these motions could be referenced by number for motions to go into closed session.

Closed Session

Motion made by Dr. DiRenna and seconded by Dr. Tannehill to go into closed session under numbers 1, 2, 3, 8 and 9 of the motions to close. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

General Business Agenda

Dr. Lampert chaired the meeting during the General Business Agenda and the Board voted the following actions be taken:

1. Approval of Minutes

Motion made by Dr. Poggemeier and seconded by Dr. DiRenna to accept to approve the February 2014 conference call minutes, March 2014 conference call minutes and April 2014 open meeting minutes as presented. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

2. 2015 Meeting Dates

The board was asked to look at the potential meeting/conference call dates to establish dates, times and locations.

Motion made by Dr. Poggemeier and seconded by Dr. Lyskowski to schedule Board meetings for Jan 22-23, May 14-15, July 16-17, October 22-23 and schedule conference calls March 22, June 28, Sept 27, Dec 20 of 2015. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

3. 2014 Strategic Planning

The Executive Director of the Board proposed a one (1) day meeting be scheduled in the fall for the Board and the members of the six (6) Advisory Commissions/Committees to participate in a presentation of the Federation of Associations of Regulatory Boards' (FARB) Comprehensive Regulatory Training and for each of the Advisory Commissions/Committees to meet with the Board to discuss current trends and issues of their respective professions.

No motion was made by the Board with regard to this agenda item. However, the Board agreed to hold a Strategic Planning Meeting and with the proposed agenda. Board staff will work with members to establish a date a location for the meeting to be held in St. Louis, Missouri, this fall.

4. Patient Safety Conference

The Missouri Dental Board, Board of Nursing, Board of Pharmacy, and the Board of Registration for the Healing Arts are hosting the 2014 Joint Regulatory Patient Safety Conference. The event will be held on August 7, 2014 in Columbia, Missouri.

This item was for informational purposes and no action was taken by the Board.

5. Opioid Prescribing Conference

Mr. Hammond recently attended the conference on Advancing and Practice: A 50-State Workshop Meeting to Prevent Opioid-Related Overdose hosted by the Department of Health and Human Services. Mr. Hammond provided an update about the conference.

The DEA's Office of Diversion Control will be hosting the 22nd National Conference on Pharmaceutical and Chemical Division in Kansas City, Missouri on September 30 – October 1, 2014. Ms. Clarkston and Mr. Hammond plan to attend. Dr. DiRenna expressed an interest in attending.

This item was for informational purposes and no action was taken by the Board.

6. Board Opinion Statements

Dr. Lampert requested the Board discuss previous opinion statements in light of the Supreme Court ruling in the Missouri Association of Nurse Anesthetists, Inc. v. State Bd. of Registration

for Healing Arts, 343 S.W.3d 348 (Mo. 2011). Included in the materials is the Supreme Court's ruling and two (2) examples of Board opinion statements. The two (2) examples were once listed on the Board's website; however, following the MoANA decision, the statements were removed.

This item was for informational purposes and no action was taken by the Board.

7. 2014 Legislation

Governor Jay Nixon signed several bills into law that relate to the practice of medicine or other regulated professions which will become effective August 28, 2014.

- SB716 and SB754 establish licensure for assistant physicians and provisions that allow physician assistants to enroll as a MO HealthNet provider while acting under a supervision agreement between the physician and physician assistant.

Motion made by Dr. Tannehill and seconded by Dr. Lyskowski to contact deans of medical schools and primary care residency programs to begin the the discussion of what they have to offer, what role they can play and whether they are interested in the rule making process. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Motion made by Dr. DiRenna and seconded by Dr. Lyskowski to direct legal counsel to prepare an analysis of the bill and to draft proposed rules and a subcommittee be established to be comprised of Dr. DiRenna, Dr. Tannehill and Dr. Freeman to the review proposed rules. to Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

- HB1779 authorizes an Advanced Practice Registered Nurse (APRN) in a collaborative practice arrangement to make certain decisions regarding patient restraints.

This item was for informational purposes and no action was taken by the Board.

- SB754 and SB808 authorizes pharmacists to administer hepatitis A, hepatitis B, diphtheria, tetanus, and pertussis vaccines by written protocol authorized by a physician.

This item was for informational purposes and no action was taken by the Board.

- SB754 requires hospitals to offer inpatients sixty-five (65) years and older immunizations against influenza virus with the approval of the attending physician or other practitioners authorized to order vaccinations or as authorized by physician-approved hospital policies or protocols for influenza.

This item was for informational purposes and no action was taken by the Board.

- SB808 requires licensee submitting their renewals provide only has to include a Social Security number in situations where the original application did not contain a Social Security number.

This item was for informational purposes and no action was taken by the Board.

8. 2015 Legislative Proposals

Based on prior comments and feedback from the Board, and in preparation for the 2015 legislative session, below is a list of proposed changes to various statutes and rules that apply to the various professions regulated by the Board. A summary of the proposals are as follows:

Non-Binding Opinions

Pursuant to the MOANA v. Missouri Board of Registration for the Healing Arts decision by the Missouri Supreme Court, the Missouri Board of Registration for the Healing Arts ("Board") cannot give opinions or issue position statements. This includes answering the questions of licensees on simple licensing issues, disciplinary questions, and/or any other issues licensees may have. This would be a newly enacted section of Chapter 334, which would allow the Board to issue non-binding opinion statements addressing the issues and/or questions posed by its licensees and avoid potential issues with licensees, including disciplinary issues, that could easily be avoided with an answer by the Board thus avoiding potential harm to the public, future discipline and/or litigation.

Motion made by Dr. Tannehill and seconded by Dr. Poggemeier to approve the proposal and to submit the proposal for consideration. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Physician Examination Requirements (section 334.040, RSMo)

Section 334.040, RSMo governs the examination requirements for physician licensure in Missouri. As part of the process in reviewing the current statutes and drafting the proposed changes, staff reviewed national state medical licensure requirements provided by the Federation of State Medical Boards ("FSMB"), and focused on the states surrounding Missouri. Attached is a copy of the report from the FSMB as well as a chart of the licensure requirements of the surrounds states. The proposed changes would help clarify current licensure requirements, significantly streamline the application process, and help bring Missouri's licensure rules and statutes more in line with current medical training and education requirements.

Motion made by Dr. Tannehill and seconded by Dr. Lyskowski to approve the proposal and to submit the proposal for consideration. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Physician Licensure Requirements (section 334.031, RSMo)

Section 334.031, RSMo governs the licensure requirements for physician licensure in Missouri. Currently all applicants for permanent licensure must submit a certificate of high school graduation, undergraduate transcripts, and medical school transcripts and diplomas. This proposal would less the burden for applicants to by eliminating submission of the above stated documents and require applicants to only provide a copy of their diploma showing they received a medical or osteopathic degree.

Motion made by Dr. Poggemeier and seconded by Dr. Lyskowski to approve the proposal and to submit the proposal for consideration. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Physical Therapist and Physical Therapist Assistants Disciplinary Provisions (section 334.613, RSMo)

The current language of 334.613.2 does not allow discipline of a Physical Therapist or Physical Therapist Assistant unless said Physical Therapist or Physical Therapist Assistant has first "...failed to renew or has surrendered his or her license..." This means that any licensee who has never failed to renew their license or surrendered their license, which constitutes the vast majority of Physical Therapists and Physical Therapist Assistants in Missouri, cannot be disciplined if they violate the subsections of 334.613.2. This has effectively removed the ability of the Board to discipline Physical Therapists or Physical Therapist Assistants who have never failed to renew pursuant to 334.613.2, RSMo. The proposed change would add language allowing the Board to discipline the license of any Physical Therapist or Physical Therapist Assistant including those who have not "...failed to renew or has surrendered his or her license..."

Motion made by Dr. Lyskowski and seconded by Dr. Tannehill to approve the proposal as submitted and submit the proposal for consideration. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Speech Language Pathologists (Chapter 345, RSMo)

The existing law requires that an SLPA be supervised by a licensed speech language pathologist, hold a bachelor's degree in "speech-language pathology," and complete a clinical practicum. Most institutions do not grant degrees in "speech-language pathology." The bachelor's degree is usually a degree in communication disorders or another similar title. Additionally, some school districts do not have licensed speech-language pathologists on site to supervise. They have individuals credentialed by DESE who are exempt from chapter 345 licensure. Currently, there is a shortage of qualified individuals to provide speech-language pathology services, particularly in schools.

The existing law refers to "clinical audiologists" in some places, while in others it refers to "audiologists." This bill standardizes these references to "audiologists." The prior language also states that SLPAs, speech-language pathology aides, and audiology aides receive "registrations" instead of licenses. This makes the law difficult to read and to enforce as the terminology is not consistent.

Currently, speech-language pathologists are required to complete a clinical fellowship year after graduating. This period of time must be supervised. Because of the change in the structure of SLP education, requiring individuals to prove again that they have completed this training is duplicative and not necessary.

Currently, individuals can only serve on the Speech-Language Pathologist/Audiologist Commission for more than two terms (six years). There is a shortage of qualified applicants for Commission positions.

In 2011, the General Assembly passed HB265 which added several causes to discipline to Chapter 334, which governs other professions the board oversees. Those changes are not incorporated yet in Chapter 345, making it confusing and limiting the board's ability to discipline licensees of Chapter 345 consistently with other board licensees.

The proposed changes make the requirements to get an SLPA license more consistent with the educational opportunities available in Missouri and should increase the number of SLPAs available to provide services.

Standardizing the language to “licenses” and “audiologists” will make the statutes easier to read and avoid technical legal challenges when the Board needs to discipline a licensee. Removing the requirement for proof of a clinical fellowship year will decrease the amount of paperwork required to get a license and will increase the ability of the board to quickly process licenses.

Allowing individuals to serve on the commission longer than six years will mean that there is a bigger pool of qualified commission members. Making this chapter consistent with 334 will allow consistency and reduce confusion.

Motion made by Dr. Lyskowski and seconded by Dr. DiRenna to support the proposal as submitted and submit the proposal for the Governor’s consideration. If the proposal is not approved, suggest contacting the association for consideration in carrying the bill. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Athletic Trainers (section 334.700 – 334.725, RSMo)

The Missouri Athletic Trainer Association submitted proposed legislative changes to the Missouri Athletic Trainer Advisory Commission and Board for comment. A legal analysis was completed and reviewed by the Advisory Commission and the Board. One area of note was the broadening of the scope of practice of athletic trainers, including removing the requirement that they only treat “athletes.” The Advisory Commission supported the changes, while the Board noted concern with the potential expansion of scope of practice.

Motion made by Dr. Tannehill and seconded by Dr. Lyskowski to share the legal analysis and comments with the Missouri Athletic Trainer Association and include this as a topic for discussion with the Athletic Trainer Advisory Commission at the Strategic Planning Meeting. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Workforce Data (Chapter 324, RSMo)

The proposal would allow the Boards of Nursing, Dental, Pharmacy and Healing Arts to:

- Enter into contractual agreements with a public institution of higher education, a nonprofit corporation or association for the purpose of collecting and analyzing workforce data from its licensees for future workforce planning;
- Authorizes the collection fees and expenditure of funds to cover the cost of the program.

Motion made by Dr. Lyskowski and seconded by Dr. DiRenna to change the word “shall” to “may” so that it states “. . .the boards may establish fees. . .” to support the proposal’s intent, to submit it as a placeholder, and to direct staff to further study the issue and bring it back to the Board. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Perfusionist Legislation (Chapter 537.035, RSMo)

The proposed amendment allows perfusionists to participate in peer review committees, which are subject to certain protections in discovery. This issue came to light when a perfusionist was excluded from the peer review committee at Children's Mercy Hospital based in part on this statute. Mr. Greg Weaver appeared to discuss the proposal.

Motion made by Dr. Tannehill and seconded by Dr. DiRenna to add this to the agenda for discussion at the strategic planning meeting this fall. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

9. Blue Cross Blue Shield

At the April 2014 meeting representatives of Blue Cross Blue Shield were present and gave a presentation related to the LiveHealth Online program. No action was taken by the Board; however, the Board requested additional information regarding other state laws from Blue Cross Blue Shield to be reviewed at a future board meeting.

No action was taken by the board related to this agenda item.

10. Licensure Compact

Attached the latest draft of the proposed Interstate Medical Licensure Compact dated May 5, 2014. Portions that are different than previously reviewed drafts have been highlighted for the Board's review.

This item was for informational purposes and no action was taken by the Board.

11. Rule Petitions

The Board has received Rule Petitions pursuant to section 536.175, RSMo for the following rule

Collaborative Practice – The Board received a request from Richard Watters, on behalf of Minute Clinic and Walgreen's, requesting changes to 20 CSR 2150-5.100(2)(8), 20 CSR 2150-5.100(2)(C), 20 CSR 2150-5.100(2)(D), 20 CSR 2150-5.100(3)(H), and 20 CSR 2150-5.100(4)(F).

Motion made by Dr. Tannehill and seconded by Dr. Poggemeier to deny the request to change the collaborative practice rules and directed staff to draft the required response to the rule petition based on the conversation today, including the conversation about the telehealth rules, and previous conversations about the topic. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Hair Restoration (New Rule) – The Board received a request to make rules forbidding the delegation of hair restoration procedures to unlicensed personnel.

Motion made by Lyskowski and seconded by Dr. DiRenna to deny the request and to direct staff to draft the required response to the rule petition based on the conversation held. The response should particularly mention the lack of any data about this being a particular problem in Missouri and the lack of complaints received. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of this motion. The motion carried unanimously.

Physical Rehabilitation (New Rule) – On or about March 7, 2017, the Missouri Athletic Trainer Advisory Committee (“Advisory Committee”) received a petition for rulemaking from Morgan Simpson, AT. Mr. Simpson is requesting that the Advisory Commission promulgate a rule stating that it is not fraud for an athletic trainer to bill for physical rehabilitation (CPT 97001, etc).

Motion made by Tannehill and seconded by Dr. Lyskowski deny the request and to direct staff to draft the required response to the rule petition. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeiern and Dr. Tannehill voted in favor of this motion. The motion carried unanimously.

Examination – Physical Therapists and Licensing by Reciprocity – Physical Therapists- On June 4, 2014, the Advisory Commission for Physical Therapists received a request for rulemaking from Mr. Matt Taylor. Mr. Taylor related that he would like to obtain a Missouri physical therapist license. However, he originally passed his physical therapy boards in Tennessee in 1980. He has held licenses in three states and served in the armed forces. He cannot provide proof that he met the requirements of the rules.

20 CSR 21.50-040 states:

(1) Upon proper application, the State Board of Registration for the Healing Arts may recommend for licensure without examination legally qualified persons who-

- (A) Possess an active license in any state or territory of the United States or the District of Columbia authorizing them to practice in the same manner and to the same extent as professional physical therapists are authorized to practice by this act if the applicant has been successfully examined by any professional board considered competent by the State Board of Registration for the Healing Arts;
- (B) Have received examination scores equivalent to those set forth in 20 CSR 2150-3.030; and
- (C) Have fulfilled all the scholastic and other requirements for licensure in Missouri.

20 CSR 2150-3.030 states:

(1) The applicant shall—

- (A) Meet all requirements as set forth in 20 CSR 2150-3.010;
- (B) Make application with the board; and
- (C) Register with the Federation of State Boards of Physical Therapy (FSBPT) to sit for the licensing examination.

(2) To receive a passing score on the examination, the applicant must achieve the criterion-referenced passing point recommended by the FSBPT. This passing point will be set equal to scaled score of 600 based on a scale of 200 to 800. Scores from a portion of an examination taken at one (1) test administration may not be averaged with scores from any other portion of the examination taken at another test administration to achieve a passing score.

Motion made by Dr. Tannehill and seconded by Dr. Lyskowski to accept language as drafted by legal counsel, to direct staff to draft the required response to the rule petition,

and to pursue filing this as an emergency rule. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The Motion carried unanimously.

Athletic Trainer – Definitions- Section 20 CSR 2150-6.010(1)(H) states:

(H) The phrase “Direction of the Team Physician and/or Consulting Physician” as used in section 334.702, RSMo, may be evidenced by the following:

1. A functional protocol form, signed by a team physician. The protocol form shall specify what procedures the athletic trainer may perform or initiate during the physician’s absence.
2. A written or verbal order from a team physician and/or consulting physician; and
3. Written procedures of the setting in which the athletic trainer practices that have been approved by the team physician and/or consulting physician.

Morgan Simpson, AT has requested that the Missouri Athletic Trainer Advisory Committee modify the above rule by changing the “may” to “shall.” He states (correctly) that the “may” in the sentence allows an athletic trainer and team or consulting physician to use another method to evidence that the AT is working under the directions of the team or consulting physician.

STAFF NOTE: This item was inadvertently skipped during the meeting. It will be discussed at the September 2014 Conference Call.

12. Reentry to Practice

Dr. DiRenna had requested discussion of the Physician Reentry Program. He discussed the work he had done in contact possible resources for the program.

No action was taken on this item.

13. Collaborative Practice Rule

Ms. Clarkston, Mr. Meyers and staff members from the Board of Nursing met with Rep. Kathryn Swan in May to discuss HB315 (2013). The Board of Healing Arts and the Board of Nursing were asked to review draft language of the Collaborative Practice Rule, 20 CSR 2200-4.200 without any of the recommended changes to (3)(H) in light of HB315. During their June meeting, the Board of Nursing met with Rep. Swan and reviewed the proposed telehealth regulations and voted to leave subsection 3(H) of the rule as it currently reads and make no changes to the subsection. During the June 22, 2014 conference call the Board requested to meet with Rep. Kathryn Swan. Rep. Swan has been scheduled to meet with the Board at 8:00am on Friday, July 25, 2014.

Motion made by Dr. DiRenna and seconded by Dr. Poggemeier to confirm the Board’s position as represented in the May 23, 2014 draft rule language. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Rep. Swan proposed a meeting on Sept 9, 2014 for a quorum of both boards to attend with the ability to vote out any final version of the rule. Motion to accept this proposal was made by Dr. Poggemeier seconded by Dr. Tannehill.

Motion made by Dr. Lyskowki and seconded by Dr. Poggemeier for staff to communicate with the Board of Nursing a summary of the Board's position in retaining the language represented in the May 23, 2014 draft.

14. Board Delegated Authorities

Numerous proposed amendments to the Board Delegated Authorities were submitted for approval by the Board. In addition to those originally posted to the agenda and included in the supplemental handout, it was also proposed that the following be added:

- Add "anticipated" to the authority regarding the absence of the executive director.

Motion made by Dr. DiRenna and seconded by Dr. Tannehill to approve the proposed amendments. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Closed Session

Motion made by Dr. Lyskowki and seconded by Dr. Poggemeier to go into closed session. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Appearance Agenda

Dr. Lampert chaired the meeting during the Appearance Agenda.

Coen, Daniel, AT – Automatic Revocation Hearing **2013-004408**

On August 14, 2013, Mr. Coen pled guilty to two counts of Stealing by Deceit a felony, which involves fraud, dishonesty, or moral turpitude. He was sentenced to three (3) years probation.

Motion made by Dr. Tannehill and seconded by Dr. Poggemeier to go into closed session. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Hassan, Khaled, MD – Automatic Revocation Hearing **2013-001699**

On January 30, 2014, Dr. Hassan was indicted for three counts of making False Statements Relating to Health Care Matters, which are felonies. Dr. Hassan pleaded guilty to all three counts and sentenced to probation for a term of four years with additional supervised release terms. Special Assessment for \$100.00 per count for a total of \$300.00. Fine of \$2000.00 and restitution in the amount of \$31,348.62 (On April 16, 2014, restitution was paid in advance).

Motion made by Dr. Poggemeier and seconded by Dr. Tannehill to go into closed session. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Jamry, Wit, MD – Automatic Revocation Hearing **2013-000474**

On February 20, 2013, Dr. Jamry entered into a guilty plea agreement with the US District Court and pled guilty to one (1) felony count of executing a health care fraud scheme.

Motion made by Dr. DiRenna and seconded by Dr. Tannehill to go into closed session. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Karsh, Richard, MD Automatic Revocation Hearing **2014-000654**

Dr. Karsh's license was revoked by the Ohio Medical Board. This action was based on Colorado's Adomnition of his license. Dr. Karsh signed an agreement fort a reprimand in Missouri based on the Colorado action. However, the revocation by Ohio triggers the automatic revocation provisions of section 334.103.

Motion made by Dr. Tannehill and seconded by Dr. Poggemeier to go into closed session. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Adjournment

Motion made by Dr. Lyskowski and seconded by Dr. DiRenna to adjourn the meeting. The meeting adjourned at approximately 7:30 p.m. Dr. DiRenna, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.