The Impaired Physicians Liaison Committee of the Missouri State Board of Registration for the Healing Arts convened at 1:00 p.m. on Wednesday, January 11, 2017 at the Missouri Council of School Administrators Building located at 3550 Amazonas Drive, Jefferson City, Missouri.

Committee Present:
Dr. James DiRenna, Committee Chair
Robert Bondurant, Missouri Physicians Health Program
Tom Holloway, Missouri Physicians Health Program
Brian Bowles, Missouri Association of Osteopathic Physicians and Surgeons
Heather Johns, Missouri Association of Osteopathic Physicians and Surgeons
Jim Wieberg, Missouri Association of Osteopathic Physicians and Surgeons
John Short, Investigator II, Probation Supervisor
Paul Williams, Investigator II, Probation Supervisor

Staff Attending:
Connie Clarkston, Executive Director
Jimmy Leggett, Associate Executive
Jerald Barnes, Chief Investigator
Paul Lefebvre, General Counsel
Hong Chen, Associate General Counsel
Tammy Branch, Executive Assistant
Michelle Heislen, Processing Technician III
Sid Conklin, Investigator II

Meeting was called to order at 1:10 p.m. by Dr. DiRenna.

Minutes for approval
The open minutes from the October 12, 2016 Impaired Physician Committee meeting were presented for review and approval.

Motion made by Mr. Wieberg and seconded by Mr. Holloway to approve the October 12, 2016 Impaired Physician Committee meeting minutes as submitted. Mr. Bondurant, Mr. Bowles, Mr. Holloway, Ms. Johns, Mr. Short, Mr. Wieberg and Mr. Williams voted in favor of the motion. Motion carried unanimously.

Review of Memorandum of Understanding (MOU)
Ms. Clarkston and Mr. Lefebvre reviewed the Memorandum of Understanding (MOU) with the committee and requested feedback; a summary of the requested changes are as follows. The final version will be submitted for approval at the April 2017 Board Meeting.
• Definitions –
  o Define the term “breach”;
  o Define the term “comprehensive drug testing” with input from National Toxicology Specialists (NTS) and be written in a broad sense to include but not be limited to specific items;
  o Amend language referring to the “impairment agreement” or “contract” to “monitoring agreement” throughout the document;
  o Amend language referring to “an impairment program” to “the Program”;
  o Amend language referring to “developed by the Program” to “developed by the Provider” throughout the document; and
  o Define the term “simpler test” with input from NTS.

• General Guidelines –
  o Paragraph 1. - Amend to require mandatory clients to undergo an evaluation and delete remainder of paragraph;
  o Paragraph 2. - Amend the first sentence before the comma to “After a multi-disciplinary evaluation, if a provider recommends the client to sign an abstinence agreement”
  o Paragraph 7. - Delete the terms “all hospitals, clinics, facilities and other”; and
  o Paragraph 11. - Add “or mental health issues” to the end of paragraph.

• Reporting Requirements –
  o Paragraph 3. - Amend language to require the program to submit an evaluation report for each client within fourteen (14) days of the Program’s receipt of said evaluation report from provider(s);
  o Paragraph 5. - Amend language to require the program to send a summary report of all client’s testing results to the Board office around the tenth (10th) day of every month and preserve the Board’s authority to randomly test mandatory clients.
  o Paragraph 6. - Amend the language to require the program to notify the Board the next business day by telephone if a positive test result is confirmed.
  o Paragraph 7. - Amend the language to require the program to notify the Board the next business day by telephone if a breach occurs.

• New Item
  o Mr. Bondurant requested the Board’s legal counsel to review other states’ statutes and form language regarding “safe haven clause.”

Motion made by Mr. Wieberg and seconded by Mr. Holloway to accept the MOU with changes in DRAFT form and bring it back to April 2017 Meeting. Mr. Bondurant, Mr. Bowles, Mr. Holloway, Ms. Johns, Mr. Short, Mr. Wieberg and Mr. Williams voted in favor of the motion. Motion carried unanimously.

Adjournment
Motion was made by Mr. Wieberg and seconded by Mr. Holloway to adjourn the meeting. The meeting adjourned approximately at 3:00 p.m. Mr. Bondurant, Mr. Bowles, Mr. Holloway, Ms. Johns, Mr. Short, Mr. Wieberg and Mr. Williams voted in favor of the motion. Motion carried unanimously.