The Impaired Physicians Liaison Committee of the Missouri State Board of Registration for the Healing Arts convened at 2:00 p.m. on Wednesday, April 5, 2017 at the Drury Inn & Suites, 11980 Olive Boulevard I-270, Creve Coeur, Missouri 63141.

Committee Present:
Dr. James DiRenna, Committee Chair
Dr. David Tannehill, Board President
Robert Bondurant, Missouri Physicians Health Program
Tom Holloway, Missouri Physicians Health Program
Mary Fahey, Missouri Physicians Health Program
Kay O’Shea, Missouri Physicians Health Program
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
Paul Lefebvre, General Counsel
Hong Chen, Associate General Counsel
Tammy Branch, Executive Assistant
Kim Brester, Administrative Services Coordinator
Harli Bexten, Paralegal
William Smittle, DO, Chief Medical Officer

Meeting was called to order at 2:04 p.m. by Dr. DiRenna.

Minutes for approval
The open minutes from the January 11, 2017 Impaired Physician Committee meeting were presented for review and approval.

Motion made by Mr. Holloway and seconded by Mr. Wieberg to approve the January 11, 2017 Impaired Physician Committee meeting minutes as submitted. Mr. Bondurant, Ms. Fahey, Mr. Holloway, Ms. Johns, Ms. O’Shea, 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 Ms. Chen 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 July 2017 Board Meeting.

- Definitions –
  - Amend language in definition of “drug test” by removing the last sentence, “National Toxicology Specialists (NTS) automatically does both a screening and confirmation test on all positives to eliminate the likelihood of a false positive test”;
  - Substitute the term “impairment agreement” with “monitoring agreement” throughout the document;
  - In the definition of “In Lieu of Discipline (ILOD) Agreement,” add the statutory authority that allows us to enter an ILOD agreement—sections 324.043 and 334.101, RSMo;
  - In the definition of “Multi-disciplinary Evaluation,” add “by provider defined herein” to the end of the sentence; and
  - In the definition of “progress report,” qualify breaches as “known to program.”

- Reporting Requirements –
  - Paragraph 5. - Amend language to “all mandatory clients”; and
  - Paragraph 9. - Amend the language to “fourteen (14) days from its release being signed.”

Motion made by Dr. Tannehill and seconded by Mr. Wieberg to accept the MOU with changes in DRAFT form and bring it back to July 2017 Meeting. Mr. Bondurant, Ms. Fahey, Mr. Holloway, Ms. Johns, Ms. O'Shea, Mr. Short, Mr. Wieberg and Mr. Williams voted in favor of the motion. Motion carried unanimously.

Safe Haven Clause
Ms. Chen updated the committee members on her research of the Safe Haven Clause. This topic will be discussed again at the July 2017 meeting.

This information was provided for discussion purposes and no action was taken by the Commission.

Adjournment
Motion was made by Mr. Holloway and seconded by Mr. Wieberg to adjourn the meeting. The meeting adjourned approximately at 3:15 p.m. Mr. Bondurant, Ms. Fahey, Mr. Holloway, Ms. Johns, Ms. O'Shea, Mr. Short, Mr. Wieberg and Mr. Williams voted in favor of the motion. Motion carried unanimously.