

Open Conference Call Meeting Minutes
Missouri State Board of Registration for the Healing Arts
3605 Missouri Blvd., Jefferson City, MO 65109
September 7, 2014 – 7:00 p.m.

The members of the Missouri State Board of Registration for the Healing Arts convened at 7:00 p.m. on Sunday, September 7, 2014, via a conference call, which originated from the Board office located at 3605 Missouri Boulevard in Jefferson City, Missouri.

Board Members Present:

Benjamin A. Lampert, M.D., President
Jeffrey D. Carter, M.D., Member
James A. DiRenna, Jr., D.O., Member
Bradley D. Freeman, M.D., Member
David Poggemeier, M.D., Member
David E. Tannehill, D.O, Member
John C. Lyskowski, M.D., Member

Staff Present:

Connie Clarkston, Executive Director
James Leggett, Executive 1
Sarah Schappe, General Counsel
Frank Meyers, Associate General Counsel
Kenneth Hammond, Chief Investigator
William Voss, DO, Interim Chief Medical Officer
Tammy Branch, Processing Technician I

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

1. Prerogatives of the Chair

Dr. Lampert reordered the agenda to accommodate the public in attendance.

2. Assistant Physician Questions

With the passage of SB716 and SB754 (2014), the Board has been charged with promulgating rules related to the licensure of assistant physicians. Dr. Tricia Derges submitted questions for the Board's review.

Motion was made by Dr. Di Renna and seconded by Dr. Lyskowski to answer the letter and express that due to the limitations of MoANA we will not be able to answer these questions. Dr. Carter, Dr. DiRenna, Dr. Freeman, Dr. Lampert, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

3. Rule Petition

- **Athletic Trainer Rule**

This rule petition appeared on the July 2014 General Business Agenda. However, it was advertently not discussed during the meeting. Morgan Simpson, AT, has requested that the Missouri Athletic Trainer Advisory Committee modify 20 CSR 2150-6.010(1)(H) by changing the “may” to “shall.”

Motion was made by Dr. Lyskowski and seconded by Dr. Carter to keep the language the same. Dr. Carter, Dr. DiRenna, Dr. Freeman, Dr. Lampert, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

- **Physical Therapist Rule**

During the July 2014 meeting, the Board reviewed a rule petition regarding the Physical Therapy (PT) Score. The draft language that was on the agenda, and was approved, was not the correct version of the language. It did not contain the paragraph regarding the requirement for a test score of six hundred (600) on the FSBPT Exam or a passing score on a state exam taken prior to 1996.

Motion was made by Dr. Carter and seconded by Dr. Lyskowski to accept the recommended change in the language. Dr. Carter, Dr. DiRenna, Dr. Freeman, Dr. Lampert, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

4. Collaborative Practice Audit

Section 334.104.6, RSMo states in part “The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.” Staff is requesting direction on whether these audits should proceed and if so how they should be conducted in light of the MoANA decision.

Motion was made by Dr. DiRenna and seconded by Dr. Tannehill to proceed with staff conducting audits and reviews of collaborative practice agreements and bring any discrepancies to the Board for further direction. Dr. Carter, Dr. DiRenna, Dr. Freeman, Dr. Lampert, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

5. Approval of Candidates for Advisory Commission for Speech Language Pathologist and Audiologists

The board was being asked to review and approve three (3) candidates for the Advisory Commission for Speech Language Pathologist and Audiologist to replace the three members that terms have either expired or are near expiration. The following candidates have been recommended by the Advisory Commission for your consideration.

- Brenda Martien, Speech Language Pathologist
- Gilbert Phon, Audiologist
- Andrew Schuette, Audiologist

Motion was made by Dr. DiRenna and seconded by Dr. Tannehill to accept these candidates for the Advisory Commission. Dr. Carter, Dr. DiRenna, Dr. Freeman, Dr. Lampert, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

6. Boone County Medical Society Alliance

The Boone County Medical Society Alliance and for the Missouri State Medical Association Alliance is asking the Board to consider sharing the Alliance's and the various county Alliances contact information when physician licenses are issued or renewed.

Motion was made by Dr. Carter and seconded by Dr. Lyskowski to refer this organization to the website. Dr. Carter, Dr. DiRenna, Dr. Freeman, Dr. Lampert, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

7. Federation of State Medical Boards Education and Licensure Survey

The Federation of State Medical Board's (FSMB) is requesting completion of a survey related to medical education requirements for licensure.

Motion was made by Dr. DiRenna and seconded by Dr. Lyskowski to allow Connie to respond to survey in accordance to the law, and not answer opinion type questions. Dr. Carter, Dr. DiRenna, Dr. Freeman, Dr. Lampert, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

8. Board of Nursing Statement on Collaborative Practice and Telehealth

In preparation of the September 9, 2014 meeting with Rep. Kathryn Swan, the Board of Nursing has sent a proposal for the Board's review and consideration. Ms. Clarkston discussed the overall setup of the meeting including discussion of presentations by both Boards' legal counsel. Ms. Schappe discussed the points of her presentation and the Board provided feedback but no motions were made in response to this agenda item.

Closed Session

A motion was made by Dr. DiRenna and seconded by Dr. Poggemeier to go into closed session under Section 610.021, Subsection(s) 1, 5, and 14. Dr. Carter, Dr. DiRenna, Dr. Freeman, Dr. Lampert, Dr. Lyskowski, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.

Adjournment

Motion made by Dr. Freeman and seconded by Dr. DiRenna to adjourn for the evening. The meeting adjourned at approximately 9:50 p.m. Dr. Carter, Dr. DiRenna, Dr. Lampert, Dr. Lyskowski, Dr. Poggemeier, Dr. Freeman and Dr. Tannehill voted in favor of the motion. The motion carried unanimously.