# MINUTES

# North Carolina Medical Board

June 19-20, 2002

1201 Front Street, Suite 100 Raleigh, North Carolina -1-

Minutes of the Open Sessions of the North Carolina Medical Board Meeting June 19-20, 2002.

The June 19-20, 2002, meeting of the North Carolina Medical Board was held at the Board's Office, 1201 Front Street, Suite 100, Raleigh, NC 27609. The meeting was called to order at 8:00 a.m., Wednesday, June 19, 2002, by Walter J. Pories, MD, President. Board members in attendance were: John T. Dees, MD, Vice President; Charles L. Garrett, MD, Secretary/Treasurer; E. K. Fretwell, PhD; Mr. Hari Gupta; Stephen M. Herring, MD; Robin N. Hunter-Buskey, PA-C; Robert C. Moffatt, MD; Michael E. Norins, MD; and Mr. Aloysius P. Walsh. George C. Barrett, MD and Elizabeth P. Kanof, MD were absent but attended the June 19<sup>th</sup> bylaws discussion and voting via telephone conference.

Staff members present were: Mr. Andrew W. Watry, Executive Director; Ms. Helen Diane Meelheim, MSN, JD, Operations Director; Thomas W. Mansfield, JD, Legal Department Director; R. David Henderson, JD, Board Attorney; and staff.

# MISCELLANEOUS

#### **Presidential Remarks**

Dr. Pories commenced the meeting by reading the North Carolina Board of Ethics "ethics awareness and conflict of interest reminder."

Dr. Pories commented that although the Accreditation Council for Graduate Medical Education (ACGME) had recently made a change to the workweek limitation for residents the document is actually more sensitive to patient needs. For example, it is okay to come in the next day to check on patients. He continued that the Board's Resident Training License (RTL) process had been improved upon.

Dr. Pories reminded the Board of the Office Based Surgery Task Force presentation that will be presented by the North Carolina Medical Society during the July Board Meeting.

#### **Board Retreat**

The Board Retreat originally scheduled for June 21<sup>st</sup> was postponed. Dr. Fretwell, Chair of the Retreat Committee, proposed the Retreat be rescheduled for Thursday, September 19. Dr. Garrett indicated that the reorganization resulting from Dr. Anderson's evaluation would not be ready for review until after the first of the year. Ms. Hunter-Buskey feels the Board should keep the Retreat on the calendar and give the Retreat Committee direction and set content.

**Motion:** (RHB, MN) A motion was defeated to reschedule the Retreat for September 19, 2002.

Action: The President directed the Retreat Committee (Dr. Fretwell; Dr. Norins; Mr. Gupta and Mr. Watry) to develop a possible agenda for a Retreat and bring it back to the July Board Meeting.

#### **EMS Rules – Repeal Of**

An EMS Rules Hearing was conducted on Tuesday, June 28, 2002. Dr. Walter J. Pories was the Hearing Officer.

**Motion:** A motion passed for staff to go forward with repeal of the EMS Rules due to a statutory change.

#### Walter J. Pories, MD – Award Recipient

Walter J. Pories, MD, was proclaimed by Wesleyan University, Middletown, Connecticut, at its May 2002 Commencement weekend as recipient of The Distinguished Alumnus Award in Recognition of Outstanding Achievement and Service. The University addressed this 1952 graduate as follows: "Eminent surgeon, visionary biochemist, and national leader in surgical research and education, we know you also as an avid amateur painter, musician, and working farmer.

You came to this country to escape the Holocaust, attended Wesleyan on a full scholarship, and, while still in medical school, began the seminal research on human nutrition that has made you a legend in your field. Chief among your accomplishments are your discovery of an elegant surgical technique for extreme obesity and your ground-breaking research in adult-onset diabetes, which have given new hope to sufferers worldwide.

Founding chairman of your University's department of surgery, former Chief of Surgery at Wright Patterson Air Force Base, and editor of a prominent medical journal, you have been honored by your colleagues and by the National Medical Society for your outstanding activism in the training of African-American surgeons.

You have said that Wesleyan changed your life. For the untold lives you have changed and made better, Wesleyan is proud to proclaim you a Distinguished Alumnus." (*Quoted from May 21, 2002 letter from President Douglas J. Bennett to Dr. Fretwell.*)

#### **Board Agent (Refresher) Training**

Mr. Watry announced that Board Agent Training is scheduled at the Board Office on July 10 for those Agents whose terms are close to expiring and who wish to continue as Board Agents. A discussion ensued regarding how many terms an Agent may serve. The original position adopted by the Board alluded to only two three-year terms.

**Motion:** (SH, CG) A motion passed that a Board Agent may continue indefinitely on three year terms with Board approval provided they are doing a good job and their Board Agent Training is kept up-to-date.

#### Ad Hoc Compliance Committee

The President tasked Dr. Norins to look into formulation of an Ad Hoc Compliance Committee at the May 2002 Board Meeting. Dr. Norins stated that he thinks the purpose of this committee will be to look at how we are going to approach our licensees with some of the Board's activities such as the NCPHP followup, etc. He stated with the development of a Compliance Department there should be some mechanism for oversight. Dr. Dees stated that NCPHP has a very active and regular compliance Committee to investigate the need for an ongoing Compliance Committee (how it would be organized, what specific issues it would address, etc.). Dr. Pories also wants the ad hoc committee to look at how a Compliance Committee will interact with the Compliance Department Director. Dr. Norins would like for Dr. Moffatt and Mr. Gupta to serve on this ad hoc committee as well. Dr. Pories requested a report from the Ad Hoc Compliance Committee at the August 2002 Board Meeting.

## **BYLAWS COMMITTEE REPORT**

John Dees, MD; Charles Garrett, MD; E. K. Fretwell, Ph.D.

#### **Proposed Bylaws Amendment**

The following proposed Bylaws amendment was distributed to all Board Members at the May 2002 Board Meeting in order to comply with the 30-day notice for admentment of the Bylaws.

#### BYLAWS

#### of the NORTH CAROLINA MEDICAL BOARD

# ARTICLE I

<u>OFFICES</u>

Section 1. <u>Principal Office</u>. The Board shall have a principal office in North Carolina. Section 2. Other Offices. The Board may have other offices.

ARTICLE II

## BOARD POWERS, COMMITTEES, AND COMPENSATION

Section 1. General Powers. The Board itself has all its general powers.

Section 2. <u>Committees</u>. The Board may designate one or more Committees. The President shall appoint Committee members. Committees have no powers other than: (a) to review matters and recommend actions to the Board, (b) to initiate or continue investigations or inquiries, including, in the committees' sole discretion, the use of Board process (subpoenas, orders, or the like) in furtherance thereof, (c) to empower staff, either generally or in a specific instance, to initiate or continue investigations or inquiries, including, in the committees' sole discretion, the use of Board orders to produce documents or things, (d) to employ experts to evaluate evidence in matter under investigation or inquiry, and (e) those powers authorized by the Board.

Section 3. Executive Committee. There shall be an Executive Committee comprised of the Officers of the Board, who are chosen in accordance with Article IV of these Bylaws, along with the Immediate Past President of the Board. In the event the Immediate Past President is not available to serve on the Executive Committee, the position on the Executive Committee reserved to the Immediate Past President shall be filled by a vote of a majority of the total membership of the Board as to a candidate nominated to the Board by the Executive Committee.

Section  $\frac{3}{4}$ . <u>Compensation</u>. The Board may pay per diem and expenses to the maximum extent permitted by law.

#### ARTICLE III MEETINGS OF THE BOARD

Section 1. <u>Regular Meetings</u>. Regular meetings will occur as scheduled.

Section 2. <u>Special or Emergency Meetings</u>. Special or Emergency meetings of the Board may be called by the President or in the event of the unavailability of the President by the <u>Vice President President-Elect</u>.

Section 3. Notice of Meetings. Notices of meetings shall be given as required by law.

Section 4. Quorum. A quorum of the Board is a majority of the members.

Section 5. <u>Manner of Acting</u>. Except as otherwise provided herein, the Board acts by simple majority vote of the members present at a meeting at which there is a quorum.

Section 6. <u>Participation by Conference Telephone</u>. The Board may meet by electronic means to the maximum extent permitted by law.



Section 1. <u>Officers of the Board</u>. The officers of the Board shall consist of a President, a Vice President <u>President-Elect</u>, a Secretary, and a Treasurer. The offices of Secretary and Treasurer may be held by a single person.

Section 2. <u>Election and Term</u>. The officers of the Board shall be elected annually by the Board. Term of office is November 1st to October 31st. The <u>Nominating Executive</u> Committee shall nominate to the Board at its July meeting a slate of the candidates for the above offices for the coming term. The Board shall vote on the entire slate. <u>The slate is approved when a</u> <u>majority of the total membership of the Board votes in favor of the slate</u>. This process shall continue at the Board's July meeting until a slate is elected.

Section 3. Vacancies. In the event that the President fails to serve out his or her term as provided in this Article for whatever reason, then the President-Elect shall assume the office of President and hold the office of President for the remainder of the departed President's term. The President completing the term of the departed President shall be eligible to serve a full term as President after completing the term of the departed President.

In the event an officer other than the President fails to serve out his or her term as provided in this Article for whatever reason, the vacancy shall be filled by a vote of a majority of the total membership of the Board as to a candidate nominated to the Board by the Executive Committee.

Section <del>3</del> <u>4</u>. <u>Removal</u>. Any officer may be removed from office by <u>a vote of a majority of</u> <u>the total membership of</u> the Board at any time with or without cause.

Section 4 <u>5</u>. <u>President</u>. The President shall be the principal executive officer of the Board. The President shall, when present, preside at all meetings of the Board. The President shall sign documents for the Board.

Section 5. <u>Vice President</u>. The Vice President shall, in the absence or disability of the President, have all the authority and perform the duties of the President.

Section 6. President-Elect. The President-Elect shall, in the absence or disability of the President, have all the authority and perform the duties of the President.

Section 6 7. <u>Secretary</u>. The Secretary shall have the responsibility and authority to maintain and authenticate the records of the Board. The Secretary shall, in the absence or disability of the President and the <del>Vice President</del> <u>President-</u>

Elect, have all the authority and perform the duties of the President.

Section 7 8. <u>Treasurer</u>. The Treasurer shall have charge and custody of all funds and securities belonging to the Board and shall keep, or cause to be kept, full and accurate records of the finances of the Board. The Treasurer shall, in the absence or disability of the President, <u>Vice President President-Elect</u>, and the Secretary, have all the authority and perform the duties of the President.

#### ARTICLE V PROFESSIONAL STAFF

Section 1. <u>Professional Staff</u>. The Board shall employ a Professional Staff to assist it, in whatever lawful way it may prescribe, in the discharge of its duties under and to enforce the laws regulating the practice of medicine or surgery.

Section 2. <u>Executive Director</u>. The Board shall employ an Executive Director who shall lead and manage, hire and dismiss, the Professional Staff. The officers of the Board shall evaluate the Executive Director annually. The Executive Director may be removed only by action of the Board taken after recommendation of the officers of the Board and the affirmative vote of three-fourths (3/4) of the total membership a majority of the total membership of the Board.

#### ARTICLE VI GENERAL PROVISIONS

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Section 1. <u>Seal</u>. The seal of the Board shall consist of two concentric circles between or within which is the name of the Board.

Section 2. <u>Fiscal Year</u>. The fiscal year of the Board shall be fixed by resolution of the Board of Directors.

Section 3. <u>Amendments</u>. Except as otherwise provided herein or by applicable law, these Bylaws may be amended or repealed and new bylaws may be adopted after a thirty (30) day notice by a vote of two-thirds (2/3) of the total membership of the Board. <del>, except that any Bylaw imposing a requirement for a vote of three-fourths (3/4) of the total membership of the Board may be amended or repealed only by a vote of three-fourths (3/4) of the total membership of the Board. <del>, membership of the Board.</del></del>

The following motions pertain to the above draft amended bylaws. It should be noted that Dr. Barrett and Dr. Kanof both attended this portion of the Board Meeting via telephone conference.

**Motion:** (EKF, JD) A motion passed that the following preamble prepared by Dr. Fretwell be inserted at the beginning of the bylaws.

"The North Carolina Medical Board is charged by legislative mandate to regulate the practice of medicine for the benefit and protection of the public.

These bylaws are created and ordained to guide the Board in the discharge of its mandate. In so doing the Board will help maintain and preserve the trust between patients and physicians."

Motion: (CG, MN) A motion passed to approve Article I.

Motion: (JD, RHB) A motion passed to approve Article II, Sections 1 and 2.

Motion: (SH, MN) A motion passed to approve Article II, Sections 3 and 4.

Motion: (MN, RM) A motion passed to approve Article III, Sections 1 and 2.

Motion: (MN, JD) A motion passed to approve Article III, Sections 3, 4, 5, and 6.

Motion: (MN, RM) A motion passed to approve Article IV, Sections 1 and 2.

Motion: (GB, AW) A motion was defeated to change Article IV, Section 3 4. to read ",,,a

vote of two-thirds (2/3) of the total membership of the Board at any time with cause."

**Motion:** (RHB, EKF) A motion was defeated to keep the Nominating Committee title as is in Article IV, Section 2.

**Motion:** (SH, RM) A motion passed to change Article IV, Section <u>3</u> <u>4</u>. to strike the words "with or without cause."

**Motion:** (MN, RM) A motion passed to approve Article IV, Sections 2, 3, 4, 5, 6, 7, and 8. **Motion:** (CG, JD) A motion passed to approve Article V, Section 1.

**Motion:** (CG, EK) A motion was defeated to change "three-fourths (3/4) of the total membership" to "a majority of the total membership" to Article V, Section 2. (for-SH, MN, CG, JD, RM, HG, EK; opposed-GB, AW, RHB, EKF, WP)

**Motion:** (JD, SH) A motion was defeated to delete the entire last sentence of Article V, Section 2. (for EK, SH, MN, CG, JT, RM, HG, WP; opposed-GB, AW, RHB, EKF)

**Motion:** (AW, EKF) A motion was defeated to change Article V, Section 2 to read "two-thirds (2/3)" instead of "three-fourths (3/4)." (for-EKF, GB, AW; opposed-EK, SH, MN, CG, JT, RM, HG, WP, RHB)

**Motion:** (CG, MN) A motion was defeated to accept the above changes to Article VI. (for-SH, MN, CG, JD, MN, RHB, HG, EK; opposed-GB, EKF, AW, WP)

**Motion:** (RHB, CG) A motion passed to use Davis' Rules of Order for questions that can not be answered in these Bylaws. (Mr. Mansfield is to prepare the appropriate section calling for the use of Davis' Rules of Order.)

Motion: (CG, SH) A motion passed to reconsider actions on Articles V and VI.
Motion: (CG, AW) A motion passed to change Article V, Section 2 to read "two-thirds (2/3)" instead of "three-fourths (3/4)."

Motion: (CG, SH) A motion passed to accept the proposed changes to Article VI.

#### The following amended Bylaws reflect the above motions:

#### BYLAWS of the NORTH CAROLINA MEDICAL BOARD

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Section 3. Executive Committee. There shall be an Executive Committee comprised of the Officers of the Board, who are chosen in accordance with Article IV of these Bylaws, along with the Immediate Past President of the Board. In the event the Immediate Past President is not available to serve on the Executive Committee, the position on the Executive Committee reserved to the Immediate Past President shall be filled by a vote of a majority of the total membership of the Board as to a candidate nominated to the Board by the Executive Committee.

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Section 5. <u>President</u>. The President shall be the principal executive officer of the Board. The President shall, when present, preside at all meetings of the Board. The President shall sign documents for the Board.

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two-thirds (2/3) of the total membership of the Board.

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Section 4. <u>Rules of Order</u>. To the extent that matters of procedure are not addressed in these Bylaws or in applicable sections of the North Carolina General Statutes or North Carolina Administrative Code, the Board shall follow parliamentary procedure as set forth in <u>Rules of Order: An Authoritative, Simplified Guide to Parliamentary Procedure</u>, by James E. Davis (Chicago Review Press, 1992).

#### **Board Meeting Dates**

**Motion:** A motion passed to approve the following Board Meeting dates for the year 2004.

January 21-23, 2004 February 18-19, 2004 March 17-19, 2004 April 21-22, 2004 May 19-21, 2004 June 16-17, 2004 July 21-23, 2004 August 18-19, 2004 September 22-24, 2004 October 20-21, 2004 November 17-19, 2004 December 15-16, 2004

# ATTORNEY'S REPORT

Mr. Mansfield advised the Board members that they should be very careful making reference to specific licensees in e-mails. Those e-mails should be encrypted to provide greater security. Also, Mr. Mansfield reminded the Board members that e-mails could be discoverable by the licensee in an appeal from a licensure denial or a disciplinary matter. He went on to say that such e-mails could become public documents. Mr. Mansfield reminded the Board members that once a disciplinary matter has left the investigative phase there would be no reason other than scheduling or other administrative issues that they would be e-mailing each other or the staff about the matter.

#### HEARING(S)

COOPER, Neil Ross, PA-C Hearing June 20, 2002 BOARD ACTION: Deny license application -10-

PAGE, Catherine Marie, MD Hearing June 20, 2002 BOARD ACTION: Accept MD's proposed Consent Order

# **EXECUTIVE DIRECTOR'S REPORT**

Andrew W. Watry, Executive Director, presented his report which included instructions and completion of action items.

# POLICY COMMITTEE REPORT

Charles Garrett, MD, Chair; Stephen Herring, MD; Aloysius Walsh; Elizabeth Kanof, MD; Michael Norins, MD

The Policy Committee met on Wednesday, June 19, 2002, at the office of the Board. The complete report of that meeting will be reviewed by the Board at the July 2002 Board Meeting following committee review. The following item was extracted and presented to the Full Board on June 20.

#### Purchased Laboratory Tests (Dr Garrett and Mr Mansfield)

Dr Keith Nance previously wrote the Board requesting a review of the Board's fee splitting policy that endorses the AMA Code of Medical Ethics Opinion. He believes the current practice arrangements between physicians and laboratories are at odds with the Board's policy. At the February Policy Committee meeting, Mr Mansfield and Dr Garrett were asked to work with the Medical Society and the information at hand, including the AMA ethics opinions, in an attempt to address this issue in a policy statement.

The Medical Society has now looked at this issue and come to the same conclusion as the Medical Board that this is not fee splitting, however, there are concerns that this practice may be in violation of the AMA's Code of Ethics.

**Motion:** A motion passed that the Medical Board and the Medical Society attorneys will jointly seek a private opinion from the AMA Council on Ethical and Judicial Affairs describing this particular case and asking them if this is in violation of medical ethics.

# **EXECUTIVE COMMITTEE REPORT**

Walter Pories, MD; John Dees, MD; Charles Garrett, MD; Elizabeth Kanof, MD

The Executive Committee meeting was held on Thursday, May 16, 2002, and was called to order by Walter J. Pories, MD, and President. Board members in attendance were: John T. Dees, MD, Vice President; Charles L. Garrett, MD, Secretary/Treasurer; Hari Gupta; Elizabeth P. Kanof, MD Staff in attendance were Mr. Watry, Ms. Meelheim, Mr. Mansfield, Mr. Celentano.

#### Financials

The March 2002 financials were reviewed and accepted.

#### Property

Mr. Gupta attended for the purpose of discussing additional space at this location vs. purchase. Dr. Garrett moved that the original proposal presented to the Board of remaining in

the current location without additional space and using the allocated \$15,000 upfit amount stand. This passed and Mr. Gupta left the meeting with thanks.

A motion passed to close the session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee.

#### Personnel

Mr. Mansfield spoke to the committee regarding a personnel matter. The committee thanked Mr. Watry and Mr. Mansfield for bringing the information. Mr. Mansfield left the meeting.

A motion passed to return to open session.

#### Investments

The committee discussed the cash needs for the Board in upcoming months. Dr. Garrett moved that the committee approve staff investing the reserved funds for 90 days when the current instruments mature and then invite proposals to be presented to the full committee for more long-term investments. The committee approved this proposal.

The investment policy was reviewed.

#### Insurance

The committee authorized staff to purchase the umbrella policy and the accidental death policy presented in the materials.

#### Future meeting dates

The committee approved the dates as presented for future Board meeting dates in 2004. Staff will notify the Secretary of State.

#### **New Business**

Dr. Dees asked for an accounting of the cost of preparing and mailing Board materials now as compared to five years ago (before the electronic board book.) This is to be presented at the next meeting.

#### CLINICAL PHARMACIST PRACTITIONER COMMITTEE REPORT

Robin Hunter-Buskey, PAC; Michael Norins, MD; Elizabeth Kanof, MD

#### **Clinical Pharmacist Practitioner Applications-**

Board Action: Approve

<u>CPP</u>	PRIMARY SUPERVISOR	PRACTICE CITY
Cender, Dawn Elizabeth	Ortel, Thomas L.	Durham
Gwinn, Kimberly Ann	Ortel, Thomas L.	Durham
Hardie, Nancy R.	Rhinehart, Kenneth	Winston-Salem

#### Clinical Pharmacist Practitioner subsequent applications, administratively approved-

CPPPRIMARY SUPERVISORPRACTICE CITY

Grinder, John W. Pennington, John M.

Yadkinville

Motion: A motion passed to accept the CPP Committee report as presented.

# PHYSICIAN ASSISTANT COMMITTEE REPORT

Robin Hunter-Buskey, PAC; Michael Norins, MD; Elizabeth Kanof, MD

#### **PA License Applications-**

(\*\*\*Indicates PA has not submitted Intent to Practice Forms)

Board Action: Approve

PHYSICIAN ASSISTANT	PRIMARY SUPERVISOR	PRACTICE CITY
Bureau, Matthew Paul	***	
Gentry, Andrea Faith	Wettreich, Herb	Mooresville
Hochrein, Misty Michelle	***	
Leedy, David Michael	***	
Parks, Patrick Michael	Esposito, David	Wilmington
Radnothy, Anne Katherine	***	Ū
Rose, Walter Christian	***	
Salu, Kathy Jean	***	
Weber, Wendy Lee	***	

NC graduates to be licensed after we receive passing NCCPA scores-

Harrell, Marsha Gail	***
Jaynes, Elizabeth Suzanne	***

#### PA Intent to Practice Forms Acknowledged-

PHYSICIAN ASSISTANT	PRIMARY SUPERVISOR	PRACTICE CITY

Barbee, George Allen	Rucker, Tinsley White	Fayetteville
Berry, Robin Elaine	Hall, Myra Deese	Raeford
Blackburn, Charles Richard	McKenzie, William Marshall	Lexington
Blelloch, Lawrence Andrew	Parnell, II Jerome Patrick	Raleigh
Bolduc, Gary Edward	Keith, Douglas Charles	Garner
Call, Dana Williams	Stutesman, James Lee	Hickory
Campbell, Pamela Diann	Yamagata, Glenn Takeshi	Greensboro
Cordial, Roger	Goodwin, Stephanie	Ft. Bragg
Criss, Denise Groh	Weinberg, Richard Barry	Winston-Salem
Edwards, R. Elizabeth	Wilks, Bruce Evan	Carrboro
Ford, Angela B.	Adams, Douglas Harvey	Eden
Franklin, Dennis Errol	Dennison, David Roberts McDade	Highlands
Glenn, Eddie Eltora	Patel, Aneel Nathoobhai	Wilmington
Hartley, Lori Jean	Carley, Richard Scott	Supply
Hartley, Lori Jean	Kastner, Robert Jeffrey	Wilmington
Hartley, Lori Jean	Kastner, Robert Jeffrey	Wilmington
Haugen, Jennifer Lyn	Donnell, James M	Hendersonville

Humphrey, Susan Lynn Johnson, III James Calvin Kern, Christopher Dudley Kirch, Eric Jonathan Lamielle, Cindv Oldson Laymon, Bradley Lynn Ledford, James Lee Lewis, Pamela Ann Marcus, Carolyn Howard Martin, Jeffrey Scott McCoy, Abraham McElroy, Gayle Stackhouse McQuigg, Bogan Manuel Mesa, Gregory Robert Mesa, Gregory Robert Morace, Armond Windell Neece, Kathryn Virginia Nutt, Linda Brown Pelletier, Kenneth James Phillips, Jason Vann Quillen, Rocky C. Reymore, Tracy Ann Sagers, Dawn Marie Sheehan, James Michael Shull, Catherine Neal Shutak, II Michael Shutak, II Michael Sluss. Robert Karl Stanley, Glenn Martin Stone, Todd Iverson Struve, Adona Simms Taylor, Maria-Angelica Troncale, Anthony David Van Winkle, Christopher S. Vanhoy, Kevin Bruce Vaughn, Jr. James Osborne Randall, Eugene Henry Wahba, Wasseem John Wall, Luvae Jneanne Walpole, Julia Weaver, Raylee Susan Westbrook, Christie I. Willard. Matthew Wright, Shaun Nicole Yu, Hong Zagon, Laura Joan

Gerancher, Karen Rinderle Harris, Mitchel Brion Alam, Sitara Jabeen Adams, David Paul Lee. Sue Hollowell Fink, Jr. James Thomas Esterwood, Anthony James Hassell, Dayne Daniel Mueller-Heubach, Eberhard A. Smith, Timothy Ted Mask, Jr. Allen Greene Gerancher, Karen Rinderle Boney, Mark Avery Fain, Jr. Norman Francis Whitaker, Garv Randall Scott, Jr. Walter Williams Purcell, Peter Nelson Moore, III John Herbert Christensen, Jeness Marie Powell, Ronald Jones Wellford, Lou Anne Plumhoff Moffett, Joel Blane Kelling, Jr. Douglas George Blackwell, Thomas Harold Williams, Susan Jean Nicholson, Thomas Westray Sheldon, Frank Chadwick Daubert, Harlan Beaver Lownes. Robert Lefonia Mattox, William Joseph Cook, Jr. Donald Eugene Cabinum-Foeller, Elaine Sharon Aluisio, Frank Victor Rucker, Tinsley White Cloud. Edith Elaine Grant, Terry Alan Olson, Ronald Paul Edel, Kenneth Patrick Manning, Michael Scott Briggs, Jr. John Leslie Hooper, Thomas Eugene Patel. Aneel Nathoobhai McKay, Cecilia Smith Guthmann, II Howard Milton

Winston-Salem Winston-Salem Morganton Raleigh Alliance Winston-Salem Franklin Greensboro Winston-Salem Shallotte Raleigh Winston-Salem Fayetteville Hendersonville Hendersonville Greenville Wilmington Charlotte Raleigh Sanford High Point Burlington Concord Charlotte Winston-Salem Washington Washington Winston-Salem Favetteville Hendersonville Indian Trail Greenville Greensboro Fayetteville Mooresville New Bern Goldsboro Durham Stanley Murphy Lillinaton Wilson Wilmington Chapel Hill Waxhaw

#### **Non-Public Items:**

A motion passed to close the session to investigate, examine, or determine the character and other qualifications of applicants for professional licenses or certificates while meeting with respect to individual applicants for such licenses or certificates.

The Board reviewed one license application. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

Motion: A motion passed to accept the report as presented.

# NURSE PRACTITIONER COMMITTEE REPORT

Robin Hunter-Buskey, PAC; Michael Norins, MD; Elizabeth Kanof, MD

#### NP Initial Applications Recommended for Approval after Staff Review-

Board Action: Approve

#### NURSE PRACTITIONER

Berge, Christopher Ronald Brown, Candace Danette Brown, Catherine Sargent Burgelin, Valerie Ann Crane, Marianna Lorraine Fletcher, Cinthia Edwards Jones, Caron W. Kelly, Loretta Anne Kelly, Loretta Anne Kistler, Susan Fleming Lewis, Wendy Payne Long, Lisa McIntosh McGee, Amanda Johnson Mew. Andea Morawski Muenzner. Melissa Lvnn O'Brien, Elizabeth Irene **Pope**, Pamela Renee Potts, Mary Lou **Royal**, Nicole Prav Schlaefer, Ann Therese Stanfield, Beth Perry **Tyson**, Tamely Dawn Wanner, Linda Jean

#### PRIMARY SUPERVISOR

Blazing, Michael A. Prevatte, Steven H. Brandspigel, Karl Finch. James W. Cutson, Toni M. Gioia, Frank R. Hammer, Jeffery C. Hinson, Thomas Jr. Gallup, Kenneth Jr. Twersky, Jack Bradford, James H. Smith, Timothy T. Pridgen, James H. Young. Thomas E. Jeffers, Robert G. **Chow**, Henry Y. Singh, Vinod **Snipes**, Garrett E. Williams, Jerome Jr. Frush, Karen S. **O'Donnell**. Gerard Sutton, Sidney M. Muthu. Amruthavalli

#### PRACTICE CITY

Durham Greenville Elizabeth City Raleigh Durham Favetteville Nags Head Winston-Salem Winston-Salem Durham Statesville Clinton Whiteville Raleigh Raleigh Concord Benson Spartanburg, SC Charlotte Durham Sanford Elizabeth City Salisbury

#### NP Initial Applications for Committee Review-

A motion passed to close the session to investigate, examine, or determine the character and other qualifications of applicants for professional licenses or certificates while meeting with respect to individual applicants for such licenses or certificates.

The Board reviewed one license application. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

#### NP Subsequent Applications administratively approved-

#### Board Action:

NURSE PRACTITIONER PRIM	ARY SUPERVISOR	PRACTICE CITY
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Baker, Meredith B. Baker, Nancy H. Brown, Carol A. Callanan, Lisa B. Crowder, Gregory K. Folan. Michael D. Folan, Michael Fulwood, Karen J. Gibson, Carla A. Grinar. Donald M. Hedrick. Diann E. Henderson, Zabrina G. Hill. Marie E. Hubbard, Carol Jandebeur, Ronald K. Johnson. Janice C. Kenny, Maria V. Kerr, Jill S. Mattice, Mark R. McDonald. Joan P. Moody, Shinel L. Norris, Leslie W. Orsini, Janice M. Pittman, Laura A. Price. Marva M. Pualisi. Janis P. Raymond, Dawn E. Robinson, Caroline Ruch, Julie T. Simpson, Kathy D. Smallwood, Tanya R. Steele, Linda L. Stevens, Tanya B. Taylor, Anne Marie Thomas, Christine L. Timmons, Rosemary Walker, Jeannine M. Whaley, Jimmy Wilks, Kanzenner

McKinney, Parish El-Khoury, Semaan Wells. Wendell Pascale, James A. Kinney, Karen A. Chrostowski. Dariusz Clayton, Thomas V. Patel, Aneel N. Mullen, Joseph Zaidi, Syed Vizel. Elliott J. Mimms, Susan R. Martin. William G. Bose, Carl L. Garmon-Brown, Ophelia **Dorton**, Phillip Phillips, Bruce Fisher, Michael J. Rajecka-Banas, Z. Hussey, Felicia Brown, Josephine Esterwood, Anthony Szypulski, Jacek Lawrence, Mary K. Heine, Robert P. Inalefield. Joseph Axelbank, Arthur Taylor, Francis M. Simpson, Ross Day, Jennifer Mann, James T. Echterling, Susan Daud. Shahnaz Golwala. Aiev Taylor, Francis M. Berkowitz, Gerald Caquias-Gonzalez, E. Jacobs-EI, Jamil Williamson, Jeff D.

Greenboro Murfreesboro Lumberton Ft. Bragg Greenville Murphy Andrews Wilmington Shelby Windsor Statesville Asheville Waxhaw Chapel Hill Charlotte Thomasville Elizabethtown Hillsborough Dobson Pikeville Raleigh Franklin Greensboro Morehead City Durham Hickorv Hillsborough Plymouth Chapel Hill Winston-Salem Raleigh Charlotte Raleigh Cary Plymouth Charlotte Saluda Durham Winston-Salem

Williams, Patricia L. Apoltan, Ioana

Yadkinville

Motion: A motion passed to accept the report as presented.

# LICENSING COMMITTEE REPORT

John Dees, MD; Geroge Barrett, MD; E.K. Fretwell, PhD; Robin Hunter-Buskey, PAC; Robert Moffatt, MD

#### Report on NCMS sponsored Work Group on Post Graduate Medical Education

Catchline: The meeting held May 14. 2002 between members and staff of the Medical Society and members and staff of the NCMB resulted in a recommendation to change the statutory requirement from three years of postgraduate training in the US for foreign graduates and one year for US graduates to two years for all graduates.

Committee Recommendation: Adopt a position of supporting a requirement for 2 years postgraduate education for SU as well as foreign medical graduates, for full license.

BOARD ACTION: The Board adopted a position to support a requirement for 2 years postgraduate education for US as well as foreign medical graduates, for full license.

#### Interviews for Foreign Graduates

A motion was passed to modify previous Board policy regarding foreign graduates/offshore medical schools as follows: Allow foreign medical graduates who have completed 3 years of post graduate training and have a letter from their program director saying they are capable of practicing medicine on their own to meet with one representative of the Board for the license interview.

A motion passed to close the session to investigate, examine, or determine the character and other qualifications of applicants for professional licenses or certificates while meeting with respect to individual applicants for such licenses or certificates.

The Board reviewed 9 license applications. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session

#### SPLIT BOARD LICENSURE INTERVIEWS

A motion passed to close the session to investigate, examine, or determine the character and other qualifications of applicants for professional licenses or certificates while meeting with respect to individual applicants for such licenses or certificates.

Ten licensure interviews were conducted. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

## APPLICANTS PRESENTED TO THE BOARD

Natasha Ann Adams-Denny Sved Aftab Ahmed **Douglas Charles Allen** Raai Romesh Amin Carmen Arkansas Roger Nadarajan Arumugam Patricia Lynn Ashley Clinton Kesler Atkinson Jr. Talal Tarek Baki Frank John Baniewicz Pierre Michael Barker Peggy Sue Barnhill Mark Edward Beamer William Jefferson Beavers Irm Raqib Raja Bellavia Andrea Leigh Bennett-Cain Jill Lynn Benson Michelle Marie Bertsch Michael Christopher Beuhler William Scott Black Cynthia Bowers-Lee Djenaba Tene Bradford-Kennedy Candace Angelena Bradley David Allen Brantley Ralph Anthony Brown Ketan Ramanlal Bulsara Lillian Patricia Burke Lora Lee Burke **April Nicole Burks** Norbert Joseph Burzynski Jr Kenneth Olander Carter Erica Johnstone Caveney Chien-Chung Peter Chang Robert Wycliffe Cheatham III James Song-Jen Chen Kelly Mi Choi Rakesh Pravin Chokshi David Joseph Ciavarella Christopher Kevin Cicci Leon Henry Cochran Claudia Sieger Cohen Ellen Calhoun Collett Ngina Kai Connors Jason David Conway Vidette Violette Cooper Bonnie Sierra Corlev Peter Duke Crane Eric Scott Cruzen Bryan Heath Curry

Roger Roswell Denny Deborah Deoss-Maksoud Jonathan Lucas Dieter Jr. Edgar Archer Dillard, Jr. Ruth Abrams Dillard Jeremiah Paul Donovan Shane Paul Dormady William Lafavette Doss, III Sean Benedict D'Souza David Robert Duralia Craig William Edgar John Joseph Esslinger William Li-goon Fan Mary Florence Farley James Mastin Farmer **Bonnie Pankov Fines** Paul Christopher Flanders Arthur John Florack Theresa McCarthy Flynn Susan Fredriksen Scott Leo Furnev Theresa Ciardi Gallagher Karen Dalquist Gavigan Daniela Simona Gerard Syndee Jill Givre Jared August Gollob Indulekha Narasimhan Gopal Steven Michael Gottlieb Paul Reginald Greenlaw Sanjeev Kumar Gulati Troy Edwin Hampton Joshua Peter Hand Tammy Lynn Hay **Derek Blair Hess** William Hickson Horton Jr. Benjamin Yu-Bin Huang Kenneth Allen Humphrey Christopher Harker Hunt **David Leonard Hunter** Faheem Hussain Mitchell Dongjun Imm Grace Jackson Lawrence Lee Jeckel Allen Campbell Johnson James Earl Johnson Jr. Todd M. Kaleel Anoop Kumar Kalia Sukhender Kumar Karwan Chatargy Surendranadha Kaza Huma Khalil

Bobbie Alyse Khosla-Gupta **Thomas Fredrick Koonce** Samer Abdul-Wahab Kseibi Garv Carl LaBarre Vitt Pongpoon Leng Brian Christopher Lewis John Paul Limbacher Kenneth Kopf Lindell Robert Dean Lins Jr Marchi Vor Lopez-Linus Jeffery Willard Loux Margaret Lubega Richard O'Neal Lynch Daniel Bruce MacCallum Karin Alves Mackay Thomas Philip Malan Jr. Thomas Richard Malinich John Andrew Manfredi Ronald Maynard Mann David Wayne Markham Christopher Wayne Trammell Mattern Jeanette Hebel Matthews Jessica Ann McCabe Lisa Elizabeth McCain-Johnson R. Steven McDonald Thomas Page McGee Jr. Peter McGraw Stanley Robert Michalski Andrew Blair Miller **Brendan Maney Miner** Shahriar Moossavi Rajendra Annasaheb Morey Steven Shi-Tsen Mou Steven Boyd Moye Nandini Rao Murthi Vasu Neela Murthv Robert David Nesbit Harpreet Kaur Nijher Marc Davis Noble Steven Roland Norris Joseph Gorman O'Brien **Terrence Frederic Oder** Lori Ann Orlando Kym Elizabeth Orsetti Jack Frederick Otteni Thomas Darrell Owens Michael Joseph Paglia Frederick Victor Palmquist Michael Raymond Panger

Sophie Beulah Parker Sonia Pasi Binduben Amratlal Patel Jeffrey David Pearce Shannon Kristen Penland Peter Linner Perrv Christine Lori Petersen Anne-Corinne Beaver Peterson Matthew Shane Peterson Sankalp Puri Brian Patrick Quaranta Karen Gilliam Raiford Muhammad Rais Ganapathy Pedamale Rama Tushar Madhukant Ramani Carlos Gustavo Ramia Carlos Ventura Ramos Caroline Lillian Hebert Rao Thomas Kenneth Rawa **Douglas William Reader** Ralph Bernard Redd Sandeep Reddy Rodney Lane Redelsperger Michael Eugene Reichel Robert Gale Reiheld Jason Charles Reutter Stephen Robert Richardson

John Warren Rogers Daniel Todd Rose Marc Noel Roy Marianne Saitz John Stirling Sarzier James Amos Savage Jamie Catherine Schick Jonathan Lawrence Schreiber Charles Lee Seehorn III Mark Stephen Seifer Kymberly Floyd Selden Michael Stanley Serwint Brett Courtney Sheridan Jeremy Wendell Simonsen Dawd Said Siraj Mark Brian Skeen Karla Rene Smith Richard Alan Smith John Andrew Snyder Teesta Basu Soman Wesley Scott St. Clair Steven Rudolf Steinhubl Carmen Gracia Strickland **Barry Michael Stowe** Shahnaz Sultan Samira Said Tahtawi Teresa Nicole Terezis

Ike Clayton Thacker David Christopher Thornton Mark Michael Tomsho Christopher John Torontow Sebastian Thomas Tosto Jr Amy Jacqueline Trivette Frank Fu-Sheng Tu Donald Hugh Tucker Anil Prakash Tumbapura John David Turner Francisco Antonio Valedon Alan Murry Verm Rebecca Paige Walker Yu-Chi Annie Wang David Townsend Ward Michael Howard Weinstein **Eric James White** Jennifer Warner Wilhelm Timothy Dawayne Wingo John Robert Wright, Jr. Yiping Yang Meela Yoo Gerald Edward York II Sarah Safia Yousuff Erik Leroy Zeger Raul Gualberto Zunzunegui

#### LICENSES APPROVED BY ENDORSEMENT AND EXAM

Natasha Ann Adams-Denny Sved Aftab Ahmed Douglas Charles Allen Raaj Romesh Amin Carmen Arkansas Patricia Lynn Ashley Clinton Kesler Atkinson Jr. Talal Tarek Baki William Jefferson Beavers Irm Raqib Raja Bellavia Andrea Leigh Bennett-Cain Jill Lvnn Benson Michelle Marie Bertsch Michael Christopher Beuhler William Scott Black Djenaba Tene Bradford-Kennedy Candace Angelena Bradley Ralph Anthony Brown Ketan Ramanlal Bulsara Lillian Patricia Burke Lora Lee Burke

**April Nicole Burks** Norbert Joseph Burzynski Jr Kenneth Olander Carter Erica Johnstone Caveney Chien-Chung Peter Chang Robert Wycliffe Cheatham III James Song-Jen Chen Kelly Mi Choi Rakesh Pravin Chokshi David Joseph Ciavarella Christopher Kevin Cicci Leon Henry Cochran Claudia Sieger Cohen Ellen Calhoun Collett Ngina Kai Connors Vidette Violette Cooper Bonnie Sierra Corley Peter Duke Crane Eric Scott Cruzen **Bryan Heath Curry** John Aloysius Davies

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**Daniel Bruce MacCallum** Karin Alves Mackay Thomas Philip Malan Jr. Thomas Richard Malinich John Andrew Manfredi Ronald Maynard Mann David Wayne Markham Christopher Wayne Trammell Mattern Jeanette Hebel Matthews Jessica Ann McCabe Lisa Elizabeth McCain-Johnson R. Steven McDonald Thomas Page McGee Jr. Peter McGraw Stanley Robert Michalski Andrew Blair Miller Brendan Maney Miner Shahriar Moossavi Raiendra Annasaheb Morey Steven Shi-Tsen Mou Steven Bovd Move Nandini Rao Murthi Vasu Neela Murthy Robert David Nesbit Harpreet Kaur Nijher Marc Davis Noble Steven Roland Norris Terrence Frederic Oder Lori Ann Orlando Kym Elizabeth Orsetti Jack Frederick Otteni Thomas Darrell Owens Michael Joseph Paglia Frederick Victor Palmquist Michael Raymond Panger Sophie Beulah Parker Sonia Pasi Binduben Amratlal Patel Jeffrev David Pearce Shannon Kristen Penland Peter Linner Perrv Christine Lori Petersen Anne-Corinne Beaver Peterson Matthew Shane Peterson Sankalp Puri **Brian Patrick Quaranta** Karen Gilliam Raiford Muhammad Rais Ganapathy Pedamale Rama Tushar Madhukant Ramani Carlos Gustavo Ramia

**Carlos Ventura Ramos** Caroline Lillian Hebert Rao **Douglas William Reader** Ralph Bernard Redd Michael Eugene Reichel Robert Gale Reiheld Jason Charles Reutter John Warren Rogers John Stirling Sarzier James Amos Savage Jamie Catherine Schick Jonathan Lawrence Schreiber Charles Lee Seehorn III Mark Stephen Seifer Kymberly Floyd Selden Michael Stanley Serwint Brett Courtney Sheridan

Sandeep Reddy

Daniel Todd Rose

Jeremy Wendell Simonsen

Mark Brian Skeen

Karla Rene Smith

**Richard Alan Smith** 

John Andrew Snyder Teesta Basu Soman Weslev Scott St. Clair

**Barry Michael Stowe** 

Samira Said Tahtawi Teresa Nicole Terezis

Mark Michael Tomsho

Shahnaz Sultan

Steven Rudolf Steinhubl

David Christopher Thornton

Christopher John Torontow

Marc Noel Rov

Marianne Saitz

Sebastian Thomas Tosto Jr Amy Jacqueline Trivette Frank Fu-Sheng Tu Anil Prakash Tumbapura John David Turner Francisco Antonio Valedon Alan Murry Verm Rebecca Paige Walker Yu-Chi Annie Wang Michael Howard Weinstein **Eric James White** Jennifer Warner Wilhelm Yiping Yang Meela Yoo Gerald Edward York II Sarah Safia Yousuff Erik Leroy Zeger Raul Gualberto Zunzunegui

# Limited Volunteer – Military

Joseph Gorman O'Brien

#### Conversion from Full License to Volunteer License – Retired Edgar Archer Dillard, Jr. Ruth Abrams Dillard

#### **Reinstatements – Long Process**

David Allen Brantley William Lafayette Doss, III Tammy Lynn Hay Lawrence Lee Jeckel Thomas Kenneth Rawa Carmen Gracia Strickland John Robert Wright, Jr.

# COMPLAINT COMMITTEE REPORT

Alovsius Walsh; John Dees, MD; Elizabeth Kanof, MD; Walter Pories, MD; Hari Gupta

The Complaint Committee report as noted below was accepted by the full Board on June 20, 2002.

The Complaint Committee discussed the most efficient way for staff to process complaints that appear to be unfounded, (e.g., complainant believes that as a result of a surgical procedure she had in 1975 she has a body odor which has now been passed down to her family members, etc). These types of complaints do not appear to be a violation of the NC Medical Practice Act. The Complaint Department Director and/or Medical Coordinator will submit these to Complaint Committee Chair for final resolution. The Chair will sign off on the staff action sheet noting the

complaint will go to file. The licensee will not be required to respond but will receive a copy of the letter sent to the complainant and a copy of the complaint. **Note:** This is a separate instruction from the Pathway 2 complaints in which the Board approved that staff is allowed to review/close certain types of complaints, e.g. medical record issues, complaints from prisoners regarding policy within DOC, and billing issues. These are currently reported on the monthly statistics.

For the record, one or two Complaint Committee members are currently coming in on the Tuesday before each Board meeting as opposed to some other day during the month to review complaints for the next month's Board meeting. This appears to be working well and the committee agrees to stay with this current process.

For future note: It was determined by the Board that all BA letters to PA/NP/CPP be copied to the supervising physician.

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes.

The Complaint Committee reported on 51 complaint cases. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session

# **INVESTIGATIVE COMMITTEE REPORT**

Stephen Herring, MD; George Barrett, MD; E.K. Fretwell, PhD; Robin Hunter-Buskey, PA-C; Charles Garrett, MD; Michael Norins, MD

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes.

The Investigative Committee reported on 34 investigative cases. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

# **INFORMAL INTERVIEW REPORT**

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16 and 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes.

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Twenty-one informal interviews were conducted. A written report was presented for the Board's review. The Board adopted the Split Boards' recommendations and approved the written report as modified. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

# MALPRACTICE COMMITTEE REPORT

Aloysius Walsh; John Dees, MD; Elizabeth Kanof, MD; Walter Pories, MD; Hari Gupta

A motion passed to close the session to prevent the disclosure of information that is confidential pursuant to sections 90-8, 90-14, 90-16, and 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes.

The Malpractice Committee reported on 26 cases. A written report was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The specifics of this report are not included because these actions are not public information.

A motion passed to return to open session.

# ADJOURNMENT

This meeting was adjourned on June 20, 2002.

Charles L. Garrett, MD Secretary/Treasurer