

PUBLIC SESSION MINUTES
STATE BOARD OF MEDICAL EXAMINERS OF SOUTH CAROLINA
November 16, 2012

Board Meeting
Synergy Business Park
The Kingstree Building
110 Centerview Dr., Room 108
Columbia, South Carolina 29210

MEETING CALLED TO ORDER

Dr. Louis E. Costa, II, President of the Board, called the special meeting of the S.C. Board of Medical Examiners to order at 12:15 P.M., on Friday, November 16, 2012, at 110 Centerview Drive, Room 108, Columbia, South Carolina, with a quorum present by telephone. Dr. Costa announced the meeting was being held in accordance with the Freedom of Information Act by notice emailed to The State newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the Board's website and on the bulletin boards located at both of the main entrances of the Kingstree Building where the Board office is located.

Board members physically present for this meeting were:

Dr. Jeff Welsh, of Columbia

Board members present for this meeting by teleconference were:

Dr. Louis E. Costa, II, President, of Charleston

Dr. David deHoll, of Iva

Dr. Robert T. Ball, Jr., of Charleston

Dr. Stephen Gardner, of Greenville

Dr. Robert Turner, of Florence

Members of the S.C. Department of Labor, Licensing and Regulation (LLR) staff participating at various times in the meeting included:

S.C. Board of Medical Examiners

Bruce F. Duke, Board Administrator

April Dorroh, Program Assistant

Office of Advice Counsel

Sheridon Spoon, Advice Counsel

REVIEW/APPROVAL OF AGENDA

An agenda for this meeting was reviewed and approved.

DISCUSSION OF PROPOSED ADVISORY OPINION INTERPRETING S.C. CODE ANN. § EV40-47-113

Darra Coleman, Chief Advice Counsel, started the discussion on interpreting SC code 40-47-113. She stated that in the previous Medical Board meeting on November 5, 2012 that a document had been provided to the counsel for Teledoc and was the same document that was discussed by the Board was indeed not the intended version of the document. The documents were transmitted through an email by mistake and therefore the wrong version was introduced. This is why the Board agreed to have a special meeting to allow interested parties the opportunity to comment. Mrs. Coleman read the last paragraph of the document aloud to make sure all present by phone and in person had the correct document. All parties agreed they had the correct document.

Mr. Mullins stated he wanted to outline what they characterized as a continuing concern and discussed the issues between Telemedicine and on-call and the confusion he has between the two. He had concerns that this new advisory opinion was a broad reaching policy that has what he believes to be significant implications to physicians practicing in SC.

Dr. Costa stated that he acknowledges the argument and position of Mr. Mullins and that the Board should consider whether or not there should be some clarification on advisory opinion versus telemedicine policy.

A motion was made by Dr. deHoll to table the discussion and revisit the policy and make editorial changes that the Board determines are necessary. The Motion was seconded by Dr. Ball. All in favor. Motion Carries.

BOARD ELECTION DISCUSSION

Mrs. Coleman discussed the issue of the Board election and Dr. Ball recused himself for the discussion pertaining to the District One seat. A motion was made by Dr. Welsh to go into Executive Session and seconded by Dr. Turner. All in favor. Motion carries.

After a brief discussion and careful review, a motion was made by Dr. deHoll that the Board did not find that Dr. Ball had satisfied the requirements for candidacy at this time. The motion was seconded by Dr. Welsh. Dr. Costa abstained. Motion carries.

Board adjourned 1:30pm on Friday, November 16, 2012.

**Respectfully Submitted
April Koon
Program Assistant**