

PUBLIC MINUTES
STATE BOARD OF MEDICAL EXAMINERS OF SOUTH CAROLINA

Board Meeting
November 5 – 6, 2007
Synergy Business Park
The Kingstree Building
110 Centerview Dr., Room 108
Columbia, South Carolina

MEETING CALLED TO ORDER

Dr. Louis E. Costa, II, President of the Board, called the regular meeting of the S.C. Board of Medical Examiners to order at 8:00 A.M., on Monday, November 5, 2007 at 110 Centerview Drive, Room 108, Columbia, South Carolina, with a quorum present. 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 present for this meeting were:

Dr. Louis E. Costa, II, President, of Charleston
Dr. Stephen R. Gardner, Vice-President, of Greenville
Dr. Satish M. Prabhu, Secretary, of Columbia
Dr. Sompong Kraikit, of Florence
Dr. David deHoll, of Iva
Mrs. Jackie D. Black, of Columbia
Dr. Donald W. Tice, of Myrtle Beach
Dr. William M. Simpson, Jr., of Charleston, South Carolina

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
Mrs. Annette Disher, Assistant Administrator of Licensure
Mrs. Brenda Eason, Administrative Assistant, PA and RCP Licensure
Mrs. Donna Howard, Administrative Assistant, Physician Licensure
Ms. Thalia Miller, Administrative Assistant
Mrs. Melissa Fulton, Administrative Assistant

Office of General Counsel

Lynne Rogers, General Counsel
Sheridan Spoon, Deputy General Counsel
Marvin G. Frierson, Assistant General Counsel
Ken Woodington, Counsel
Paula Magargle, Assistant General Counsel
Patrick Hanks, Assistant General Counsel

Professional and Occupational Licensing (POL) Division
Shirley Robinson, Hearing Counsel

Office of Health and Medically Related Professions
Mrs. Ruby Brice, Assistant Deputy Director

Office of Investigations and Enforcement
Rion Alvey, Assistant Deputy Director
Mrs. Karen Newton, Administrative Coordinator
Mrs. Josie DeGennaro, Investigator
Mr. Mark Kelly, Investigator
Mrs. Cheryl McNair, Investigator
Larry Atkins, Deputy Chief
Kathy Prince, Deputy Chief

REVIEW/APPROVAL OF AGENDA

An agenda for this meeting was reviewed and approved.

REVIEW/APPROVAL OF MINUTES FROM AUGUST BOARD MEETING:

It was noted to reflect in the minutes that Ms. Black was not present for day three of the meeting. It was also suggested that in future minutes the recorder should include any attachments in the Executive Session minutes.

A motion was made to approve the Minutes with the above said changes. Dr. Hubbard seconded the motion and it was unanimously passed.

The Board reviewed the Consent Agenda and made the following decisions:

A motion was made to approve the Consent Agenda. Dr. Hubbard seconded the motion and it was unanimously passed. The Committee recommendations from the Physician Assistants Advisory Committee, Respiratory Care Committee and the Anesthesiologist Advisory Committee that were approved are as follows :

The South Carolina Board of Medical Examiners

CONSENT AGENDA

Submitted by:

Harold Harvey, P.A., Chairperson
SC Physician Assistants Advisory Committee

Paul Treffeisen, R.C.P., Chairperson
SC Respiratory Care Practitioners Advisory Committee

Terry Dodge, MD Chairperson
SC Anesthesiologist Assistants Committee

**LLR-BOARD OF MEDICAL EXAMINERS
BOARD MEETING, NOVEMBER 5 & 6, 2007**

**DISCUSSION TOPIC: Recommendations from the PA Committee Meeting
October 12, 2007**
**FROM: Harold Harvey, P.A., Chairperson
S.C. Physician Assistant Committee**

The Committee members present were as follows: Mr. Harold Harvey, of Hampton, Chairman; Dr. Jack Scheuer, Camden; Mr. Reamer Bushardt; Charleston; Ms. Lisa Sand, Columbia and Dr. Donald Tice, (via telephone) Garden City. Absent from the meeting were Dr. William Hueston; Mt. Pleasant; and Graham Adams, Chapin.

AGENDA TOPIC: Mary K. Reynolds, P.A.

As a follow-up from the July meeting, Ms. Mary K. Reynolds' additional information was reviewed by the Committee. After a brief discussion Dr. Tice made a motion to reinstate Ms. Reynolds to full privileges provided she meets current licensure requirements. Mr. Bushardt seconded the motion, which passed.

AGENDA TOPIC: CONFIRMATION OF OJT, REQUEST FOR OJT AND ADDITIONAL
TASKS

Amy McMinn York, P.A. and her supervising physician, Dr. Jon Bittrick (CD) in Greenville, SC submitted a request for Confirmation for OJT of Stress Testing. Ms. York submitted documentation of five (5), observe five (5) and perform five (5) procedures under the supervision of Dr. Bittrick.

The Committee reviewed the request and Dr. Scheuer made a motion to approve the request with verification that 2 of the 5 assists were pharmacological assisted stress testing. Ms. Sand seconded the motion. The motion passed.

Thomas C. Gauldin, P.A. and his supervising physician, Dr. Robert Phillips in Florence, SC submitted a request for Confirmation of Completion for OJT of Placement, Management and Removal of Intra-Aortic Balloon Pump (IABP).

After discussion, Ms. Sand moved to deny the request pending additional information and clarification for the request of Confirmation of Completion for OJT of Placement, Management and Removal of Intra-Aortic Balloon Pump (IABP). This request shall include the Emergency Plan and Protocol for procedure. Dr. Scheuer seconded the motion. The motion passed.

Jill Michelle Neumann, P.A. and her supervising physician, Dr. Young Song (DR) in Mt. Pleasant, SC submitted a request for OJT for PICC Line Placement.

After discussion, Ms. Lisa Sand moved to approve Ms. Neumann for OJT of PICC Line Placement. Ms. Neumann must observe ten procedures, assist in ten procedures, and

perform ten procedures under direct supervision. Dr. Scheuer seconded the motion. The motion passed.

It was suggested that PICC Line be added to OJT list.

Lynne B. Williams, P.A. and her supervising physician, Dr. Lynn Goetze (FP) in Hilton Head Island, SC provided a status update on approval for Off-Site practice as request by the Board.

After review and discussion, Dr. Scheuer made a motion to accept the letter as information and forward to the Board for review. Ms. Sand seconded the motion. The motion passed.

Holly Blumenfeld Carter, P.A. and her supervising physician, Dr. Marguerite Germain (D) in Mt. Pleasant, SC submitted a request for OJT Eyelid Biopsy.

After discussion, Dr. Tice moved to deny the request pending additional information and clarification for the request of OJT for Eyelid Biopsy. This request shall include the a specific procedure outline, supervision, Emergency Plan and Protocol for procedure. Mr. Bushardt seconded the motion. The motion passed.

Christopher David Hewitt, P.A. and his supervising physician, Dr. Gregor Cleveland (DR) in Florence, SC submitted a request for OJT of Placement of Tunneled Venous Catheter.

After discussion, Dr. Scheuer moved to approve the request for OJT of Placement of Tunneled Venous Catheter. Mr. Hewitt must observe five procedures, assist in five procedures, and perform ten procedures under direct supervision. Mr. Bushardt seconded the motion. The motion passed.

It was suggested that this procedure be added to the OJT list requiring 5/5/10 and prior central line placement experience.

Kimberly Michele Grant, P.A. and her supervising physician, Dr. Andrea Jackson (OGB) in Florence, SC submitted a request for Inclusion of Colposcopic Examinations in her Scope of Practice.

After discussion, Dr. Tice moved to deny the request for Inclusion of Colposcopic Examinations in her Scope of Practice. Ms. Grant does not meet the six month supervisory requirement. Mr. Bushardt seconded the motion. The motion passed.

AGENDA TOPIC: REVIEW OF SCOPE OF PRACTICE GUIDELINES

The Committee reviewed the Scope of Practice Guidelines for the following PAs:

1. Skerdilaid Licaj, PA
2. Jill Aboulian, PA
3. Kelly England, PA
4. April Ross, PA
5. Kimberly Grant, PA
6. *Sheneque White, PA
7. Jessica Ambrose, PA
8. Diana Alford, PA
9. Janelle Hinson, PA
10. Nick Evangelista, PA
11. Kristine Meyers, PA
12. Jessica Ambrose, PA
13. *Merriman Dowdle, PA
14. Katrina Thompson, PA
15. Jennifer Farres, PA
16. Robert McKenns, PA
17. Ashley Smith, PA
18. Kelly Todd, PA
19. Madelyn Serina, PA
20. Shannon Childers, PA
21. Heidi Bruggeman, PA
22. Rosa Bentz, PA
23. Travis Wilson, PA
24. Mark Jamieson, PA
25. Kristina Krotov, PA
26. Shuli Leiken, PA
27. Robert Vaughn, PA
28. Anna McKie, PA
29. *Kristyn Halasy, PA

After careful review and discussion, Dr. Tice made a motion to approve the twenty-nine (29) Scope of Practice Guidelines as recorded above. Ms. Sand seconded the motion. The motion passed.

The following Scope of Practice Guidelines were approved pending additional information and/or clarification:

- 1) Reamer Bushardt, PA discussed Sheneque White's, PA Scope of Practice. Ms. White is currently practicing in a Family Practice setting. Dr. Hueston made a motion to **deny** Ms. White's scope pending clarification and additional information to include reapplying under current physician with a matching scope. Ms. Sand seconded the motion. The motion passed.
- 2) Dr. William Hueston discussed Merriman Dowdle's, PA Scope of Practice. Dr. Scheuer made a motion to **approve** now that he has submitted clarification on scope. Mr. Bushardt seconded the motion. The motion passed.
- 3) Lisa Sand, PA discussed Kristyn Halasy's, PA Scope of Practice. Dr. Scheuer made a motion to **approve** Ms. Halasy's scope pending the removal of Intraortic Balloon Pump and Central Pressure Monitor Lines which require OJT. Ms. Sand seconded the motion. The motion passed.

The following Scope of Practice Guidelines were denied:

- 1) Ms. Sand discussed **Diana Axiotis'** Scope of Practice. After discussion, Dr. Scheur made a motion to deny Ms. Axiotis' scope of practice. Ms. Sand seconded the motion. Ms. Sand advised that Ms. Axiotis does not meet the six month supervisory requirement. Additionally, her request requires OJT.
- 2) Ms. Sand discussed **Gregory Furness'** Scope of Practice. After discussion, Dr. Scheur made a motion to deny Mr. Furness' scope of practice. Ms. Sand seconded the motion. Ms. Sand advised that Mr. Furness does not meet the six month supervisory requirement. Additionally, his request requires OJT.

AGENDA TOPIC: APPLICANTS INTERVIEWED FOR PERMANENT LICENSE

Attached is the list of PA who were issued Temporary licenses, and interviewed for permanent license. These PA's now have permanent licenses:

<u>Name</u>	<u>Supervising Physician</u>	<u>Interviewing Bd. Member</u>
1. Jill Neuman, PA	Dr. Paul Baron	Dr. William Simpson
2. Melissa Loeffler, PA	Dr. Marguerite Germain	Dr. William Simpson
3. Jill Aboulian, PA	Dr. Anthony Rekito	Dr. John deHoll
4. Anthony Alexander, PA	Dr. Todd Swathwood	Dr. John deHoll
5. Rosamond Bentz, PA	Dr. Steven Lenex	Dr. William Simpson
6. Beth Edwards, PA	Dr. Brian Weaver	Dr. Stephen Gardner
7. Kelly England, PA	Dr. Bruce Frankel	Dr. William Simpson
8. Nick Evangelista, PA	Dr. Charles Hope	Dr. William Simpson
9. Kristy Halasy, PA	Dr. David Peterseim	Dr. William Simpson
10. Mark Jamieson, PA	Dr. Robert Sparano	Dr. William Simpson
11. Kristina Krotov, PA	Dr. Alfredo Brand	Dr. William Simpson
12. Kristine Meyers, PA	Dr. Gregory Campbell	Dr. Stephen Gardner
13. Henry Ramirez, PA	Dr. Cathryn McAlpine	Dr. John deHoll
14. April Ross, PA	Dr. Cathryn McAlpine	Dr. John deHoll
15. Gregory Furness, PA	Dr. Gregory Jones	Dr. Sompong Kraikit
16. Gwen Strickland, PA	Dr. Alvin Abinsay	Dr. Sompong Kraikit
17. Anna McKie, PA	Dr. Michelle Welch	Dr. Jim Chow
18. Henry Spradlin, PA	Dr. Geoffrey Renk	Dr. William Simpson
19. Ashley Smith, PA	Dr. Arthur Wilkoszewski	Dr. Donald Tice
20. Marisa Fialka, PA	Dr. Joseph Marino	Dr. William Simpson
21. Kelly Todd, PA	Dr. Edward Jones	Dr. William Simpson
22. Rose Grady, PA	Dr. Sunil Patel	Dr. William Simpson
23. Kimberly Grant, PA	Dr. Andrea Jackson	Dr. Sompong Kraikit
24. Catherine Staplefoote, PA	Dr. William Alleyne	Dr. James Hubbard
25. Patricia Lowe, PA	Dr. Kevin Carson	Dr. John deHoll
26. Madelyn Serina, PA	Dr. Albert Humphrey	Dr. Satish Prahbu
27. Diana Alford, PA	Dr. Henry Millwood	Dr. John deHoll

28.	Jennifer Farres, PA	Dr. Mark Smith	Dr. James Hubbard
29.	Jessica Ambrose, PA	Dr. Stephen Barr	Dr. James Hubbard

REQUEST FOR THE INITIATION OF ISOTRETINOIN

Melissa Ellen Loeffler, P.A. and her supervising physician, Dr. Jon Jacobs (GS) in N. Charleston, SC submitted a request for Initiation of Isotretinoin.

After discussion, Dr. Scheuer moved to approve the request for Initiation of Isotretinoin. Ms. Sand seconded the motion. The motion passed.

The Committee suggested that the wording in the attached letter be changed on the second page to read “requested” instead of “strongly recommended” before submitting to the Board.

Charles Keith Fox, P.A. and his supervising physician, Dr. Fred McElveen (D) in West Columbia, SC submitted a request for Initiation of Isotretinoin.

After discussion, Ms. Sand moved to approve the request for Initiation of Isotretinoin. Mr. Bushardt seconded the motion. The motion passed.

Vicki S. Roberts, P.A. and her supervising physician, Dr. Fred McElveen (D) in West Columbia, SC submitted a request for Initiation of Isotretinoin.

After discussion, Dr. Scheuer moved to approve the request for Initiation of Isotretinoin. Ms. Sand seconded the motion. The motion passed.

Rose Ann-Marie Rader, P.A. and her supervising physician, Dr. Sarah Brown (FP) in St. Stephens, SC submitted a request for Initiation of Accutane.

After discussion, Dr. Tice moved to deny the request for Initiation of Accutane. Because the practice is a Family Practice, Ms. Rader needs to submit the number of patients being treated with Accutane in the practice and a copy of the I-Pledge approval before the Committee can consider granting this request. Mr. Bushardt seconded the motion. The motion passed.

AGENDA TOPIC: DISCUSSION OF VACANT COMMITTEE SEAT

The Committee reviewed the letter of interest submitted by Ms. Cindy Bostic. After review and consideration Mr. Bushardt moved to recommend Ms. Bostic for the PA Committee Consumer member vacancy. Ms. Sand seconded the motion. The motion passed.

It was added that Ms. Bostic does not need to wait until January to become an official member because the seat is currently vacant.

AGENDA TOPIC: LETTER OF CONCERN

The Committee reviewed a letter of concern from a physician assistant with regard to an athletic presentation that he attended.

After a brief discussion, Dr. Scheuer made a motion to forward the letter to LLR's Office of Investigations for investigation. Mr. Bushardt seconded the motion. The motion passed.

NEXT COMMITTEE MEETING DATE

The next Physician Assistant Committee meeting is scheduled for Friday, January 4, 2008 at 2:00 P.M.

DISCUSSION TOPIC: Recommendations from the Respiratory Care Committee Meeting, September 21, 2007

**FROM: Paul Treffeisen, RCP, Chairman
SC Respiratory Care Committee**

Members in attendance: Mr. Paul Treffeisen, RCP, Anderson, Chairman; Dr. James Barker, Columbia; Dr. Antine Stenbit, Charleston, Vice-Chairman; Dr. James Fuller, Greenville; Ms. Patricia Blakely, RCP, Elgin; Ms. Tracy Fields, RCP, Florence; Dr. James Barker, Columbia and Mr. James Woody, RCP, Belton

AGENDA TOPIC: APPLICANT APPEARING FOR LICENSURE

Mr. Stephen D. Hoosier, RCP appeared before the Respiratory Care Committee to discuss his “yes” answers to questions #10, #11, an #14 on his application to practice Respiratory Care in South Carolina.

Mr. Hoosier answered “yes” to #10 – “Have you every discontinued practicing as a Respiratory Care Practitioner for nay reason for one month or more?” #11 – “Have you ever been arrested, indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law (other than a minor traffic violation)?” and # 14 – “Have you ever been discharged involuntarily from employment?”

Mr. Hoosier explained that he had inadvertently omitted information on his original application with no intent to defraud, and when he realized his error, made every effort to correct it, resulting in his termination from employment at Christiana Care. The infractions had occurred when he was very young and in college and there have been no further incidents.

After interview and discussion, Ms. Blakely made the motion to grant Mr. Hoosier’s request for licensure. Dr. Stenbit seconded the motion which passed unanimously.

MOTION: The Respiratory Care Committee recommends issuing a license to Mr. Stephen D. Hoosier, RCP.

AGENDA TOPIC: APPLICANT APPEARING FOR LICENSURE

Mr. Michael J. Evers, RCP re-appeared before the Respiratory Care Committee to discuss his “yes”answers which resulted in denial of licensure in April 2007.

Mr. Evers answered “yes” to #1 – “Has you Respiratory Care practitioner certificate/license ever been revoked, suspended, reprimanded, restricted or placed on probation by any licensing board or any other entity?, #10 – “Have you every discontinued practicing as a Respiratory Care Practitioner for nay reason for one month or more?” and #11 – “Have you ever been arrested, indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law (other than a minor traffic violation)?”

Mr. Evers submitted additional information for the Committee to review concerning his previous appearance.

After interview and discussion, Dr. Barker made the motion to affirm the Committee's previous decision to deny Mr. Evers a license to practice in South Carolina. Ms. Blakely seconded the motion which passed unanimously.

MOTION: The Respiratory Care Committee recommends affirming its decision to deny a SC license for Mr. Michael J. Evers.

AGENDA TOPIC: APPLICANTS FOR PERMANENT LICENSURE

Below is a list of 30 RCP's who are currently on temporary licenses. They have met all the requirements for permanent license and are now requesting to update from the temporary license to the permanent license. Those with an asterisk (*) have answered "yes" on their application and will be discussed at the RCP Committee Meeting.

RCP Active Temporary License Listing					
Last Name	First Name	Middle Name	Credential Type	Credential Number Only	Expiration Date
*Barbarino	Wendy	Ann	RCP - TL	4424	11/30/2007
Bradley	Lanicka	LaGale	RCP - TL	4231	11/30/2007
Butler	Grace	Corbett	RCP - TL	4427	11/30/2007
Candler	Teresa	Jill	RCP - TL	4411	11/30/2007
*Coleman	Christine		RCP - TL	4384	11/30/2007
Cooley	Tara	D.	RCP - TL	4236	11/30/2007
Cooper	Anthony		RCP - TL	4364	11/30/2007
Crawford	Florence	Isabell	RCP - TL	4365	11/30/2007
Cullens	Kevin	Michael	RCP - TL	4256	11/30/2007
*Davis	Tammie	Leigh	RCP - TL	4428	11/30/2007
Dawud	Majdi	Lutfi	RCP - TL	4431	11/30/2007
Donahue	Daniel	J.	RCP - TL	4403	11/30/2007
Gonyea	Rodney	N	RCP - TL	4412	11/30/2007
Hubbard	Dustin	Gray	RCP - TL	4407	11/30/2007
Knox	Garrett	Nelson	RCP - TL	4451	11/30/2007
Logan	Courtenay	W.	RCP - TL	4238	11/30/2007
Macalincag	Herminigildo	C.	RCP - TL	4409	11/30/2007
Meadows	Timothy	E.	RCP - TL	4241	11/30/2007
Njogu	Mercy	Wamugo	RCP - TL	4402	11/30/2007
*Otto	Theresa	Jean	RCP - TL	4447	11/30/2007
*Philippeaux	Michael	R	RCP - TL	4368	11/30/2007
Rodgers	William	Francis	RCP - TL	4437	11/30/2007
*Sanderson	Derek	Alan	RCP - TL	4404	11/30/2007
Scott	Norah	May	RCP - TL	4369	11/30/2007
Self	William	Davis	RCP - TL	4423	11/30/2007
Smith	Courtney	Leigh	RCP - TL	4445	11/30/2007
*Taylor	Larry	Bruce	RCP - TL	4448	11/30/2007
Thompson	Stacie	Ann	RCP - TL	4452	11/30/2007
Washington	Miesha	Laquetta	RCP - TL	4243	11/30/2007
Watkins	Stephanie	Ann	RCP - TL	4395	11/30/2007

RCP Active Temporary License Listing					
Last Name	First Name	Middle Name	Credential Type	Credential Number Only	Expiration Date
Williamson	Kameshia		RCP - TL	4419	11/30/2007

The Committee reviewed the following seven (7) individuals who had ‘yes’ answers on their applications:

1. **Wendy Barbarino, RCP**- Ms. Barbarino answered “Yes” on her application to questions #12, “Have you ever been known by any other name or surname?” and #10 “Have you ever discontinued practicing as a Respiratory Care Practitioner for any reason for one month or more?” Ms. Barbarino’s maiden name was Kus and she quit working for awhile to be a stay at home mother.

After review and discussion, Dr. Stenbit moved to recommend permanent licensure to Ms. Barbarino. Dr. Barker seconded the motion. The motion passed unanimously.

2. **Christine Coleman, RCP** – Mr. Jarvis answered “Yes” on her application to #10 “Have you ever discontinued practicing as a Respiratory Care Practitioner for any reason for one month or more?” and # 14 – “Have you ever been discharged involuntarily from employment?” Ms. Coleman discontinued practice and collected unemployment while seeking new employment and was involuntarily discharged due to downsizing.

After review and discussion, Dr. Stenbit moved to recommend permanent licensure to Ms. Coleman. Ms. Fields seconded the motion. The motion passed unanimously.

3. **Tammie Davis, RCP**—Ms. Davis answered “Yes” on her application to #11 – “Have you ever been arrested, indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law (other than a minor traffic violation)?” Ms. Davis was convicted of misrepresentation of identity because during a traffic stop she presented her driver’s license, which had been damaged, and was given a ticket for “altered driver’s license”. She paid the ticket in advance and received a mail notice that she had been convicted of misrepresentation of identity.

After review and discussion, Mr. Woody moved to recommend permanent licensure to Ms. Davis. Dr. Stenbit seconded the motion. The motion passed unanimously.

4. **Applicant, RCP**- Applicant answered “Yes” on her application to question #11 – “Have you ever been arrested, indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law (other than a minor traffic violation)?” Applicant was arrested for DUI in 1992 and the records have since been expunged.

After review and discussion, the committee suggested extending her temporary license through the end of November and asking her to resubmit her request for permanent licensure with additional information related to the DUI arrest.

5. **Michael Philippeaux, RCP**- Mr. Philippeaux answered “Yes” on his application to question #5, “Are you currently under any investigation or the subject of pending disciplinary action by any licensing board of or other entity?” and #10 “Have you ever discontinued practicing as a Respiratory Care Practitioner for any reason for one month or more?” Mr. Philippeaux was reprimanded by the NC Board for practicing on an expired license from 1/12/05 – 1/14/05. He was issued a reprimand and fined \$250.

After review and discussion, Ms. Fields moved to recommend permanent licensure to Mr. Philippeaux. Mr. Rogers seconded the motion. The motion passed unanimously.

6. **Derek Sanderson, RCP**- Mr. Sanderson answered “Yes” on his application to question #5, “Are you currently under any investigation or the subject of pending disciplinary action by any licensing board of or other entity?” Mr. Sanderson was investigated by the NC Board for failure to document charts. The complaint has been resolved and Mr. Sanderson’s NC license is current and in good standing.

After review and discussion, Dr. Stenbit moved to recommend permanent licensure to Mr. Sanderson. Dr. Barker seconded the motion. The motion passed unanimously.

7. **Larry Taylor, RCP**- Mr. Taylor answered “Yes” on his application to question #11 – “Have you ever been arrested, indicted, or convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law (other than a minor traffic violation)?” Mr. Taylor was arrested in 1988 on a simple battery charge. He pleaded nolo contendere and did not receive any fine, imprisonment or probation. A recent background check did not show any record of this charge.

After review and discussion, Dr. Barker moved to recommend permanent licensure to Mr. Taylor. Dr. Stenbit seconded the motion. The motion passed unanimously.

AGENDA TOPIC: MEETING DATES FOR 2008

The committee chose the following meeting dates for 2008:

January 11, 2008
April 11, 2008
July 11, 2008
October 10, 2008

NEXT MEETING DATE

The Committee’s next meeting is Friday, January 11, 2008.

DISCUSSION TOPIC: Recommendations from the Anesthesiologist's Assistants Committee Meeting, October 25, 2007

**FROM: Terry Dodge, MD, Chairperson
SC Anesthesiologist's Assistants Committee**

Members in attendance: (via teleconference) Dr. Terry Dodge, Ms. Ellen Allinger, Dr. Andrew Weisinger, Mrs. Elizabeth Christensen; Dr. Walter Tiedeman and Dr. Gus Allinger.

AGENDA TOPIC: Election of New Committee Members

The Committee reviewed the curriculum vitae of Mr. Eric Elkins and Mrs. Lang Etrekin

Recommendation: After careful review and discussion, Ms. Christensen moved to recommend Mr. Elkins and Mrs. Etrekin for the two of the vacant seats on the Committee. Dr. Weisinger seconded the motion. The motion passed unanimously.

AGENDA TOPIC: Ms. Holly Anderson

Dr. Dodge informed the committee that due to relocation, Ms. Holly Anderson had submitted her letter of resignation from the committee.

AGENDA TOPIC: Meeting Dates for 2008

The committee chose to keep the previously set the following dates for 2008:

April 3, 2008 @ 3:30 PM

October 2, 2008 @ 3:30 PM

NEXT MEETING DATE

The next Committee meeting will be April 3, 2008.

FINAL ORDER HEARINGS

A motion was made and passed for the Board to go into Executive Session to conduct Final Order Hearings. Each hearing was held in Executive Session, and a transcript of each hearing, as well as the Board's Final Order, are on file at the Board Office. No votes were made or actions taken while the Board was in Executive Session. **A motion was made and passed to return to Public Session and the Board voted on the following sanctions after each Final Order Hearing:**

Scott Joseph Waguespack, M.D. of Anderson, S.C. – Request to have license reinstated 2007-120

Dr. deHoll recused himself.

A motion was made that the Board finds that the agreement of voluntary surrender of license is valid and binding. The motion was seconded by Dr. Hubbard and with there being no dissenting votes all Board members were in favor.

The motion carries.

Roger Elliott Adler, M.D., of Manning, S.C. – Reconsideration 2006-48

A motion was made that was seconded by Mrs. Black and unanimously passed to approve the following sanction:

1. The Respondent should pursue the treatment of sleep apnea to the point of stability.
2. Respondent should be reevaluated by a program for treating professional sexual misconduct to reassess his reported focus lapses and whether these are consistent with the practice of psychiatry.

All Board members in favor and Motion carries.

FINAL ORDER HEARING

2007-84

A motion was made that was seconded by Ms. Black and unanimously passed to approve the recommendation of the Respiratory Care Committee in its entirety. The formal complaint is dismissed and the Respondent's license is immediately reinstated. Respondent must sign a private agreement.

Motion carries.

Mitchell J. Ghen, D.O., of Hillsboro Beach, FL. FINAL ORDER HEARING

2001-106

Carry over to future Board meeting.

SC FINAL ORDER HEARING

2005-246 2005-250

A motion was made to dismiss this matter. It was seconded by Dr. Simpson. The aye votes in favor of dismissal were as follows: Dr. Costa, Dr. Prabhu, Dr. Simpson, Dr. Tice, Dr. deHoll, Ms. Black, Dr. Kraikit and Dr. Hubbard. The nay votes against the dismissal were as follows: Dr. Gardner and Dr. Chow. There being only two nay votes the motion to dismiss was granted.

Motion Carries.

Regina Castel, M.D., of Simpsonville, S.C. FINAL ORDER HEARING

2006-0035

A motion was made that was seconded by Ms. Black to approve the following sanction:

1. Respondent has violated the Medical Practice Act.
2. Public reprimand with no revocation, fine, or suspension.
3. Respondent must continue monitoring with RPP for five years accumulated time in USA.
4. Respondent must pay the court costs in the amount of \$1163.75

All Board members were in favor except Dr. Hubbard.

Motion carries.

RECESS AND RECONVENE

The Board recessed at 5:00 P.M. and reconvened Tuesday, November 6, 2006 at 8:00 A.M. with a quorum present.

**Ronald McIver, D.O., of Hodges, S.C. FINAL ORDER HEARING
2003-119**

Carry over to future Board meeting.

Discussion Topic (C) Board meeting dates for 2009

Bruce Duke advised the Board of the suggested board dates for 2009. They were reviewed by all members. All in favor of the following dates: February 2 – 4, May 4 – 6, August 3 – 5, and November 2 – 4, 2009.

Discussion Topic (D) RPP Questionnaire

It was agreed to convene a committee to review the RPP questionnaire. Dr. Simpson is to be the board representative and Bruce Duke is also to participate. They will meet and report back to the Board at the February 2008 meeting.

Discussion Topic (H) Medical Devices

A motion was made to accept the policy below as it relates to Medical Devices and delegateable medical acts. The motion was seconded by Dr. Gardner. All in favor.

Motion carries

**MEDICAL DEVICES/DELEGATEABLE MEDICAL ACT
SCOPE OF PRACTICE**

Purpose

- To provide model legislative and regulatory language upon which the state medical board can develop or improve their regulations governing scope of practice. The goal is to protect patient safety, and ensure that physicians' manner commensurate with their education and training.

Definitions

- “Adverse incident” means any patient complication or any unforeseen unintended outcome, or perception by the patient of complications.
- “Board certified physician” means an ABMS/ABOMS board-certified or board eligible physician licensed by the state to practice medicine.
- “Cutaneous medicine” means performing any act or procedure that, by its use, can alter or damage living human tissue. This includes, but is not limited to, the use of all lasers, light sources, microwave energy, electrical impulses, chemical applications, particle sanding, the injection or insertion of foreign or natural substances, or soft tissue augmentation.
- “Light-based medical device” means any device such as lasers, light sources, intense pulsed light and microwave energy that has the ability to alter or damage living human tissue.
- “Non-physician” means any person that may work under the supervision of a licensed physician.
- “Patient” means any member of the public who is provided access to a procedure performed by a licensed physician or under the supervision of a licensed physician.
- “Training” means acceptable training programs such as those that conform to ABMS/ABOMS or specialty society standards; or training that pertains to cutaneous medicine, and the physics and safety of light-based devices.

Physician Responsibilities

- If advertising as board-certified, a physician must specify which ABMS/ABOMS board (s) they are certified by.
- The physician must examine each patient prior to any initial treatment or prior to authorizing treatment by a non-physician.
- The physician should examine any significant new problems existing with the patient.
- The physician must only perform procedures that are within his/her scope of practice based on his/her education and training.
- When performing or providing supervision for cutaneous medical procedure, a physician must have adequate training in the procedure and the devices used for performing the procedure.

- The physician must only delegate procedures to non-physicians that are working within their scope of practice based on their education and training.
- The physician shall develop written office protocols for non-physicians under his/her supervision for non-physicians to follow when using all devices, including light-based medical devices. The written office protocols must be compliant with existing state law. The written protocol should include:
 - The physician (and back-up physician if applicable) responsible for supervision of the non-physician.
 - A statement of activities, decision criteria, and plan the supervised non-physician must follow when performing the light-based procedure.
 - Identification of all devices and settings, including light-based devices, to be used for patients who meet selection criteria.
 - Methods by which all devices, including light-based devices are to be operated and maintained.
 - A description of appropriate care and follow-up for common complications, serious injury, or emergencies.
- The physician shall provide on-site supervision for all non-physicians under his/her supervision performing cutaneous medical procedures. The physician must be immediately available at all times in the event of complication or emergency.
- The physician shall notify the patient if the procedure will be performed by a non-physician, and obtain their consent.
- The physician shall maintain profession and legal responsibility for the patient's care and treatment at all times.

Non-physician Responsibilities

- Non-physician must only perform procedures under direct supervision that are within their scope of practice, based on their education and training.
- Non-physicians must have documentation of their training.
- Non-physicians must be properly licensed (if applicable) by the appropriate state board.
- Non-physicians must follow written office protocols when performing procedures using all medical devices, including light-based medical devices.

- Non-physicians must report all adverse incidents to the supervising physician and document them in the patient's chart.
- Non-physician must satisfactorily complete a documented special education and training program on applicable: laser physics, safety, techniques, and pre and post operative care and laser safety, which includes supervised practice and clinical skill competency
- Continuing education for these procedures is ongoing and documented.

Todd Atwater, Executive Director

SC Medical Association – Presentation on a CME tracking system

After much discussion as to whether the board would allow the S.C. Medical Association to track the Continuing Medical Education requirements for licensees in the state, it was decided to table this until another Board meeting. Dr. Kraikit, Dr. deHoll and Dr. Chow will represent the board on committee dealing with this issue. Ruby Brice is to meet with the SCMA and committee members and see if the SCMA can be a sole source or whether we need to open this up to bids. She will then report this back to the board.

**David Martoccia, M.D., of Anderson, S.C. FINAL ORDER HEARING
2006-3**

Dr. deHoll recused himself.

A motion was made that was seconded by Dr. Chow to approve the following sanction:

1. Respondent has violated the Medical Practice Act.
2. Public Reprimand
3. License suspended but stayed immediately.
4. Respondent must follow Dr. Abel's recommendation in its entirety for a period of one year.
5. Respondent must pay a fine of \$5000.00 and the court costs of \$310.00 within one year.

The aye votes in favor of the motion were as follows: Dr. Costa, Dr. Prabhu, Dr. Simpson, Dr. Gardner, Dr. Chow, Dr. Kraikit and Dr. Hubbard. The nay votes against the motion were as follows: Dr. Tice, and Ms. Black . There being only two nay votes the motion carries.

**Request to be released from Terms and Conditions
2004-342**

A motion was made to release the Respondent from his Terms and Conditions imposed by the final order of December 13, 2005. The motion was seconded by Dr. Simpson. All Board members were in favor except Ms. Black.

Motion carries.

Discussion Topic (F) Election of Board Officers

The following board members expressed a desire to run for a board officer position:

Dr. Costa
Dr. Gardner
Dr. Prabhu
Dr. Kraikit
Dr. deHoll.

After a vote the following were elected to office:

Dr. Costa, President
Dr. Gardner, Vice President
Dr. Prabhu, Secretary

Motion Carries.

**Louie Lawson, M.D., of Aynor, S.C. FINAL ORDER HEARING
2006-313**

A motion was made that was seconded by Dr. deHoll to approve the following sanction:

1. Respondent has violated the Medical Practice Act.
2. Public reprimand

4. Respondent must pay a fine in the amount of \$1,000.00 within one year.

All Board members were in favor except Ms. Black who was not present for the vote.

Motion carries.

GENERAL COUNSEL REPORTS

Lynne Rogers, LLR's General Counsel gave the Board an overview of how the Office of Investigations and Enforcement was formed and the problems discovered regarding the backlog of Medical Board cases.

A motion was made and passed for the Board to go into Executive Session to review the General Counsel reports. No votes were made or actions taken while the Board was in Executive Session.

DISMISSALS

Dr. Simpson made a motion that was seconded by Dr. Hubbard and unanimously passed approving the following cases for dismissal pursuant to the recommendation of LLR's General Counsel that there is a lack of sufficient evidence to warrant a formal complaint:

2005-75	2005-89	2005-131	2005-132	2005-147	2005-188
2005-219	2006-107	2006-179	2006-180	2006-192	2006-202
2006-215	2006-254	2006-255	2006-265	2006-267	2006-282
2006-320	2006-343	2006-351	2006-358	2006-375	3006-383
2006-384	2006-389	2006-393	2006-397	2006-403	2006-409
2006-447	2006-453	2006-474	2006-475	2006-477	2006-488
2006-505	2006-507	2006-519	2007-8	2007-38	2007-42
2007-75	2007-78	2007-79	2007-85	2007-92	2007-149
2007-169	2007-201				

LETTERS OF CAUTION

Dr. Simpson made a motion that was seconded by Dr. deHoll and unanimously passed to issue a Letter of Caution in the following cases:

2005-260	2006-356	2006-510	2007-164	2007-178
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FORMAL COMPLAINTS

Dr. Hubbard made a motion that was seconded by Dr. deHoll and unanimously passed to authorize the issuance of a Formal Complaint pursuant to the recommendation of LLR's General Counsel that there is sufficient evidence to warrant formal proceeding in the following cases:

2006-233	2006-413	2006-497	2007-50	2007-170	2007-176
2007-179	2007-197	2007-282	2006-140	2001-115	2001-307
2002-150	2002-256	2004-49			

CASES ON APPEAL

In Executive Session, the Board reviewed the cases that are now on appeal and received specific briefings from Mrs. Rogers.

COMPLIANCE REPORT

The Board received as information a list of monitoring cases that have been determined as being non-compliant. The Office of General Counsel is currently working on these cases to bring them up-to-date.

LICENSEES BEING MONITORED

The Board received as information a list of all the licensees currently being monitored by the Board.

STATISTICAL REPORTS ON COMPLAINTS

The Board received as information the following statistical reports:

FORMAL COMPLAINTS AUTHORIZED 1/1/07 – 9/30/07

Alleged Issue	Number
Allowed unlicensed person to practice medicine	1
Drug Violation	5
Loss of Hospital privileges	2
Patient Neglect	1
Prescribing Matters	1
Sexual Misconduct	2
Sub-Standard Patient Care	2
Unprofessional Conduct	5
TOTALS	19

MEDICAL BOARD PANEL HEARINGS HELD 1/1/07 – 9/30/07

Alleged Issue	Number
Alcohol and Other Substance Abuse	4
Prescribing Matters	1
Substandard Patient Care	3

Unprofessional Conduct	1
TOTALS	9

TEMPORARY SUSPENSION/ EVALUATION ORDERS ISSUED 1/1/07 – 9/30/07		
Alleged Issue	Temporary Suspension	Evaluation Order
Alcohol or Substance Abuse	1	
Drug Violation	1	3
Loss of Hospital Privileges	1	1
Mental Incompetence	1	
Non-Compliant with RPP	2	
Sanctioned by Another Board		1
Sexual Misconduct/Boundary Issues		5
Substandard Patient Care		1
Unprofessional Conduct		3
Violation of Final Order/Agreement	1	
TOTALS	7	14

MEDICAL BOARD COMPLAINTS RECEIVED 1/1/07 – 9/30/07				
Alleged Issue	Total	Qtr 1	Qtr 2	Qtr 3
Alcohol and Other Substance Abuse	2		1	1
Allowing Unlicensed Person to Practice	6	2	4	
Criminal Conviction	1			1
Disclosure of Patient Information	2	1	1	
Discriminatory Misleading False Deceptive Advertise	1		1	
Drug Violation	14	4	7	3
Failure to Maintain/Provide Records	21	7	12	2
Insurance Fraud (Medicaid or Other Fed Gov Prog)	2		1	1
Insurance Fraud (Non-Govt or Private Insurance)	1		1	
Medication Errors	2	2		
Mental Incompetence	1			1
Patient Neglect/Abandonment	41	20	16	5
Physical Impairment	1			1
Prescribing Matters	4			4
Prescription Fraud	1		1	
Sanctioned by Other Board	2	1		1
Sexual Misconduct	7	1	3	3
Sub-Standard Patient Care	92	16	26	50

Unlicensed Practice	3		2	1
Unprofessional Conduct	54	28	11	15
Violation of Final Order/Agreement	2		1	1
TOTALS	82	87	90	259

Cases pending as of 9/30/07 569

MEDICAL BOARD COMPLAINTS CLOSED				
1/1/07 – 9/30/07				
Resolution	Total	Qtr 1	Qtr 2	Qtr 3
Administrative Dismissal	26	6	10	10
Cease and Desist	2	2		
Consent Agreement/Private	2	2		
Dismissed	169	75	56	38
Indefinite Suspension	4		2	2
Indefinite Suspension/Stayed	4	2	2	
Letter of Caution	20	7	5	8
Private Reprimand	2			2
Public Reprimand	14	5	5	4
Probation	2	1	1	
Revocation	1		1	
TOTALS	246	100	82	64

Russell Swanger, D.O., of Martinez, GA
Applicant for Licensure

A motion was made to grant an unrestricted License pending interview and meeting the remainder of the licensing criteria. Motion was seconded by Dr. Simpson. All in favor.

Motion Carries.

Richard Akers, M.D., of Gastonia, N.D.
Applicant for Licensure

A motion was made to accept the Respondents application for licensure. Motion was seconded by Dr. deHoll. All in favor except Dr. Gardner who was not present at the time of the vote.

Motion Carries.

Lisa Sanders, D.O., of Aiken, S.C.
Applicant for Licensure

Respondent requested to withdraw her application. A motion was made to accept her withdrawal and seconded by Dr. Simpson. All in favor.

Motion Carries.

ADJOURNMENT.

There being no additional business the meeting was adjourned at 6:48 P.M. on Tuesday, November 6, 2007

Respectfully submitted,

Bruce F. Duke
Board Administrator

BFD/maf