

THE SOUTH CAROLINA BOARD OF MEDICAL EXAMINERS
SYNERGY BUSINESS PARK, KINGSTREE BUILDING, ROOM 108
110 CENTERVIEW DRIVE,
COLUMBIA, SOUTH CAROLINA 29210

Meeting Minutes

Monday, August 5th, 2019

Review and adoption of Agenda; Approval of May 2019 minutes.

Motion Dr. Cook. Second Dr. Dilts. Motion carried.

Review and approval of excused absences [Dr. Welsh-August 5th after 12pm and August 6th. Dr. Cook-August 5th after 5pm]

Motion Dr. Cook. Second Dr. Dilts. Motion carried.

President's Report-Jeff A. Welsh, M.D.

1. Governor's Opioid Emergency Response Task Force Update: Darra Coleman, LLR Chief Advice Counsel
Darra Coleman provided an update on Governor McMaster Opioid Emergency Response Task Force, the various state resources being used to address this issue this problem, some of which had already been in place prior to the Public Health Emergency Declaration.
2. Prescription Monitoring Program Update: Christie Frick, DHEC, Director Prescription Monitoring Program
Christie Frick, DHEC, Director Prescription Monitoring Program provided an update of the state Prescription Monitoring Program. Ms. Frick mentioned the DEA ARCOS report which shows shipping activity of drug manufacturers as well as the various reports available from the SCRIPTS program.
3. Prisma Health Opioid Stewardship Program: Dr. Kevin Walker, Prisma Health, Medical Director, Div. of Pain Medicine. Dr. Walker presented an overview of the Prisma Health Opioid Stewardship Program that allows Prisma Health to monitor, educate, communicate with, train and partner with stakeholders in prescribing practices.
4. South Carolina Medical Association Opioid Risk Prevention Partnership: Sharron Kelley, SCMA, Dir. of Education & Accreditation. The SCMA has been working in partnership with the South Carolina Hospital Association and Blue Cross Blue Shield of South Carolina in a partnership to help combat the opioid crisis in South Carolina using such methods as online CME and SCMA's participation in the Opioid Emergency Response Task Force and the Opioid Summit. Information will be added to the SCBME webpage on these efforts.
5. Request for Nurse Practitioners to provide medication-assisted therapy via telemedicine.
Paul Cowsar, Ohio Valley Physicians, appeared to present this request. After discussion, the board passed a motion as follows: to require individual approval for any practitioners as required by statute. These requests may be addressed by the BME Executive Committee for consideration. Motion Dr. Welsh. Second Dr. Howell. Motion carried.
6. FSMB Committee on Artificial Intelligence in Healthcare-consideration of appointment of Daniel F. Saad, M.D. The board approved Dr. Saad's participation on this committee for the 36-month from last date of board service according to FSMB by-laws. Motion Dr. Januchowski. Second Dr. Dilts. Motion carried.
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8. Tri-Regulator conference, Sept 26-27, 2019 approved May 2019. After discussion, the board will designate its attendees at a later date.

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9. FSMB Board Attorney Roundtable, November 5-7, 2019, New Orleans, La. Travel for Darra James Coleman to this conference was approved.
 10. Legislative Update-the legislative update was provided to the board in the form of a handout. Board members discussed the status of the IMLC legislation and the JUA legislation.

Administrator's Report – Sheridan Spoon, Administrator

1. Physician Assistant Advisory Committee-Update on S132 implementation, FAQ, Application portal, Selection of PA Committee member seat-[Vice: Martha Green] After discussion of these items, the board approved the proceedings of the PAAC from its July 2019 meeting. Motion Dr. Schabel. Second Dr. Wright. Motion Carried.
2. Respiratory Care Practitioner Advisory Committee- After discussion of these items, the board approved the proceedings of the RCP Advisory Committee from its July 2019 meeting. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.
3. Acupuncture Advisory Committee-Leslie Jafarace, Committee Chair, appearing After discussion, the board approved the proceedings of the Acupuncture Advisory Committee. Motion Dr. Schabel. Second Dr. Wright. Motion carried.
4. Anesthesiologist's Assistant Committee-for this committee there was no meeting and no licensure approvals.
5. District 6 Election update-Dion L. Franga, M.D., of Orangeburg, appointed July 26, 2019.
6. Public Members update-Mr. Spoon reported that several individuals have expressed interest and have been provided information about the process of appointment by the Governor.
7. Thank you to MDC and Committee members-The board expressed its appreciation to the MDC members for their availability to serve as panel members.
8. License Renewal update. Volunteer license category for retired physicians. 2019 renewals concluded June 30, 2019. The board professional licensing staff has spoken to non-renewing physicians about the volunteer license category as an alternative.
9. CE Broker update-Mr. Spoon provided an update on CE Broker, a free service available to BME licensees for tracking and reporting CME for renewal.
10. Cash Report-the board's cash reports showing various fund balances was presented as a handout.
11. Request for review and revision or possible repeal of board advisory opinion '*Prescribing for Family Members*' approved by the Board February 1999. Discussion was deferred on this item.
12. Request for review and revision or possible repeal of board advisory opinion on "*Definition of Unrestricted Licensure*" Approved by the Board: July 17-19, 1995. Discussion was deferred on this item.
13. Suggest that Rx restrictions in orders include 'may not use proxy or delegate prescribing to another licensee' Discussion was deferred on this item.

MOA

Private reprimand. Investigative costs of \$3,800 due 6 months from effective date of order. Must complete board-approved courses on controlled substance prescribing and recordkeeping totaling 40 Category 1 hours due 6 months from effective date of order. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

MOA

Letter of Caution. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

HARTNETT-GOODMAN, Margaret, Applicant for Licensure

Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

ENTWISTLE, Celia B. of Concord, NC, Applicant for Licensure

Approved for licensure without condition. Motion Dr. Wright. Second Dr. Chow. Motion carried.

JOHNSON, Anthony J., M.D. of Dunbar WV, Applicant for Licensure

Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

MOA

Private reprimand. Motion Dr. Wright. Second Dr. Dilts. Motion carried.

MOA

Letter of Caution. Motion Dr. Schabel. Second Dr. Januchowski. Motion carried.

Petition for release from terms and conditions.

Respondent's petition to remove the work hour restriction is granted. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

After a call for public comment, the board adjourned at 4:55 p.m.

Tuesday, August 6, 2019

Office of Disciplinary Counsel and Office of Investigations and Enforcement Report

Pat Hanks, Office of Disciplinary Counsel, Gregg Hinson, Office of Investigations and Enforcement

In addition to the case statistics and training received by OIE staff, there were 59 Dismissals, 30 Letters of Caution, 14 Formal Complaints and 1 Order to Cease and Desist.

Motion to accept Dismissals-Motion by Dr. Januchowski. Second by Dr. Wright. Motion carried.

Motion to accept Letters of Caution- Motion by Dr. Januchowski. Second by Dr. Howell. Motion carried.

Motion to accept Formal Complaints- Motion by Dr. Wright. Second by Dr. Januchowski. Motion carried.

Motion to accept Order to Cease and Desist Motion by Dr. Januchowski. Second by Dr. Schabel. Motion carried.

MOA

Dismissal. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

MOA

Private Reprimand. Reinstatement of license. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

MOA

Private reprimand, \$5,000 civil penalty. Respondent must complete a recordkeeping and opioid prescribing course with 6 months from the effective date of the order. Motion Dr. Dilts. Second Dr. Januchowski. Motion carried.

OWEN, Martin G., M.D. of Red Deer, AB, Applicant for Licensure

Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

SCHUMACHER, DAVID L., M.D., Applicant for Licensure

Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

MCGRAW, Margeaux R., M.D. Applicant for Licensure

Approved for licensure. Applicant must remain in compliance with RPP for at least 5 years. Motion Dr. Cook. Second Dr. Schabel. Motion carried.

GALLAGHER, Burke M. M.D., Applicant for Licensure

Approved for licensure. Applicant must remain in compliance with RPP for at least 5 years from the date of hearing [August 6, 2019] First positive drug screen must be reported to the board by RPP. Motion Dr. Schabel. Second Dr. Januchowski. Motion carried.

WILE, Charles H. M.D., 2017-20, MOA

Public Reprimand. Respondent may not prescribe opioids or benzodiazepines. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

MOA

Letter of Caution. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

MOA

Letter of Caution. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

MOA

Private Reprimand. Investigative costs of \$186.00 due 6 months from effective date of order. Motion Dr. Januchowski. Second Dr. Howell. Motion carried.

After a call for public comment, the board adjourned at 6:27 p.m.