

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

Meeting Called to Order

Public notice of this meeting was properly posted at the South Carolina Board of Medical Examiners Office, Synergy Business Park, Kingstree Building 110 Centerview Drive Columbia, SC 29211 and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. In accordance with the Governor's directives regarding social distancing, the meeting will be held via video and teleconference. Members of the public who wish to attend should email medboard@llr.sc.gov for login instructions.

Minutes Monday, February 1, 2021

Review and adoption of Agenda; Approval of November 2020 minutes. The board approved the meeting agenda and the November 2020 minutes.

Review and approval of excused absences-Dr. Chow was excused for Tuesday February 2 after 4pm. Dr. Franga was excused for Tuesday morning.

President's Report-Anne G. Cook, M.D.

1. Recognition of Dr. Welsh and Dr. Dilts for their service to the board. The board recognized both Dr. Welsh and Dr. Dilts for their service to the board. The board also indicated that Dr. Welsh would continue to assist the agency with response regarding medically related legislation. Motion Dr. Wright. Second Dr. Chow. Motion carried.
2. Legislative Update-Katie Phillips, LLR Director of Governmental Affairs, appearing and presented the legislative update including the categories of Covid-19 related legislation, legislation involving nurse practitioners, pharmacy access, methadone and naloxone, physician certification for a hearing-impaired license, syringe services, signing of death certificates, controlled substances and abortion.
3. Request for appearance before defunct Joint APRN Exemption Committee to request waiver of geographical limitations over which physician may supervise APRN (S.C. Code Ann. Sec. 40-47-20(43) (2016) authorizing appearance before committee of Board of Nursing and Board of Medical Examiners to request waiver of 45-mile radius requirement was amended in 2018 to eliminate this process; 45-mile radius was eliminated in 2018; S.C. Code Ann. Sec. 40-47-195 was amended in 2018 to require that physician engaged in practice with an APRN must "be actively practicing medicine within the geographic boundaries of this State" (prior version only required that supervising physician "be currently engaged in the active practice of their respective profession") Grace Hardin, Steven Krozer of iTrustWellnessGroup, *appearing*

After discussion, the board determined that a legislative change would be required to accommodate this request.

4. Discussion of repeal of SC Code Regs. 81-110 Article 10 Physician Assistants, Criteria for Physician Supervision of Nurses in Extended Role

After discussion the board is in support of the repeal this regulation.

5. Request to prescribe and dispense lifestyle medications [Latisse] via telemedicine, Vishal Verma, M.D. (SC.31825) Vincent Roth, Esq., Allyson Avila, Esq.

After discussion, the board voted to grant this request for a waiver to prescribe Latisse under the following Conditions; access to a local physician for any complications through the telemedicine process and appropriate informed consent as described by the parties. Motion Dr. Wright. Second Dr. Mills-Floyd. Motion carried.

6. Consideration of questions received from MUSC, Jen Marshall, PA-C, APP Credentialing and Regulatory Manager, APP Best Practice Center, MUSC Health; Megan E. Fulton, MSPAS, PA-C; Director, Advance Practice Provider (APP) Best Practice Center, MUSC Health
[This item was withdrawn at the request of the parties]
 - a. Addition of ‘Administration of Vaccines and Injectable Medications’ to List of Tasks All PAs May Perform
 - b. Consideration as to whether PAs and APRNs may delegate administration of COVID-19 and flu vaccines to Certified Medical Assistants
7. Discussion of 2011 board advisory opinion relating to post-exposure prophylaxis treatment, specifically expedited partner therapy. After discussion, the board approved the reissuance and republication of this advisory opinion.
8. Update: Joint Pharmacist Administered Vaccine Committee Protocol: After discussion, the board approved the document. Motion Dr. Franga. Second Dr. Wright. Motion carried.
9. Presentation of Cosmetic Medicine Model, Sarah L. Allen, M.D. and Darra Coleman, Esq., *appearing*
The board accepted this presentation as information.
10. Request regarding COVID + flu test, Vikor Scientific, Shea C. Harrelson, PA-C, Co-Founder, and Hans Kershaw, Molecular Technical Supervisor, of Vikor Scientific and Darra Coleman, Esq., *appearing*

After discussion, the board accepted the information from Vikor Scientific and determined that performing the Covid test and the Covid-Flu test under EUA authorization during the pandemic would not constitute the practice of medicine. Motion Dr. Cook. Second Dr. Howell. Motion carried.
11. Statement of Economic Interests, Deadline March 30, 2021
12. FSMB Annual Meeting, Minneapolis, MN, April 29-May 1, 2021. Dr. Cook will participate on behalf of the board and Dr. Schabel will serve as backup as needed.

Administrator’s Report – Sheridan Spoon, Administrator

1. Physician Assistant Advisory Committee. After discussion the board approved the proceedings of the January 2021 Physician Assistant Advisory Committee. Motion Dr. Dilts. Second Dr. Chow. Motion carried.
2. Respiratory Care Practitioner Advisory Committee. After discussion the board approved the proceedings of the January 2021 RCP Advisory Committee. Motion Dr. Dilts. Second Dr. Wright. Motion carried.
3. Acupuncture Advisory Committee. The Acupuncture Advisory committee did not meet since the last board meeting and the board was advised of their license issuance information.
4. Anesthesiologist’s Assistant Committee. The board discussed the interview process for this license. The MPA does reference the interview including both the applicant and their proposed supervising anesthesiologist.

5. Elections Update

Mr. Spoon provided a status of the current elections below as well as upcoming elections in 2021
District-2-Dr. Jennifer Root. Transmittal letter dated December 1, 2020.
District-5-Dr. Dilts [no petitions received from 2020 Notice of Election]
District 6-Dr. Franga. Transmittal letter dated November 10, 2020
District-7-Dr. Howell. Transmittal letter dated January 8, 2021
DO Seat-Dr. Januchowski. Transmittal letter dated January 8, 2021

Upcoming 2021 Elections:

At-large-Dr. Chow [term-limited]
District 3-Dr. Cook [term-limited]
District 4-Dr. Wright [eligible, 2nd term]
District 5-Dr. Dilts [to be re-announced since no petitions were received from 2020 Notice of Election]

6. Office-Based Surgery Update. Mr. Spoon gave an update on the initiative. A registration form has been posted, and e-blast has been sent, both the initial and the renewal application has been updated and a field for this has been added to the internal license system.
7. Emergency Licensing and TAAV totals Physician 496, RCP 71, PA 46 and Temporary Authority to Administer Covid vaccine [TAAV] 6

REGAN, Sally W. M.D. of North Charleston, SC 2016-617, and MOA [closed hearing]
Respondent agreed to relinquish S.C. medical license.

DACUS, William Scott, M.D. of Lexington, SC, 2016-579, Panel Report and Recommendations
[Continued to May 2021 meeting]

CASTELLO, Michael G., D.O. of Beckley, WV, Applicant for Licensure
Approved for licensure without condition. Motion Dr. Franga. Second Dr. Wright. Motion carried.

LANIER, Kara M, M.D., Applicant for Licensure
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

MCKAY, Kristopher, M.D. Applicant for Licensure
Application withdrawn by applicant.

2013-187; 2013-436, Petition for Release from terms and conditions [closed hearing] Petition granted. Motion Dr. Cook. Second Dr. Wright. Motion carried.

2018-442, MOA [closed hearing]
The MOA is accepted. Respondent has violated the medical practice act. Private reprimand. Recordkeeping and prescribing course and Respondent must submit a record of the controlled substances prescribes to patients and enroll in the SCRIPTS Prescription Database System. Investigative costs of \$353.11. Motion Dr. Wright. Second Dr. Schabel. Motion carried.

Tuesday, February 2, 2021

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

Report from board stem cell committee-the board heard from Dr. Tim Kowalski on behalf of the members of this committee and approved the advisory opinion as proposed. Motion Dr. Januchowski. Second Dr. Franga.

In addition to presentation of the case statistics and training received by OIE staff, Mr. Hinson presented as follows

Dismissals: 50
Dismissal with Cease and Desist: 1
Formal Complaint: 5
Letter of Caution: 16

Motion to accept Dismissals-Motion by Dr. Januchowski. Second by Dr. Dilts. Motion carried.
Motion to accept Letters of Caution- Motion by Dr. Schabel. Second by Dr. Cook. Motion carried.
Motion to accept Formal Complaints- Motion by Dr. Januchowski. Second by Dr. Chow. Motion carried.
Motion to accept Cease and Desist- Motion by Dr. Dilts. Second by Dr. Januchowski. Motion carried.

KAUFMAN, Matthew S., M.D. of Brooklyn, NY, Applicant for Licensure
Approved for licensure without condition. Motion Dr. Januchowski. Second Dr. Franga. Motion carried.

SLOTT, Edwin F., M.D. of Mt. Pleasant, S.C. 2017-641, MOA
The MOA is accepted. Respondent has violated the Medical Practice Act. Public reprimand. Recordkeeping and prescribing course. \$10,000 civil penalty and investigative costs of \$2982.51. Motion Dr. Januchowski. Second Dr. Schabel. Motion carried.

GARVIN, Dennis D., M.D. of Roanoke, VA., Applicant for Licensure
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

WARONSKY, Roy G., PA of Harrisburg, NC, Applicant for Licensure
Application withdrawn by applicant.

2018-398, Petition for release from terms and conditions [closed hearing]
Petition granted. Motion Dr. Schabel. Second Dr. Dilts. Motion carried/

MALOON, Alan, M.D. of Roswell, GA, Applicant for Licensure
Approved for licensure without condition. Motion Dr. Januchowski. Second Dr. Franga. Motion carried.

2020-5, MOA
The MOA is accepted. Respondent has violated the medical practice act as to recordkeeping but not patient care. Private reprimand. Investigative costs of \$100. Since Respondent has already taken recordkeeping and prescribing courses, none additional are ordered. Motion Dr. Januchowski. Second Dr. Howell. Motion carried.

HORTON, John D., M.D. of Gig Harbor, WA, Applicant for Licensure
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

2019-325, Petition for Reinstatement [closed hearing]

Deferred action on the Respondent's request pending further evaluation of the Respondent. Motion Dr. Januchowski. Second Dr. Wright. Motion carried.

2014-267, Petition for Release from terms and conditions [closed hearing] Petition granted. Motion Dr. Cook. Second Dr. Schabel. Motion carried.

Request for release from terms and conditions of application order [closed hearing] Petition granted. Motion Dr. Wright. Second Dr. Schabel Motion carried.

2020-313, MOA

Reject the MOA and to issue a Formal Complaint. Motion Dr. Januchowski. Second Dr. Schabel. Motion carried.

Public Comment

-Adjourn-