

SC Board of Medical Examiners Agenda February 3-5 2020

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 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.

February 3-5, 2020 Agenda

Monday, February 3, 2020

8:00 a.m. Review and adoption of Agenda; Approval of November 2019 minutes;
Review and approval of excused absences [Dr. Chow-Feb. 3, Dr. Cook and Dr. Franga-Wed. Feb. 5]

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

1. IMLCC: Marschall Smith, Executive Director of the Interstate Medical Licensing Compact Commission
Mr. Smith provided an update on compact membership and criteria and responded to questions from board members.
2. Legislative Update-Katie Phillips, LLR Director of Governmental Affairs
Katie Phillips, LLR Director of Governmental Affairs provided an update on legislation of interest to the board including the Interstate Licensure Compact, licensure of genetic counselors, and administration and dispensing of methadone in a methadone clinic and vaccine protocol legislation/
3. Discussion of Joint Vaccine Committee membership and amendment to H4663
The board designated the previous members to continue to serve on this committee: Dr. Anne Cook of the board and Dr. Hugh Durrence.
4. Treatment of hospitalized patients by hospital employee physicians, Marion R. McMillan MD
Dr. McMillan presented several questions to the board related to treatment of hospitalized patients by hospital employed physicians and legal issues he has identified. The board received this as information and will provide Dr. McMillan a response following the meeting.
5. Update on referral of questions from DHEC to LLR and/or Board of Medical Examiners for *ad hoc* committee consideration consisting of Drs. Franga and Wright and Office of Advice Counsel regarding clarification of Ambulatory Surgical Facility versus Office-Based Surgery Procedures.
The board discussed the status of this initiative with DHEC and appointed Dr. Franga, Dr. Wright and the Office of Advice Counsel as a subcommittee. The board administrator will contact each of the accrediting organizations referencing the regulation and requesting the required reports.
6. Healthcare Collaborative Committee Report and request for approval of Revised-Joint Advisory Opinion by the BME, BON and BOP regarding Methadone Clinics. (Revisions approved by the Boards of Pharmacy and Nursing at their January 2020 meetings, as proposed by HCC.)
The board approved this opinion and it will be posted on their webpage immediately following the meeting.
7. Travel Request: FSMB 2020 Annual Meeting, San Diego, California, April 30-May 2, 2020
The board approved this request.

8. Executive Session for legal advice regarding advisory opinion on “*Definition of Unrestricted Licensure*” approved by the Board: July 17-19, 1995.
The board voted to repeal this advisory opinion based on the applicability of S.C. Code 40-47-195. Future board orders will contain standard language indicating specifically whether the respondent identified in the order is eligible to supervise mid-level providers such as nurse practitioners and physician assistants.

Administrator’s Report – Sheridan Spoon, Administrator

1. Physician Assistant Advisory Committee-Consideration of Reappointment-Mary Lou Hill, Esq., Consumer Member, 2nd term; Reappointment-Angela Hampton, PA member; Physician vacancy; PA vacancy [Sean Irvin-term expiring June 1, 2020] The board accepted the proceedings and licensure applications of the committee. Please see the committee’s minutes posted online for additional detail.
2. Respiratory Care Practitioner Advisory Committee-update as to Exemption for Ventilation by non-RCP application. The board accepted the proceedings and licensure applications of the committee. Please see the committee’s minutes posted online for additional detail.
3. Acupuncture Advisory Committee-update as to 40-47-730-requirements for Auricular Therapy license. The board accepted the proceedings and licensure applications of the committee. Please see the committee’s minutes posted online for additional detail.
4. Joint Podiatric Surgery Advisory Committee-The first meeting of this committee is scheduled for February 20th, 2020.
5. 2020 Statement of Economic Interests filing deadline. The deadline to file is March 30, 2020.
6. Election update [District 1 and 6] Upcoming elections: Drs. Welsh, Dilts, Howell and Januchowski-terms expiring December 31, 2020. District 1 seat is pending appointment. District 6 election petition question is pending with the Office of Advice Counsel. The four seats scheduled for election will begin in June 2020.
7. Medical Disciplinary Commission- The board approved the reappointments of MDC members as follows:

Dr. M. Hochman-District 1, Dr. Angela Harper and Dr. Robert S. Thompson-District 2, Dr. Arthur Jordan-District 3, Dr. David Ingraham, Dr. Richard Lucarelli and Dr. Raju Patnam-District 4.

2016-243, Petition for Release from Terms and Conditions [closed hearing]

Petition Denied. Motion Dr. Schabel. Second Dr. Cook. Motion carried.

2014-385, Petition for Release from terms and conditions [closed hearing]

Petition Granted. Motion Dr. Schabel. Second Dr. Franga. Motion carried.

2015-324, MOA [closed hearing]

MOA is not accepted. Dismissal. Motion Dr. Wright. Second Dr. Mills-Floyd. Motion carried.

2017-364, MOA

MOA is not accepted. Dismissal. Motion Dr. Schabel. Second Dr. Mills-Floyd. Motion carried.

SMART, Brandon N., RCP, of Camden, S.C., 2018-556 [closed hearing]

MOA is accepted. Public Reprimand. Respondent must remain compliant with terms and conditions known to him and the Board. Respondent must reappear before the board to request release from terms and conditions known to him and the Board. Investigative costs of \$300.00. Motion Dr. Schabel. Second Dr. Januchowski. Motion carried.

2016-264, MOA [closed hearing]

MOA is not accepted. Dismissal. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

Tuesday, February 4, 2020

Office of Disciplinary Counsel and Office of Investigations and Enforcement Report

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

Timothy J. Kowalski, D.O., IRC Member, John D. DeHoll, M.D., IRC Member and Sompong Kraikit, M.D.

In addition to the case statistics and training received by OIE staff, there were 82 Dismissals, 28 Letters of Caution and 3 Formal Complaints.

Motion to accept Dismissals-Motion by Dr. Cook. Second by Dr. Schabel. Motion carried.

Motion to accept Letters of Caution- Motion by Dr. Cook. Second by Dr. Wright. Motion carried.

Motion to accept Formal Complaints- Motion by Dr. Schabel. Second by Dr. Howell. Motion carried.

2017-576, MOA [closed hearing]

MOA is not accepted. Dismissal. Motion Dr. Schabel. Second Dr. Mills-Floyd. Motion carried.

2018-72, MOA [open hearing]

MOA is not accepted. Dismissal. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

2017-330, MOA [closed hearing]

MOA is accepted. Private Reprimand. Respondent must under a board-approved prescribing course, board-approved recordkeeping course and pay investigative costs of \$240.00 within six months. The board further recommends that Respondent find a new personal physician. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

2017-665, MOA

Continued.

2017-22, MOA

Continued.

2017-598, MOA

MOA is accepted. Private Reprimand. Investigative costs of \$200.00 due within six months. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

2018-424, MOA

MOA is not accepted. Dismissal. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

REDDY, Chandrashekara, M.D. of Middleton, WI, Applicant for Licensure

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

PRICE, Stephanie L., D.O. Request to prescribe controlled substances via telemedicine

Request Approved. Motion Dr. Wright. Second Dr. Schabel. Motion carried.

Wednesday, February 5, 2020

VERMA, Rajiv, M.D of McAllen, TX, Applicant for Licensure

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

FUCHS, Therese, M.D. of Livingston, TX, Applicant for Licensure

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

BOTELHO, Richard, M.D. of Charlotte, NC, Applicant for Licensure

Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Mills-Floyd. Motion carried.

WERNER, Klaus G, M.D. of Chapel Hill, NC, Applicant for Licensure

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

2013-450, 2012-336, Petition for Release from Terms and Conditions [closed hearing]

Petition granted as to quarterly reporting and 40-hour workweek limitation. Motion Dr. Schabel. Second Dr. Mills-Floyd. Motion carried.

BURDETT, Maureen G., M.D. of Rock Hill, S.C., Request to prescribe MAT via telemedicine [closed hearing]

Request Approved. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

2017-548, Petition for Release from Terms and Conditions [closed hearing]

Petition is granted as to all conditions. Motion Dr. Schabel. Second Dr. Januchowski. Motion carried.

2015-01, Petition for Release from Terms and Conditions [closed hearing]

Petition is granted as to all conditions. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

WILLIAMSON, Katelin, D.O. of Columbia, S.C., Request to prescribe controlled substances via telemedicine [open hearing]

Request Approved. Motion Dr. Januchowski. Second Dr. Howell. Motion carried.

ADKINS, Sherlonda T., P.A. of North Charleston, S.C., Request to prescribe controlled substances via telemedicine [open hearing]

Request granted subject to the following: Prescriptions for CII and CIII medications via telemedicine as spelled out in South Carolina Code 40-47-37 An in-person visit is required for the initial prescription. Subsequent prescriptions may be prescribed via telemedicine. Petitioner must utilize 25% chart review for six months. Ms. Adkins and her supervising physician Dr. Lopez must appear before the Board in August 2020 [6 months] to report the results of their controlled substance prescribing via telemedicine and the general success of the practice. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

2007-27 & 2011-210, Petition for Release from terms and conditions [closed hearing]

Petition granted. Respondent is eligible to supervise mid-levels. Motion Dr. Schabel. Second Dr. Januchowski. Motion carried.

2018-98, MOA [closed hearing]

MOA is accepted. Private reprimand. Investigative costs of \$200.00 within six months. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

-Adjourn-

Upcoming Meetings

May 4-6, 2020, August 3-5, 2020, November 2-4, 2020