

BOARD OF MEDICAL LICENSURE AND DISCIPLINE

FULL BOARD

MINUTES OF MEETING

8 August 2007

Open Session

Minutes

Board Members in Attendance:

Thomas Breslin, MD

Patrick Barry, Esq.

Margaret Coughlin

Robert Dinwoodie, DO

Joseph DiPietro, Esq.

Richard P. Iacobucci, MD

Noubar Kessimian MD

Agnes R. Lapointe

Henry Litchman, MD

Shelagh McGowan

Board Members Absent:

David R. Gifford, MD, MPH, Chair

Norm Chapman

Charles Cronin, DO

Staff Members in Attendance:

Robert S. Crausman, MD, Chief Administrative Officer

Bruce W. McIntyre, Board General Counsel

Linda Julian, Board Investigator

Mary Salerno, Administrative Officer

Guests:

James Carney, PA, Physician Assistants' Board

1. A quorum was established at 8:40 AM.

2. On a motion by Ms. Lapointe seconded by Dr. Kessimian it was voted to approve the minutes of the 5 July 2007 Licensing Committee with one change. Paul Lajos, MD will not be discouraged from applying for licensure.

3. On a motion by Mr. DiPietro seconded by Dr. Kessimian it was voted to approve the minutes of the Open Session of the 11 July 2007 meeting.

4. Chief Administrative Officer's Report

A. Dr. Crausman informed the Board that Dr. Henry Litchman had completed his service to the Board and would be leaving as of this month. Dr. Crausman lead the Board in a heart-felt thank you to Dr. Litchman while outlining his many accomplishments during his years of service. During his time with the Board Dr. Litchman has served on the Investigating Committee, the Licensing Committee and many

Hearing Committees. He has helped to license from 800 to 1000 RI Physicians, has represented the Board Nationally at the Federation of State Medical Board's Annual Meetings, and has received an award by the FSMB for his publication in the Journal of Medical Licensure and Discipline titled, "Medical Professionalism and Public Regulation." Dr. Litchman will be greatly missed.

B. Dr. Crausman reviewed the letters written to Mr. George Vecchione and Dr. John Murphy of Lifespan by both Dr. Gifford and himself respectively as a result of the recent Compliance Order regarding wrong site surgery by the Department of Health for RI Hospital.

C. The A.O.A. notification regarding unaccredited schools in Ontario Canada was discussed. A list of all accredited schools in Canada is available through the BMLD.

D. The article regarding altered medical exams and falsified residencies by Board Members in Puerto Rico was discussed. As a result several Puerto Rican Board members have been indicted and could receive possible jail sentences.

E. Public Letters of Concern were discussed in relation to the RIGL 5-37. Mr. McIntyre will continue to research the issue.

F. The article regarding the elimination of the South San Francisco Board Diversion Program was discussed. The RI BMLD works

closely with the RI Physicians Health Committee to assure that physicians placed on diversion contracts with substance abuse/mental health issues are closely monitored by the PHC and BMLD and maintain a high level of standard of care for their patients.

G. Physician advertising using the term “Board Certified” was discussed. The term Board Certified does not necessarily mean Board Certified by programs acceptable to the American Board of Medical Specialties (ABMS). There are other less qualified programs offering Board Certification, thus allowing the use of the term “Board Certified” in advertising. The RI BMLD recognizes Board Certification by the ABMS and the National Board of Osteopathic Medical Examiners (NBOME). This issue will be examined in further detail to ascertain whether or not the RI BMLD is able to limit types of advertising used by physicians.

H. The Telemedicine Physician/Patient Relationship Draft was discussed and the following key features of the physician/patient relationship were identified: 1) patient history, 2) physical and/or mental health assessment, 3) legitimate records kept, 4) licensed and trained practitioners, 5) elements of informed consent wherever appropriate and reasonable, and 6) AMA/AOA code of ethics followed.

In addition insurance questions were raised, i.e., does Medicare require that the physician actually see the patient for coverage?

5. Old Business:

Proposed physical exam requirement for Emeritus physicians

6. New business:

None

7. At 10:10 AM the Board adjourned to Executive Session pursuant to Sections 46-42-4 and 42-46-5 of the Rhode Island General Laws.