

MINUTES

TENNESSEE BOARD OF MEDICAL EXAMINERS

Office Based Surgery Committee

May 19, 2009

The meeting was called to order at 4:00 p.m. at the Health Related Boards' Iris Room, 227 French Landing, Ground Floor, Heritage Place Metro Center, Nashville, Tennessee 37243. Committee members present were Drs. George Eckles, Michael Zanolli and Subhi Ali. The Committee was meeting to consider certain waivers of the Life Safety Codes.

The Committee considered the written request of Stephen M. Lazarus, M.D. from Knoxville, Tennessee to certain portions of the Board's rules and regulations relative to office based surgery.

Mr. Stephen Baker from Healthcare Facilities assisted the Committee.

The Committee was provided with the following documents:

1. Letter of April 24, 209 from Karen Burkhart, Fire Safety Specialist, Health Care Facilities, East Tennessee Regional Office with attached OBS Survey (including summary of deficiencies);
2. Letter of April 26, 2009 from Stephen M. Lazarus, M.D. to Rosemarie Otto re: OBS survey referenced above and request for waiver;
3. Amended (#2) Survey;
4. Information Needed for Certification of OBS (from Mr. Stephen Baker);
5. AIA Comments for Outpatient Facilities Checklist (3.1 – General Requirements);
6. AIA 3.0 Office Based Surgery; and
7. Office Based Surgery Rules.

Waiver Request Number 1: Dr. Lazarus asked for a waiver from the monolithic operating room ceiling requirement.

Waiver Request Number 2: The second issue surrounded the width of a door in Dr. Lazarus' office. Dr. Lazarus provided the Committee with the measurements of all the doors in his office (as well as visual evidence showing a stretcher with arm rails up) to support his request for a waiver.

Waiver Request Number 3: This third issue was about the requirement for piped medical gas. Dr. Lazarus indicated that piped gases are never used and are not on the premises.

Drs. Zanolli, Eckles and Ali agreed not to grant the waiver regarding the monolithic ceiling. The motion was made by Dr. Zanolli and seconded by Dr. Ali. All voted in favor of the recommendation of denial.

Dr. Ali began the discussion regarding the request relative to the door clearance. Mr. Baker outlined the applicable codes citing AIA guidelines. Dr. Ali made a motion, seconded by Dr. Zanolli to deny the waiver. All member of the Committee voted in favor of the recommendation of denial.

Regarding the request relative to medical gas, Mr. Baker outlined the applicable guidelines and answered questions from the Committee. After discussion Dr. Zanolli made a motion, seconded by Dr. Ali to deny the request for the waiver. All members of the Committee voted in favor of the recommendation of denial.

The Committee adjourned at 5:00 p.m.