

MINUTES

TENNESSEE BOARD OF MEDICAL EXAMINERS'

IMPROVEMENT COMMITTEE

November 5, 2007

The meeting of the Board of Medical Examiners' Improvement Committee was called to order at 7:05 p.m. in the Health Related Boards' Magnolia Room, 227 French Landing, Ground Floor, Heritage Place Metrocenter, Nashville, Tennessee 37243 by the Chair of the Committee, Charles White, M.D. In attendance were the other Committee members Mitchell Mutter, M.D. and Mr. Mark Brown.

Staff present included Rosemarie Otto, Executive Director, Marsha Arnold, Unit Manager, and Mr. Matthew Scanlan, Deputy General Counsel and Advisory Attorney. Also present were Board members Subhi Ali, M.D. and Michael Zanolli, M.D., as well as Sandra Sturgis, Special Assistant to the Commissioner.

Staff not present included: Larry Arnold, M.D., medical director.

Drs. White and Mutter along with Mr. Brown were previously asked to contact physician members of medical boards that utilize administrative law judges to hear contested cases. Each member reported to the Committee the results of their contacts. Mr. Scanlan discussed with the Committee his proposed procedures for processing cases assigned to the administrative law judges. The Committee decided that thirty cases would be part of the pilot project and that fifteen of those cases would be over prescribing cases. They discussed the P2 process and determined that the reviewing attorney and the board consultant would identify cases appropriate for forwarding to the administrative law judges and two current members of the board would be involved in the selection process. They discussed how they would evaluate the project after a period of time to determine whether or not it was successful. They were especially concerned about standard of care cases and whether or not they were resolved appropriately by the administrative law judges. They would review this at the end of the pilot project as well as evaluate whether or not cases actually were resolved quicker. They also discussed in detail how they would participate as a board to review any decisions made by the administrative law judges when the matter was returned to them for assessment of a discipline, if any, as well as all the Board's options.

After the discussion ended, the Committee voted unanimously to recommended adoption of the pilot project to the full Board at its November 6-7, 2007 meeting. Thereafter, the Committee adjourned.

Ratified by the Board of Medical Examiners at the January 22, 2008 meeting.