

Tennessee Medical Laboratory Board Meeting
Teleconference Meeting
November 4, 2010
Minutes

Date: November 4, 2010

Time 10:00 AM CDT

Location: Bureau of Health Licensure and Regulation
TN Department of Health
Heritage Place Dogwood Room
227 French Landing, Ground Floor
Nashville, TN 37243

Members Present via Telephone: Norman Crowe, Chairman, Independent Lab Manager
Annie Washington, Medical Technologist
Diane Robbins, Medical Technologist
Christopher H. Seay, Medical Technologist
Gloria Jenkins, Citizen Representative
Regina Bartlett, Hospital Administrator
Pamela Bullock, MD Non-educator Pathologist
Darius Y. Wilson, MAT, Ed.D. Educator
Cheryl Arnott, S.A.-Cytotechnologist

Members Absent: Edward McDonald, MD Pathologist, Vice-Chairman
Trudy Papuchis, MD Pathologist, Lab Administrator
Royce Joyner, MD, Pathologist Educator
Non Pathologist Physician (Position Vacant)

Staff Physically Present: Lynda S. England, Medical Technologist Consultant,
Director, TMLB
Jerry A. Gowen, Medical Technologist Consultant
Diona Layden, Assistant General Counsel, Advisory
Attorney

Guests Present via Telephone: John R. Dunn, DVM, PhD, TN. Dept of Health
David Smalley, PhD, Director, TN Laboratory Services
Timothy Jones, State Epidemiologist, TN Dept of
Health

Guests Physically Present: Mary Kennedy, Deputy General Counsel For HSA

Quorum: A roll call was conducted to establish that a quorum was
present for the teleconference.

A sufficient number of board members were present to
constitute a quorum

Legal Precedence for meeting:

Ms. Layden reviewed the legal authority for public meetings and the allowance for holding them by electronic or other means when a “Necessity” arises. A “Necessity” arises when the matters to be considered by the governing body at the meeting: (1) require timely action; (2) when it is not practical, within the period of time requiring action, that a quorum of the members can meet in person; (3) when it is necessary for a quorum of members to conduct business by electronic or other means.

For information only, no action needed or taken

Purpose of Teleconference Meeting and establishment of “Necessity”

Rule 1200-06-03-.12 REPORTABLE DISEASES

On October 20, 2010, the Joint Government Operations Committee of the Tennessee General Assembly considered the rule amendment. The committee has questions and has requested that the Chairman of the Board appear on November 17, 2010, so that the committee can discuss the rule amendment further. The rule amendment is also scheduled to become effective on November 17, 2010. Therefore, the rule amendment needs to be “Stayed” so that the committee can consider it further before it goes into effect.

The chairman, Mr. Crowe, requested a motion that a “Necessity” exists requiring timely action; that a physical presence by a quorum of the Board was not practical due to time constraints; that participation by electronic means was necessary.

Motion made by Dr. Wilson

Second by Mr. Seay

The chairman called for any discussion on the motion. There was no discussion.

The chairman called for a roll call vote:

Ms. Annie Washington:	Yes
Ms. Diane Robbins:	Yes
Mr. Christopher Seay:	Yes
Dr. Pamela Bullock:	Yes
Ms. Gloria Jenkins:	Yes
Dr. Darius Wilson:	Yes
Ms. Cheryl Arnott:	Yes

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Ms. Regina Bartlett:	Yes
Mr. Norman Crowe:	Yes
Dr. Edward McDonald:	Not Present
Dr. Royce Joyner:	Not Present
Dr. Trudy Papuchis:	Not Present
Non Pathologist Physician	(Position Vacant)

The motion was approved by a majority of the Board members present.

Consideration to Stay the Rule

On determination that a “Necessity” existed to hold a meeting by teleconference, there was consideration to Stay the Rule.

The Chair called for a motion to stay the proposed rule amendment for ten (10) days so that it will become effective on November 27, 2010, instead of November 17, 2010.

Motion made by: Ms. Jenkins
Second by: Mr. Seay

The chairman called for any discussion on the motion.

Dr. Wilson was recognized: Dr. Wilson wanted to clarify that this stay was to give the committee additional time to consider the rules change.

There was no further discussion.

The chairman called for a roll call vote:

Ms. Annie Washington:	Yes
Ms. Diane Robbins:	Yes
Mr. Christopher Seay:	Yes
Dr. Pamela Bullock:	Yes
Ms. Gloria Jenkins:	Yes
Dr. Darius Wilson:	Yes
Ms. Cheryl Arnott:	Yes
Ms. Regina Bartlett:	Yes
Mr. Norman Crowe:	Yes
Dr. Edward McDonald:	Not Present
Dr. Royce Joyner:	Not Present
Dr. Trudy Papuchis:	Not Present
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The motion was approved by a majority of the Board members present.

Record of Adjournment:

The Chairman called for any additional questions.

The chairman asked for a motion to adjourn.

Motion to adjourn: Mr. Seay

Second by: Ms. Robbins

The chairman called for a roll call vote:

Ms. Annie Washington:	Yes
Ms. Diane Robbins:	Yes
Mr. Christopher Seay:	Yes
Dr. Pamela Bullock:	Yes
Ms. Gloria Jenkins:	Yes
Dr. Darius Wilson:	Yes
Ms. Cheryl Arnott:	Yes
Ms. Regina Bartlett:	Yes
Mr. Norman Crowe:	Yes
Dr. Edward McDonald:	Not Present
Dr. Royce Joyner:	Not Present
Dr. Trudy Papuchis:	Not Present
Non Pathologist Physician	(Position Vacant)

The meeting was adjourned at 10:16 AM CDT