

**Tennessee Board of Osteopathic Examination**  
**August 27, 2007**

**Teleconference Minutes**

A teleconference for the Board of Osteopathic Examination was held at 8:00 a.m. in the HRB Conference Room located at 227 French Landing, Suite 300, Heritage Place Metro Center, Nashville, TN on August 27, 2007.

Members in attendance electronically: Karen Shepherd, DO; Rafael Sanchez, DO; Jill Robinson, DO; Donald Polk, DO and Janis Hinton, Citizen Member

Staff Present: Rosemarie Otto, Executive Director; Robert J. Kraemer, Jr., General Counsel; Marsha Arnold, Unit Manager; Sandra Sturgis, Special Assistant to the Commissioner

A teleconference was held to authorize Public Necessity Rules and a Rule Making Hearing regarding Public Chapter 373 and Level III Surgical Procedures.

Mr. Robert Kraemer, called the teleconference to order at 8:20 a.m. A roll call of the panel was held to determine attendance and if each participant could hear the response of the other. Dr. Donald Polk made a motion to proceed to conduct the meeting electronically and Dr. Rafael Sanchez seconded the motion. A roll call vote was held to accept the motion and the motion was adopted unanimously.

A motion was made by Dr. Polk to proceed to conduct the meeting electronically by determining that the matter to be discussed met the following requirements: The subject matter required timely action, the physical presence of all members was not possible considering the period of time required for action, and the participation by some or all of the members of the board by electronic or other means was necessary. Dr. Sanchez seconded the motion. A roll call vote was held to accept the motion and the motion was adopted unanimously. Mr. Kraemer reminded members to please identify themselves when speaking and turned the meeting over to Dr. Jill Robinson, President.

Ms. Otto asked if all members had received a copy of the proposed rule. All members responded they had received and reviewed the information. The economic impact of the proposed rule was reviewed by Ms. Otto to Board members.

Discussion concerning the rule began and a request for a copy of the CMS (Centers for Medicare and Medicaid Services) list was made. All members were faxed the list for review. A question was asked concerning the definition of Level III surgeries. Mr. Kraemer stated a definition was provided in Public Chapter 373 which incorporated the definition as set forth in the rules of the Board of Medical Examiners. Members decided that for the purpose of clarification, the proposed Osteopathic rule should also have the definition included. Dr. Shepherd made a motion to amend the proposed rule to include the definition of Level III surgeries. Ms. Hinton seconded the motion.

Finally, Ms. Hinton made a motion to send the rule to Rule Making Hearing as amended and Dr. Shepherd seconded the motion. A roll call vote was made and the motion passed unanimously.

The teleconference meeting adjourned at 9:40 a.m.

**Ratified by the Board of Osteopathic Examination November 14, 2007.**