

**MINUTES  
BOARD OF OSTEOPATHIC EXAMINATION  
MAY 9, 2007**

A regular meeting of the Tennessee Board of Osteopathic Examination was held at the Bureau of Health Licensure and Regulation, 227 French Landing, 1<sup>st</sup> Floor, Iris Room Heritage Place Metro Center, Nashville, TN 37243

**Members present:** Donald H. Polk, D.O., Paul G. Smith, Jr., D.O., Rafael M. Sanchez, D.O., Karen R. Shepherd, D.O., Janis E. Hinton, Public Member

**Members not present:** Jill Robinson, D.O.

**Staff present:** Rosemarie Otto, Executive Director, Marsha Arnold, Unit Manager, Robert Kraemer, Esq., Advisory Attorney, David W. Hoffman, Board Administrator

The board convened at 9:40 a.m. with Dr. Polk presiding. Dr. Polk determined that a quorum was present in order to conduct business.

**Minutes**

Dr. Smith made a motion to accept the minutes from the March 7, 2007 meeting. Dr. Sanchez seconded the motion. The motion carried.

Dr. Polk congratulated Dr. Smith on his reappointment to the Board until 2011, and welcomed newly appointed Board member Karen R. Shepherd, D.O.

**Managers Report**

Ms. Marsha Arnold gave the Director/Managers report to the Board, noting that as of January 31, 2007 the total number of active licenses for Osteopathic Physicians was 735, Active Midwives were 32, and D.O. X-Ray Operators were 17. Ms. Arnold told the Board our actual processing time for applications was 74 days as set against the benchmark of 100 days.

**Office of General Counsel**

Mr. Robert Kraemer read his report to the Board concerning two rule amendments; 2005 Legislation and X-Ray Amendments (05-1397), which makes provisions for the chair to resolve stay and reconsideration issues; implements 2005 legislation regarding the titles appropriate for use to designate the profession, and the PLLC law; and finally resolves

bone densitometry issues regarding those nationally certified and streamlines the process of certification for all techs, went to rulemaking on October 21, 2005. It was adopted by the Board on November 9, 2005 and was sent to the attorney General on November 11, 2005. It was signed by the Attorney General and subsequently filed with the Secretary of State on March 22, 2007. It will become effective on June 5, 2007.

Prescribing Course Continuing Education (06-1325) amendment which requires at least one hour of required CME be obtained in prescription practices, went to rulemaking hearing on October 24, 2006. It was adopted by the Board on November 15, 2006 and was sent to the Attorney General on November 17, 2006 where it remains. He also reported that the Office of General Counsel had four (4) open disciplinary cases against Osteopathic Physicians. There were no legislation topics for discussion.

Dr. Polk inquired as to how the Continuing Education requirements would get to the Osteopathic community. Ms. Otto stated that a postcard would probably be sent out to inform licensees of the new requirements.

A review of the Conflict of Interest Policy was conducted by Mr. Kraemer.

### **Bureau Office Report**

Ms. Otto reported to the Board that there were no changes to the last financial report however, with the increase in fees the Board should see significant positive changes to the current deficit.

### **Investigation Report**

Denise Moran, Director of the Bureau of Investigations reported that there were sixteen (16) open complaints in Investigations. She also reported that her office was currently verifying the reported Medical Malpractice claims that exceeded the \$75,000.00 threshold.

### **Disciplinary Report**

Denise Moran, Director of the Bureau of Investigations reported to the Board that there were currently eight (8) Osteopathic physicians currently being monitored by the Disciplinary staff.

### **Legislation**

No discussion

### Applicant Interviews

Lee P. Weise, D.O., was invited to appear before the Board regarding her family practice residency program at Naval Hospital Jacksonville, Florida. Dr. Sanchez reviewed her application and questioned Dr. Weise about being placed on academic warning during the program. Dr. Weise was unaware of this action. When supporting documentation recently received by administrative staff was reviewed, it was determined that the problems during her residency did not affect patient care. Dr. Sanchez made a motion to license Dr. Weise. Dr. Smith seconded the motion. The motion carried.

Robert J. Edgidio, D.O. was invited to the Board to discuss an arrest that occurred at Banner Elk, NC in 2005 and his appearance before the North Carolina Board in July 2006. Dr. Robinson initially reviewed his application for reinstatement however, Dr. Polk proceeded in her absence. After a lengthy explanation by Dr. Edgidio, it was determined that more information concerning the arrest was needed. Dr. Sanchez made a motion to defer action until further information from North Carolina is received. Dr. Smith seconded the motion. The motion carried.

### File Review

Dr. Polk made a motion to ratify the new licensees including Deana L. Harmon, D.O., Daniel E. Krenk, D.O., Leah R. Higginbotham, D.O., Stephen D. Clyne, D.O., and Jerry M. Wieting, D.O., all approved by the Board after April 27, 2007. Dr. Smith seconded the motion. The motion carried.

Dr. Sanchez made a motion to ratify the reinstatement of Thomas D. Nelson, D.O. Dr. Smith seconded the motion. The motion carried.

Dr. Sanchez made a motion to approve and ratify the applications of Scott A. Janus, D.O. and Vafa C. Mansouri, D.O. Ms. Hinton seconded the motion. The motion carried.

### Roll Call Vote

Jerry Kosten, Rules and Regulations Coordinator, asked the Board for a roll call vote of the Certified Professional Midwifery Council's adoption of a rule regarding removal of online renewal options to be consistent with the statute, removal of an exemption of the continuing education requirements to be consistent with the statute, removal of requirement to maintain documentation of continuing education requirements to be consistent with the statute, and reconsideration/stays of disciplinary orders. Dr. Sanchez made a motion to ratify these changes. Dr. Smith seconded the motion. The motion carried by a roll call vote.

**Noteworthy**

There were no noteworthy topics to discuss.

**Nominate a member to sit on the Complementary Alternative Integrated Medicine Task Force (CAIM)**

Ms. Otto suggested to the Board to table this nomination to a later date. Dr. Smith made a motion to table. Dr. Sanchez seconded the motion. The motion carried.

**Nominate a member to sit on the Tennessee Improvement of Patient Safety Policy (TIPS)**

Ms. Otto informed the Board that the Committee had wrapped up its activities and would not be meeting in the foreseeable future. Therefore she suggested to the Board to table this nomination to a later date. Dr. Smith made a motion to table. Dr. Sanchez seconded the motion. The motion carried.

The meeting adjourned at 11:50 a.m.

Ratified by the Tennessee Board of Osteopathic Examination on August 15, 2007.