

MINUTES
BOARD OF OSTEOPATHIC EXAMINATION
November 2, 2011

A regular meeting of the Tennessee Board of Osteopathic Examination was held at the Health Related Boards, 227 French Landing, Poplar Conference Room, Nashville, TN 37243.

Members Present: Jack G. Pettigrew, D.O.
 Paul G. Smith, Jr., D.O.
 Jill Robinson, D.O.
 Donald H. Polk, D.O.
 Karen R. Shepherd, D.O.
 R. Fletcher Lance, Consumer Member

Staff Present: Rosemarie Otto, Executive Director
 Marsha Arnold, Unit Manager
 Andrea Huddleston, Advisory Attorney
 Kimberly Hodge, Administrator

The Board convened at 9:20 a.m. with Dr. Jill Robinson (President) presiding. Dr. Robinson determined that a quorum was present.

Minutes

Dr. Polk made a motion to approve the minutes from the August 17, 2011 meeting of the Board. Dr. Pettigrew seconded the motion. The motion carried.

Applicant Interview

Gregory Borucki, DO – Dr. Borucki was asked to appear before the Board to discuss a 2005 malpractice action for allegedly violating a minimum standard of care. After a brief explanation by Dr. Borucki and a discussion by the Board, Dr. Smith made a motion to approve his application. Dr. Shepherd seconded the motion. The motion carried.

Richard K. Smith, DO – Dr. Smith was asked to appear before the Board to discuss a 2003 malpractice settlement against for failure to properly diagnose. Additionally, Dr. Smith was sanctioned by the Virginia Board of Medicine for failing to meeting licensing board reporting requirements. After an explanation by Dr. Smith and a discussion by the Board, Dr. Paul Smith made a motion to approve his application. Dr. Pettigrew seconded the motion. The motion carried.

Manager's Report

Between August 1, 2011 and September 30, 2011 there were 18 new osteopathic physician applications received in the administrative office and 20 new licenses issued.

Osteopathic physicians renewed online at a rate of 45%. The total number of active osteopathic licensees at the end of September was 983, active midwives 32, and osteopathic x-ray operators 17.

Financial Report

The direct expenditures for the Board as of June 30, 2011 were \$21,516.93. Revenues as of June 30, 2011 totaled \$225,019.32. Although the Board's 2011 indirect expenditures were not available, based on last years figures it appears the Board will be self-sufficient. There was a discussion about reducing the Board's renewal fee in the future so that the Board does not accumulate a large surplus. The Board asked staff to prepare a spreadsheet to show how a reduction in renewal fees would impact the Board's overall finances.

Office of General Counsel

Andrea Huddleston reported that as of October 1, 2011 the Office of General Counsel had 27 open disciplinary cases pending against 15 osteopathic physicians. There was one matter to be presented as a Consent Order.

Agreed Order

Byron Harbolt, D.O. License No. 37 – Dr. Harbolt was not present and was not represented by his legal counsel. Andrea Huddleston represented the Tennessee Department of Health and presented the revised agreed order. At the August 17, 2011 meeting, the Board discussed striking from the order any limitation on Dr. Harbolt's practice. After further discussion, because Dr. Harbolt was still an asset to the community, Dr. Polk made a motion to reject the agreed order and Dr. Shepherd seconded the motion. The motion carried.

After a discussion, Dr. Smith made a motion to approve a revised agreed order, pending agreement by the respondent, striking paragraph 8 which required Dr. Harbolt to immediately surrender his Drug Enforcement Agency certificate and not attempt to obtain a certificate to prescribe controlled substances for the entirety of his probationary period. Dr. Smith's also moved to add, pending agreement by the respondent, the stipulation that Dr. Harbolt could no longer dispense controlled substances from his office.

Office of Investigations

Juanita Stone informed the Board that there are 25 open complaints for osteopathic physicians in the Office of Investigations. Eighteen (18) are currently being investigated and seven (7) are ready for review. There are currently no complaints pending relative to osteopathic x-ray.

Disciplinary Coordinator

Juanita Stone reported to the Board that there are currently thirteen (13) osteopathic physicians being monitored.

Review and Ratification of Licenses

Dr. Smith made a motion to approve all new Osteopathic licensees. Dr. Polk seconded the motion. The motion carried. (See attached listing)

Dr. Smith made a motion to approve the Osteopathic re-instatement licensees. Dr. Pettigrew seconded the motion. The motion carried. (See attached listing)

Dr. Polk made a motion to approve all new Osteopathic X-ray licensees. Dr. Shepherd seconded the motion. The motion carried. (See attached listing)

Dr. Polk made a motion to approve all new Midwifery licensees. Dr. Shepherd seconded the motion. The motion carried. (See attached listing)

Continuing Medical Education Audit

The Board reviewed the report that stated that, as of October 17, 2011, 100% of the osteopathic physician licensees that were audited were in compliance. Three (3) out of Four (4) of the osteopathic x-ray operator licensees that were audited were in compliance. The one (1) licensee that was non-compliant has been presented with an agreed citation.

Public Chapter 340 – Registration of Pain Management Clinics

Ms. Huddleston reported that the Emergency Rules implementing Public Chapter 340 relative to pain clinic registration was filed on October 1, 2011 and that a rule making hearing for the permanent rules is set for December 1, 2011.

HB 0977 Cosmetic Procedures

Ms. Huddleston reported on House Bill 0977 relative to regulation of certain cosmetic procedures performed in med spas by providers that are either not licensed or who are licensed but are performing procedures outside their scope of practice with limited or no physician supervision. The bill will require that all outpatient cosmetic procedures clinics be licensed and regulated by the department of health to insure proper training and supervision accountability. The General Assembly will continue to review the bill in January 2012.

HB 2122 Statute of Limitations

Ms. Huddleston reported that House Bill 2122 which sought to establish a statute of limitations on disciplinary actions brought by the Department of Health was withdrawn by its sponsor.

Protocol for Hormone Replacement Therapy

A committee comprised of members of the Board of Medical Examiners, Board of Nursing, Board of Osteopathic Examination and Committee on Physician Assistants has been directed by House Joint Resolution 104 to meet and study hormone replacement therapy and report back its findings to the General Assembly. Ms. Laurie Arnold-Tomkins, an advance practice nurse at Vanderbilt, has collected data from her colleagues regarding individuals that have been personally affected by hormone replacement therapy. Ms. Tompkins was invited to review her findings with the Task Force when it meets in December 2011.

Dr. Polk made a motion to adjourn. Dr. Shepherd seconded the motion. The motion carried.

These minutes were ratified by the Board March 7, 2012.

* HEALTH REGULATORY BOARDS *
NEWLY LICENSED
Tue Oct 18 2011

Page 1

Profession : Osteopaths

Licenses Issued from 05/01/2011 To 09/30/2011

File Number	License Number	Date Issued	Name	Expiry Date
2272	2272	05/17/2011	ALAN LOYD ADAMS DO	04/30/2013
2285	2285	07/05/2011	JASON MARSHALL ALLEN DO	12/31/2013
2282	2282	06/08/2011	FREDERICK JAMES ANDERSON DO	04/30/2013
2279	2279	05/17/2011	ALICIA COOPER ANDREWS DO	02/28/2014
2255	2255	05/11/2011	PETER CONRAD ANKROM DO	06/30/2013
2289	2289	07/13/2011	LORRAINE MARJORIE ASH DO	04/30/2013
2295	2295	08/15/2011	ERIC CLINTON BASS DO	08/31/2013
2298	2298	06/07/2011	JONATHAN ESSARY BECKER DO	08/31/2012
2318	2318	09/08/2011	ALISA ROSEANN BOWERSOCK DO	03/31/2013
2297	2297	07/05/2011	JEFFREY ALLEN BROWN DO	11/30/2012
2307	2307	08/24/2011	EDWARD FRANCIS BURKE DO	02/28/2014
2261	2261	06/02/2011	SHILPA REDDY CARLSON DO	01/31/2014
2292	2292	07/13/2011	RICHARD WILLIAM CLINE JR. DO	03/31/2014
2263	2263	08/17/2011	VINODH THOMAS DOSS DO	10/31/2013
2305	2305	08/12/2011	LAURA CATHERINE FARRINGTON DO	06/30/2014
2293	2293	06/21/2011	WAI LEONG FOO DO	12/31/2012
2286	2286	07/08/2011	JENNIFER LYNN GREINER DO	06/30/2012
2276	2276	06/22/2011	MARLENE PAULA HASSENFRAZ DO	11/30/2012
2302	2302	06/16/2011	MELISSA MICHELLE JONES DO	12/31/2013
2252	2252	05/20/2011	WILLIAM JOSIAH KELLETT DO	12/31/2012
2300	2300	06/29/2011	JEFFRIE CURTIS KINDRED DO	07/31/2012
2281	2281	05/25/2011	MELISSA MARIE LAWRENCE DO	03/31/2014
2251	2251	07/27/2011	JUNE YVONNE LYONS DO	10/31/2012

2236 2236 06/01/2011 SALVATORE FRANCESCO MANNINO DO 01/31/2013

* HEALTH REGULATORY BOARDS *
NEWLY LICENSED
Tue Oct 18 2011

Page 2

Profession : Osteopaths

Licenses Issued from 05/01/2011 To 09/30/2011

File Number	License Number	Date Issued	Name	Expiry Date
2287	2287	08/12/2011	TARA DAWN MARGARELLA DO	05/31/2013
2277	2277	06/06/2011	JOHN DANIEL MARKLEY DO	03/31/2013
2311	2311	08/17/2011	MOLLY MELISSA MCCARTHY DO	08/31/2012
2283	2283	07/05/2011	LAWRENCE HAROLD MENDEL DO	05/31/2014
2317	2317	09/27/2011	BRANDON KYLE MOORE DO	04/30/2014
2291	2291	07/13/2011	BRIAN WALTER PETERSEN DO	03/31/2013
2262	2262	05/17/2011	JAMI LYNN REAVES DO	03/31/2014
2257	2257	05/17/2011	MEREDITH RENEE REDDINGTON DO	02/28/2013
2258	2258	06/01/2011	MARK EDWARD REDDINGTON DO	03/31/2014
2271	2271	05/02/2011	CHARLES AARON ROSS DO	12/31/2013
2244	2244	05/09/2011	MICHAEL GENE ROSSI DO	10/31/2012
2280	2280	05/16/2011	KIRK GREGORY SAHAGIAN DO	03/31/2013
2278	2278	06/20/2011	RONALD CRAIG SEBOLD DO	03/31/2014
2259	2259	06/03/2011	JOHN CHARLES SEFTER DO	03/31/2014
2264	2264	05/20/2011	PRISCILLA MOUTINHO SHOGAN DO	02/28/2014
2303	2303	09/12/2011	PAUL JOSEPH SHOGAN DO	07/31/2013
2222	2222	09/12/2011	ROBIN GAYLE SIMON DO	07/31/2014
2321	2321	09/20/2011	LISA CARRIE SKLAR DO	12/31/2012
2325	2325	09/29/2011	GEORGE MARK SNEED DO	02/28/2014
2275	2275	06/06/2011	JOHN ATLEE SNYDER DO	11/30/2013

2313	2313	09/01/2011	KEVIN MATHEW STANCOVEN DO	06/30/2014
2268	2268	06/01/2011	JONATHAN DWAYNE SWINDLE DO	07/31/2013
2266	2266	05/09/2011	SARAH JOE TAYLOR DO	07/31/2012
2306	2306	08/05/2011	PAUL ALLEN THOMPSON DO	09/30/2012

* HEALTH REGULATORY BOARDS *
NEWLY LICENSED
Tue Oct 18 2011

Page 3

Profession : Osteopaths

Licenses Issued from 05/01/2011 To 09/30/2011

File Number	License Number	Date Issued	Name	Expiry Date
2304	2304	08/26/2011	ARSENIY VLADIMIROVIC TSAPENKO DO	05/31/2014
2265	2265	05/03/2011	SETH TOWNSON WAGNER DO	06/30/2013
2299	2299	07/19/2011	JOHN RISHEL WALKER DO	07/31/2013
2308	2308	09/27/2011	SHERRI LEE WALKER DO	07/31/2013
2296	2296	06/24/2011	TACEE ELAINE WALKER DO	01/31/2013
2284	2284	05/27/2011	MONICA LYNN WARHAFTIG DO	01/31/2014
2269	2269	06/07/2011	JENNIFER ANNE WATERMAN DO	12/31/2012
2270	2270	06/20/2011	WARREN JASON WISNOFF DO	01/31/2014
2309	2309	07/19/2011	LATOYA NICOLE WOODS DO	09/30/2012
2301	2301	06/27/2011	STEPHEN HAROLD YANDEL DO	10/31/2012
2288	2288	07/15/2011	BRENT ANTHONY ZAMZOW DO	08/31/2013

Total Number of Licensees:

59

* HEALTH REGULATORY BOARDS *
 (227 FRENCH LANDING)
 Licensee Listing
 Tue Oct 18 2011

Profession: 1907 Osteopaths

Report : REINSTATED

Selection: From Status Date 05/01/2011 To 09/30/2011

Sorted : ALPHABETICALLY

Date	Name	City	ST	Licensure Category
06/08/2011	RONNIE ALI DO Last Active: 02/07/2011 REINSTATE RENEWAL <=2 YEARS DO	OCEAN SPRINGS	MS	Active File # : 1749 Xact Cde : 6110
06/29/2011	THOMAS ARTHUR ALLINGHAM DORIDGELAND Last Active: 09/08/2008 REINSTATE RENEWAL >=2 YEARS DO		MS	Active File # : 1776 Xact Cde : 6210
09/27/2011	HENRY B BURNS DO Last Active: 12/31/2003 REINSTATE-VOLUNTARY RETIRE DO	FLINT	TX	Active File # : 819 Xact Cde : 6310
09/08/2011	JASON BARKLEY DEES D.O. Last Active: 06/07/2010 REINSTATE RENEWAL <=2 YEARS DO	NEW ALBANY	MS	Active File # : 1462 Xact Cde : 6110
08/15/2011	DALE E LONG DO Last Active: 03/01/1983 REINSTATE RENEWAL >=2 YEARS DO	LEWISBURG E	KY	Active File # : 560 Xact Cde : 6210
09/23/2011	ARNOLD IRWIN MILLER DO Last Active: 03/27/2006 REINSTATE-VOLUNTARY RETIRE DO	FRANKLIN	TN	Active File # : 1521 Xact Cde : 6310
05/09/2011	KIMBERLY LEIGH WEBB D.O. Last Active: 10/15/2002 REINSTATE RENEWAL >=2 YEARS DO	SOUTHAVEN	MS	Active File # : 1384 Xact Cde : 6210

Number Of Records Selected: 7