



**Tennessee Board of Medical Examiners
Office Based Surgery Committee Meeting**

Tuesday, January 10, 2017

MINUTES

The regular board meeting of the Tennessee Board of Medical Examiners was called to order at 4:00 p.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Michael Zanolli, Board Chair.

Board members present: Michael Zanolli, MD
 Subhi Ali, MD
 Neal Beckford, MD

Staff present: Andrea Huddleston, Chief Deputy General Counsel
 Rene Saunders, MD, Medical Consultant, BME
 Nelson Rodriguez, Health Care Facilities

The meeting was attended by Drs. Ali, Beckford, and Zanolli from the Board of Medical Examiners as well as Dr. Saunders, the Board's Medical Consultant.

The Plaza Surgery Suite was represented by its owner Dr. Paul Goco who spoke regarding his request for a waiver of the Board's rule 0880-02-.21(7)(d)(2)(vi)(I) relating to the type of generator required at a Level III Office Based Surgery Suite.

Dr. Goco believes that the existing battery powered generator could provide the required backup power in an emergency that is contemplated by the current rule and that the current rule may need to be revised based on equipment currently available that may not have been at the time the rule was promulgated.

Mr. Rodriguez from the Healthcare Facilities Survey Team spoke for the Department of Health regarding survey results and the lack of findings to support Dr. Goco's claim that the existing generator could perform the needed task. The battery operated generator was not tested to determine full battery life while powering the operating room and the recovery room of the facility during the survey. Mr. Rodriguez went on to say that the Type I system currently in use at the facility switches to battery power very quickly after a power loss but may only provide power for approximately 3 hours. He noted that the system must be hardwired and not involve the use of extension cords.

The Committee members contemplated whether the battery life would be long enough to power both the operating room and the recovery room during an electrical power outage for at least 4 hours (Beckford).

Dr. Ali expressed concern that the requisite information regarding battery life of the system was not available to the Committee at this meeting. He made a motion to grant the waiver request on confirmation of 4 hour battery operated generator life while powering both the operating and recovery rooms. No appearance by Dr. Goco would be necessary at the next Committee meeting. It was further discussed that Dr. Goco would test the system and report those findings to Mr. Rodriguez prior to another surveyor being sent to the facility for confirmation. That motion was seconded by Dr. Beckford and approved by the Committee.

Dr. Zanolli suggested that the Committee in cooperation with Mr. Rodriguez identify the portions of the Rules that need to be updated/revised and act on this. He asked that Mr. Rodriguez present a report with recommendations for revised Rule language at the next meeting of the Committee.