



**Tennessee Board of Medical Examiners’  
Committee for Clinical Perfusion**

**Friday, October 24, 2017**

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**MINUTES**

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The Committee for Clinical Perfusion meeting of was called to order in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Mr. Chad Smith, Board Chair.

Board members present: Chad Smith, CCP  
Dorris “Bill” Dozier, CCP  
Barbara Ebey, CCP  
Alice B. Walker, Consumer Member  
Wendy Menowsky, CCP

Board member(s) absent: V. Seenu Reddy M.D.

Staff present: Nathaniel Flinchbaugh, Esq, General Counsel  
Rene Saunders, MD, Medical Consultant  
Stacy Tarr, Administrative Director  
Steven Delk, Board Administrator

**I. APPROVAL OF MINUTES**

The members reviewed the July 2017 meeting minutes previously distributed to the Committee. Mr. Chad Smith made a motion to approve the minutes and it was seconded by Mr. Dorris “Bill” Dozier. The motion passed.

**II. CONDUCT NEW BUSINESS**

The Committee reviewed the newly licensed and reinstated individuals. Mr. Smith inquired if each new licensee completed the proper review and background check. The administrative staff affirmed this process had been completed. Mr. Smith made a motion to approve the list of new and reinstated licensees. The motion was seconded by Ms. Barbara Ebey and it passed.

**III. APPLICANT INTERVIEW(S)**

**Donald Thomas** – was not present. Mr. Thomas appeared before the Committee on November 30, 2015 at which time the Committee voted to approve his application for licensure contingent upon the following requirements:

- He must submit to an evaluation which will be facilitated by the Tennessee Medical Foundation (“TMF”) and cause the evaluation to be released to the Committee’s consultant; and
- He must comply with the terms of the resulting recommendations (if any) of the aforementioned evaluation.

Mr. Thomas accepted the terms of these contingencies but to date our office is not in receipt of his compliance with the aforementioned contingencies. By failing to abide by the Committee’s previous decision on the contingencies for licensure Mr. Thomas has abandoned his application for licensure. The administrative office made several unsuccessful attempts to reach Mr. Thomas. At this time, a second applicant interview would require the Committee to only take action on his failure to comply with the licensure contingencies set forth. Mr. Flinchbaugh advised the Committee that no action is necessary and the administrative office will close this application file.

#### **IV. NORANDA FRENCH, FINANCIAL REPORT FROM THE BUREAU OFFICE**

Ms. Noranda French presented the following 2017 financial report:

- Direct expenditures are consistent with previous years.
- Investigative costs will continue to be an unpredictable variable and should be considered when reviewing these reports.
- The clinical perfusion licensee total has grown by about 3%.
- There have also been very few licenses being retired. Mr. Smith stated he would like to see statistical data between the number of retirees, lapsed licensees and active licensees.
- There is a trend of a twenty-five percent (25%) or greater drop in revenue on the odd years from the previous year.
- If the Committee entertains a fee reduction, it is possible that their revenue will drop twenty-five percent (25%) or greater and it could push the Committee into a "red" net year on those odd years.
- If the Committee closes "in the red" for two (2) consecutive years, the Committee would be called into Government Operations to present an explanation. The financial department does not see this as a risk, but if there were an extenuating circumstance, the Committee should be aware that this is a possibility. This is being presented to the Committee because of the fee reduction of one hundred dollars (\$100) that is pending.

The Committee led a discussion on the improvements made to the administrative staffs’ licensure and regulatory system.

Mr. Smith addressed some concerns regarding the current application processing time. Dr. Rene Saunders explained the standard application processing and length of time. Dr. Saunders expressed that, more times than not, there is not an undue amount of time to from start to finish and the majority of the delays are caused by deficiencies within the application itself.

Mr. Flinchbaugh stated that the Committee would need to make a decision regarding the pending fee reduction. Mr. Smith motioned to leave the fee reduction decision as is. This motion was seconded by Mr. Dozier and it passed.

#### **V.**

**VI. REPORT FROM THE OFFICE OF INVESTIGATIONS**

Lori Leonard approaches the podium. She reports that there are no new complaints, no open complaints and there are no providers being monitored.

**VII. OFFICE OF GENERAL COUNSEL**

Mr. Flinchbaugh did not have any orders to present and there are no pending contested cases.

**VIII. ADMINISTRATIVE OFFICE REPORTS**

Ms. Tarr presented the statistical licensing report. An overview of the statistical information provided was as follows based on data from July 1, 2017 thru October 1, 2017:

- 6 new clinical perfusion applications were received
- 2 new clinical perfusion doctor licenses were issued
- 19 renewals were processed for clinical perfusion
- There are 130 active clinical perfusion licenses as of October 1, 2017

**IX. LEGISLATIVE UPDATE(S)**

**Public Chapter 350**

**Health Care - As enacted, authorizes a healthcare provider to satisfy one hour of continuing education requirements in exchange for one hour of volunteer healthcare services. - Amends TCA Title 63; Title 68 and Title 71.**

The maximum amount of annual hours of continuing education that a provider can receive through providing volunteer healthcare services is the lesser of 8 hours or 20% of the provider's annual continuing education requirement. Furthermore, it permits rulemaking by the division of health related boards in order to administer this section. This took effect on May 12, 2017.

**Public Chapter 215**

**Professions and Occupations - As enacted, requires state governmental entities that establish or adopt guides to practice to do so through the promulgation of rules. - Amends TCA Title 4; Title 49; Title 62; Title 63; Title 68; Title 69 and Title 70.**

For purposes of this part, guides to practice includes codes of ethics and other quality standards, but does not include tests, examinations, building codes, safety codes, or drug standards. This legislation took effect on April 28, 2017.

**Public Chapter 240**

**Health, Dept. of - As enacted, authorizes entities that regulate health professionals to issue limited licenses; makes various changes related to reporting of disciplinary matters to licensure entities. - Amends TCA Section 10-7-504; Title 63, Chapter 1, Part 1 and Title 68, Chapter 11, Part 2.**

This legislation was brought by the Department of Health and was designed to address a number of issues throughout all licensing boards, committees, and councils. This legislation will:

- Insure the integrity of licensure examinations by making examination questions, answer sheets, scoring keys, and other examination data confidential and closed to public inspection.
- Allow the issuance of temporary limited licenses to applicants who have been out of clinical practice or inactive, or who are engaged in administrative practice. Limited licenses may be of restricted scope, restricted duration, and have additional conditions placed upon them in order to obtain full licensure.
- Clarify that other documents prepared by or on behalf of the Department with regard to an investigation are confidential until such time as formal disciplinary charges are filed against the provider.

**Public Chapter 481**

**Medical Occupations - As enacted, establishes a special mechanism for licensure actions for healthcare practitioners involved with substance abuse. - Amends TCA Title 50, Chapter 9; Title 63 and Title 68.**

**Public Chapter 230**

**Administrative Procedure (UAPA) - As enacted, authorizes commissioners and chief executive officers of administrative departments to evaluate certain actions by a regulatory board to determine whether the action may constitute a potentially unreasonable restraint of trade. - Amends TCA Title 4.**

Mr. Smith motioned to adjourn and Ms. Ebey seconded the motion. The meeting adjourned.