

## Tennessee Board of Medical Examiners Development Committee Monday January 11, 2021

## **MINUTES**

The Development Committee meeting of the Tennessee Board of Medical Examiners was called to order at 4:15 p.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Stephen Loyd, Committee Chair.

Committee members present Stephen Loyd, MD, Committee Chair

Melanie Blake, MD W. Reeves Johnson, MD Neal Beckford, MD Deborah Christiansen, MD

Mr. Robert Ellis, Consumer Member

Staff present: Rene Saunders, MD, Medical Consultant, BME

Angela Lawrence, BME Executive Director Francine Baca-Chavez, Deputy General Counsel

Ms. Lawrence made opening remarks to the Committee and provided an overview of the requirements for a meeting by teleconference. All the requirements were satisfied. The electronic meeting was scheduled for the purpose of considering time sensitive matters considering the covid-19 pandemic in which the Center for Disease Control recommends limiting the number of attendees at meetings for the next eight weeks. The Committee motioned and voted on approval to conduct the meeting for this purpose. The teleconference was then turned over to the Chair, Dr. Stephen Lloyd.

The first agenda item was to discuss and act regarding FAQ's for CME's. Dr. Johnson express the need to update the section concerning MOC and accreditation verses having just MOC in general. After discussion and review this topic was moved to the next meeting to allow each member time to review the current FAQ's posted online and provide proposed changes to Ms. Baca-Chavez by the end of February.

The next agenda item was to discuss and act regarding two Advisory Opinions. Pursuant to T.C.A 63-6-101(a)(4), private letter rulings shall only affect the licensee making the inquiry and shall have no precedential value for any other inquiry or future contested case to come before the Board. The first request from Dr. Carol Gruver, MD was for a ruling that as a license physician in Tennessee, could she be employed by an affiliate of a Georgia license hospital to practice medicine in Tennessee, without being subject to discipline by the Board. The Committee deemed this request like an advisory ruling in 2019

and opted to proceed with a similar favorable response. After discussion the Committee accepted the draft response presented by Ms. Baca-Chavez. A motion followed by a second and roll call vote was made to be presented to the full board for consideration. Dr. Blake rescued.

The second advisory opinion request from Dr. Marie Morrison request is like a previous request the Committee reviewed in September 2017. Dr. Saunders read into record an email correspondence between she and Dr, Morrison for clarification. Dr. Morrison seeks guidance regarding how to comply, as a supervision physician, with the remote site visit requirement forum in 0880-06-02(9) for hospice patients seen by her supervisee in their residence. After discussion the Committee offered a favorable response to Dr. Morrison request and Ms. Baca-Chavez offered to make modification to her draft response per the discussion with an appointed person from the Development Committee to review tonight after the meeting. Once approved the draft response would be made available for consideration of the full Board during tomorrow's meeting. Dr. Johnson made the motion appointing Dr. Loyd as the appointed reviewer from the Development Committee. Mr. Ellis seconded the motion. The motion passed by roll call vote.

The next agenda item was to discuss and act in needed regarding definition for Residency and Fellowship training regarding Canadian licensure rule. Ms. Baca-Chavez reminded the Committee that the Board has a rule change in process that would allow the International Medical School graduates and Canadian Medical School graduate would be more equal across the board. If a Canadian Medical School graduate has ABMS certification but missing the 1-year US residency, they could be licensed. The other issue is regarding 63-6-207(a)(1)(c) referencing the 1-year US training program. The Board has interpreted the training program to be a residency program. Since the statue is not specific to either residency or fellowship, clarification is need as to whether a fellowship would also be considered. After discussion Dr. Beckford made a motion that if the Canadian Medical graduate is not board certified, they must complete 1-year US residency or a 1-year ACGME accredited fellowship program. Dr. Blake seconded the motion. Dr. Saunders asked if this would require the language to be changed in the rule or a policy be created to determine the clarification. Ms. Baca-Chavez stated that this language could be included in the current rule changes already in process. Ms. Baca-Chavez also stated that the Board can interpret their rules as they have been currently while the rule change moves forward to make it clearer to the applicant. The motion passed by roll call vote and will be present to the full Board for consideration.

The next agenda item was to discuss and at regarding composition and term length for Development Committee members. Dr. Blake provided some background concerning this history of the Development Committee in serving the needs of the full Board. Dr. Blake suggested that the composition of the Committee be the four core members recognized as the standing officers and the past chair as well as when a subject matter expertise is added to the Committee they continue serving until the matter is resolved. Ms. Baca-Chavez presented a policy she developed for the Committee review and amend if necessary. The draft policy provided the written creation and function of the Development Committee and included the members term length of two (2) year and run concurrent with the President of the Board of Medical Examiner's two (2) year term. After discussion Dr. Johnson made a motion to accept the draft policy as written to be presented to the full Board for consideration. Dr. Beckford seconded the motion. The motion passed by roll call vote.

The final agenda item to discuss and act regarding application presentation for Board meeting. Dr. Blake provide background in discussing the presentation of application for Board review to include copies of

rules, policies, and any other additional information. Ms. Lawrence provide an overview of the process administrative staff completes to add the materials for the Boards review. After discussion it was determined that this is will be an ongoing discussion to come up with ways that meet the needs of both the Board members and administrative staff.

Having no public comment, the meeting was adjourned by Dr. Loyd at 6:44 pm