



## **Tennessee Board of Medical Examiners Regular Board Meeting**

**Tuesday, July 30, 2024**

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### **MINUTES**

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The regular board meeting of the Tennessee Board of Medical Examiners was called to order at 9:00 a.m. in the Nashville Room, Third Floor, William R. Snodgrass Tennessee Towers, 312 Rosa Parks Avenue, Nashville, Tennessee 37203 by Dr. Melanie Blake, Board President.

Board members present:           Melanie Blake, MD, President  
  Stephen Loyd, MD, Vice President  
  Ricky Shelton, Consumer Member  
  John Hale, MD  
  Keith Anderson, MD  
  Todd Tillmanns, MD  
  Randall Pearson, MD  
  John McGraw, MD  
  Michael Bittel, Consumer Member

Board member(s) absent:       James Diaz-Barriga, Consumer Member  
  Deborah Christiansen, MD  
  Samantha McLerran, MD, Secretary

Staff present:                       Francine Baca-Chavez, JD, Office of General Counsel  
  Michael Varnell, JD, Office of General Counsel  
  Stacy Tarr, BME Executive Director  
  Brandi Allocco, Administrative Director  
  Samantha Green, Board Administrator

The meeting was called to order by Dr. Melanie Blake with a roll call of members and staff present. Having determined a quorum with nine members present, Dr. Blake opened the meeting with an agenda item from the Development Committee Meeting.

#### **I.    UPDATES FROM TASKFORCES & COMMITTEE MEETINGS**

- a.   **Development Committee Meeting Update (Dr. Loyd, Dr. Blake, Mr. Shelton and Dr. McGraw)–**
  - i.   The committee met this morning, July 30, 2024.

- ii. Discuss and take action as needed regarding out-of-practice trigger Genetic Counselors, Xray Operators, and Surgical Assistants – The committee brings as a motion to require two hundred fifty (250) hours of continuing education for genetic counselors, Xray operators, and surgical assistants who have been out of practice for a duration of up to five years. Those who have been out of practice for a duration greater than five years it would be at the discretion of the Board’s medical consultant to bring the applicant before the full Board for reentry. The Committee’s motion was amended to no reentry for genetic counselors, Xray operators, and surgical assistants who have been out of practice for a duration of up to five years. Those who have been out of practice for greater than five years must complete two hundred fifty (250) hours of continuing education, or it will be to the discretion of the Board’s Consultant if further reentry is required. Dr. John Hale seconds the motion and the motion passes.

## II. CONSIDERATION OF APPLICATIONS

### **Medical Xray Operator Applicant Interview(s):**

**Letha Faulkner, AMDX** – appeared before the Board without legal representation. Ms. Faulkner has previously appeared before the Board at the January 2024 Board of Medical Examiners’ meeting. At that meeting the Board voted to table the application for up to six (6) months to allow Ms. Faulkner to secure a preceptor. Ms. Faulkner has been out of clinical practice since 2017. Ms. Faulkner has been unable to locate a preceptor at this time and appears before the Board to request an extension of that tabling. If Ms. Faulkner chooses to work in a hospital setting she would not need an xray operator license. Dr. John McGraw motions to extend the tabling of Ms. Faulkner’s application for a duration of one (1) year to allow Ms. Faulkner to complete one hundred twenty (120) hours with a preceptor, to complete two hundred fifty (250) hours of continuing education, or to update her work history if she works in a hospital setting. Her license would be issued contingent on one of the options being completed. Dr. Todd Tillmanns seconds the motion, and it passes.

**Darla Sisco, AMDX** – appeared before the Board without legal representation. Ms. Sisco is a reinstatement for a full xray operator license who has been out of clinical practice since 2020. Due to the updated policy, Ms. Sisco no longer requires a reentry plan and her license was issued.

**Jade Melecosky, MDXL** – appeared before the Board without legal representation. Ms. Melecosky is a reinstatement for a limited scope xray operator license who has been out of xray practice since 2021. Due to the updated policy, Ms. Melecosky no longer requires a reentry plan and her license was issued.

**Courtney Bulbitz, MDXL** – appeared before the Board without legal representation. Ms. Bulbitz is an initial applicant for limited scope x-ray licensure by reciprocity in the areas of chest, extremities and spine. She currently holds an active California x-ray license limited in chest, extremities, and torso. It is unclear if California’s “torso” requirements are equivalent to Tennessee’s “spine” requirements. Ms. Bulbitz is currently completing a full xray program but is pursuing a limited license so she may work while going to school. Dr. Keith Anderson motions to grant the limited scope license in the areas of chest, extremities, and spine. Dr. Tillmanns seconds the motion, and it passes.

**Mitchem Thomas, MDXL** – appeared before the Board without legal representation. Mr. Thomas is an initial applicant for limited scope x-ray licensure by reciprocity in the areas of chest, extremities and spine. He currently holds an active California x-ray license limited in chest, extremities, and torso. It is unclear if California’s “torso” requirements are equivalent to Tennessee’s “spine” requirements. Dr.

Anderson motions to grant the limited scope license in the areas of chest, extremities, and spine. Dr. Randall Pearson seconds the motion, and it passes.

#### **Medical Doctor Applicant Interview(s):**

**Shatha Aboaid, MD** – did not appear before the Board, nor did a legal representative appear on her behalf. Dr. Aboaid was not required to appear in person as her appearance solely relates to the inability to produce a primary source medical school transcript from her school in Syria. Dr. Aboaid was readily available by phone should the board wish to interview her. Dr. Aboaid holds ECFMG certification, a copy of which was provided to the Board for review. Dr. Stephen Loyd motions grant Dr. Aboaid a full and unrestricted license. Dr. McGraw seconds the motion, and the motion passes.

**Vatsala Ramprasad, MD** – did not appear before the Board, nor did a legal representative appear on her behalf. Dr. Ramprasad was not required to appear in person as her appearance solely relates to the inability to produce a primary source medical school transcript from her school in India. Dr. Ramprasad was readily available by phone should the board wish to interview her. Dr. Ramprasad does have a history of Board action in Pennsylvania related to non-report of a pending malpractice claim, which she was dismissed from. Dr. Ramprasad was unaware that Pennsylvania requires pending claims be reported. Dr. Ramprasad holds ECFMG certification, a copy of which was provided to the Board for review. Dr. McGraw motions grant Dr. Ramprasad a full and unrestricted license. Dr. Tillmanns seconds the motion, and the motion passes.

**Syed Zabiullah, MD** – appeared before the Board without legal representation. Dr. Zabiullah is an International Medical School graduate who graduated from an unapproved medical school. Dr. Zabiullah is board eligible, has completed three years of US ACGME accredited training, and has passed step three of the USMLE on his first attempt. Dr. Zabiullah reports the California Board of Medicine's approved schools list has not been updated since 2020. This is one of the lists of approved medical schools found in the Tennessee Board of Medical Examiner's Foreign Medical School Policy. The Development Committee plans to review the policy and revise as necessary. Mr. Michael Bittel motions to grant a temporary license for a period of up to one (1) year to allow Dr. Zabiullah to sit for his board exam. Dr. McGraw seconds the motion and the motion passes.

**Minha Naseer, MD** – appeared before the Board without legal representation. Dr. Naseer is an International Medical School graduate who graduated from an unapproved medical school. Dr. Naseer is board eligible, has completed three years of US ACGME accredited training, and has passed step three of the USMLE on her first attempt. Dr. Loyd motions to grant a temporary license for a period of up to one (1) year to allow Dr. Naseer to sit for her board exam. Dr. McGraw seconds the motion and the motion passes.

**Barbara Nelson, MD** – appeared before the Board without legal representation. Dr. Nelson is an applicant for licensure reinstatement who has been out of clinical practice since 2020. Dr. Nelson has maintained her Board certification in family medicine and has recently been practicing as a massage therapist. Dr. Nelson plans to perform laser therapy with the reinstatement of her license. After a robust discussion regarding reentry options, Dr. Hale motions to grant a full and unrestricted license. Dr. Anderson seconds the motion and the motion passes with Dr. Tillmanns, Mr. Ricky Shelton, and Mr. Bittel opposed.

**David Udom, MD** – appeared before the Board his legal representative, Mr. Doug Janney. Dr. Udom is an applicant for licensure reinstatement who has been out of clinical practice since 2019. Dr. Udom completed a twelve (12) day clinical attachment in February 2024 in Jordan, but it appears this was part of a training program and was not independent clinical practice. Mr. Janney presented a sworn declaration

from Dr. Udom that attests to having practiced clinically during the clinical attachment in Jordan. Dr. Udom recertified with the American Board of Internal Medicine by sitting for the exam in April 2024. Dr. Anderson motions to grant a full and unrestricted license. Dr. Loyd seconds the motion and the motion passes.

**The Board took a brief break.**

**Michael Rolli, MD** – appeared before the Board without legal representation. Dr. Rolli is an applicant for licensure reinstatement who has been out of clinical practice since 2016. Dr. Anderson motions to table the application for up to six (6) months to allow Dr. Rolli to secure a preceptor. The preceptor should submit a CV and preceptorship plan to the Board’s medical consultant for approval. Upon approval of the preceptor and plan, Dr. Rolli will be granted a limited license for up to one (1) year to allow Dr. Rolli to complete a re-entry plan. The preceptorship plan should be no less than twenty (20) hours in length with indirect and direct supervision. Telehealth is permitted as part of the preceptorship plan. The preceptor must be ABMS board certified in family medicine or internal medicine and Dr. Rolli will not be able to supervise mid-level providers while participating in the preceptorship plan on the limited license. Dr. Loyd seconds the motion and the motion passes.

**Vivian Dorsey, MD** – appeared before the Board without legal representation. Dr. Dorsey is an applicant for initial licensure who has been out of clinical practice since 2014. Dr. Dorsey practices utilization management in correctional facilities. Dr. Dorsey’s current employer both provides the care for correctional facilities and supplies the third-party payment for the care. In Dr. Dorsey’s current role, she is responsible for the review of the care plans for patients and provides alternate treatment plans as necessary. Dr. Anderson motions to grant a full and unrestricted medical license. Dr. Hale seconds the motion and the motion passes.

**Robert Walker, MD** – appeared before the Board without legal representation. Dr. Walker is an applicant for licensure reinstatement who has been out of clinical practice since 2006. Dr. Walker has maintained his medical license until recently to create medical emergency bags for mass casualty events. A few of the Board members gave recommendations for organizations Dr. Walker could reach out to for trauma training opportunities and volunteer positions that may work with Dr. Walker on a reentry plan. Dr. Walker has completed continuing medical education during the process of his licensure reinstatement application and the Board deemed he is current with his continuing medical education. Dr. Anderson motions to table the application for a period up to six months to allow Dr. Walker to locate and enroll in an Advanced Trauma Life Support course or a “Boot Camp” course. Should the training program require a license to participate, a limited license may be issued for a period up to one (1) year. Dr. Hale seconds the motion and the motion passes.

**Harry Jacobson, MD** – appeared before the Board without legal representation. Dr. Walker is an applicant for licensure reinstatement who has been out of clinical practice since 2001. Dr. Walker has continued to maintain his medical license until it lapsed in 2023. Dr. Anderson motions to table the application for up to six (6) months to allow Dr. Jacobson to secure a preceptor who is ABMS board certified in nephrology. The preceptor shall submit a CV and preceptorship plan to the Board’s medical consultant for approval. Upon approval of the preceptorship plan a limited license shall be granted for up to one (1) year to allow Dr. Jacobson to complete the re-entry plan. The plan shall be no less than 40 hours in length and should include both direct and indirect supervision by the preceptor. Mr. Shelton seconds the motion and the motion passes.

**Quang Nguyen, MD** – appeared before the Board without legal representation. Dr. Nguyen is an applicant for initial licensure with recent loss of staff privileges, board action, and a subsequent physician health program (“PHP”) referral. Dr. Nguyen is currently being monitored by the Kentucky Physicians

Health Foundation (“KPHF”) and in moving to Tennessee will transfer monitoring to the TMF for the remainder of his one-year monitoring agreement. Dr. Michael Baron, Medical Director for the Tennessee Medical Foundation (“TMF”), spoke on behalf of Dr. Nguyen. Dr. Loyd motions to grant a full and unrestricted medical license contingent upon signing a secondary agreement with TMF-PHP to run concurrent with Dr. Nguyen’s KPHF monitoring agreement and upon maintaining TMF-PHP advocacy. Dr. Hale seconds the motion and the motion passes.

**Timothy Bilbruck, MD** – appeared before the Board without legal representation. Dr. Bilbruck is an applicant for licensure reinstatement with criminal history and current TMF monitoring. Dr. Baron spoke on behalf of Dr. Bilbruck. Dr. Baron reports that Dr. Bilbruck has completed a fitness for duty evaluation in May 2024 and was found to have reasonable skill and safety to practice medicine. Dr. Loyd motions to grant a full and unrestricted medical license conditioned upon signing a lifetime monitoring agreement with TMF and upon maintaining TMF advocacy for the duration of the time Dr. Bilbruck holds a medical license in the State of Tennessee. Dr. Pearson seconds the motion and the motion passes.

**Alexander Pope, MD** – appeared before the Board without legal representation. Dr. Pope is an applicant for initial licensure with current TMF monitoring. Dr. Baron spoke on behalf of Dr. Pope. Dr. Loyd motions to grant a full and unrestricted medical license conditioned upon maintaining TMF advocacy for the remainder of Dr. Pope’s current TMF monitoring agreement. Dr. Tillmanns seconds the motion and the motion passes.

**Melissa West, MD** – appeared before the Board without legal representation. Dr. West is an applicant for initial licensure with prior board action and current Alabama PHP involvement. Dr. Baron spoke on behalf of Dr. West. Dr. Baron informed the Board that Dr. West is currently compliant with her Alabama PHP monitoring agreement. Dr. West does not have plans to relocate to Tennessee and the Alabama PHP will remain as her primary monitor. The Alabama PHP will send TMF compliance letters as her secondary monitor. Dr. Loyd motions to grant a full and unrestricted medical license conditioned upon signing a lifetime monitoring agreement with TMF and maintaining TMF advocacy. Dr. McGraw seconds the motion and the motion passes.

**The Board recessed for lunch.**

### **III. CONDUCT NEW BUSINESS**

- a. Discuss and take action as needed regarding elect taskforce member for Collaboration of Physician Assistants Public Chapter 1042: Ms. Francine Baca-Chavez briefly went over Public Chapter 1042, which creates a taskforce comprised of a member from the Board of Medical Examiners, a member from the Board of Osteopathic Examination, a member from the Board of Podiatric Examiners, and three members from the Board of Physician Assistants. Dr. Loyd elects Dr. Todd Tillmanns to represent the Board of Medical Examiners on this taskforce. At the Development Committee meeting there was a discussion about nominating Dr. Deborah Christiansen for the taskforce, however the Committee members felt because she was not in attendance to accept her nomination, they would nominate Dr. Tillmanns. The motion was seconded, and it passes.
- b. Discuss and take action as needed regarding November 2025 meeting dates: The Board of Medical Examiners typically meets on a Tuesday and a Wednesday. In November 2025 the only consecutive days available are November 17-18, which is a Monday and Tuesday, or November 25-26, which is the Tuesday and Wednesday before the Thanksgiving holiday. Dr. McGraw motions to accept the November 17-18, 2025 meeting dates. Dr. Hale seconds the motion and the motion passes.

- c. Discuss and take action as needed regarding approve travel for Executive Director to attend AIM Fall meeting: Ms. Stacy Tarr is requesting approval for travel to attend the AIM Fall meeting which is to be held in Arizona. Ms. Tarr notes that there may be a scholarship for the meeting, however she is asking the Board for approval in case that opportunity is not available. Dr. Loyd motions to approve travel for the Executive Director to attend the AIM Fall meeting. Dr. McGraw seconds the motion and the motion passes.
- d. Discuss and take action as needed regarding Public Chapter 211: Ms. Baca-Chavez presented the overview for Public Chapter 211. Public Chapter 211 was in effect for rulemaking beginning in April 2023. The Public Chapter was first presented to the Board in July 2023. Dr. Blake was appointed to work with Ms. Baca-Chavez to propose rules for this public chapter. Public Chapter 211 is now in effect for all other purposes as of July 1, 2024. Before the Board for consideration is a draft application and frequently asked questions. It is the position of the Board's advisory attorneys that the Board approve the application as the statute is currently in effect for applicants to apply. The Office of General Counsel advises that should the Board refuse to approve applicants under this public chapter, there may be lawsuits taken against the Board. It is the consensus of the Board that this public chapter does not uphold the Department of Health's mission "to protect, promote, and improve the health and well-being of all people in Tennessee". After a Robust discussion Dr. Hale motions to approve the application and frequently asked questions as proposed, as well as to send a letter to the legislators which outlines the reasons this law does not align with the Department of Health's mission. Dr. Pearson seconds the motion. After a roll call vote the motion fails with five (5) members opposed and four (4) members in favor of the motion. Dr. Pearson motions to approve the frequently asked questions. Dr. McGraw seconds the motion. The motion was amended to revise the frequently asked questions to state there is not an application at this time. After a roll call vote, the motion passes unanimously. Mr. Shelton motions to remove the authority of Dr. Kavita Vankineni, Board Medical Consultant, to approve any applications submitted in relation to Public Chapter 211. Dr. McGraw seconds the motion and the motion passes.

#### IV. **PUBLIC COMMENT**

- a. Dilara Khoshknabi, MD – Dr. Khoshknabi presented proposals for ways to integrate international medical graduates with research backgrounds into practice through Public Chapter 211. Dr. Khoshknabi's full proposals will be disseminated to the Board for consideration during the rulemaking process for Public Chapter 929.
- b. Shahab Masoumi, MD and Samira Jafarisis, MD – Dr. Masoumi and Dr. Jafarisis are international medical graduates who currently hold postdoctoral fellowships at Vanderbilt. They expressed their concerns with the Board regarding the difficulties and stigmas international medical graduates face in obtaining licensure in the United States.

#### V. **CONDUCT NEW BUSINESS (CONTINUED)**

- a. Discuss and take action as needed regarding Public Chapter 929: Ms. Baca-Chavez went over Public Chapter 929 during the discussion about Public Chapter 211. Public Chapter 929 amends Public Chapter 211 as written, however it does not go into effect until January 1, 2025. Ms. Baca-Chavez further clarified the differences between the two public chapters. Dr. Blake and Ms. Baca-Chavez have begun to draft rules for Public Chapter 929, some of which were presented for the Board's consideration. Ms. Baca-

Chavez welcomed the Board's feedback for further drafting of the rules to be presented at a future meeting.

- b. Discuss and take action as needed regarding request for input VA Diagnostic Radiologic Technologist and Registered Radiologist Assistant National Standards of Practice: The VA is developing national standards for practice in their facilities and in doing so have asked all of the state boards who regulate the practice of radiologic technologist and radiologist assistants to opine on the standards. Dr. McGraw motions to designate Dr. Kavita Vankineni to review the standards and make input as necessary. Dr. Anderson seconds the motion and the motion passes.
- c. Discuss and take action as needed regarding Board review of T.C.A. 68-1-128c(3): Dr. Blake presented a review of requirements for "high-risk prescribers". This review included a review of T.C.A 68-1-128(c), the letter sent to licensees who are labeled as "high-risk prescribers", and the Board's policy statement from July 2020. The Board heard from Dr. Christopher Stanley, Board Consultant, Ms. Tracy Alcock, Deputy General Counsel for the Department, and Mr. Yarnell Beatty, General Counsel for the Tennessee Medical Association. It is the position of the Office of General Counsel that T.C.A. 68-1-128c(4) indicates that the licensees must comply with all parts of T.C.A. 68-1-128c(3) and that the Board may take disciplinary action if the requirements are not followed. Dr. Loyd requested further information from Ms. Alcock regarding the statute and clarification on the "top prescribers" lists. Dr. Blake requests the Board rescind the requirement for "high-risk prescribers" to complete the requirements outlined under T.C.A. 68-1-128c(3)(a-d). Dr. Blake also requests the Board notify the "high-risk prescribers", however not require those identified as "high-risk" to complete continuing education, display educational material in their waiting room and clinic areas, or obtain written consent from patients ever four (4) weeks. Dr. Hale motions to accept Dr. Blake's requests. Dr. McGraw seconds the motion. Dr. Blake called for discussion and a vote. The motion passes. Dr. Blake requests the Board also consider sending a letter rescinding the letter those "high risk prescribers" just received. Dr. Loyd motions to send a letter notifying the "high risk prescribers" of the rescinding of requirements. Mr. Bittel seconds the motion. Dr. Blake called for the vote and the motion passes.

The Board was unable to take up the Orders of Compliance at its usual 2:00pm time due to the robust agenda. Dr. Roger Hodge is unable to appear on Day 2 of the meeting for his Order of Compliance. Dr. McGraw motions to waive Dr. Hodge's appearance for the Order of Compliance. Dr. Loyd seconds the motion and the motion passes.

**The Board recessed at 4:30 pm CT.**



## **Tennessee Board of Medical Examiners Regular Board Meeting**

### **Day Two of the Regular Meeting of the Tennessee Board of Medical Examiners**

**Wednesday, July 31, 2024**

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The regular board meeting of the Tennessee Board of Medical Examiners was called to order at 8:35 a.m. in the Nashville Room, Third Floor, William R. Snodgrass Tennessee Towers, 312 Rosa Parks Avenue, Nashville, Tennessee 37203 by Dr. Melanie Blake, Board President.

Board members present:

Melanie Blake, MD, President  
Ricky Shelton, Consumer Member  
John Hale, MD  
Keith Anderson, MD  
Todd Tillmanns, MD  
Randall Pearson, MD  
John McGraw, MD  
Michael Bittel, Consumer Member

Staff present:

Francine Baca-Chavez, JD, Office of General Counsel  
Stacy Tarr, BME Executive Director  
Brandi Allocco, Administrative Director  
Samantha Green, Board Administrator

#### **VI. CONSIDER AND APPROVE CONSENT AGENDA**

Dr. Hale motions to accept the consent agenda. Dr. Anderson seconds the motion, and it passes. The Consent Agenda contained the following:

1. Approval of July 30-31, 2024, Board of Medical Examiners Meeting minutes
2. Ratification of new licenses, reinstatement and renewals of Medical Doctors, MD X-Ray Operators, Genetic Counselors, Surgical Assistants, Acupuncture, Polysomnography
3. Approval of Agreed Citations
4. Review of the Office of General Counsel Report
5. Review report from the Administrative Office
6. Review report from the Office of Investigations
7. Ratification of Polysomnography Continuing Education Policy

#### **VII. UPDATES FROM TASKFORCES & COMMITTEE MEETINGS**



- a. **Development Committee Meeting Update (Dr. Loyd, Dr. Blake, Mr. Shelton, and Dr. McGraw) (continued) –**
- i. The committee met yesterday morning, July 30, 2024.
  - ii. Discuss and take action as needed regarding approval of May 28, 2024 Development Committee Meeting Minutes – The committee approved the minutes.
  - iii. Discuss and take action as needed regarding advisory ruling – Zahara Shariff, MD, requested guidance in following the in-person site requirement when there is not a physical location to visit because Dr. Shariff's company provides telehealth services. It is the understanding of the Committee from the information provided that all nurse practitioners work from home seeing patients virtually. The supervisory relationship must be in accordance with all applicable rules governing a physician's supervision of a nurse practitioner. Regarding supervision, Board Rule 0880-06-.02 requires a supervising physician to visit any remote sites of their supervisees every thirty (30) days. This is true even if the nurse practitioner is practicing telemedicine and whether or not they are practicing in a location geographically distant from their supervising physician. While this rule has not been amended, on April 29, 2022, recent statutory changes made to both the Nursing and Physician Assistant Practice Acts became effective which permit APRNs and physician assistants, (hereinafter "PAs") to arrange for the required personal review of the APRN's or PA's charts by a collaborating physician either to arrange for the required personal review of the APRN'S or PA's charts by a collaborating physician either via HIPAA-compliant electronic means or in person. The term, "HIPAA-compliant" as used in the statutes mean that the entity has implemented technical policies and procedures for electronic information systems that meet the requirements of 45 CFR § 164.312. The new statutes further provide that the number of required annual remote site visits by a collaborating physician by HIPAA compliant electronic means rather than at the site of the clinic is capped at ten (10). The term, "annual" as used in the statute means a rolling twelve-month period. In accordance with the statutes, all other of the required site visits by a collaborating physician to a remote site must take place in person at the site of the clinic. A copy of the statutory changes is attached for your review. This advisory ruling is not intended to supersede or replace any other guidance, policy, rule, or statute of the Board. It should be noted that, 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 Committee motions to approve the letter as drafted. Dr. Pearson seconds the motion and the motion passes.
  - iv. Discuss and take action as needed regarding NPP Collaboration Requirements: The Board discussed this matter yesterday during conduct new business when they nominated Dr. Todd Tillmanns to sit on the Physician Assistant Collaboration Taskforce and Development Committee.
  - v. Discuss and take action as needed regarding collaboration education for licensees (SVIMC and TMA): Dr. Loyd requested this topic be added to the agenda to address concerns on the education of supervision and collaboration for licensees prior to disciplinary action. Dr. Blake suggests representatives from the Board be available at Tennessee Medical Association meetings and other professional meetings to discuss the requirements for supervision as well as where to find further resources once the supervision rules have been revised. Dr. Loyd proposes having representatives from the Board speak during "Capstone month"

at the Tennessee medical schools, as well as highlighting the revisions on the Board's website and sending an email blast to all licensees. No further action by the Board is necessary at this time.

- vi. Discuss and take action as needed regarding medical spa review: Dr. Kavita Vankineni, Board Consultant, requested this be added to the agenda as there has been an increase in complaints against medical spas. The complaints are generally concerning the non-registration of a medical spa. The statute does not allow for the promulgation of many rules for medical spas, and as a result the medical spa rules mirror the statute. The frequently asked questions are in need of revision to further guide those looking to register a medical spa with the state. Ms. Francine Baca-Chavez went over the revisions to the frequently asked questions. The Committee motions to accept the proposed revisions to the frequently asked questions. Dr. Anderson seconds the motion and the motion passes.
- vii. Discuss and take action as needed regarding amending lapsed license policy to include Xray Operators and Genetic Counselors: Ms. Stacy Tarr, Executive Director for the Board of Medical Examiners, presented proposed policy changes to the current lapsed license policy for Xray Operators and Genetic Counselors. The Board's current policy does not address the professions separately. The proposed changes also include reducing the fines for Xray Operators and Genetic Counselors to one hundred dollars (\$100.00) for each month practiced while the license was lapsed. The Committee motions to approve the proposed changes to the lapsed license policy. Mr. Bittel seconds the motion and the motion passes.
- viii. Discuss and take action as needed regarding out-of-practice trigger Genetic Counselors, Xray Operators, and Surgical Assistants – This matter was discussed prior to applicant interviews at yesterday's Board of Medical Examiners meeting. It is the position of the Administrative Office and the Office of General Counsel that the Board's decision should be a policy. The policy will be drafted and discussed during the next Development Committee meeting.
- ix. Discuss and take action as needed regarding special training license T.C.A. 63-6-207(D): The Committee did not take up this matter yesterday. Ms. Brandi Allocco presented the statute which reads that anybody that qualifies for a full license would not be eligible for the special training license. Ms. Baca-Chavez read the statute into the record for the Board to consider the interpretation of such. It is the Board's interpretation that the intent of the statute was to allow those practicing in a training program to be able to apply for a special training license with a restriction of practicing within the program. Dr. McGraw motions to allow issuance of a special training license for an applicant to participate in their training program even if they qualify for a full and unrestricted license. Dr. Anderson seconds the motion and the motion passes.
- x. Discuss and take action as needed regarding Genetic Counselors Rule 0880-13-.05(2)(D) – length of time for a temporary license: Ms. Tarr presented the current rule which does not give guidance on how long the temporary license should last. Under the current rules and statute, the license expires on the date listed on the license. Ms. Baca-Chavez states that while the rule should be updated to include a timeline, in the interim the Board may give guidance to the Board's administrative office for the licensure expiration date to be listed on the license. Further rule changes to define the temporary license timeline will be taken up at a

future meeting. The Committee motions to set the expiration date in the licensure system as one (1) year from the time the license is issued. Dr. Anderson seconds the motion and the motion passes.

#### **Next Development Committee Agenda**

- a. Discuss and take action as needed regarding policy for out-of-practice trigger Genetic Counselors, Xray Operators, and Surgical Assistants
- b. Discuss and take action as needed regarding Public Chapter 1042 update
- c. Discuss and take action as needed regarding Foreign Medical School policy revision

#### **Next Office-Based Surgery Agenda**

- a. The next office-based surgery meeting will take place in September and the standing agenda items will be taken up at that time.

### **VIII. DISCIPLINARY ORDERS**

#### **Consent Order(s)**

[April Simpson, AMDX\\*](#) – did not appear before the Board nor did a legal representative appear on her behalf. Ms. Paetria Morgan represented the State. Dr. Anderson motions to approve the order. Dr. McGraw seconds, and the motion passes.

[Cara Murillo, AMDX\\*](#) – did not appear before the Board nor did a legal representative appear on her behalf. Ms. Paetria Morgan represented the State. Dr. McGraw motions to approve the order. Dr. Anderson seconds, and the motion passes.

#### **Agreed Order(s)**

[Richard Chang, MD\\*](#) – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Paetria Morgan represented the State. Dr. Hale, Dr. McGraw, and Mr. Bittel recused. Dr. Anderson motions to approve the order. Dr. Pearson seconds, and the motion passes with Dr. Hale, Dr. McGraw, and Mr. Bittel recused.

[Imran Mirza, MD\\*](#) – did not appear before the Board, nor did his legal representative, Mr. Justin Joy, appear on his behalf. Mr. Justin Harleman represented the State. Dr. Anderson and Dr. Tillmanns recused. Dr. McGraw motions to approve the order. Dr. Pearson seconds, and the motion passes with Dr. Anderson and Dr. Tillmanns recused.

#### **Consent Order(s) (continued)**

[Christine Kasser, MD\\*](#) – did not appear before the Board nor did a legal representative appear on her behalf. Mr. Gerard Dolan represented the State. Mr. Shelton motions to approve the order. Dr. McGraw seconds, and the motion passes.

[Milind Gadgil, MD\\*](#) – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Brittani Kendrick represented the State and Ms. Francine Baca-Chavez presented the Order on her behalf. Dr. McGraw motions to approve the order. Mr. Bittel seconds, and the motion passes.

[Barika Butler-Quarles, MD\\*](#) – did not appear before the Board nor did a legal representative appear on her behalf. Ms. Brittani Kendrick represented the State and Ms. Francine Baca-Chavez presented the

Order on her behalf. Dr. McGraw motions to approve the order. Mr. Bittel seconds, and the motion passes.

[Donald Vollmer II, MD\\*](#) – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Brittani Kendrick represented the State and Ms. Francine Baca-Chavez presented the Order on her behalf. Dr. Hale motions to approve the order. Dr. McGraw seconds, and the motion passes.

[Thomas Namey, MD\\*](#) – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Brittani Kendrick represented the State and Ms. Francine Baca-Chavez presented the Order on her behalf. Dr. Anderson motions to approve the order. Dr. Hale seconds, and the motion passes.

## **IX. ORDERS OF COMPLIANCE**

**Roger Hodge, MD** – did not appear before the Board. His legal representative, Mr. David Steed, appeared on his behalf. Ms. Francine Baca-Chavez presented the Order of Compliance. The Board voted to allow Dr. Hodge not to appear today for the Order of Compliance as he was only able to attend yesterday's meeting. The petition requests the Board lift the probation on Dr. Hodge's medical license. It is the position of the Disciplinary Coordinator and the Office of General Counsel that he is compliant with the terms of his previous order. Dr. McGraw motions to accept the order of compliance. Dr. Anderson seconds the motion, and it passes.

**Gary Griffieth, MD** – did not appear before the Board. Ms. Francine Baca-Chavez presented the Order of Compliance. Dr. Griffieth was not required to appear pursuant to the Order. The petition requests the Board lift the suspension on Dr. Griffieth's medical license. It is the position of the Disciplinary Coordinator and the Office of General Counsel that he is compliant with the terms of his previous order. Dr. Anderson motions to accept the order of compliance. Dr. McGraw seconds the motion, and it passes.

**This concludes the regular Board business. The Board will break into two panels for the remaining Day 2 business.**

### **Contested Case – Nashville Room**

[Sushri Mishra, MD\\*](#) v. State of Tennessee Board of Medical Examiners

**Nashville Room**

**Administrative Law Judge: Kim Summers**

**Panelists: John Hale, MD, Randall Pearson, MD, and Michael Bittel, Consumer Member**

**Counsel for State: Paetria Morgan, Senior Associate General Counsel**

**Counsel for Respondent: Respondent was not represented**

The Respondent appeared before a panel of the Board and represented herself. A panel of the Board, chaired by Dr. Hale, heard from both parties prior to deliberation. After discussion and questions, the panel motioned and seconded, which was followed by the approval of the Final Order.

### **Contested Case – Nashville Room**

[Michael Najjar, MD\\*](#) v. State of Tennessee Board of Medical Examiners

**Nashville Room**

**Administrative Law Judge: Kim Summers**

**Panelists: John Hale, MD, Randall Pearson, MD, and Michael Bittel, Consumer Member**

**Counsel for State: Gerard Dolan, Senior Associate General Counsel**

**Counsel for Respondent: Respondent was not represented**

The Respondent appeared before a panel of the Board and represented himself. A panel of the Board, chaired by Dr. Hale, heard from both parties prior to deliberation. After discussion and questions, the panel motioned and seconded, which was followed by the approval of the Final Order.

**Contested Case – Conference Room D**

**Roger Jones, MD v. State of Tennessee Board of Medical Examiners  
Conference Room D**

**Administrative Law Judge: Richard Murrell**

**Panelists: Melanie Blake, MD, Keith Anderson, MD, and John McGraw, MD**

**Counsel for State: Michael Varnell, Senior Associate General Counsel**

**Counsel for Respondent: Kline Preston**

The Respondent appeared before a panel of the Board along with his legal representative, Mr. Kline Preston. A panel of the Board, chaired by Dr. Anderson, heard from both parties. The panel was asked to step out as the Respondent's attorney objected to evidence entered by the State. Upon return, the panel heard from witnesses brought by both parties. After discussion and questions, the matter was continued and will be taken up at a future date.

**This concludes the Board of Medical Examiners Day 2 meeting.**