

**Tennessee Medical Laboratory Board Meeting**  
**October 2016**  
**Minutes**

**Date:** October 20, 2016

**Time** 09:04 AM CDT

**Location:** Tennessee Department of Health  
Division of Health Licensure and Regulation  
Metro Center Complex, Iris Room, Ground Floor  
665 Mainstream Drive  
Nashville, TN 37243

**Members Present:** Cheryl Arnott, S.A.-Cytotechnologist, Board Chair  
Patti J. Walton, MT-Hospital/Lab Manager/Adm. Dir, Vice-Chair  
Kathleen Kenwright, MT- Medical Technologist, Educators  
Carla M. Davis, MD-Pathologist  
Jason S. Nolan, MD-Pathologist, Non-Educator  
Tereyo M. Cox, MT-Medical-Technologist, General  
Mark A. Calarco, DO, Independent Lab Manager/Administrator  
Stephanie Dolsen, MT- Medical Technologist Supervisor  
Michael Johnson, MT-Medical Technologist Generalist  
Gaye G. Jolly, MT-Hospital Administrator

**Members Absent:** Royce Joyner, MD-Pathologist Educator  
Michael J. Wright-Citizen Representative

**Vacant Position:** Non-Pathologist Physician

**Staff Present:** Lynda S. England, Medical Technologist Consultant, Director  
Nina V. Smith, Medical Technologist Consultant  
Kyonzte Hughes-Toombs, Deputy General, Office of General Counsel  
Julia Daniels, Medical Technologist Consultant/ Surveyor, East Tennessee Regional Office  
Taylor Carpenter, Medical Technologist Consultant/Surveyor, East Tennessee Regional Office  
Richard Carroll, Medical Technologist Consultant/Surveyor, Middle Tennessee Regional Office  
Greer Hinson, Medical Technologist Consultant/Surveyor, Middle Tennessee Regional Office  
Karon Hathcoat, Medical Technologist Consultant/ Surveyor, West Tennessee Regional Office  
Debbie Haggard, Medical Technologist Consultant/Surveyor, West Tennessee

**Staff Absent:** All staff present for the meeting.

**CLIA Manager/Representative:** Sandra Bogard, MT CLIA Manager

**Presiding Officer:** Cheryl Arnott, S.A.-Cytotechnologist, Chairman

**Call To Order:** The meeting was called to order at 9:03 am CDT by Board Chair Cheryl Arnott.

**Introductions of Board Members:** Board members and staff made their introductions to the record.

**Introductions of Staff:**

**Quorum:** Eleven board members were present which constituted a quorum.

**Approve Minutes:**

**P & E Committee Meeting** A motion to approve the August 17, 2016 Personnel & Education Committee minutes was made by: Ms. Kenwright  
 Second: Dr. Nolan  
 Committee Minutes: Approved.

**Full Board Meeting** A motion to approve the August 18, 2016 Board meeting minutes was made by: Mr. Johnson  
 Second: Ms. Dolsen  
 Board Minutes: Approved.

**Board Reports:**

**Ratification of Initial Determinations of the P&E Committee Meeting:** Ms. Kenwright reported the actions of the Board’s Personnel & Education Committee meeting, October 19, 2016.  
 Motion to ratify Committee actions: Ms. Walton  
 Second: Mr. Johnson  
 Report: Ratified as presented.

**Contested Case**

Margrette Youssef  
 Nashville, TN  
 Medical Laboratory Technician  
 TN License 37221

Administrative Judge: Summers  
 Docket 17.08-139702A

Administrative Law Judge Summers appeared before the board to state the orders for this case on today’s schedule just came across her desk this morning without sufficient time to complete the process for the case to be presented during this meeting.

The petitioner, Ms. Youssef, had obtained an attorney the middle of this month, therefore Judge Summers asked for a continuance until the January 27, 2017 meeting.

Joint motion for agreement; case will be presented January, 2017.

No other action was taken.

**Consent, Agreed, Compliance**

## Orders & Letters of Reprimand

<b>Consent Orders</b>	No consent orders were presented.
<b>Agreed Orders</b>	No Agreed Orders were presented
<b>Compliance Orders</b>	No Compliance Orders were presented
<b>Letters of Reprimand</b>	No Letters of Reprimand were presented

## Presentations to the Board:

### **Tennessee Professional Peer Assistance Program (TNPAP):**

Mr. Mike Harkreader  
TNPAP Director

The statistical report for July 1, 2016-September 30, 2016 was presented to board members with zero (0) individuals being monitored.

One referral was made by an employer for impairment and positive urine drug screen in the workplace.

One TNPAP evaluation was performed with one individual consenting to treatment. Since September another individual will be signing a monitoring agreement today with this advocacy agency.

Mr. Harkreader explained a service upgrade incorporating the advantage of having on line meetings with clients, monitors, support group and facilitator as the overall progress and participation with clients and staff. These groups are available on-line and in person. Individuals under contract with TNPAP are continuously monitored for laboratory evaluations of participation in the absence of diversionary practices and are also monitored for attendance and involvement in assigned meetings.

Motion to accept the TN PAP report: Ms. Dolsen  
Second: Mr. Johnson  
Report accepted as presented by Mr. Harkreader.

*Note: Review of TNPAP materials via internet counts as clock hours toward continuing education credits. A certificate of completion documenting review Of these materials can be completed at the end of the internet session. Internet site: [www.TNPAP.org](http://www.TNPAP.org)*

## **Financial Report**

The financial report was given by Mr. Butch Jack, Fiscal Officer. The report is a draft and subject to re-review; additional changes will be presented during upcoming meetings.

Mr. Jack gave the year end fiscal report ending June 30, 2016.

The cumulative carryover for that time period was \$1,612,056.30.

Motion to accept report: Ms. Kenwright

Second: Ms. Dolsen

Report accepted as presented with no changes.

**(Copy of report on file in administrative office)**

## **Investigations Report Nichelle Dorroh Presentation/Discussion**

Personnel: Two (2) open complaints are currently in investigations, with current monitoring of five (5) complaints. Four (4) complaints have been closed since the last report in August.

Facilities: Two (2) complaints were closed; one with a letter of warning and the second with a letter of concern.

Motion To Accept Report: Mr. Johnson

Second: Ms. Walton

Report accepted as given by Ms. Dorroh.

## **Compliance Orders**

*There were no compliance orders from the Bureau of Investigations submitted for discussion during the meeting.*

**Discuss, review, take action, if needed, regarding but not limited to:**

**Ratifications:** The following items were presented to board members for ratification per staff, state surveyor or facility request:

**Consider Rule Making for 1200-06-01-.1(22) and 1200-06-03-.08(d) (5) relative to pathologists reading slides/location of diagnosis.**

Ms. Arnott, board chair, gave the report of the activities of the task force meeting held on August 25, 2016.

The committee decided all laboratory reports must have an appropriate chain of custody for specimen processing; this chain of custody includes: specimen processed per histopathology at one location and actual reading of specimen at another physical location.

The report **must** contain information for “technical” services (histopathology) as well as information of the physical location where the slide is read “professional” services.

The laboratory where either laboratory function is performed (technical or professional) must be licensed for the practice of pathology.

The task force also recommended a review of the scope of practice for cytotechnologists. Board members agreed for this review to take place in 2017.

**Legislative Report  
Ben Simpson  
DOH Commissioner's Office  
Legislative Liaison**

Motion: Mr. Johnson  
Second: Dr. Nolan  
Minutes were approved.

***Task Force minutes are on board's web site.***

Mr. Simpson gave board members a summary of the legislative actions from the 2016 legislative session.

These actions are presented to the public as "informational".

The documents can be found in their entirety on the med lab web page:

Public Chapter 154 Electronic Records Access/Commissioner.  
Public Chapter 502 Joint Gov Operations Committee Rule Stay.  
Public Chapter 711 30 Bed or Less Lab Personnel Qualifications.  
Public Chapter 912 Non-resident Office Based Opioid Facilities.  
Public Chapter 1033 Licensure of Pain Clinics.  
Public Chapter 763 Caps Retired/Relapsed Reinstatement Fee.  
Public Chapter 719 Prohibits Denial of License for Possession  
of a Felony.  
Public Chapter 1083 Medical Testing on Cannabis Products.\*

\*Summary of all chapters are on board's web page

Motion: Ms. Kenwright  
Second: Dr. Calarco  
Report accepted as given by Mr. Simpson

**Esoteric Laboratories  
Information**

Board members reviewed a memorandum based on information relative to the testing procedures, analytes and methodologies pertaining to the licensure of esoteric laboratories. This information must become part of the initial application review information submitted before an "esoteric" laboratory license can be issued. The purpose of the document is to ascertain true esoteric values for personnel and laboratory testing parameters in the clinical arena. The memo is now included in the application packet for esoteric laboratories.  
No action taken on this matter.

**Motion**

**Ratifications:** The following items were presented to board members for ratification per staff, state surveyor or facility request:

**Exemptions for point of care testing procedures (POCT) in a licensed Facility**

- 1: **TriStar Southern Hills Medical Center**  
**391 Wallace Road**  
**Nashville, TN 37211**  
**Teresa Jenkins, MT**  
**Administrative Lab**  
**Director**
- This request was for Respiratory Therapists (ABG-endorsed) to perform and report blood gases and associated parameters throughout the facility utilizing the i-STAT instrument and methodologies.
- Motion:** Dr. Calarco  
**Second:** Ms. Walton  
**Exemption Request:** Approved
- 2: **Wellmont Holston Valley Medical Center**  
**130 W. Ravine Road**  
**Kingsport, TN 37660**
- LaDonna Compton**  
**Point of Care Coordinator**
- The request permits licensed Nurses (RN's, LPN's) & EMT's to perform and report lactate analyses throughout the medical center utilizing the StatStrip-Lactate system.
- Motion to approve exemption:** Ms. Dolsen  
**Second:** Dr. Nolan  
**Request Approved**
3. **Erlanger East Laboratory**  
**1755 Gun Barrel Road #101**  
**Chattanooga, TN 37421**
- Rita Stewart**  
**Point of Care Coordinator**
- Three exemption requests were presented by this facility:
- Request #1-Permits Registered Nurses, Licensed Respiratory Care Therapists, Registered Radiological Technologists, Registered Cardiovascular Invasive Specialists, and Cardiovascular Technologists to perform and report co-oximetry results on the AVOximeter in the Cardiovascular Interventional Radiology Unit.
- Motion:** Ms. Walton  
**Second:** Mr. Johnson  
**Request:** Approved
- Request #2-Permits Registered Nurses, Licensed Respiratory Care Therapists, Registered Radiological Technologists, Registered Cardiovascular Invasive Specialists, and Cardiovascular Invasive Specialists to perform and report sodium, potassium, chloride, CO<sub>2</sub>, Ca<sup>+</sup>, glucose, BUN, creatinine, lactate, hematocrit, blood gases and activated clotting time in the Cardiovascular Interventional Radiology Unit utilizing the i-STAT instrument.
- Motion:** Dr. Calarco  
**Second:** Mr. Johnson  
**Request:** Approved
- Request #3-Permits Registered Nurses and Paramedics\* to perform and report sodium, potassium, chloride, CO<sub>2</sub>, blood gases, Ca<sup>+</sup>, glucose, BUN, creatinine, lactate, hematocrit and troponin utilizing the i-stat campus wide.
- Motion:** Ms. Walton  
**Second:** Dr. Nolan  
**Request:** Approved
- \*Paramedics must be part of a Rapid Response Team

4. **Baroness Erlanger Hospital**  
**975 East Third Street**  
**Chattanooga, TN 37403**
- Rita Stewart, MT**  
**Point of Care Coordinator**
- Board members granted this request to permit licensed Registered Nurses to perform and report WBC's in the Special Pathogens Unit (Ebola Unit) utilizing the HemoCue WBC system.
- Motion: Mr. Johnson  
Second: Ms. Walton  
Request: Approved
5. **TriStar Centennial Medical Center**  
**2300 Patterson Street**  
**Nashville, TN 37203**
- Mollie Wynn, MT**  
**Point of Care/QC Coordinator**
- Two (2) request were presented for board review:
- Request #1-Permits licensed Nurse Practitioners (APRN's) to perform and report wet preps and KOH values in the Women's OB Emergency Department.
- Motion: Ms. Dolsen  
Second: Ms. Kenwright  
Request: Approved
- Request #2-Permits licensed Physicians Assistants (PA's) to perform and report wet preps and KOH values in the Women's OB Emergency Department.
- Motion: Ms. Walton  
Second: Ms. Jolly  
Request: Approved

**Direct more than three (3) Laboratories**

Stuart Bogema, PhD, MBA, DABCC, FABFT

Dr. Bogema appeared before the board to request an exemption to direct a fourth (4<sup>th</sup>) laboratory in Tennessee.

He currently directs the following laboratories:

- 1-Asperio Laboratory-Thompson Station, TN 37179
- 2-Insight Diagnostics-Franklin, TN 370654
- 3-Vision Laboratory Solutions-Franklin, TN 37067 (Esoteric Lab)
- 4-Vision Laboratory Solutions-Franklin, TN 37037 (Non-esoteric)

Dr. Bogema was not approved to direct the non-esoteric Vision Laboratory Solutions and therefore this request was not acted upon by board members.

No further action was taken on this request.

See: Initial Lab Approval-Vision Laboratory Solutions-Franklin, TN 37037 (non-esoteric)

**RECEIVE REPORTS AND /OR  
REQUESTS:**

**Board Director's Report**

Ms. England gave the board director's report for the quarter April 01, 2016 thru July 31, 2016. The report included a statistical report of activities of licensure for personnel and laboratory facilities.

Included in this report was a change for a couple of board dates in 2017 to Thursday and Friday. Everyone was cautioned to check the internet for all scheduled meetings.

Motion to accept Director's report: Ms. Dolsen  
Second: Mr. Johnson  
Report accepted as given  
*(Copy of report is on file in the Administrative Office)*

**REINSTATEMENT OF LICENSES**

No licenses to reinstate this quarter.

**ADDITIONS/DELETIONS TO THE  
BOARD'S WAIVED TEST LIST**

No requests were made to add to the waived test list.

**Review/Discuss Approval  
Licensure of Medical Laboratory  
Director**

No director files were presented to board members for review during this meeting.

**Regional Surveyors Reports**

Complaint Investigations and proficiency testing (East, West and Middle TN)

**ETRO Report  
Taylor Carpenter  
MT-Consultant**

East TN Regional Office: April 01-July 31, 2016  
Unsuccessful Proficiency Testing: Two (2)  
1-Analyte: T3 (Triiodothyronine) ; Acceptable plan of correction submitted to surveyor, and  
2-Analyte: Bacteriology: Acceptable plan of correction submitted to surveyor.  
Complaint Investigations: Zero (0)

**MTRO Report  
Richard Carroll  
MT-Consultant**

Middle TN Regional Office: April 01-July 31, 2016  
Unsuccessful Proficiency Testing: Three (3)  
1<sup>st</sup> Unsuccessful; citations pending.  
2<sup>nd</sup> Unsuccessful: Zero  
Complaint Investigations: Zero (0)



**WTRO Report  
Karon Hathcoat  
MT-Consultant**

West TN Regional Office: April 01-July 31, 2016  
Unsuccessful Proficiency Testing: Zero (0)  
Complaint Investigations: Zero (0)

Motion to accept regional reports : Mr. Johnson  
Second: Ms. Dolsen  
Reports accepted as presented

**Board Ratification of Laboratory  
Initial License:**

**Laboratory Corp. of America  
1528 Bridgewater Lane #1  
Kingsport, TN 37660**

**Medical Laboratory Director:** Susan Rollins, MD  
Anatomic/Clinical Pathology  
Cytopathology

**Specialties:** Hematology, Clinical Chemistry,  
Urinalysis

**Surveyor:** Julia Daniels, MT  
Consultant II/ETRO

Motion: Ms. Walton  
Second: Dr. Calarco  
License Approved

**BioReference Laboratories, Inc. @  
John Macey, M.D.  
2201 Murphy Avenue #307  
Nashville, TN 37203**

**Medical Laboratory Director:** Rajendra Persad, MD  
Anatomic/Clinical Pathology  
Hematology

**Specialty:** Collection Station

**Surveyor:** Richard Carroll, MT  
Consultant II/MTRO

Motion: Dr. Calarco  
Second: Mr. Johnson  
License Approved.

**Vision Laboratory Solutions-E  
325 Seaboard Lane #110  
Franklin, TN 37067**

**Medical Laboratory Director:** Stuart Bogema, PhD  
Director: Toxicology

**Specialty:** Esoteric Toxicology

**Surveyor:** Richard Carroll, MT  
Consultant II/MTRO

Dr. Bogema discussed laboratory operations in this facility with board members. Members determined this laboratory met requirements for an esoteric toxicology laboratory.

Motion: Ms. Walton  
Second: Dr. Calarco  
License Approved

**Vision Laboratory Solutions-R  
325 Seaboard Lane #110  
Franklin, TN 37067  
McKenzie, TN 38201**

Medical Laboratory Director

Stuart Bogema, PhD  
Director: Toxicology

Specialties:

General Immunology, Clinical  
Chemistry, Urinalysis,  
Endocrinology, Hematology

Surveyor:

Richard Carroll, MT  
Consultant II/MTRO

After discussion with Dr. Bogema, board members determined that Dr. Bogema was licensed in Tennessee as a Director in Toxicology (BCLD) and could not qualify to direct this laboratory. Board members considered the denial\*of this license request, however a motion was made to table the application until the January 2017 meeting pending the compliance with 1200-06-01 Rules and Regulations Governing Medical Laboratories per qualifications to be a director in a laboratory with the specialties for which the license is sought.

\*Motion to deny license:  
Dr. Calarco  
Second-Ms. Walton  
License: Denied

Motion to withdraw denial  
Motion: Ms. Walton  
Second: Mr. Johnson  
Motion withdrawn

Motion to table until January:  
Mr. Johnson  
Second: Ms. Walton  
Application tabled until the  
January meeting.

**Sano Informed Prescribing, LLC**  
**393 Nichol Mill Lane #14**  
**Franklin, TN 37067**

Medical Laboratory Director

Tara Chang, MD  
Anatomic/Clinical Pathology

Specialty:

Esoteric Toxicology

Surveyor:

Richard Carroll, MT  
Consultant II/MTRO

Motion: Dr. Calarco  
Second: Ms. Walton  
Opposed: Ms. Kenwright  
License Approved

**Crestar Labs, LLC-R**  
**2001 Campbell Station PKY**  
**STE C-2**  
**Spring Hill , TN 37174**

Medical Laboratory Director:

Marc J. Rumpler, PhD  
Director: Toxicology (HCLD)

**Specialties:**

Hematology, Toxicology (non-  
esoteric), Molecular Diagnostics

**Surveyor:**

Richard Carroll, MT  
Consultant II/Surveyor MTRO

Motion to table this initial license  
based on director qualifications  
(HCLD) to direct clinical  
specialties other than toxicology.

Motion: Dr. Calarco  
Second: Ms. Walton  
Tabled until the January 2017  
meeting.

**Integrity Laboratories, LLC**  
120 Center Park Drive #3  
Knoxville, TN 37922

Medical Laboratory Director

Adel Shaker, MD  
Anatomic/Forensic Pathology

**Specialty:**

Esoteric Toxicology

Board members Dr. Shaker's discussed toxicology training during residency for anatomic pathology plus the addition of toxicology training/experience obtained in the practice of forensic pathology.

Board members agreed the combination of training would allow sufficient expertise to direct this esoteric –toxicology laboratory.

Dr. Shaker qualifies as laboratory director for this esoteric lab-toxicology.

Surveyor:

Taylor Carpenter, MT  
Consultant I/Surveyor ETRO

Motion: Dr. Calarco  
Second: Ms. Walton  
License Approved

**Addiction Labs of America**  
500 Wilson Pike Circle #360  
Franklin, TN 37207

Medical Laboratory Director

Edgar H. Pierce, Jr MD  
Anatomic/Clinical Pathology  
Blood Banking

Specialties:

Hematology, Syphilis Serology,  
General Immunology, Clinical  
Chemistry, Urinalysis,  
Endocrinology, Toxicology,  
Molecular Genetics

Surveyor:

Richard Carroll, MT  
Consultant II/Surveyor MTRO

Motion: Mr. Johnson  
Second: Ms. Cox  
License approved

Abstain: Dr. Calarco

Pure Diagnostics, LLC  
6120 Shallowford Road #107  
Chattanooga, TN 37421

Medical Laboratory Director

David Smalley, PhD  
Director General (BCLD)

Specialty:

Toxicology

Surveyor:

Taylor Carpenter, MT  
Consultant I/Surveyor ETRO

Motion: Mr. Johnson  
Second: Dr. Davis  
Licensed approved.

## OTHER BUSINESS:

### Item 1

A. **Reporting  
HIV/STD  
Positive  
Individuals to  
DOH  
TCA 68-10-101**

Board clarification of items relating to operation of administrative office technicalities:

Ms. England reported correspondence from the HIV/STD Division for DOH, stating that a few licensed collection stations were not reporting the identities of those individuals testing positive for HIV/STD events.

This subject was presented at the request of that agency as an FYI-awareness because that Division does not have regulatory authority over these facilities that are licensed by this board.

I would refer to the Rules and Regulations Governing Medical Laboratories 1200-06-03-.12 Reportable Diseases giving regulatory authority to the TN Medical Laboratory Board.

State surveyors were instructed to review the reporting processes for all facilities in submitting the appropriate information to the Department of Health HIV/STD Unit. If the reporting process is found to be out of compliance with the above named Rules and Regulations, a citation is to be given.

No action was taken on this subject.

B. **Board Policy for  
American Society  
of Clinical  
Pathology ASCP  
International  
Examination**

Board members reviewed a policy authorized by the Personnel and Education Committee during their meeting on October 19<sup>th</sup> to approve this sponsored international examination as a pathway for licensure in Tennessee if all other regulatory requirements are met. It does not matter if exam is taken outside the United States or its territories ASCP recognize equivalency and so does the Board. This decision has no effect on other agencies deemed by this board to sponsor examinations for licensure in Tennessee.

Motion: Mr. Johnson  
Second: Ms. Walton  
Policy Adopted.

C. **Election of  
Officers 2017  
Calendar Year**

Board Chair: Patti Walton, MT  
Motion: Ms. Kenwright  
Second: Mr. Johnson

Board Vice-Chair: Stephanie Dolsen, MT  
Motion: Kathy Kenwright  
Second: Dr. Calarco

Chair-Personnel & Education Committee: Ms. Kenwright, MT  
Motion: Dr. Calarco  
Second: Dr. Davis

D. **Review of  
Reimbursement  
for Board  
Members  
Lodging Fee**

All nominees were approved by acclimation.  
Ms. Arnott questioned and asked for a review of the fees for the reimbursement of lodging for overnight stay associated with board business.

Ms. England said she would look into the matter.

However Ms. England noted fees are universal for all the Division of Health Licensure and Regulation's Boards regarding board members.

**Statement of Next Meeting**

The next Board Meeting will be January 27, 2017 and will begin at 9AM CST in the Iris Conference Room, Ground Floor, MetroCenter Complex, 665 Mainstream Drive, Nashville, TN 37243

**Record of Adjournment**

With no further business to discuss, the meeting adjourned at 1:45pm CDT.

**Motion:** Ms. Kenwright  
**Second:** Ms. Jolly  
Meeting Adjourned.

---