

**Tennessee Medical Laboratory Board
January 26, 2024
Full Board Meeting
Minutes**

Meeting Date: January 26, 2024

Time: 9:05 a.m. CST

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

Members Present:

Jennifer Gidcomb, MT-Med. Technologist, Gen.-Chairman
LeeAnne Briggs, MT- Med. Technologist, Educator
Penny Asbell, MD- Non-Pathologist Physician
Jerry Barker, MT-Hospital Lab Mgr/Admin. Dir.
Danielle Gibson, MD-Pathologist
Michael Johnson, MT-Medical Technologist-General
Marilyn (Buffy) Key, MT-Hospital Administrator
Chris Litle, MT-Medical Laboratory Supervisor
Andrew Stanton, CT-Cytotechnologist
James A. Vaughan, MD-Pathologist Educator

Vacant Positions: Citizen Representative
Pathologist

Members Absent: Matthew Hardison, Ph.D., Independent Lab Mgr/Adm.

Staff Present: Sandra S. Bogard, MT Consultant, Director
Nina V. Smith, MT Consultant Administrative Office
Ronda Webb-Stewart, Senior General Counsel
Mina Girgis, Board Administrator
Debbie Haggard, MT Consultant/Supervisor WTRO
Fowlen Anders, MT Consultant/Supervisor ETRO
Robert Sommer, MT Consultant/Supervisor MTRO
Misty Rector, MT Consultant/Surveyor WTRO

Staff Absent: Kathy Dunn-McPhall, MT Consultant/Supervisor MTRO

CLIA Manager/Representative: Tracy McLemore, MT CLIA Director-Absent

Introduction of Board Members: Board members and staff made their introductions to the audience.

Quorum: Ten (10) board members were present, which constituted a quorum.

Call To Order:

The meeting was called to order at 9:05 a.m. CST by Jennifer Gidcomb, the Board Chairman.

Presiding Officer:

Ms. Gidcomb conducted the meeting.

Approve Minutes:

P & E Committee Meeting

A motion to approve the October 26, 2023, Personnel & Education Committee minutes was made by Mr. Johnson.

Second: Mr. Litle

The minutes were approved as written.

Full Board Meeting

A motion to approve the October 27, 2023, Full Board meeting minutes was made by Mr. Litle.

Second: Mr. Barker

The Board minutes were approved as written.

Ratification of Initial Determinations
P & E Committee Meeting:

Ms. Gidcomb reported the actions of the Personnel & Education Committee meeting, January 25, 2024.

Motion to ratify Committee actions: Mr. Johnson.

Second: Mr. Stanton

The report was accepted as presented by Ms. Gidcomb.

Consent, Agreed, Compliance Orders, and Letters of Reprimand:

Nothing to present.

Presentations to the Board:

Tennessee Professional Peer Assistance Program (TNPAP)
Teresa Phillips, Executive Director

The statistical report for July 1, 2023-December 31, 2023, was presented by Ms. Teresa Phillips, Executive Director.

Two (2) individuals were monitored during this period, one (1) regulatory and (1) one non-regulatory.

One (1) discharge - was monitored for noncompliance.

Motion to accept the TNPAP report: Mr. Litle.

Second: Ms. Briggs

Investigations Report

Barbara Granum
Disciplinary Intake Coordinator

The report was accepted as given.

Ms. Granum's investigative report included the following:

Monitored Practitioners (Personnel and Facilities):
(January-December 2023)

Investigative Licensed Laboratory Personnel: (2023)

Four (4) new complaints

- One (1) falsification of records
- One (1) substance abuse
- One (1) malpractice/negligence
- One (1) unprofessional conduct

Two (2) complaints closed

Two (2) currently open complaints

Investigative Licensed Laboratory Facilities: (2023)

Nine (9) new complaints

Seven (7) closed complaints

- Three (3) insufficient evidence
- One (1) referred to OGC
- One (1) closed letter of concern
- One (1) warning letter
- One (1) closed

Six (6) currently open complaints

- One (1) proficiency testing
- One (1) unlicensed practice
- Seven (7) unprofessional conduct

Investigative Licensed Laboratory Schools: (2023)

Zero (0) new complaints

Zero (0) complaints closed

Zero (0) currently open complaints

Motion to accept the report: Ms. Briggs.

Second: Dr. Vaughan

The investigation report was accepted as given.

Financial Report

Emily Goodwin
Fiscal Director

No report was given.

Legislative Update

Grayson Carter
Legislative Liaison

No report was given.

Surveyor Update
Tracy McLemore, MT
CLIA Director

In his absence, Mr. McLemore presented a written report to the Board regarding the surveyor workload. One East Tennessee surveyor resigned, and he has started the interview process.

Motion to accept the report: Mr. Johnson.
Second: Dr. Vaughan

The report was accepted as given.

Point of Care Exemptions 1200-06-03-.16(1):

- 1. Baptist Memorial Hospital Laboratory**
Memphis, TN
Karen Clark, BS, MT(ASCP)SH
POC Supervisor

The request was to permit Certified Registered Nurse Anesthetists (CRNAs) and Perfusionists to perform and report Sonic Estimation of Elasticity via Resonance (SEER) in Surgery utilizing HemoSonics Quantra Hemostasis Analyzer and methodology.

Motion: Dr. Gibson
Second: Mr. Litle

The exemption request was approved.

Direct More Than Three (3) Labs 1200-06-03-.13(5):

Charles Bramlett, MD
Columbia, TN

Charles Bramlett, MD requested to direct the following six (6) laboratories:

- Maury Regional Medical Center-1224 Trotwood Ave., Columbia, TN 38401 (L2196)
- Spectrum Pain Clinic-820 B Airpark Center Dr., Nashville, TN 37217-Physician's Office Lab (POL)
- Lab Corp of America-1400 Donelson Pike, #B10, Nashville, TN 37127 (L2327)-Collection Station
- Southern Blood Services-1114 17th Avenue South, Suite 104, Nashville, TN 37212 (L538)
- Unity Medical Center-481 Interstate Drive, PO Box 1079, Manchester, TN 37349 (L2022)-New
- TriStar Summit Medical Center Lab-5556 Frist Boulevard, Hermitage, TN 37076 (L3255)

Motion: Mr. Litle
Second: Mr. Stanton
Abstained: Dr. Gibson

The request for Dr. Bramlett to direct six (6) laboratories was approved.

Discuss, Review, And Take Action, if Needed:

Review the memorandum regarding collection stations no longer using the one hub location and requiring licensure of all collection locations.

The Board discussed the memorandum that will notify collection stations that they can no longer use the one hub location and that all collection stations must be state-licensed.

Motion: Mr. Litle
Second: Mr. Barker

The memorandum was approved for mailing.

Review the memorandum regarding respiratory therapy departments performing arterial blood gas testing to request a point-of-care exemption unless they have a separate laboratory license.

The Board discussed the memorandum that will notify respiratory therapy departments that they will need to request a point-of-care exemption if they perform arterial blood gas testing. Respiratory therapy departments with their own laboratory licenses are an exception to this decision. They would not need to request a point-of-care exemption.

Motion: Mr. Barker
Second: Mr. Litle

The memorandum was approved for mailing.

Discuss the definitions of public and private laboratories.

After discussing the differences between public and private laboratories, it was determined that, based on the statute change, all state-licensed laboratories, whether privately or publicly owned, are not required to employ state-licensed testing personnel.

No motion was needed.

Discuss red-line rule revisions regarding 1200-06-03-.21 Renewal of Laboratory License Rules Governing Medical Laboratories.

The Board discussed Rule 1200-06-03-.21 Renewal of Laboratory License. They decided to revise the rule to only require the signature of the medical laboratory's owner or director on the facility renewal form. It was also decided that a roster of all personnel currently employed in the laboratory would not be required upon renewal.

Motion: Mr. Barker
Second: Mr. Stanton

The motion was approved.

Discuss red-line rule revision regarding 1200-06-02-.01 Rules Governing Training Programs for Medical Laboratory Personnel.

The Board discussed Rule 1200-06-02-.01 Rules Governing Training Programs for Medical Laboratory Personnel. It was decided to revise Rule 1200-06-02-.01(4)(a) Initial Training Program Application Fee to make it non-refundable.

Motion: Dr. Vaughan
Second: Dr. Gibson

The motion was approved.

Discuss red-line rule revision regarding 1200-06-02-.07 Rules Governing Training Programs for Medical Laboratory Personnel.

The Board discussed Rule 1200-06-02-.07 Rules Governing Training Programs for Medical Laboratory Personnel. It was decided that section C should be added for Cytology Training Programs.

Motion: Mr. Johnson
Second: Mr. Litle

The motion was approved.

Review and Discuss the Licensure of Medical Laboratory Directors:

1. Catherine Williams, Ph.D.
Brentwood, TN 37027
Director-Breath Analysis

Dr. Williams received her Ph.D. in Oceanography from the University of Southampton, Southampton, UK in 1999.

She received her M.S. degree in Oceanography from the University of Southampton, Southampton, UK in 1994.

Dr. Williams received her B.S. degree in Chemistry from the University of Sheffield, Sheffield, UK in 1992.

She is currently licensed as a Director-Breath Analysis.

Dr. Williams received an exemption from the Medical Laboratory Board to become a director without national certification at the January 2023 Board meeting.

She is currently a director of Cairn Diagnostics Laboratory in Brentwood, TN.

Dr. Williams is requesting an exemption to Rule 1200-06-01-.20(1)(c). She does not have certification in Chemistry or Endocrinology but has work experience in the field of Chemistry. National certification is available through the American Board of Bioanalysis (ABB), the American Board of Clinical Chemistry (ABCC), the

National Registry of Certified Chemists (NRCC), and the American Board of Internal Medicine (ABIM).

She is seeking licensure as a Director of Chemistry (limited to HCG Pregnancy).

After discussion, the Board decided to extend the coverage of the specialty of Director-Breath Testing to include the oversight of qualitative HCG serum testing. Based on their decision, an exemption request was not necessary.

Motion: Mr. Litle
Second: Dr. Gibson

The motion was approved.

Reports/Requests:

Board Director's Report

Sandra Bogard, MS, MT(ASCP) QLC ^{cm}

The report included statistical data concerning laboratory personnel, facilities, training programs licensure, and health fair/health screening events during the Fourth Quarter of 2023.

The website continues to be updated daily/or as needed.

Staffing updates:

- Lori Reynolds, East Tennessee laboratory surveyor, resigned.

Board meeting dates for 2023 and 2024 were presented.

Vacancies on the Board:

- Pathologist
- Citizen Member

Board positions that expired on December 31, 2023:

- Chris Litle-Medical Laboratory Supervisor
- Michael Johnson-Medical Technologist Generalists

The Personnel, Laboratory Facility, and Training Program regulations are currently awaiting Rulemaking Hearings.

2023 State Licensure Surveyor Workload Targets:

West TN – 40 surveys

Middle TN – 35 surveys

East TN – 50 surveys

Each region will be incorporating the remote survey process along with onsite surveys.

The target survey workload is 2-3 state-licensed laboratory surveys per fully trained surveyor per month.

January-December 2023 (completed biennial & initial surveys only):

West TN – 41 surveys

Middle TN – 23 surveys

East TN – 50 surveys

January-December 2023 (completed all survey types):

West TN – 75 surveys

Middle TN – 47 surveys

East TN – 72 surveys

A copy of this report is kept on file in the administrative office.

Motion to approve the report with a correction to the July meeting date: Dr. Vaughan.

Second: Mr. Litle

The report was accepted with the revision.

Board Attorney Report

Ronda Webb-Stewart
Senior Associate General Counsel

Senior Associate General Counsel Ronda Webb-Stewart gave her Office of General Counsel report for the Fourth Quarter of 2023:

- The Conflict-of-Interest Policy was reviewed with the Board members.
- One (1) open case.
- OCG is completing its internal review of the Medical Laboratory Board Rules.

Disciplinary Report

Ronda Webb-Stewart
Senior Associate General Counsel

Senior Associate General Counsel Ronda Webb-Stewart gave the Disciplinary Report for the Fourth Quarter of 2023:

Six (6) licensees are being monitored.

- Two (2) with terms of reprimand with \$20,556.81 in fines and fees.
- One (1) on probation.

- Three (3) are on suspension with \$2,012.96 in fines and fees.

Motion to accept the Office of General Counsel Report and the Disciplinary Report as given: Mr. Litle.

Second: Mr. Johnson

The reports were accepted as given.

Regional Surveyor Reports:

Complaint Investigations
Proficiency Testing Events
Regional Offices:
East, Middle, and West TN

ETRO Report: 4th Quarter
Fowlen Anders, MT
Consultant/Surveyor

East Tennessee Regional Office –Fourth Quarter 2023:
(Revised)

Complaint Investigations: One (1)

Unsuccessful Proficiency Testing: Zero (0)

- First Occurrence (two in a row or two out of three) unsatisfactory scores: Two (2)
- Second Occurrence (three in a row or three out of five) unsatisfactory scores: Zero (0)

MTRO Report: 4th Quarter
Robert Sommer, MT
Consultant/Surveyor

Middle Tennessee Regional Office–Fourth Quarter 2023:

Complaint Investigations: Two (2)

Unsuccessful Proficiency Testing: Four (4)

- First Occurrence (two in a row or two out of three) unsatisfactory scores: One (1)
- Second Occurrence (three in a row or three out of five) unsatisfactory scores: Zero (0)

WTRO Report: 4th Quarter
Debbie Haggard, MT
Consultant/Surveyor

West Tennessee Regional Office –Fourth Quarter 2023:

Complaint Investigations: Zero (0)

Unsuccessful Proficiency Testing: Zero (0)

- First Occurrence (two in a row or two out of three) unsatisfactory scores: One (1)
- Second Occurrence (three in a row or three out of five) unsatisfactory scores: Zero (0)

Motion to accept the reports with a revision: Mr. Johnson.

Second: Dr. Gibson

Reports were accepted with a revision.

Addition/Deletions to the Board's Health Screening Test List:

Nothing to present.

Board Ratifications Initial Facility Applications:

1. East Tennessee Pathology Jefferson Memorial

Jefferson City, TN

Anatomic Laboratory

Specialties: Histopathology & Oral Pathology

Medical Laboratory Director: William Beuerlein, D.O.
ABP/Clinical Pathology, Anatomic Pathology

Surveyor: Lori Reynolds, MT-Consultant/Surveyor/ETRO

2. East Tennessee Pathology North Knoxville

Powell, TN

Anatomic Laboratory

Specialties: Pathology, Histopathology, Oral Pathology, Cytology

Medical Laboratory Director: Lauren Chiles, MD
ABP/Anatomic Pathology, Clinical Pathology

Surveyors: Fowlen Ivey, MT-Consultant/Surveyor/ETRO

3. East Tennessee Pathology Sweetwater Hospital

Sweetwater, TN

Anatomic Laboratory

Specialties: Histopathology & Oral Pathology

Medical Laboratory Director: Frank J. Beuerlein, MD
ABP/Clinical Pathology & Anatomic Pathology

Surveyors: Fowlen Ivey, MT-Consultant/Surveyor/ETRO

4. East Tennessee Pathology Turkey Creek Medical Center

Knoxville, TN

Anatomic Laboratory

Specialties: Pathology, Histopathology, Oral Pathology, Cytology

Medical Laboratory Director: William Beuerlein, D.O.
ABP/Clinical Pathology, Anatomic Pathology

Surveyor: Fowlen Ivey, MT-Consultant/Surveyor/ETRO

5. Razor Genomics
Nashville, TN

Clinical & Anatomic Laboratory

Specialties: Pathology, Molecular Diagnostics &
Molecular Pathology

Medical Laboratory Director: Wenjiang Chu, M.D.
ABP/Clinical Pathology, Anatomic Pathology

Surveyor: Robert Sommer, MT Consultant/MTRO

**6. Camp Jordan Freestanding Emergency
Department**
Chattanooga, TN

Clinical Laboratory

Specialties: Bacteriology (limited), Virology (limited),
Hematology, General Immunology, Clinical Chemistry,
Transfusion Services (limited to Emergency Release
only), and Arterial Blood Gases & pH

Medical Laboratory Director: Eugene Fong, M.D.
ABP/Clinical Pathology

Surveyor: Lori Reynolds, MT-Consultant/Surveyor/ETRO

7. James A. Henry, M.D., LLC
Loudon, TN

Anatomic Laboratory

Specialty: Histopathology

Medical Laboratory Director: James Henry, M.D.
ABP/Clinical Pathology, Anatomic Pathology

Surveyor: Fowlen Ivey, MT-Consultant/Surveyor/ETRO

**8. Laboratory Corporation of America
Holdings**
Memphis, TN

Anatomic Laboratory

Specialty: Cytology

Medical Laboratory Director: Steven Wang, M.D.
ABP/Clinical Pathology, Anatomic Pathology,
Cytopathology, Hematology

Surveyor: Debbie Haggard, MT Consultant/WTRO

After discussion, the Board decided to ratify the eight (8) laboratories listed above since they had no deficiencies cited during their initial inspection.

Motion: Mr. Litle
Second: Mr. Stanton

The licenses were approved.

Other Business/Discussion:

Other Business:

No other business was presented.

New Business:

No new business was presented.

Public Comment:

No public comments.

Adjournment:

The meeting was adjourned at 11:33 a.m. CST with no further business to discuss.

Motion to adjourn: Mr. Litle.
Second: Ms. Briggs

The meeting was adjourned.