

FULL BOARD MEETING MINUTES
of the
BOARD OF MEDICAL EXAMINERS
301 S. Park Ave., Large Conference Room
Day 1: May 6th, 2021, 1:04 p.m. – 3:50 p.m.
Day 2: May 7th, 2021, 10:00 a.m. – 3:06 p.m.

Day 1: May 6, 2021, 1:00 p.m.

1. Call To Order - Establish Quorum - Introduction of Board & Staff Members Present (00:00:25)

Board Members Present:

Ms. Tammy Scott – President
Ms. Christine Emerson – Vice President
Dr. James Guyer – Secretary
Dr. James Burkholder
Mr. Abe Abramson
Dr. Molly Biehl
Prof. Ana Diaz
Dr. Anna Earl
Dr. Ashleigh Magill
Dr. Gina Painter
Mr. Brian Reed
Dr. Bruce Robertson
Mr. Douglas Womack
Ms. Lena Phelps – MTAPA Liaison

Staff Present:

Mr. Sam Hunthausen – Executive Officer
Ms. Sara Hansen-Baiamonte – Board Counsel
Mr. Scott Magill – Administrative Specialist
Mr. Todd Younkin – Division Administrator
Ms. Graden Hahn – Department Counsel
Ms. Carrie Baker – Licensing Supervisor

Public Present:

Ray Mollers – NREMT
Bill Seifarth – NREMT
Alan Arguello – NREMT
Mike Ramirez – MPAP
Dr. Mikhail Joutovsky – MPAP
Amy Sanford – MPAP
Terry Mullins – DPHHS
Dr. Rajeev Rajendra
Dr. Odinaka Nwankwo
Toni Jolliff
Dr. Kathryn Borgenicht
Mark Terry
Dave Wharton
Rachel Durham
Jim DeTienne

2. Approval and Tentative Modification of Agenda Order (00:03:48)

MOTION: (00:03:52) Dr. Gina Painter moved to approve the agenda with fluidity. Mr. Brian Reed seconded. The motion carried.

3. Public Opportunity to Comment (00:04:35 – Day 1) (00:03:50 – Day 2)

(Presiding Officer Statement) “Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board that is not on the agenda of this meeting. Please note that a ‘public matter’ does not include contested cases or other adjudicative proceedings. While the Board cannot take action on any issues presented, the board will listen to comments and may ask staff to place the issue on a subsequent agenda. The presiding officer may limit the comment period in order to proceed with the board meeting.”

Day 1: May 6, 1:04 p.m.

4. PRESENTATIONS (00:05:50)

- a. **1:00 p.m. National Registry of Emergency Medical Technicians**—Ray Mollers, Director of Stakeholder Partnerships; Bill Seifarth, Executive Director; Mark Terry, Chief Certification Officer; Alan Arguello, Stakeholder Partnership Manager (00:05:55)
- b. **2:30 p.m. Department of Health and Human Services**—Terry Mullins, EMS and Trauma Systems Supervisor (01:08:36)
- c. **3:00 p.m. POLST Coalition**—Dr. Kathryn Borgenicht and Amanda Lucas, DNP (01:45:27)

Following presentations and discussion, the board will recess and reconvene the following day at 10:00 A.M.

*****Meeting recessed at 3:50 p.m. on 5/6/21*****

*****Meeting recommenced at 10:00 a.m. on 5/7/21*****

Day 2: May 7, 10:00 a.m.

5. Review of Minutes (00:05:31)

- a. March 19, 2021 Board Meeting
- b. April 9, 2021 Board Meeting

6. Compliance Report— LaVelle Potter (00:05:54)

- a. Screening Panel, April 9, 2021
- b. Screening Panel and Adjudication Panel, March 19, 2021

7. Division Administrator Report—Todd Younkin (00:23:22)

8. Board Action (00:07:20)

- a. **MPAP Report**—Mike Ramirez (00:34:04)
- b. **Non-routine applications requiring executive session** (TBD by legal counsel and president) (00:07:02)

2-3-203. Meetings of public agencies and certain associations of public agencies to be open to public –exceptions.
(3) The presiding officer of any meeting may close the meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting must be open. (00:45:21)

c. Non-Routine Applications

*****Executive Session Began at 10:49 a.m.*****

- 1. Keith Best, PAC (00:00:15) **Executive Session**

*****Executive Session Ended at 10:56 a.m.*****

- 2. Shannan Patterson, PHYS (01:56:50)

MOTION: (02:03:51) Dr. James Guyer moved to grant a full and unrestricted license to Dr. Patterson. Dr. James Burkholder seconded. The motion carried.

3. Zane Montgomery, EMR (02:04:53)

MOTION: (02:07:44) Dr. James Guyer moved to grant a full and unrestricted license to Mr. Montgomery. Dr. Anna Earl seconded. The motion carried.

4. Odinaka Nwankwo, PHYS (00:48:12)

MOTION: (01:20:49) Mr. Abe Abramson moved to grant a full and unrestricted license to Dr. Nwankwo. Dr. Gina Painter seconded. The motion carried. Dr. Anna Earl voted nay. The motion carried.

5. Rajeev Rajendra, PHYS (00:07:55)

MOTION: (00:20:41) Dr. Gina Painter moved to grant a full and unrestricted license to Dr. Rajendra. Mr. Abe Abramson seconded. The motion carried.

6. Toni Jolliff, EMT (01:23:23)

MOTION: (01:31:45) Dr. James Burkholder moved to grant a full and unrestricted license to Ms. Jolliff. Dr. Ashleigh Magill seconded. The motion carried.

7. Thomas Fahl, PARA (02:08:40)

MOTION: (02:12:55) Dr. Anna Earl moved to table the application and ask Mr. Fahl to attend a future meeting for further explanation of the termination from his previous job. Dr. James Burkholder seconded. The motion carried.

- d. **Consideration of Chart Review Mentor in Case DDV-2016-283—Graden Hahn (01:47:46)**

MOTION: (01:54:38) Mr. Abe Abramson moved to accept Dr. Wible as the mentor for this cause number. Ms. Tammy Scott seconded. Dr. James Burkholder abstained from voting. The motion carried.

- e. **COVID-19 Updates and Issues—Sam Hunthausen (02:15:35)**

1. Emergency Registration Report (02:15:45)
2. Business Operations (02:18:40)

- f. **Rulemaking (02:19:03)**

1. MAR 24-156-91, Audit and CE Reporting Requirement, Notice of Proposal for Amendment and Repeal (02:19:09)
2. Emergency Care Provider Discussion (02:19:40)
 - a. Alternative Exam Discussion (02:19:40)

MOTION: (03:33:08) Dr. Anna Earl moved to table the subject for the July meeting and to invite the Medical Direction Committee to join the Board at the July meeting to help inform the board's decision as to whether or not NREMT would be the only pathway to licensure and recertification, and/or to maintain the alternative pathway/exam. Ms. Tammy Scott seconded. The motion carried 8-4.

MOTION: (03:53:16) Ms. Tammy Scott moved to start to transition toward the NREMT exam with the understanding that this transition period will involve all involved parties and that it will not be an abrupt change. Mr. Abe Abramson seconded. Ms. Tammy Scott withdraws her motion. Mr. Abe Abramson withdraws his second.

- g. **Administrative Closure of Certain Complaints—Sara Hansen-Baiamonte (04:13:33)**

MOTION: (04:17:22) Dr. Guyer moved to direct Department staff to administratively close the following: Complaints generated internally after Department staff obtained information that a licensee was disciplined in another state after the licensee's Montana license lapsed or expired, and the licensee failed to report that disciplinary action within 3 months, as required by ARM 24.156.619. Staff may nonetheless continue to process complaints that involve egregious conduct implicating risks to public safety. Dr. James Burkholder seconded. The motion carried.

h. Legislative Report—Sam Hunthausen (04:18:52)

1. SB 121 Revise definition of acupuncture to reflect modern techniques and standards (04:19:23)
2. HB 495 Create a Healthcare Provider Task Force (04:19:56)
3. SB 39 Generally Revise Laws Related to Sexual Offender Evaluation and Treatment (04:22:28)

MOTION: (04:25:18) Dr. Bruce Robertson moved that Dr. Biehl be the Board's representative to the committee for deliberations on SB 39 and that Mr. Abramson be the alternate. Dr. James Burkholder seconded. The motion carried.

4. HB 43 An Act Generally Revising the Laws Related to Telehealth (04:26:14)
5. General Updates (04:26:51)

i. Conferences (04:27:29)

1. Federation of State Medical Boards Annual Meeting—Tammy Scott (04:27:29)

j. Correspondence (04:34:20)

1. Federation of State Medical Boards
2. Federation of Podiatric Medical Boards
3. Medicine Forward
4. Todd Savitt

j. Scheduling of Next Meeting / Meeting Planning (04:34:47)

1. July 16, 2021—Screening, Adjudication, Board
2. TBD, Rules Committee

9. Committee Reports (04:35:13)

- a. Interstate Medical Licensure Compact—Dr. James Burkholder and Mr. Abramson (04:35:28)
- b. Federation of State Medical Boards Annual Meeting—Tammy Scott (04:36:00)
- c. Outreach Committee—Sam Hunthausen (N/A)

10. Executive Officer Report—Sam Hunthausen (04:36:08)

- a. Budget Report (04:36:08)

11. Legal Report—Sara Hansen-Baiamonte (04:38:26)

12. Adjourn (04:38:56)

MOTION: (04:39:07) Dr. James Burkholder moved to adjourn. Dr. James Guyer seconded. The motion carried.