

NORTH DAKOTA BOARD OF MEDICINE

October 18, 2017

Call to Order:

Robert Olson, MD, chair, called the meeting to order at 12:16 p.m., via telephone conference. The attendance was as follows:

Investigative Panel A:

Robert Olson, MD	Present
Rup Nagala, MD, Chair	Present
Thomas Carver, DO	Present
Genevieve Goven, MD	Present
Robert Sticca, MD	Absent
Ann Reich	Present

Investigative Panel B:

Kate Larson, PA-C	Present
Brenda Miller, MD	Present
Catherine Houle, MD	Present
William Haug, Jr., MD, Chair	Present
Gopal Chemiti, MD	Present
Sara Solberg, MD	Absent
Vaune Johnson	Absent

Staff present in the Board office: Bonnie Storbakken, executive secretary; Lynette McDonald, deputy executive secretary; Marijo DeMott, recording secretary; and legal counsel Stacy Moldenhauer.

Guests present at the Board office: Courtney Koeble, representing the North Dakota Medical Assn; Marnie Walth representing Sanford Health and John Ward representing Teledoc.

Bonnie Storbakken noted that there were two new Board members that were recently appointed by the Governor's office. The new members introduced themselves and were welcomed by the board.

Administrative License Rule:

Bonnie stated that no comments were received regarding this rule. The board discussed that minus any motion to change or amend the rule Bonnie would submit this rule for approval by the Attorney General's office. No motions were made and Bonnie was instructed to submit the rule as written.

Special License Rule:

Bonnie stated that no comments were received regarding this rule. The board discussed that minus any motion to change or amend the rule Bonnie would submit this rule for approval by the Attorney General's office. No motions were made and Bonnie was instructed to submit the rule as written.

PA Supervision Rule:

Bonnie stated that there were no formal comments received on this rule but she had received some questions regarding how this may be a change from what the current rule is. There was lengthy discussion by the board regarding the rule and the need for the amendment and what was intended by the change. Ultimately it was motioned by Dr. Goven, seconded by Dr. Nagala and passed unanimously that this amendment be withdrawn and the Board will take this discussion up later. The proposed amendment will be withdrawn from the rules and not submitted for approval.

PDMP Rule:

Bonnie stated that three comments were received.

After discussion of the comments Dr. Miller made a motion to amend the PDMP Rule to adopt the comments made by the Attorney General's office and add to the list in section three the additional signs that would initiate a need to check the PDMP. The motion was seconded by Dr. Chemiti and passed to direct Bonnie to add the language and submit the amended rule to the Attorney General's office for approval.

Telemedicine Rule:

Bonnie mentioned that four comments were received that requested the board reconsider and eliminate the requirement for audio visual in establishing a patient-licensee relationship. One comment was made that supports the use of audio visual technology in establishing a patient-licensee relationship. Two comments sought an exception to the prohibition of opioid prescribing under telehealth for Medical Assisted Treatment (MAT) purposes and one comment that sought to eliminate the prohibition of opioid prescribing in telehealth.

After discussion of the comments Bonnie was directed to submit the rule as written to the Attorney General’s office for approval with the note of correcting the typo that was present in the first sentence of section C.

Formation of Executive Committee for Review of Executive Secretary:

Dr. Olson discussed the need to have oversight of the Executive Secretary position and for monitoring of performance. A motion was made by Ann Reich and seconded by Dr. Goven to have the chair of the board and the chair of each panel comprise the executive committee for review of the executive secretary. The motion passed unanimously

Adjournment:

Dr. Nagala moved to adjourn the meeting. Dr. Olson seconded the motion. The motion passed unanimously.

Dr. Olson adjourned the meeting at 1:15 p.m.