

State Board of Medical Examiners
Open Public Session Minutes
March 10, 2004

The meeting of the New Jersey State Board of Medical Examiners was held on March 10, 2004 at the Richard J. Hughes Complex, 25 Market Street, 4th Floor Conference Center, Trenton, New Jersey. The meeting was called to order at 9:00 a.m. by David M. Wallace, M.D., President.

PRESENT

Board Members Criss, Farrell, Haddad, Lucas, Moussa, Paul, Perry, Ricketti, Robins, Rokosz, Trayner, Wallace, and Walsh

EXCUSED

Board Members Chen, Desmond, Harrer, Huston, Patel, and Weiss.

ALSO PRESENT

Assistant Attorney General Joyce, Deputy Attorneys General Dick, Erhenkrantz, Flanzman, Gelber, Levine, Kenny, and Warhaftig, Executive Director Roeder and Medical Director Gluck.

STATEMENT CONCERNING ANNUAL NOTICE OF PUBLIC MEETINGS

The requirements of the "Open Public Meetings Act" have been satisfied by notice of this meeting given in the annual notice adopted by the New Jersey State Board of Medical Examiners on October 8, 2003 which was transmitted to the ATLANTIC CITY PRESS, STAR LEDGER, CAMDEN COURIER POST, ASBURY PARK PRESS, BERGEN RECORD and the TRENTON TIMES, all on the 11th day of November 2003.

ANNOUNCEMENTS

MINUTES THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE FEBRUARY 11, 2004 OPEN BOARD MINUTES AS SUBMITTED.

MINUTES THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE FEBRUARY 23, 2004 OPEN CREDENTIAL COMMITTEE MINUTES AS SUBMITTED.

OLD BUSINESS

1. SENATE BILL NO. 144

Attached for the Board's consideration and comment was a copy of Senate Bill No. 144 which seeks to require physician cultural competency training as a condition of licensure. When the Board considered almost identical bills in the past, the Board voted to endorse the bill in concept, however, the mechanics of the bill identified some issues and problems that the Board offered to work out with the sponsor. Additionally, the Board believed that the particulars of the bill should be coordinated with the Board's larger educational, statutory initiative. The Board also noted that many of the medical schools already have such courses in place. The Board further believed that curriculum in a medical school should not be within the jurisdiction of the Board of Medical Examiners. It further believed the courses as it related to re licensure during a renewal period was better served as part of the continuing education requirements and orientation course for newly licensed physicians.

Dr. Moussa was not present for discussion or vote on this topic.

THE BOARD, UPON MOTION MADE AND SECONDED, REAFFIRMED ITS PRIOR POSITIONS AND AGAIN, SUPPORTED THE CONCEPTS IN THE BILL, BUT NOT NECESSARILY THE WAY THAT THE

BILL IS CURRENTLY DRAFTED. IT EMPHASIZED THAT IT WOULD PREFER THAT CULTURAL COMPETENCY REQUIREMENTS BE INCLUDED IN REGULATORY FORM WITHIN THE CONTEXT OF THE BOARD'S CONTINUING MEDICAL EDUCATION REQUIREMENTS.

2. Assembly Bill No. 1913

Attached for the Board's consideration was the amended Assembly Bill 1913.

The Board accepted this as informational and again reaffirmed its prior comments to this bill. Dr. Moussa was not present for discussion or vote on this topic.

Dr. Paul abstained from discussion and vote on this topic.

NEW BUSINESS

3. PROPOSED AMENDMENT TO N.J.A.C. 13:35-1.3, -1.4, -1.5; 3.11, 3.13 and 3.14 NEW RULES TO N.J.A.C. 13:35-3.12 and 3.15

Attached for the Committee's consideration were proposed rules which implement the statutory amendments permitting residents to work outside the context of the graduate medical education programs for additional remuneration (N.J.S.A. 45:19.12) and standards for licensure of physicians who graduate from medical school after July 1, 2003 (N.J.S.A. 45:9-8(b)(2)).

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO HAVE THE PROPOSED REGULATIONS PUBLISHED IN THE NEW JERSEY REGISTER FOR NOTICE AND COMMENT.

Dr. Moussa was not present for discussion or vote on this topic.

4. SENATE BILL 1198

S1198 Seeks to establish statutory minimum requirements for medical malpractice liability insurance coverage.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO DEFER COMMENTS ON THIS LEGISLATION.

Dr. Moussa was not present for discussion or vote on this topic.

INFORMATIONAL

PUBLIC COMMENT

Rita Brooks, Capital Health System, on behalf of Polysomnographers, requested that the Board consider placing them under the Board of Medical Examiners. She submitted a position paper on the topic. The matter was referred to the Executive Committee for further review.

Respectfully submitted,

David M. Wallace, M.D.
President

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