

## **New Jersey State Board of Medical Examiners**

**April 20, 2001**

### **Open Board Minutes**

The meeting of the New Jersey State Board of Medical Examiners was held on April 20, 2001 at the Atlantic City Convention Center, Atlantic City, New Jersey. The meeting was called to order at 12:30 p.m. by Gregory J. Rokosz, D.O., J.D., F.A.C.O.E.P., President.

#### **PRESENT**

Board Members Bradley, Chen, Criss, Farrell, Haddad, Harrer, Huston, Lucas, Patel, Perry, Reid, Ricketti, Robins, Rokosz, Trayner, Walsh and Weiss

#### **EXCUSED**

Board Members Desmond, DiFerdinando, Fernandez, and Wallace

#### **ALSO PRESENT**

Deputy Attorneys General Flanzman, Joyce, and Kenny, and Executive Director Roeder

#### **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 11, 2000 which was transmitted to the STAR LEDGER, CAMDEN COURIER POST, ASBURY PARK PRESS, BERGEN RECORD and the TRENTON TIMES, all on the 1st day of November 2000 and the Atlantic City Press on the 17th day of January 2001.

Acting Governor Donald T. DiFrancesco addressed the Board and assembly noting his continuing work for managed care reform. The Governor assured the Board that he is a careful listener when it comes to physician issues. There is much more to be done for "building a healthier New Jersey" in terms of contracts and negotiations, increased Medicaid fees (which have not been raised in 40 years), new prescription drug programs for seniors who do not receive help and a stronger relationship between doctor and patient.

#### **ANNOUNCEMENTS**

**Credential Committee Meeting - March 19, 2001 - Kelly M. Reid, M.D.**  
**April 23, 2001 - Edwin M. Trayner, M.D.**

Dr. Rokosz opened the meeting addressing the assembly regarding the Board's endeavors to educate its licensees regarding such topics as regulations, prescribing for pain management for intractable pain, working together with the Physicians' Health Program with the Alternate Resolution Program, and alternate credentialing as well as the proposed regulations still in the pipeline.

Dr. Rokosz reported that he and D.A.G.s Kenny and Joyce will be speaking at the Bar Association Dinner.

Dr. Rokosz will speak before the National Association of Medical Staff Services also.

**MINUTES** - THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE MARCH 14, 2001 OPEN BOARD MINUTES AS SUBMITTED.

**MINUTES** - THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE MARCH 15, 2001 OPEN CERTIFIED NURSE MIDWIFE COMMITTEE MEETING MINUTES AS SUBMITTED.

**MINUTES** - THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE MARCH 19, 2001 OPEN CREDENTIALS COMMITTEE MEETING MINUTES AS AMENDED.

**TO AMEND:**

**RE:** SHEILA C. MITCHELL, M.D. - THE BOARD VOTED TO ACCEPT THE COMMITTEE RECOMMENDATION WITH A MODIFICATION.

**MINUTES** - THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE LIST OF APPLICANTS FOR LICENSURE AS PHYSICIAN ASSISTANTS OF THE MARCH 23, 2001 PHYSICIAN ASSISTANTS COMMITTEE MEETING AND THE PUBLIC SESSION MINUTES FOR FEBRUARY 16, 2001.

**OLD BUSINESS**

**1. PROPOSED PHYSICIAN SURVEY**

Mr. Joel Cantor, Director for the Rutgers Center for State Health Policy appeared before the Executive Committee to discuss the Board's possible involvement with a New Jersey Physician Survey. It is contemplated that the Survey would gather data to help develop policy and program initiatives to improve the physician supply in the State of New Jersey. The Executive Committee recommended endorsement of the concepts proposed by the survey and further recommended that a Committee of the Board be formed to further explore the Board's potential involvement. At its October Board meeting, Dr. Rokosz appointed Drs. Harrer (Chairman), Robins, Wallace, and Trayner, Mr. Walsh and Ms. Danser to that Committee. The Committee met with Mr. Cantor in January and reviewed some basic concepts concerning the questionnaire. Additionally, the Committee believed that the Board would be able to support the questionnaire and by way of letter, would encourage physicians to respond.

During the March Board meeting, the Board made suggestions for certain revisions. The Board reviewed a copy of the draft questionnaire in which the Board's comments, as well as the New Jersey Physician Workforce Commission, were made. The Board considered suggested changes to the form regarding items relating to the use of Internet or e-mail and medical procedures performed in the office.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE QUESTIONNAIRE MODIFYING QUESTION 29 AS FOLLOWS:

29a. Do you perform surgery or special procedures in the office setting, with general, regional or conscious sedation?

29b. Do you have privileges granted by a licensed hospital to perform all of the surgery and special procedures which you perform in the office setting?

29c. Do you administer and/or monitor the administration of general or regional anesthesia in the office

setting?

29d. Do you have privileges granted by a licensed hospital to administer and/or monitor the administration of general or regional anesthesia?

29e. Do you administer and/or monitor the administration of conscious sedation in the office setting?

29f. Do you have hospital privileges granted by a hospital to administer and/or monitor the administration of conscious sedation?

## **NEW BUSINESS**

### **2. DRAFT RULES ON ELECTRONIC TRANSMISSION AND FACSIMILE TRANSMISSION OF PRESCRIPTIONS FOR THE RETAIL PHARMACY**

The Board reviewed a final copy of the draft rules on Electronic Transmission and Facsimile Transmission of Prescriptions for the Retail Pharmacy. The draft reflected comments made by the Executive Committee after its review of a prior draft last month. Suggested changes were made which will be brought back to the Executive Committee next week.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO DELETE THE REFERENCE ON PAGE TWO (C)(2) BECAUSE THIS DOES NOT APPLY IN THIS CONTEXT.

## **INFORMATIONAL**

\* Division of Medical Assistance and Health Services, Notice of Waiver of Executive Order No. 66 (1978) Nurse-Midwife Services published in the *New Jersey Register* on March 19, 2001.

\* Division of Epidemiology, Environmental and Occupational Health Services, \*Body Art Procedures, proposed new rule *N.J.A.C. 8:27*, published in the *New Jersey Register* on March 19, 2001. The Board's comment was transmitted to the Department of Health.

## **PUBLIC COMMENT**

Angelo Agro, M.D., President, Medical Society of New Jersey, commented on continuing medical education. He is in agreement that a one year requirement should be extended to two years, but it may be an extensive requirement for those who choose not to practice a sub specialty or practice in a hospital setting. He believes moonlighting should be approved and supervised by the programs for residents.

Patricia Klein, M.D., Chairperson of the Medical Society of New Jersey, spoke regarding pro bono licensure. She believes those who are retired should be able to continue to practice in a clinical setting, but there is the issue of malpractice insurance and who will pay for it. Dr. Kline asked the Board to consider the concept of a pro bono license and would like the Board to come up with a proposal for same. (The Board went on record as endorsing waiving the fees for retired physicians as in the bill by Senator Gibbons.)

Ronald Librizzi, D.O., Member, Board of Directors, Academy of Medicine of New Jersey, commented on graduate medical education. Dr. Librizzi agrees that CME is vital to maintain quality of care and the Academy strongly encourages 150 hours of credits over 3 years. He asked that the Board not mandate specific training areas and mentioned that ACCME has changed dramatically in regard to the learning process for adult learners.

Joseph W. Sokolowski, Jr., M.D., Chairman of the Board, Medical Review & Accrediting Council commented

on focused medical education and MRAC's efforts to improve the quality of care by physicians in New Jersey. As an alternative to the disciplinary process, the physician would work closely with a preceptor who would produce a plan and a final report.

Robert Pickens, M.D., Chairman, New Jersey Commission on Physician Workforce, commented on the Physicians' Survey Project. The Physician Workforce publication in 1999 had ten recommendations, one of which was the Physicians' Survey form. Dr. Pickens thanked the Board on behalf of the 27 members of the commission for agreeing to participate in the survey and for promoting an understanding of the physician workforce issues.

Dr. Pruden commented regarding the Internet access of physicians' home addresses and asked the Board to work with the Division of Consumer Affairs to solve this problem. Most emergency medicine physicians do not have an office and therefore must list their home address as their address of record with the Board. Perhaps there could be a way to delete the street addresses from the Internet.

John Fanburg, Esq., representing the Radiologic Society, along with Dr. DeMarcangelo, commented on the screening diagnostic regulation adopted last February. Mr. Fanburg mentioned that since the adoption of the regulation there are new concerns regarding mammography changes and asked that the Board work with the Radiologic Society regarding same. Dr. Rokosz mentioned that the Executive Committee will be discussing this matter next week.

Edward Andujar, M.D. commented regarding his efforts to get physician assistants to work at his clinic and the issue of malpractice when the clinic is pro bono. Dr. Rokosz suggested that perhaps an organization would underwrite the malpractice insurance costs.

The meeting was closed at 2:45 p.m.

Respectfully submitted,

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Gregory J. Rokosz, D.O., J.D., F.A.C.O.E.P.  
President

<a href="#">New Jersey State Board of Medical Examiners</a>	<a href="#">Medical and Mental Health Related Professional Boards</a>	<a href="#">Feedback Survey</a>	<a href="#">Consumer Affairs Home Page</a>	<a href="#">NJ Dept. of Law and Public Safety Home Page</a>	<a href="#">State of NJ Home Page</a>
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*Posted March 2002*