

OPEN BOARD MINUTES

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

June 11, 2014

PAGE - 1

ROLL CALL

A meeting of the New Jersey State Board of Medical Examiners was held on Wednesday, June 11, 2014, at the Richard J. Hughes Justice Complex, 25 Market Street, 4th Floor Conference Center, Trenton, New Jersey. The meeting was called to order by President George J. Scott, D.P.M., D.O., FACOFP

PRESENT

Board Members Angrist, Stewart Berkowitz, Cheema, Criss, DeGregorio, DeLuca, Kubiel, Lopez, Maffei, Metzger, Miksad, Parikh, Rock, Scott and Shah.

EXCUSED

Board Members Steven Berkowitz, McGrath and Rao.

ABSENT

ALSO PRESENT

Assistant Attorney General Joyce, Senior Deputy Attorneys General Dick, Flanzman and Gelber, Deputy Attorneys General Brown, Brown-Pietz, DeLisi, Hafner, Levine, Merchant, Puteska; William V. Roeder, Executive Director of the Medical Board and Harry Lessig, M.D., Consultant Medical Director.

OPEN BOARD MINUTES

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

June 11, 2014

PAGE - 2

**STATEMENT CONCERNING THE
ANNUAL NOTICE OF PUBLIC MEETINGS**

The requirements of the “Open Public Meetings Act” were satisfied by notice of this meeting given in the annual notice adopted by the New Jersey State Board of Medical Examiners on August 14, 2013 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 24th day of September 2013.

ANNOUNCEMENTS

Dr. Scott appointed the nominating committee for elections which will take place at the July meeting. He appointed Dr. Rock as the chair with Dr. Metzger and Ms. Miksad to also serve on the committee.

Dr. Scott also announced that at the conclusion of the meeting, the Gainsharing Committee consisting of Drs. Scott, Berkowitz, Rock, Metzger, Angrist and Ms. Kubeil would meet.

OPEN BOARD MINUTES

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

June 11, 2014

PAGE - 3

MINUTES

THE BOARD, UPON MOTION MADE AND
SECONDED, VOTED TO APPROVE THE MAY
14, 2014 OPEN BOARD MINUTES.

The Motion was made by Dr. Berkowitz and
seconded by Dr. Maffei. It carried unanimously.

NEW BUSINESS

Nothing Scheduled

OLD BUSINESS

Unified Mental Health Privilege

Superior Court Rules of Evidence

In the past, the Board provided comments to the Department of Law task force at the request of a Supreme Court Committee that was considering a unified privilege. A draft proposal recently has been released, with comments requested.

OPEN BOARD MINUTES

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

June 11, 2014

PAGE - 4

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO COMMENT THAT THE PROPOSAL SHOULD BE CLARIFIED SO THAT THE PRIVILEGE APPLIES TO ALL PHYSICIANS LICENSED BY THE BME, E.G., PEDIATRICIANS, AS WELL AS MIDWIVES. WHILE THE CNMS MAY BE INCLUDED WITHIN THE DEFINITION OF NURSE, THE BOARD WANTED TO MAKE SURE THAT CERTIFIED MIDWIVES AND CERTIFIED PROFESSIONAL MIDWIVES WHO ARE PERMITTED TO PRACTICE WELL-WOMAN CARE ALSO FALL WITHIN THE AMBIT OF THE PRIVILEGE. SIMILARLY, PHYSICIAN ASSISTANTS NEED TO BE INCLUDED. THE BOARD FURTHER AGREED THAT A JOINT RESPONSE SHOULD BE FORWARDED BY THE DIVISION OF CONSUMER AFFAIRS INCORPORATING ALL COMMENTS PROFFERED BY THOSE WITHIN THE DCA.

The Motion was made by Dr. Berkowitz and seconded by Ms. Criss. It carried unanimously.

IMMUNIZATIONS BY PHARMACISTS

Attached were documents regarding amendments to BME rules on immunizations by pharmacists based on the new law that allows pharmacists to give the flu vaccine to children. The Proposed text of changes to 13:35-6.26, the Board's rule on pharmacist vaccinations references the citation to the pharmacy rules.

The Board suggested that the Board of Pharmacy Rule include the requirement in the protocol that would include the obligation to notify the delegating physician within twenty four hours of an adverse event.

**THE BOARD, UPON MOTION MADE AND
SECONDED, VOTED TO APPROVE THE PROPOSAL
FOR PUBLICATION IN THE *NEW JERSEY REGISTER*
FOR NOTICE AND COMMENT.**

The Motion, which carried unanimously, was made by Dr. Cheema and seconded by Dr. Angrist.

INFORMATIONAL

OPEN BOARD MINUTES

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

June 11, 2014

PAGE - 6

Attached was the posting from the BME website concerning the New Prescription Blank regulations. Also attached was the vendor list from May 23, 2014, which is also posted on the website.

PUBLIC COMMENT

None.

Respectfully submitted,

George J. Scott, D.P.M., D.O., FACOFP
Board President

WVR/br