

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

**June 13, 2001**

## **Open Board Minutes**

The meeting of the New Jersey State Board of Medical Examiners was held on June 13, 2001 at the Richard J. Hughes Justice Complex, 25 Market Street, 4th Floor Conference Center, Trenton, New Jersey. The meeting was called to order at 9:00 a.m. by Gregory J. Rokosz, D.O., J.D., F.A.C.O.E.P., President.

### **PRESENT**

Board Members Chen, Criss, Desmond, DiFerdinando, Farrell, Haddad, Harrer, Lucas, Moussa, Perry, Reid, Ricketti, Robins, Rokosz, Trayner, Walsh and Wallace

### **EXCUSED**

Board Members Huston, Patel and Weiss

### **ALSO PRESENT**

Deputy Attorneys General Dick, Flanzman, Gelber, Joyce, Kenny and Levine; 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 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.

## **ANNOUNCEMENTS**

Dr. Rokosz introduced the newest Board member, Ghias Moussa, M.D.

A May 2, 2001-letter was received from Director Herr regarding the new guidelines being implemented by the New York Department of Health regarding medical errors. Dr. Rokosz responded to Director Herr regarding the Board's support of electronically submitted prescriptions and also believed that illegible prescriptions are a very real problem. The Board does note, however, that the guidelines provided primarily focus on provision of medical services within hospitals and licensed ambulatory facilities. Therefore, the Board suggests that the Department of Health and Senior Services should be included to effectuate changes to enhance patient safety. The Board stands ready to assist the Division in this endeavor.

Dr. Rokosz along with D.A.G. Joyce and D.A.G. Kenny had the privilege of speaking at the New Jersey Bar Association Health and Hospital Law section. It was reported that their presentation was well received.

Dr. Rokosz and Dr. Trayner had the privilege of speaking to the ophthalmology residents at UMDNJ recently.

The presentation centered on Board activities and various regulatory issues. The residents found the presentation informative.

MRAC has expressed continued support for the Board's educational initiatives and reaffirmed its commitment to assist in the personalized focused re-education program. Funding issues previously were forwarded to Director Herr about initial start-up costs for this program including *New Jersey Register* publication back in the early '70s with authorization of this expenditure. Inquiry will be forwarded by the Executive Committee to Director Herr regarding this outstanding issue.

Dr. Rokosz received official notice that the deadline for biennial registrations has been extended to August 31, 2001. Current registrations will be valid until that date.

## **NOMINATING COMMITTEE**

The Nominating Committee reported on its recommendations of Board officer candidates:

**President - William V. Harrer, M.D., B.L.D.**

**Vice President - David M. Wallace, M.D.**

**Secretary - Glenn A. Farrell, Esq.**

**Treasurer - Kevin Walsh, P.A.**

Election of officers will take place at the July 11, 2001 Board meeting.

**MINUTES** - THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE APRIL 20, 2001 OPEN BOARD MINUTES AS CORRECTED.

**MINUTES** - THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE MAY 9, 2001 OPEN BOARD MINUTES.

**MINUTES** - THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE MAY 21, 2001 OPEN CREDENTIALS MEETING MINUTES AS AMENDED.

Drs. Rokosz and Wallace were recused from discussion and vote in the matter of Clinical Clerkships, Moratorium - Ross University.

**MINUTES** - THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE LIST OF APPLICANTS FOR LICENSURE AS PHYSICIAN ASSISTANTS OF THE MAY 18, 2001 PHYSICIAN ASSISTANTS COMMITTEE MEETING AND THE PUBLIC SESSION MINUTES FOR APRIL 20, 2000.

**MINUTES** - THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE MAY 24, 2001 OPEN CERTIFIED NURSE MIDWIFE LIAISON COMMITTEE MEETING MINUTES.

## **NEW BUSINESS**

### **1. PETITION FOR AMENDMENT TO N.J.A.C. 13:35-6.20**

The Administrative Office received a petition to amend *N.J.A.C. 13:35-6.20* from Steven J. Wozniak, St. Barnabas Ambulatory Care Center. Mr. Wozniak requested that the Board consider expanding the regulation to permit Licensed Nuclear Medical Technologists ("LNMTs") to administer Kinevac (CCK). When considered by the Board during its March 2000 meeting, the Board, upon motion made and seconded, voted to publish in the *New Jersey Register* the notice of Petition for Rulemaking and to solicit comments from Department of Environmental Protection, the Board of Radiologic Examiners and other interested parties. The Board

considered a copy of the Notice from the *New Jersey Register*, the original petitions and the comments received by the Administrative Office. Additionally, information obtained from the Internet on Kinevac was provided as background information.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE ADMINISTRATION OF KINEVAC BY LNMT'S TO THE REGULATION.

Dr. Perry abstained from vote in this matter.

## **2. PROPOSED AMENDMENTS N.J.A.C. 1:30-2.1, 2.9 AND 3.2 RULES FOR AGENCY RULEMAKING**

The Board reviewed the proposed amendments to *N.J.A.C. 1:30-2.1, 2.9 and 3.2 Rules for Agency Rulemaking*. Comments are due by July 4, 2001. The Board referred this proposed amendment to the Executive Committee for discussion at its next meeting.

## **3. SENATE BILL 1408**

Senate Bill No. 1408, introduced by Senator Robert J. Martin (District 26, Essex, Morris and Passaic) concerns the ability of professional licensing boards to protect the public and attempts to revise various parts of the statutory law. Dr. Robins reported that he appeared before the Senate Commerce Committee as a private citizen to comment on this bill. Dr. Robins informed the Committee that this initiative was an excellent step toward good medical care by requiring more education before licensure, CME during licensure and offering focused medical education when problems arise. He was well received and answered questions posed to him by the Committee. The Committee voted unanimously to support the bill and the bill will now move to the Senate floor. Neil Weisfeld, representing the Medical Society of New Jersey, spoke in favor of the bill. There was also discussion by the Board's Medical Director regarding other methods that could be explored as far as focused re-education. There was also concern that all personnel involved in focused re-education should be included in any future meetings on this topic.

## **4. SENATE BILL 1735**

Sponsored by Senator Jack Sinagra, S.1735 requires manage care carriers to provide certain physicians with fee schedules.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO ENDORSE THIS BILL.

## **PUBLIC COMMENT**

Mr. Weisfeld introduced the Medical Society's new 2nd Vice President, Dr. Mansur Abidi, who will be attending the Board meetings.

Dr. Abidi, representing the Medical Society of New Jersey, read a letter dated May 31, 2001 signed by President Agro which the Medical Society sent to Attorney General Farmer regarding the licensure renewal form. The letter informed the Attorney General that the complicated three step process for renewal is "wreaking havoc" among physicians. The Medical Society finds this format absurd and read comments received by other physicians.

Another letter signed by President Agro to Attorney General Farmer was sent regarding the Open Records Act, S.2003. The Medical Society is against this bill as it violates a doctor's privacy. The Medical Society would request and advise the Attorney General to promulgate, develop and encourage authorizing routine destruction of the records of closed investigations.

## INFORMATIONAL

- \* Uniform Administrative Procedure Rules, Adopted Amendments.
- \* Proposed Readoption with Amendments, *N.J.A.C. 13:44E*
- \* Adopted Amendments: Medical Fee Schedules
- \* Federal Opioid Treatment Standards
- \* Materials from the Federation of State Medical Boards' Annual Meeting
- \* The Federation of State Medical Boards' Summary of 2000 Board Actions
- \* The Federation of State Medical Board's Calendar for 2001 - 2003
- \* Podiatry Services, HCFA Common Procedure Coding System, Adopted Amendments
- \* Article for the Internet, "Incompetent Physicians are Rarely Reported as Law Requires"
- \* Annual Drug Utilization Review Report

Respectfully submitted,

---

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

[New Jersey State Board of Medical Examiners](#)

[Medical and Mental Health Related Professional Boards](#)

[Feedback Survey](#)

[Consumer Affairs Home Page](#)

[NJ Dept. of Law and Public Safety Home Page](#)

[State of NJ Home Page](#)

*Posted March 2002*