

OPEN BOARD Minutes

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

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A meeting of the New Jersey State Board of Medical Examiners was held on Wednesday, July 9, 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. Following the elections, newly elected President Stewart A. Berkowitz, M.D. presided over the meeting.

PRESENT

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

EXCUSED

Board Members Steven Berkowitz, Metzger, and Parikh.

ABSENT

ALSO PRESENT

Assistant Attorney General Joyce, Senior Deputy Attorneys General Flanzman, Gelber and Warhaftig; Deputy Attorneys General Hafner, Levine and Palan; William V. Roeder, Executive Director of the Medical Board, Dr. Sindy Paul, M.D., Medical Director and Harry Lessig, M.D., Consultant Medical Director.

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.

ELECTIONS

Prior to conducting the elections, Dr. Scott thanked the Board members for the support they have given him during his presidency. He appreciated the confidence they expressed in him in electing him two years ago. He assured the Board that he would continue to work with the members as he steps down. He noted that the time he spent as President underscored the importance of the mission of the Board to protect the public. He recognized that by and large the vast majority of physicians in the State of New Jersey provide high quality of healthcare services to their patients and he is proud to be a part of the profession. He has experienced tremendous pride in being able to

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experience the professional treatment rendered to patients across the state by his colleagues. He complimented the Board members on the job they do in protecting the public and working so tirelessly for the licensees under the Board of Medical Examiners.

Dr. Scott also thanked everyone that worked so hard to assist him during his tenure. He appreciated the efforts of all the Deputy Attorneys General, both prosecution and counseling staff, as well as the staff in the administrative office.

Elections for the term 2014-2015 were conducted. The Nominating Committee, consisting of Drs. Rock, Metzger, and Ms. Miksad, reported the following slate of officers:

President	Stewart Berkowitz, M.D.
Vice - President	Karen Criss, R.N., C.N.M.
Secretary	George J. Scott, D.P.M., D.O. FACOFP
Treasurer	Mahmood H. Cheema, M.D.

Additional nominations were open to the floor. Hearing none, the Executive Director closed the nominations.

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**THE BOARD, UPON MOTION MADE AND
SECONDED, VOTED TO CLOSE THE NOMINATIONS.**

Motion made by Ms. DeGregorio and seconded by Ms. Kubiel. The Motion carried unanimously.

**THE BOARD, UPON MOTION MADE AND
SECONDED, VOTED TO ELECT THE SLATE OF
OFFICERS AS REPORTED BY THE NOMINATING
COMMITTEE.**

Motion made by Ms. DeGregorio and seconded by Ms. Kubiel. It carried unanimously.

Dr. Berkowitz thanked the Board members for the vote of confidence expressed in each of the officers elected.

MINUTES

**THE BOARD, UPON MOTION MADE
AND SECONDED, VOTED TO APPROVE
THE JUNE 11, 2014 OPEN BOARD
MINUTES**

The Motion, made by Dr. Scott and seconded by

Ms. Lopez, carried unanimously.

NEW BUSINESS

Nothing Scheduled

OLD BUSINESS

Physician Orders for Life-Sustaining Treatment Act Public Law 2011, Chapter 145

As the Board was aware, a law became effective on December 20, 2011, which provided, among other things, that the Board requires as a condition of renewal that physicians complete at least two credits of educational programs or topics related to end of life care. It further provided that the Board adopts such rules and regulations as might be necessary to effectuate the purposes of that section. The Board at its January 2013 meeting approved a regulation for publication in the *New Jersey Register* as a proposal. At the time of the approval, the Board also recognized that it was doubtful that the regulation would be finalized for the 2013-2015 renewal period. The Board deferred implementation until the 2015 renewal cycle so as to afford its licensees ample opportunity to meet the requirement.

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Unfortunately, the draft regulation has not been published and it is highly doubtful that it will be in place for the upcoming 2015-2017 renewal period.

The Executive Committee discussed whether we should defer implementation because of the late launch of the regulation. The members advised that hospitals and other CME providers are offering a variety of courses that will satisfy this 2 hour (out of 100) requirement and the Committee believed that licensees should be in a position to satisfy this by the renewal date in 2015. If licensees feel the mandate has little applicability to the practice area, waivers can be provided according to the provision in existing regulations. The Committee suggested that the Administrative Office draft a notice to this effect to disseminate to those who have inquired about the operative date. The Notice should also address the wide availability of offerings and the waiver process. The Notice will be published at the BME's website.

**THE BOARD, UPON MOTION MADE AND
SECONDED, VOTED NOT TO DEFER FURTHER
IMPLEMENTATION OF THIS REQUIREMENT AND
WOULD REQUIRE LICENSEES TO COMPLETE AT
LEAST TWO CREDITS OF CATEGORY I CME IN END
OF LIFE ISSUES AT THE TIME OF THE 2015 TO 2017
RENEWAL CYCLE.**

The Motion carried unanimously. It was made by Ms. Lopez and

seconded by Dr. Angrist.

INFORMATIONAL

Nothing presented.

PUBLIC COMMENT

None.

Respectfully submitted,

Stewart Berkowitz, M.D.

Board President

WVR/br