

**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, November 9, 2011 at the Richard J. Hughes Justice Complex, 25 Market Street, 4<sup>th</sup> Floor Conference Center, Trenton, New Jersey. The meeting was called to order by President Paul T. Jordan, M.D.

**PRESENT**

Board Member Baker, Berkowitz, Ciechanowski, Cheema, Jordan, Krauss, Lomazow, Paul, Rajput, Stanley, Scott, Tedeschi and Walsh.

**EXCUSED**

Board Members Criss, DeGregorio, Howard, Lambert, Mendelowitz and Weiss.

**ALSO PRESENT**

Assistant Attorney General Joyce, Senior Deputy Attorney's General Dick, Deputy Attorney's General Warhaftig, Levine, Flanzman, Costello Miller and Ehrenkrantz Executive Director Roeder.

**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 October 13, 2010 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 20<sup>th</sup> day of October 2010.

**ANNOUNCEMENTS**

**MINUTES**

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE SEPTEMBER 14, 2011 OPEN BOARD MINUTES.

Motion made by Dr. Cheema and seconded by Dr. Scott. It carried unanimously.

THE BOARD, UPON MOTION MADE AND SECONDED,

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VOTED TO APPROVE THE OCTOBER 12, 2011 OPEN BOARD MINUTES.

Motion made by Dr. Paul and seconded by Dr. Cheema. It carried unanimously.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE JULY 22, 2011 PUBLIC SESSION MINUTES OF THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE MINUTES.

Motion made by Dr. Paul and seconded by Dr. Berkowitz. It carried unanimously.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE SEPTEMBER 16, 2011 PUBLIC SESSION MINUTES OF THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE MINUTES.

Motion made by Dr. Paul and seconded by Dr. Berkowitz. It carried unanimously.

## **NEW BUSINESS**

### **1. GENETICS COUNSELORS**

Attached for the Board's review and approval was a copy of the draft regulations for the Genetic Counselors. The Genetic Counseling Advisory Committee (the "GCAC") had been working on this draft over the last year. Also attached was a copy of the Statute which created this licensee category. The GCAC was seeking approval to publish for notice and comment in *The New Jersey Register*.

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

Motion made by Dr. Scott and seconded by Dr. Berkowitz. It carried unanimously.

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2. **LAETRILE AND CONTACT LENS RULES**

Attached was a copy of suggested deletions to the contact lens, delegation and laetrile rules (N.J.A.C. 5.1, 5.2, 6.8) which inadvertently were not amended as approved during the Sunset Review.

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

Motion made by Dr. Berkowitz and seconded by Dr. Scott. It carried unanimously.

3. **NEW JERSEY VOLUNTEER HEALTH PRACTITIONER'S ACT**

Attached for the Board's consideration was the most recent version of the "New Jersey Volunteer Health Practitioner's Act", which the Executive Committee reviewed and approved without comment.

Dr. Paul recused from discussion and vote in this matter and left the table.

The Board accepted this as informational, without comment. It is supportive of the initiative.

**OLD BUSINESS**

Nothing Scheduled.

**INFORMATIONAL**

Nothing.

**PUBLIC COMMENT**

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Dr. Rokosz of St. Barnabas Hospital, a former Board member, addressed the Board on the issue of permitting podiatrists to supervise patients undergoing wound care treatment in a Hyperbaric Chamber within a hospital setting. He was speaking on behalf of the Physician Executive Constituency Group of the New Jersey Hospital Association. Dr. Rokosz reviewed the credentialing process at hospitals and noted that the physician executive group had the opportunity to review and discuss the issue concerning podiatrists supervising the care within a hyperbaric oxygen chamber. After that discussion, the physician executive group voted, without a dissenting vote, to support the position of allowing properly credentialed podiatrists to supervise hyperbaric oxygen treatment on their patients for wounds of the lower extremity. In his presentation, he noted several factors why it should be permitted. For example, within the last ten years, there has not been any significant harm reported as a result. Additionally, he cited the podiatric statute which allows for systemic treatments to address diseases that manifest on the foot and ankle. He explained the advantages of hyperbaric oxygen therapy and the ways in which it treats local diabetic ulcers, for example, in a way similar to antibiotics. He assured the Board of the education, training and strict credentialing performed by facilities licensed by the Department of Health and Senior Services. He noted that the consequences of ceasing this practice while the Board investigates may cause an interruption of patient care. Dr. Rokosz also addressed the stringent protocols in place that will assure continued patient safety and well being. He concluded by offering what he believed was a reasonable and safe solution. He requested that the Board permit appropriately credentialed podiatrists to resume the practice of supervision of hyperbaric oxygen therapy within licensed acute care facilities. In light of the past safety record, there is a clear benefit to patients' health, an avoidance of delayed healing because of the discontinuation of treatment, and there are safeguards offered by the protocols within acute care hospital facilities. He thanked the Board for affording him the opportunity to address the Board on this important issue.

**THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO PRESENTLY DECLINE TO MODIFY THE POSITION TAKEN AT THE JULY 2011 MEETING -- NAMELY, THAT PODIATRISTS ARE NOT PRESENTLY PERMITTED OR AUTHORIZED BY THE BOARD TO SUPERVISE PATIENTS RECEIVING FULL BODY HYPERBARIC OXYGEN TREATMENT. RATHER, THIS IS AN ISSUE THAT REMAINS**

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**UNDER FURTHER STUDY AND CONSIDERATION BY THE BOARD AT THIS TIME. WHILE THE BOARD HAS RECEIVED AND CONSIDERED WRITTEN COMMENTS AND INFORMATION SUBMITTED IN RESPONSE TO THE INVITATION MADE AT THE JULY 13 MEETING FOR SUCH SUBMISSIONS, AT THIS TIME THE BOARD CONTINUES TO SEEK ADDITIONAL INFORMATION DEEMED NECESSARY TO ALLOW IT TO CONCLUDE ITS REVIEW. WITHOUT LIMITATION, SUPPLEMENTAL INFORMATION REGARDING THE ISSUES PRESENTED WILL BE SOUGHT FROM THE UNDERSEA AND HYPERBARIC MEDICAL SOCIETY, THE AMERICAN BOARD OF PREVENTIVE MEDICINE AND/OR THE AMERICAN COLLEGE OF PREVENTIVE MEDICINE. THE BOARD IS ALSO PARTICULARLY INTERESTED IN RECEIVING ADDITIONAL INFORMATION REGARDING TRAINING THAT PODIATRISTS RECEIVE IN PODIATRY SCHOOL AND/OR IN POST GRADUATE TRAINING, TO INCLUDE TRAINING IN INTERNSHIPS AND RESIDENCIES, THAT WOULD PREPARE THE PODIATRIST TO SUPERVISE PATIENTS RECEIVING FULL BODY HYPERBARIC OXYGEN TREATMENT.**

**THE BOARD EXPRESSLY NOTED THAT IT APPRECIATED THE SIGNIFICANCE OF THE ISSUES PRESENTED, AND THAT IT WOULD MAKE ALL EFFORTS TO EXPEDITIOUSLY SECURE THE NEEDED ADDITIONAL INFORMATION, FINALIZE ITS STUDY OF THIS ISSUE, AND THEREAFTER DECIDE WHETHER TO ADOPT, REJECT OR MODIFY ITS PRIOR POSITION ON THIS ISSUE.**

The Motion, which carried unanimously, was made by Dr. Rajput and seconded by Dr. Tedeschi.

Respectfully submitted,

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Paul Jordan, M.D.  
Board President