

**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, January 13, 2010 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 C. Mendelowitz, M.D.

Board Members Berkowitz, Cheema, Ciechanowski, Criss, DeGregorio, Iannuzzi, Lomazow, Mendelowitz, Nussbaum, Paul, Rajput, Scott, Stanley and Walsh.

**EXCUSED**

Board Member Bender, Jordan, Lambert, Reichman, and Weiss.

**ALSO PRESENT**

Deputy Attorneys General Dick, Flanzman, Gelber, Hafner, Levine, Puteska, Ringler, and Warhaftig; Executive Director William V. 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 September 9, 2009 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 1st day of October 2009.

**ANNOUNCEMENTS**

None.

**MINUTES**

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE DECEMBER 9, 2009 OPEN BOARD MINUTES.

## **NEW BUSINESS**

### **Assembly Bill No. A 4163**

This bill seeks to provide for the regulation of physician profiling programs operating in New Jersey.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO SUPPORT THE LEGISLATION.

### **Assembly Bill No. A4175**

This bill seeks to require physicians, dentists and nurses to complete not less than 30 hours of volunteer medical services, volunteer dental services or volunteer nursing services, as appropriate, as a condition for biennial license registration.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO OPPOSE THIS BILL AS IT BELIEVED THAT ULTIMATELY PATIENTS WOULD NOT BENEFIT BECAUSE IT IS PREDICTED THAT THERE WILL BE A SHORTAGE IN FAMILY CARE/PRIMARY CARE PHYSICIANS IN THE NEXT FIVE YEARS AND SUCH A REQUIREMENT WOULD PLACE A FURTHER BURDEN ON PHYSICIANS WHICH MAY CONTRIBUTE TO THE INCREASE OF THE ANTICIPATED PHYSICIAN SHORTAGE. THIS LEGISLATION WOULD ALSO IMPOSE FURTHER STRESS ON PHYSICIANS AND OTHER LICENSED HEALTH CARE PROVIDERS WHO PROVIDE A GREAT DEAL OF CARE AT NO COST TO THE UNDER INSURED ALREADY. THE BOARD FURTHER WAS CONCERNED THAT THIS MIGHT ESTABLISH AN ON GOING DOCTOR/PATIENT RELATIONSHIP IN WHICH THE CARE WOULD HAVE TO BE CONTINUED TO PROVIDE FOR AT LEAST THE FOLLOWING YEAR.

### **Senate Bill No. S3047**

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

Seeks to restrict the sale or lease of certain ultrasound equipment and seeks to establish registration requirements for organizations using such equipment.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO SUPPORT THE LEGISLATION, ALTHOUGH IT NOTED THAT EVEN IF PASSED IT

WOULD NOT CURE THE PROBLEM.

**Senate Bill No. S3108**

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

Seeks to establish the “New Jersey Broadband and Electronic Health Information Network Authority” to promote the development of broadband Internet services and broadband infrastructure in the State that are necessary to provide a Statewide electronic health information network.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO SUPPORT THE BILL EVEN THOUGH THERE IS NO DIRECT IMPACT ON THE BOARD OF MEDICAL EXAMINERS BECAUSE IT BELIEVED IT WAS IN THE BEST INTEREST FOR THE PATIENTS OF NEW JERSEY.

## **OLD BUSINESS**

1. **ACUPUNCTURE ADOPTION**

The Board previously approved for publication for notice and comment, changes to the regulatory scheme for acupuncturists. Attached for the Board’s consideration were the comments received and draft responses to those comments. Approval was sought for publication in the *New Jersey Register* as a final adoption.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO PUBLISH THE RESPONSES TO THE COMMENTS RECEIVED AND CHANGES AS A FINAL ADOPTION IN THE *NEW JERSEY REGISTER*.

## **INFORMATIONAL**

Nothing considered.

**PUBLIC COMMENT**

None.

Respectfully submitted,

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Paul C. Mendelowitz, M.D., President

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