# MINUTES

## UTAH
## OSTEOPATHIC PHYSICIANS
## LICENSING BOARD MEETING

**May 8, 2014**

**Room 210 – 2nd Floor – 9:00 A.M.**
**Heber Wells Building**
**Salt Lake City, UT 84111**

**CONVENED:** 9:06 A.M.

**ADJOURNED:** 12:21 P.M.

**Bureau Manager:** April Ellis
**Board Secretary:** Tammy Baker
**Compliance Assistant:** Debbie Harry

**Board Members Present:**
Layne A. Hermansen, DO, Chairperson
Noel C. Nye, DO
Lynsey J. Drew, DO
Jacob Jessop, DO
Eric Pierce, Public Member

**DOPL Staff:** Mark Steinagel, Division Director

**Board Members Absent and Excused:**

**Guests:**
Brian Rodgers, DO President UOMA
Jed Price
Rebecca Concoby

| TOPICS FOR DISCUSSION | DECISIONS AND RECOMMENDATIONS |
|---|---|
| **ADMINISTRATIVE BUSINESS:** | Mr. Steinagel introduced the new Bureau Manager, April Ellis.<br><br>Ms. Ellis swore in Eric Pierce as an Osteopathic Physician's Board Member. |
| **MINUTES:** | The minutes from the February 13, 2014 Board |

meeting were read.

**Dr. Nye made a motion to approve the minutes as read. Dr. Drew seconded the motion. The Board vote was unanimous.**

**APPOINTMENTS:**

**9:15 am**
Debbie Harry, Compliance Update

Ms. Harry reported the following Osteopathic Physicians are in compliance or out of compliance with their Stipulations and Orders:

- **Dr. Bruce Latham**

Dr. Latham is in compliance with his Stipulation and Order.

- **Dr. Ernest C. Severn**

Dr. Severn is in compliance with his Stipulation and Order. The Board discussed whether they are willing to release Dr. Severn from his probationary status.

- **Dr. Ronald Baird**

Dr. Baird is in compliance and will be attending the meeting with his supervising physician, Jed Price. Ms. Harry read a portion of the practice plan.

The Board would like provisions placed on Dr. Baird's license not allowing him to practice any gynecological or breast exams.

- **Dr. Dennis Concoby**

Ms. Harry informed the Board that the Professional Renewal Center submitted an evaluation and a Fitness for Duty letter for Dr. Concoby. The Board discussed their concerns in allowing Dr. Concoby to have his license reinstated.

**9:35 am**
Dr. Bruce Latham, Telephonic Probationary Interview

**Dr. Hermansen conducted the interview asking Dr. Latham what his status is in New Hampshire.**

Dr. Latham took the written portions of the Boards and passed. He stated there is no change in his New

Hampshire Stipulation and Order.

**Dr. Hermansen told Dr. Latham to keep the Board informed of any changes and thanked him for being in compliance with his Stipulation and Order.**

An appointment was made for Dr. Latham to meet telephonically on August 14, 2014.

**9:50 am**
Dr. Ernest C. Severn, Probationary Interview

**Dr. Nye conducted the interview. He asked Dr. Severn how his practice is going.**

Dr. Severn stated that his practice is going well. He stated that he no longer treats chronic pain patients and if the patient is still experiencing pain for over two months, he refers them out. He stated that going forward he does not want to treat chronic pain.

**Dr. Nye asked Dr. Severn if he has learned anything through the probationary process.**

Dr. Severn stated that he has learned more about the prescription drug abuse of the public and the over-prescribing issues in the nation. He stated that he has also learned to be more complete in his documentation.

**Dr. Nye made a motion to reinstate Dr. Severn's Physician's license and Controlled Substance license with no restrictions. Dr. Drew seconded the motion. The Board vote was unanimous.**

**10:05 am**
Dr. Ronald Baird, Probationary Interview with Employer, Jed Price

Dr. Drew conducted the interview asking Dr. Baird to update the Board on his status.

Dr. Baird stated that somebody complained that he was practicing without a license while his license was on suspension. He stated he went back to Pinegrove for an evaluation.

Meeting closed in accordance with the Open

**Dr. Jessop made a motion to close the meeting to**

and Public Meetings Act, 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.

**discuss Dr. Baird in accordance with the Open and Public Meetings Act 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual. Dr. Drew seconded the motion. All Board members voted in favor of closing the meeting. Meeting closed at 10:07 a.m.**

**Dr. Jessop made a motion to reopen the meeting. Dr. Drew seconded the motion. All Board members voted in favor of re-opening the meeting. The meeting reopened at 10:35 a.m.**

Dr. Baird presented his practice plan to the Board explaining that his Family Clinic will have a separate entrance from the rest of the facility.

**The Board reviewed the practice plan with Dr. Baird and asked about his chaperone and his hours of business.**

**Dr. Baird stated that he begins work at the clinic at 6:00 a.m. The Board asked Dr. Baird to give more details about why he is at the clinic that early.**

Dr. Baird stated that he helps dispense Methadone to the patients in the early morning by sliding the medication through a small window in the wall. He stated that he is not treating patients during this time.

**The Board stated that Dr. Baird is not to provide gynecological exams or any treatment to females for pelvic/breast exams. The Board stated that Dr. Baird is not to provide mental health treatment to females and needs to rewrite part of his practice plan to indicate this by saying limited scope rather than full scope. They stated that staff needs to be trained to refer female patients elsewhere if they are seeking treatment for OBGYN care or treatment for Mental Health issues.**

**Dr. Jessop made a motion to approve Dr. Baird's practice plan once Ms. Ellis receives the revised practice plan. Dr. Drew seconded the motion. The Board vote was unanimous.**

An appointment was made for Dr. Baird to meet with the Board on August 14, 2014.

**10:45 am**
Dr. Dennis Concoby, Reinstatement Request

**Dr. Nye conducted the interview asking Dr. Concoby to explain to the Board how his inpatient treatment was and asked him to explain what he is currently doing.**

Dr. Concoby stated that his treatment went well and he feels it will be very effective. He stated that his practice is closed with the exception of maintaining patient records.

Dr. Concoby stated that he would like to practice tele-medicine, corrections, or local tenems. He stated that he has also considered trying to get into insurance pre-authorization.

**Dr. Hermansen asked how often Dr. Concoby is going to therapy.**

Dr. Concoby stated he is going to therapy weekly and extensive psychotherapy every three months.

**Dr. Jessop asked whether Dr. Concoby has been practicing since the suspension.**

Dr. Concoby stated that no, he does not practice medicine.

**Dr. Jessop stated that he has concerns with public safety and he feels that it is his and the Board's first responsibility to the public and not to diminish the efforts of Dr. Concoby, but he will not support reinstatement at this time.**

**Dr. Hermansen stated the Board does not want to lift the suspension at this time, but it is recommended that Dr. Concoby continue with his treatment so that he has a recorded history of following through with the Board's recommended course of action.**

**DISCUSSION ITEMS:**

| | |
|---|---|
| Proposed Rule Change | Ms. Ellis proposed a rule change to rule R 156-68-302b, 302c, 502, and 602 explaining the changes to the Board.<br><br>The Board discussed the proposed rule changes.<br><br>**Dr. Nye made a motion to approve the rule changes. Mr. Pierce seconded the motion. The Board vote was unanimous.** |
| Dr. Layne Hermansen – Update on FSMB 2014 Annual Meeting in Denver, CO | Dr. Hermansen stated there will not be a National Licensure as most State Boards are not in favor of this action. He stated that instead there may be a specialty compact license.<br><br>Dr. Hermansen stated that Washington State is the leader in telemedicine research, spending the most money and time on researching the pros and cons of telemedicine and that all states should turn to Washington and the results of their studies before proceeding with allowing or denying telemedicine.<br><br>Dr. Hermansen stated the other main discussion was on medical marijuana and the legalization of social use. He stated that it was advised that States hold off on legalization until there has been more research and there is more data available on the repercussions of legalization. |
| Invite – CPEP Webinar at the MD Board Meeting on May 21, 2014 - 12:30-1:30) | The board members were invited to the CPEP Webinar at the MD Board Meeting on May 21, 2014. |
| **CORRESPONDENCE:** | FSMB – Extended-Release and Long-Acting Opioids: Assessing Risks, Safe Prescribing |
| **NEXT MEETING SCHEDULED FOR:** | August 14, 2014 |
| **ADJOURN:** | The time is 12:21 p.m. and the Board meeting is adjourned. |

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

8-13-14
Date Approved

Layne A. Hernandez DO
Chairperson, Utah Osteopathic Physicians Licensing Board

8/13/14
Date Approved

Bureau Manager, Division of Occupational & Professional Licensing