



**Tennessee Board of Osteopathic Examination
Regular Board Meeting**

Wednesday, February 28, 2024

MINUTES

The regular board meeting of the Tennessee Board of Osteopathic Examination was called to order at 9:02 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Shant Garabedian, Board President.

Board Members Present: Shant Garabedian, D.O., President
Otis Rickman, D.O, Vice President
Michael Wieting, D.O.
Jan Zieren, D.O.
Ms. Penny Judd, Secretary and Consumer Member

Board Members Not Present: Michael Bernui, D.O.

Staff present: Francine Baca-Chavez, Office of General Counsel
Stacy Tarr, Executive Director
R. Brock Mann, Board Administrator

APPROVAL OF MINUTES

The Board reviewed the minutes from the August 2, 2023 meeting. Dr. Wieting motioned to approve the minutes. Dr. Zieren seconded the motion. The motion passed by unanimous vote.

CONSIDERATION OF APPLICATIONS- Michelle Wood, DO

Dr. Wood was asked to appear before the Board due to a history of behavioral issues in post graduate training and subsequent treatment for alcohol use disorder. Dr. Wood introduced herself and gave a statement regarding her history and situations leading up to her application for licensure. Ms. Webb from the Tennessee Medical Foundation was present to give a summary of the TMF evaluation and findings. Ms. Webb stated Dr. Wood is already being monitored in Virginia and North Carolina. She is in good standing with both states' monitoring agreements. A letter from Dr. Michale Baron, TMF Director, indicates TMF recommendation for licensure contingent on a monitoring agreement that would end concurrently with the Virginia Monitoring agreement on December 20, 2027. A contingency is not a

clinical restriction and is not reported to the National Practitioners Data Bank as a disciplinary action. After additional discussion regarding past issues and current monitoring agreements, Dr. Rickman made a motion to issue the license contingent on the signing of a monitoring agreement. Dr. Wieting seconded and the motion passed.

TENNESSEE BUPRENORPHINE GUIDELINES UPDATE

Kayla Williams-Mehr, Nurse Practitioner with the Tennessee Department of Mental Health and Substance Abuse Services presented the report to the Board. The report highlighted updates and changes to the Buprenorphine Guidelines, which are developed by the Commission of TDMHSAS in Consultation with the Commission of Tennessee Department of Health. Ms. Williams-Mehr explained the general changes were related to nationally recognized best practices, shortening the overall length of the document, and pulling items from the appendixes into the main body of the document. Additionally, Updates were made specific to guiltiness for initiating and ongoing treatment and a section was added for pharmacists. Dr. Wieting made motion to accept the updates. Dr. Garabedian seconded and the motion passed.

REVISED CHRONIC PAIN GUIDELINES

Ms. Francine Baca-Chaves, the Board's Advisory attorney informed the Board that the Commissioner of the TDH, Ralph Alvarado, MD, had updated the Chronic Pain Guidelines. The guidelines are reviewed annually and updates posted to the TDH website and given to each prescribing Board for their review. The current updates were housekeeping in nature and corrected out of date citations and hyperlinks. Ms. Judd asked how licensees were notified of updates to the guidelines other than being posted on the website. Ms. Tarr stated that an email notification could be sent out. Dr. Wieting stated it would be beneficial for notification to be sent out to alert licensees of the changes. Dr. Wieting made a motion to accept the updated guidelines and send email notification to licensees of the changes. Dr. Zieren seconded and the motion passed.

APPROVAL OF MINUTES

Minutes from the November 1, 2023 meeting were presented for Board approval. Ms. Baca-Chavez noted that the effective date for Public Chapter 470 given in the minutes was incorrect and should be January 1, 2025. She also noted that the minutes regarding Disciplinary Orders referred to Kaitlin "Parum" as Kaitlin "Parr" Dr. Rickman moved to amend and approve the minutes. Dr. Wieting seconded and the motion passed.

REPORT FROM THE OFFICE OF INVESTIGATIONS

Justin Throneberry, from the Office of Investigations, gave the report to the Osteopathic Board.

In 2023, there were one hundred and nineteen (119) new complaints opened and one hundred and fourteen (114) were closed for the following reasons: one hundred and two (102) closed for insufficient evidence to formally discipline, seven (7) complaints closed and referred to the Office of General

Counsel, two (2) were closed with a letter of concern, and 3 were closed with a letter of warning. and currently there are three (3) open complaints.

Year to date 2024, there were twenty one (21) new complaints opened and nineteen (19) were closed for the following reasons: one hundred and fourteen (14) closed for insufficient evidence to formally discipline, and five (5) complaints closed and referred to the Office of General Counsel. Upon there being no questions, Mr. Throneberry concluded his report.

Ms. Baca-Chavez invited any interested Board Members to attend case review, which occurs weekly.

REPORT FROM THE ADMINISTRATIVE OFFICE

The activities that have transpired in the administrative office between November 1, 2023 and January 31, 2024 concerning Osteopathic Physicians are as follows:

New Applications Received:

- Osteopathic Physician: 131
- Locum Tenens: 0
- Telemedicine: 2
- Special Training: 1

New DOX Applications Received: 0

Total New Licenses Issued

- Osteopathic Physician: 58
- Telemedicine: 1
- Locum Tenens: 2
- Special Training: 3
- DOX: 0
- Compact: 64

Total Number of Reinstatement: 7

Total Number of Renewals:

Osteopathic Physicians: 259

Online 227 – 88%

Total number of active licensees is 3021.

Total number of active licensees with a Tennessee mailing address is 1638.

Total number of Special Training licenses is 16.

Total number of Telemedicine licensees is 28.

Total number of Active DO X-Ray Operators is 5.

Total number of Active Professional Midwives is 88.

Dr. Rickman asked if there would be a new category for the new licensure pathway for international training applicants. Ms. Tarr stated there would not be a new category, but that information could be pulled and tracked separately.

REPORT FROM THE OFFICE OF GENERAL COUNSEL

Ms. Francine Baca-Chavez presented the report.

As of October 19, 2023, there were fifteen (15) cases open against fourteen (14) osteopathic physicians. Regarding these cases, four (4) involve allegations of over-prescribing and are being handled by other attorneys on the over-prescribing team. There are zero (0) open cases against midwives. An appeal hearing for Cody Davis is scheduled for March 7, 2024.

The total number of Osteopathic Physicians being monitored for discipline is 10.

The total number on reprimand is 0.

The total number on probation is 7 with terms.

The total number on suspension is 0.

The total number that has had their license revoked or surrendered is 3.

The total number of Osteopathic X-Ray Technicians being monitored is 0.

RATIFICATION OF LICENSES

Dr. Wieting motioned to approve the list of new licensees, a motion seconded by Dr. Zieren. The motion passed unanimously.

REVIEW/RATIFY FILES BY THE BOARD CONSULTANT CONCERNING NEW LICENSE AND REINSTATEMENT

Ms. Tarr stated these are applications that have been reviewed by a Board Member and approved. The applicants have received an authorization to work and are now before the Board for ratification. Dr. Wieting motioned to ratify the files. Dr. Garabedian seconded.

APPLICATION CHANGES TO SUPPORT THE DR. LORNA BREEN FOUNDATION

Ms. Tarr explained that these changes were suggested by AMA in attempt to ask less intrusive questions during the application process. The Board discussed different options for language in the application questions and how the changes would affect obtaining necessary information from applicants Dr. Wieting motioned to accept the suggested changes. Dr. Zieren seconded and the motion passed.

LICENSE VERIFICATION PROCESS – USE OF THE PDC REPORT

Ms. Tarr explained that the Administrative Staff pulls a physician data center report for each applicant. Part of this report contains verification of licenses held in other states and includes up to date information regarding disciplinary actions. As part of the application process, separate verification is requested from the applicant. Ms. Tarr asked the Board for discussion about using the PDC report as the verification piece of the application rather than requiring verification from the applicants. Dr. Wieting made a motion to use the PDC report as the license verification requirement. Dr. Rickman seconded and the motion passed.

PUBLIC CHAPTER 470

Ms. Baca-Chavez stated she has worked with Dr. Garabedian to create a set of rules related to Public Chapter 470. This chapter would allow graduated medical students who have passed steps one and two of their licensing exam and have not yet begun a residency program to become licensed under a graduate physician's license to work in underserved areas of the state in collaboration with a fully licensed physician. The practice area would be restricted to family medicine, pediatrics, and primary care. Ms. Baca-Chavez informed the Board that the goal was to have the draft rules ready for Board review and vote by the May 1, 2024 meeting so the draft rules could move to internal review.

SENDING BOARD MEMBERS AND STAFF TO THE FSMB CONFERENCE

Ms. Tarr explained that the annual FSMB conference was being held in Nashville this year meaning the cost of attending would be less expensive than past years as flights and hotel costs would be minimized by the conference being local. She informed the Board that Ms. Judd, one staff member, and a Board Member who would the Board chose to be a voting delegate would attend on a scholarship, and asked the Board to consider approving the funds to send additional Board Members and staff. Ms. Baca-Chavez reiterated the request on behalf of the office of general counsel. Dr. Wieting motions to send 2 staff, five attorneys, and any interested Board Members to the conference. Ms. Judd asked that the record reflect that the reason for the Board sending more than the normal amount of attendees was both to help represent Tennessee as the host state and the diminished cost associated this year. Dr. Rickman seconded the motion and the motion passed.

SELCT VOTING DELEGATE TO THE FSMB CONFERENCE

Dr. Wieting, as the past voting delegate, explained the role of the voting delegate at the Conference's business meeting. Ms. Judd nominated Dr. Wieting as the Board's voting delegate. Dr. Zieren seconded and the motion passed.

PUBLIC COMMENTS – No public comments

Meeting adjourned at 1:33 p.m.