

Meeting Minutes

Florida Board of Medicine
Finance & Statistics Committee
Rosen Plaza Hotel
9700 International Drive
Orlando, FL 32819
(407) 996-9700

February 3, 2011

This committee meeting began immediately following the Surgical Care/Quality Assurance Committee.

MEMBERS PRESENT:

Donald Mullins, Chairman
Gary Winchester, M.D.
Jason Rosenberg, M.D.

STAFF PRESENT:

Larry McPherson, Executive Director
Crystal Sanford, Program Operations
Ed Tellechea, Board Counsel
Donna McNulty, Board Counsel
Nancy Murphy, Paralegal
Whitney Bowen, Board Staff

ALSO PRESENT:

Veronica Donnelly, Prosecution Services
Diane Kiesling, Prosecution Services
Donna Brown, Prosecution Services

The meeting was called to order at 5:47 p.m.

Tab 1 – Accumulated Costs of Year-Old Cases:

Mr. Mullins introduced the topic and requested that Prosecution Services (PSU) give comments regarding how costs are accrued during the investigation and prosecution of the case. Ms. Kiesling gave an overview of the formula PSU uses to accrue these costs and informed the Committee that reasonable adjustments were made from the total amount to consider duplicate charges, different attorneys reviewing the case, etc.

Mr. Mullins asked PSU to explain the reasons for the light case load recently, even though the Year Old Case report showed that there were many cases older than a year that had not yet been heard by the Board. Ms. Donnelly responded that PSU was working hard to bring the cases to the board, but that many circumstances affect the way cases are prosecuted and that some may take longer than others or are more complicated than others. She also mentioned that many cases are referred to DOAH and that the Department does not have control over how long they stay in that **circuit**.

Action taken: no action was taken

Tab 2 – Discussion on Fee Caps

Mr. Mullins introduced this topic regarding cost caps as part of negotiations of Settlement Agreements. He raised concerns about not being able to recoup costs that exceed the negotiated caps, and that the excess costs get absorbed by the rest of the profession through licensure fees. Mr. Tellechea reminded the Committee that they did not have to accept any part

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of a Settlement Agreement and could reduce the costs or reject the cost cap should they chooses to do so.

Dr. Rosenberg requested that this information be included in the new board member orientation.

Action taken: not action taken

Tab 3 – Cost Analysis: Meeting in Tallahassee

Mr. Mullins introduced the topic and suggested that the Committee recommend to the Full Board that at least one meeting be held in Tallahassee each year. Dr. Rosenberg commented that the board was responsible for considering the impact the meeting location had, not only on the Department and its staff, but also to the Respondents and their attorneys. He expressed a concern that Tallahassee may not be easy to get in and out of. Mr. Mullins replied that other boards currently meet in Tallahassee at least once a year, and didn't see this as a problem. After further discussion, a motion was made, seconded and carried unanimously to refer the topic to the Full Board.

Action taken: the Committee voted to refer the topic to the Full Board.

Tab 4 – Rulemaking Suspension Discussion

There was no discussion on this tab.

Action taken: no action taken

Tab 5 – Friday Meetings Only Discussion

Dr. Jason Rosenberg suggested that one day be eliminated from the board meeting schedule in light of the current case load or that fewer meetings be held each year. Mr. Tellechea advised the Committee that this may prove problematic for handling Recommended Orders as they are time sensitive hearings. Dr. Winchester gave history on how meetings were conducted in the past and that the current schedule is much less than it used to be.

Mr. Mullins then suggested that at least the board retreat/planning meeting in 2012 be held in Tallahassee to give board staff and PSU staff an opportunity to attend. Dr. Rosenberg requested that this topic be placed on the retreat/planning meeting agenda.

Action taken: no action taken

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Mr. McPherson commended Ms. Bowen on her work with the agenda and the compiling of all of the information in a comprehensive fashion.

The Committee commended staff on “going green” by having a paperless agenda.

The meeting adjourned at 6:33 p.m.