

1 Meeting Report

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3 Board of Medicine Surgical Care/Quality Assurance Committee
4 Rosen Plaza Hotel
5 9700 International Drive
6 Orlando 32819
7 (407) 996-9700

8
9 February 3, 2011

10
11 Roll Call: 5:18 p.m.

12
13 **Members Present:**

14 Jason Rosenberg, M.D., Chair
15 Trina Espinola, M.D.
16 Robert Nuss, M.D.
17 Fred Bearison, M.D.
18 Steven Rosenberg, M.D.

13 **Members Absent:**

19
20 **Staff Present:**

21 Larry McPherson, Executive Director
22 Ed Tellechea, Board Counsel
23 Donna McNulty, Board Counsel
24 Nancy Murphy, Paralegal
25 Crystal Sanford, Program Operations Administrator

20 **Others Present:**

American Court Reporting

26
27 **Foreign Object1**

28 The members reviewed the information provided.

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30 No action necessary.

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32 **Report on Communications with AHCA2**

33 The members reviewed the information provided.

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35 No action necessary.

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37 **Meetings held with other parties about Wrong Site Surgery3**

38 This information was provided as historical background.

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40 No action necessary.

41
42 **Wrong Site Surgery Update4**

43 The members reviewed the updated information provided and then addressed
44 this issue with the next tab.

45
46 **AHCA Statistics-Total number of Surgeries5**

1 Dr. J. Rosenberg directed the member's attention to the statistics provided which
2 outlined the number of surgeries performed each year against the number of
3 wrong site surgery cases heard that year. The results for 2010 were 0.0000031
4 which means of the number of surgeries performed, less than one percent
5 resulted in wrong site cases. He said he did not find the data to be significantly
6 significant over the past five years.

7
8 Dr. Espinola agreed and commended the Board for the different process that
9 have been addressed over the past few years that keep this figure low including
10 the pause rule and the 3R's campaign.

11
12 Dr. S. Rosenberg suggested the Committee compare these statistics to those
13 prior to the pause rule and the 3R's campaign.

14
15 Dr. J. Rosenberg suggested the Committee provide guidance to the Prosecuting
16 Services Unit related to wrong site cases.

17
18 Mr. Tellechea explained at one time wrong site cases were charged using the
19 standard of care violation. Since that time new legislation created a wrong site
20 violation and cases are charged under that violation code now. He said the
21 Board has the ultimate authority on how to handle these types of cases. He
22 advised in the past the Board treated all wrong site cases with about the same
23 penalty. Now, the Board tends to discipline the more egregious cases and
24 dismiss others. He also suggested communicating the results of these cases to
25 the probable cause members.

26
27 Dr. J. Rosenberg suggested drafting a guidance document for review and
28 discussion at the next meeting.

29
30 Dr. Nuss said he would assist by working through Ms. Sanford.

31
32 Dr. S. Rosenberg suggested communicating with the Prosecuting Services Unit
33 too.

34
35 **Action taken:** Dr. J. Rosenberg will draft a guidance document on wrong site
36 cases for review at the next meeting

37
38 **Wrong Site Article6**

39 This article was provided for information only.

40
41 **Adverse Incident Statistics7**

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43
44 The meeting adjourned at 5:36 p.m.