

1 Meeting Report
2 Board of Medicine
3 Rules/Legislative Committee Meeting
4 Renaissance Orlando Hotel
5 5445 Forbes Place
6 Orlando, FL 32812

7
8 September 30, 2010
9

10 Roll Call 1:37 p.m.

11
12 **Members Present:**

13 Jason Rosenberg, M.D., Chair
14 Donald Mullins, Consumer Member (arrived 1:41)
15 Steven Rosenberg, M.D.
16 Michael Chizner, M.D.
17 Onelia Lage, M.D.

18
19 **Members Absent:**

20 H. Frank Farmer, Jr., M.D.
21 Fred Bearison, M.D.

22
23 **Staff Present:**

24 Larry McPherson, Executive Director
25 Ed Tellechea, Board Counsel
26 Donna McNulty, Board Counsel
27 Nancy Murphy, Paralegal
28 Crystal Sanford, Program Operations Adm.

29
30 **Others Present:**

31 American Court Reporting

32
33 **Rules Discussion:**

34 **Rules Report – Information Only1**

35 This report was provided for information only.

36
37 **Action taken:** none

38 **Rule 64B8-8.001, FAC – Disciplinary Guidelines2**

39 At the last meeting, the Committee discussed revising this rule to include penalties for
40 disciplinary violations imposed by SB 2272 (2010 Legislative Session). The Committee
41 reviewed proposed draft language.

42 A motion was made, seconded and carried unanimously to recommend approval of the proposed
43 draft language.

44 A motion was made, seconded and carried unanimously to find these changes do have an
45 economic impact on small business and therefore a statement of estimated regulatory costs
46 (SERC) is required.

47 **Action taken:** draft language approved; SERC required and will be presented at the next
48 meeting

49 **Rule 64B8-8.018, FAC – Voluntary Relinquishment of License3**

1
2 Mr. Tellechea explained the Department received a request to administratively voluntarily
3 relinquish a license that was under obligations due to disciplinary action. The Department
4 refused to allow the administrative voluntary relinquishment. A review of the rule showed only
5 licenses with restrictions could be denied administrative relinquishment. As a result, the rule
6 was being presented to see if the Committee wanted to include language in the rule that would
7 prevent physicians with obligations or restrictions on their license from being able to
8 administratively relinquish their license.

9
10 A motion was made, seconded and carried unanimously to recommend approval of the proposed
11 draft language and to authorize Mr. Tellechea to notice this rule for development.

12
13 A motion was made, seconded and carried unanimously to recommend that no SERC is required.

14
15 **Action taken:** draft language approved; no SERC required

16
17 **Data Reporting Form for Pain Management Clinics4**

18 Pain-management clinics will be required by Rule 64B8-9.0131, FAC once it is in effect to
19 submit quarterly reports. Board staff is working on a method to create an online way for
20 physicians to submit the required data. As an alternative, staff created a data reporting form for
21 those physicians that prefer to send the data in writing. The draft data form was presented for
22 approval.

23
24 A motion was made, seconded and carried unanimously to recommend approval of the draft data
25 form.

26
27 Draft rule language will be presented at the next meeting.

28
29 **Action taken:** draft data form approved

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31 The meeting adjourned at 1:50 p.m.