

Report

**Surgical Care Committee
Board of Medicine
Orlando Airport Marriott
7499 Augusta National Drive
Orlando, FL 32822
(407) 851-9000**

November 29, 2007

The meeting was called to order at 6:48 P.M.

Mr. McPherson called the roll and determined that the Committee had a quorum.

Attendees:

Robert Cline, M.D., Chair
Fred Bearison, M.D.
Laurie Davies, M.D.
Tully Patrowicz, M.D.
Steven Rosenberg, M.D.

Not Present:

George Thomas, M.D. (Excused)

Larry McPherson, Executive Director
Ed Tellechea, Assistant Attorney General
Ephraim Livingston, Prosecution Services
Gwyn Willis, Board Staff

Cindy Green, American Court Reporting

Tab #1: Cervical Injections

This item was tabled at the October 4, 2007 committee meeting to allow more time to collect data related to cervical injection. After review of the data, several committee members expressed their concern about unreported adverse incidents.

Action Taken:

Dr. Davies made a motion to discontinue the discussion on rule development related to cervical injections because there is not enough data to support such action. Dr. Patrowicz seconded the motion and it passed unanimously.

Tab #2 Statistics

Mr. McPherson reviewed the statistics provided by the Board staff. The members discussed the high instance of Plastic Surgery and Urology adverse incidents reported.

Ms. Willis stated that many of the Urology adverse incidents were patients whose health status was "end stage renal disease" and often arrived at the physician office with other health issues that required a transfer to a higher level of care.

Chris Nuland, Esq. who represents the Florida Society of Plastic Surgeons stated that the Society stressed the need to report adverse incidents to its members. He also stated that he

believed that the increased number of adverse incident reports from plastic surgeons is an improvement in compliance to the rule.

Action Taken: No action taken

Tab #3 FYI: Correspondence from the Florida Association for The Treatment of Sexual Abusers.

Action Taken: No action taken

Tab #4 FYI: Correspondence from James E. Lang, M.D. and Norma Jeanne Flack, D.O., Ophthalmologists

The committee discussed and agreed that the process of confirming the lens strength prior to surgical insertion created by Dr.'s Lang and Flack had merit.

Mr. McPherson stated that the Board of Medicine could not endorse any specific procedure submitted by licensed physicians.

It was suggested that a copy of the letter be sent to the Florida Society of Ophthalmologists to ask if they would recommend the process to their members.

Action Taken:

The Board staff will write a letter to the Florida Society of Ophthalmologists to ask if the Society would recommend the process. The motion was made and it was seconded and passed unanimously.

Tab #5 Uninsured and Under Insured:

This tab has two different subjects that were discussed; Disciplinary Community Service and Delivery of Health Care. This item was tabled at the October 4, 2007 meeting to allow the Board staff to obtain additional research. It was suggested that the physicians receiving disciplinary community service hours to complete, do so by providing medical care to the underserved.

Community Service: The committee discussed the options available for physicians to complete their disciplinary community service providing medical services outside their practice. The members also discussed the lack of venues available for completing community service and that the Florida County Health Departments had a policy of not allowing disciplined physicians to complete community service hours in their facilities.

The committee suggested that a letter be written to the Surgeon General to request a review of the County Health Departments policy that does not allow physicians to complete community service in their facilities.

Dr. Davies and Dr. Bearison both expressed concern with the wide-ranging disciplinary recommendations brought before the Board. They suggested that they needed a stronger set of guidelines to follow when issuing discipline for a wrong site surgery.

Mr. Tellechea stated that the Board could change the current rules and create a strong set of guidelines to be followed.

Dr. Davies made a motion to refer the issue about community service to the Rules Committee for possible rule development.

Action Taken:

Dr. Davies made a motion to refer the issue about community service to the Rules Committee suggesting rule development for stronger guidelines when assigning disciplinary community service. The motion was seconded and passed unanimously.

Delivery of Health Care:

Mr. McPherson summarized the extensive research on services for the uninsured and underserved presented by Ms. Willis and the results of a survey sent to states. Dr. Patrowicz stated that only a part of the original question he put before the committee was answered in the survey. He is concerned about reducing the cost of delivery of health care to all persons in Florida. He felt that the Board of Medicine should become more involved in the processes of reducing costs of health care delivery.

Mr. McPherson stated that the Board was limited in resources and asked that the Committee not recommend that the Board get involved in such a wide-ranging issue. The mission of the Board was to credential and license physicians, determine standards of care and enforcement of the standards.

After more discussion it was suggested that Dr. Patrowicz take this issue to the Federation of State Medical Boards to review at a higher level.

Dr. Davies and Dr. Patrowicz discussed the types of questions used on the USMLE medical examinations. It was suggested that Dr. Patrowicz contact the USMLE to submit questions for possible use on the examination.

Other Business:

Mr. McPherson provided responses to some specific questions about wrong site surgery disciplinary statutes sent to the Administrators in Medicine ExecNet open forum. Sixteen responses were received.

Dr. Cline asked that the states of Pennsylvania and Massachusetts be contacted to determine if they have any disciplinary guidelines on wrong site surgery.

The Committee complimented Ms. Willis for her fine work in reports and materials provided.

Action Taken:

Board staff will do research in the laws of Pennsylvania and Massachusetts to determine if they have any disciplinary guidelines for wrong site surgery.

The meeting adjourned at 7:50 P.M.