

VERMONT BOARD OF MEDICAL PRACTICE
January 6, 2016
Red Clover Conference Room
Gifford Medical Center
Randolph, Vermont

10:30 a.m. Licensing Committee

12:00 p.m. Vermont Board of Medical Practice

- 1. Call to Order; Introduce New Members; Call the Roll; Acknowledge Guests:**
- 2. Public Comment:**
- 3. Approval of Minutes of the December 2 and December 16, 2015 Board Meetings:**
- 4. Board Issues (Mr. Hoser):**
- 5. Administrative Update (Mr. Herlihy):**
- 6. Presentation of Applications (12:30 p.m. – 12:45 p.m.):**
- 7. Board Selection of Physician Representative to the APRN Committee (12:45 p.m. – 1:00 p.m.):**

Dr. Burgee has been nominated to replace Dr. Hayward. If any other physician members want to self-nominate for the position, contact David Herlihy to be put on the ballot.

- 8. Presentations to the Board (1:00 p.m. – 1:15 p.m.):**
 - Report from Karen LaFond on readership of the October 2015 Newsletter.**
- 9. Recess; Convene hearing to discuss any stipulations or disciplinary matters that are before the Board (1:15 p.m. – 1:45 p.m.)**
- 10. Reconvene meeting; Executive Session to Discuss:**
 - Investigative cases recommended for closure**
 - Other matters that are confidential by law, if any**
- 11. Return to Open Session; Board Actions on matters discussed in Executive Session:**
- 12. Board Actions on Committee recommendations with regard to any non-confidential matters:**

13. Other Business:

- Continuation of Discussion of VDH Policy Memo on Analysis of Opioid Prescribing Patterns
- Invitation to participate in FSMB meeting regarding anti-trust issues associated with the U.S. Supreme Court decision in North Carolina State Board of Dental Examiners v. Federal Trade Commission, No. 13-534, February 25, 2015.
- **Board Statement on Use of Lasers.**
 - (1) Background:* The Board issued a statement in September 2008 stating that certain use of lasers and other modalities constitute the practice of medicine. In July 2013, the Board passed a motion issuing a revised statement that resembled the 2008 statement, but adjusted the wording to comport with amendments to 26 V.S.A. § 1311 that were passed in 2011.
 - (2) Issue:* It has come to the Board's attention that the Administrative Rules of the Board of Barbers and Cosmetologists include language that might be interpreted by licensees of the Board of Medical Practice that it is acceptable to delegate certain tasks that constitute the practice of medicine to persons not licensed or certified to practice any health care profession. Now, the Board will consider whether to add to its statement on this issue to include a position on the acceptability of such delegations. Included with the Board packet are the following enclosures:
 - (3) Attachments:*
 - a. Memorandum, June 20, 2013, Board Motion on Use of Lasers
 - b. Excerpt from the approved meeting minutes of July 3, 2013
 - c. Administrative Rules Board of Barbers and Cosmetologists, specifically Part 2, 2.1(x)
- **FSMB Invitation for Comment on Draft Report on Marijuana and Medical Regulation. Enclosure to Board packet**

14. Upcoming Board meetings, committee meetings, hearings, etc.: **Locations are subject to change. You will be notified if a change takes place.**

- **January 14, 2016, North Investigative Committee Meeting, 12 p.m., Vermont Department of Health, 108 Cherry Street, 3rd Floor, Conference Room 2C, Burlington, VT**
- **January 15, 2016, Central Investigative Committee Meeting, 9 a.m., National Life – North Building: Calvin Coolidge Conference Room – 6th Floor of the Deane C. David Building, Montpelier, VT**
- **January 20, 2016, Board meeting on pending applications, 12:10 p.m., Board of Medical Practice office, 108 Cherry Street, 2nd, Floor Burlington, VT (and via telephone)**
- **January 20, 2016, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT**

- **February 3, 2016, Licensing Committee Meeting, 10:30 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph**
- **February 3, 2016, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph**

15. Open Forum:

16. Adjourn: