

STANDING ORDERS COMMITTEE MEETING MINUTES

April 8, 2010

The meeting was called to order at 8:49 a.m. by Chair, Margaret C. McNeese, M.D. Committee members present were Patricia S. Blackwell, David Baucom, Wynne M. Snoots, M.D., George Willeford III, M.D. and Irvin E. Zeitler, Jr., D.O.

Agenda item 5 - Discussion, recommendation, and possible action **regarding timeline for posting waiver requests for public comment** Ms. Garanflo opened a discussion regarding the possibility of posting requests for waivers on our website for 14 days instead of 30 days. Comments from stakeholders on this proposed change have been favorable. Dr. Willeford moved to recommend to the full Board that the prescriptive delegation waiver requests be posted on the TMB website for 14 days. Ms. Blackwell seconded. Ms. Blackwell, Mr. Baucom, Dr. Snoots, Dr. Willeford, and Dr. Zeitler voted in favor. Dr. McNeese abstained. The motion passed.

Agenda item 6 Discussion, recommendation, and possible action regarding process for evaluation of waiver requests Dr. McNeese thanked Dr. Willeford for reviewing all the requests before the Committee to gather information for the Committee. The Committee directed Dr. Moore, Medical Director, to assist in this process by completing first line reviews of the waiver requests in the future.

Agenda item 2, regarding discussion, recommendation, and possible action on **requests for waivers of prescriptive delegation requirements**

The committee reviewed 3 requests for waiver of prescriptive delegation requirements from Margaret Vanderlee, M.D., for modification of the distance and the site visit requirements for alternate practice sites for Planned Parenthood clinics in Lubbock, Abilene, and San Angelo. For the Abilene clinic, Dr. Vanderlee requested modification of the distance requirement to 150 miles and the site visit requirement to 7.5%. For the Lubbock clinic, she requested modification of the distance requirement to 125 miles and the site visit requirement to 5%. For the San Angelo clinic, she requested modification of the distance requirement to 93 miles and the site visit requirement to

5%. Following discussion, **Dr. Zeitler moved that the Standing Orders Committee recommend to the full board that Dr. Vanderlees waiver requests be granted. Dr. Snoots seconded the motion. Ms. Blackwell, Mr. Baucom, Dr. Snoots, and Dr. Zeitler voted in favor. Dr. Willeford and Dr. McNeese were opposed. The motion passed.**

The committee reviewed 2 requests for waivers of prescriptive delegation requirements from Stanley Heckrodt, M.D., for modification of the distance requirements for alternate practice sites in Corpus Christi and San Antonio. For the Corpus Christi site, he requested modification of the distance requirement to 95 miles. For the San Antonio site, he requested modification of the distance requirement to 134 miles. Following discussion, **Dr. Zeitler moved that the Standing Orders Committee recommend to the full board that Dr. Heckrodts request for waiver be granted. Dr. Willeford seconded the motion. All voted in favor. The motion passed.**

The committee reviewed a request for waiver of prescriptive delegation requirements from Julie Bernell, M.D., for modification of the chart review requirement to allow the charts to be hand carried rather than reviewed electronically; and modification of the site visit requirement to every 30-60 days for an alternate practice site. Following discussion, **Dr. Willeford moved that the Standing Orders Committee recommend to the full board that the request be denied.** This recommendation was based on the requestors failure to prove that the requirements would cause an undue burden without corresponding benefit to patient care. **Dr. Zeitler seconded the motion. All voted in favor. The motion passed.**

The committee reviewed a request for waiver of prescriptive delegation requirements from David Davison, M.D., to increase the number of PAs and/or APNs to whom he may delegate prescriptive authority his primary practice site to 5. Following discussion, **Dr. Willeford moved that staff first determine if the practice site serves a medically underserved population as defined by Tex. Occ. Code, Sec. 157.052, in which case the waiver is not needed. If the practice site does not serve a medically underserved population, Dr. Willeford moved that the Standing Orders Committee recommend to the full board that Dr. Davisons waiver request be conditionally granted only for the period of his partners pregnancy and a reasonable time thereafter. Dr. McNeese seconded the motion. All voted in favor. The motion passed.**

The committee reviewed a request for waiver of prescriptive delegation requirements from Cynthia Jansky, M.D., for modification of the chart review requirement for sites serving a medically underserved population to allow this chart review to be shared with two other physicians. In addition, Dr. Jansky requested modification of the site visit requirements for a site serving a medically underserved population from once every ten days to 2 hours every 3 months. Following discussion, the Committee deferred action to allow staff to verify that the requestors practice site serves a medically underserved population as defined by Tex. Occ. Code, Sec. 157.052; and to ask the requestor to explain why the other physicians who volunteer at the clinic cant share the workload. Dr. Janskys application can be reviewed again at the June Committee meeting.

The committee reviewed a request for waiver of prescriptive delegation requirements from Albert Kincheloe, M.D., for waiver of the site visit requirements for an alternate practice site. Following discussion, the Committee deferred action to allow staff to ascertain if the requestors practice site serves a medically underserved population; and to ask the requestor to explain why the other physicians who volunteer at the clinics cant share the workload. Dr. Kincheloes application can be reviewed again at the June Committee meeting.

The committee reviewed a request for waiver of prescriptive delegation requirements from Charles Porter, M.D., for modification of the distance requirement for an alternate practice site. In addition, Dr. Porter is requesting a waiver of the site visit requirement. Following discussion, **Dr. Willeford moved that the Standing Orders Committee recommend to the full board that Dr. Porters request be denied.** This recommendation was based on the Committees determination that the sites location does not warrant a distance waiver as there is no shortage of providers in this area, and that treatments being rendered are such that significant supervision is warranted. **Ms. Blackwell seconded the motion. All voted in favor. The motion passed.**

The committee reviewed a request for waiver of prescriptive delegation requirements from Hugo Toro, M.D., to increase the number of PAs and/or APNs to whom he may delegate prescriptive

authority his primary practice site to 6. The Committee directed staff to determine if the practice site serves a medically underserved population, in which case the waiver is not needed.

Agenda item 3 - regarding a report on waivers acted upon by staff. There were none.

Agenda item 4 - regarding discussion, recommendation, and possible action on requests for rehearing for waivers of prescriptive delegation requirements There were none.

The Committee directed staff to update the prescriptive delegation waiver application to make it easier to understand the requirements and whether or not a waiver is needed, and to include a statement that convenience is not a consideration for waiver requests. The Committee directed staff to present a draft of the revised application to the Committee at the June meeting.

There being no further business, Dr. McNeese adjourned the meeting at 10:00 a.m.