



**Tennessee Board of Medical Examiners'
Committee for Clinical Perfusion**

Tuesday, October 23, 2018

MINUTES

Board members present: Chad Smith, CCP, Chairman
Dorris "Bill" Dozier, CCP
Wendy Menowsky, CCP
Deann Thelen, Hospital Administrator
Alice Walker, Consumer Member

Staff present: Samuel Moore, General Counsel
Angela Lawrence, Director
Rene Saunders, M.D., Medical Director
Stacy Tarr, Administrative Director
Brandi Allocco, Board Administrator

The meeting was called to order at 10:12 am by Chairman, Chad Smith. A quorum was present.

Approval of Minutes

The Committee reviewed the minutes from the October 2017 and April 2018 meetings. Ms. Wendy Menowsky made a motion to approve the minutes from the prior two (2) meetings. Mr. Chad Smith seconded. The motion passed.

Conduct New Business

Ratification of new licenses and reinstatements

Mr. Bill Dozier made a motion to approve the list. Ms. Menowsky seconded. The motion passed.

Reports

Office of General Counsel

Mr. Samuel Moore reported there were no contested cases, orders or agreed citations at this time.

Administrative Office

Ms. Stacy Tarr reported the activities that have transpired between May 2018 and October 2018 concerning Clinical Perfusionists:

New Applications Received	4
Total New Licenses Issued	7
Total Number of Reinstatements	1

Total number of active licensees as of October 1, 2018 is 136.

Office of Investigations

Ms. Lori Leonard reported there are no complaints in 2018, no open complaints being investigated and no practitioners being monitored.

Financial Office

Ms. Noranda French reported the 2018 Fiscal Year End numbers:

- The Committee closed in the black with Board revenue totaling twenty seven thousand five hundred and ten dollars (\$27,510) and current year net totaling twelve thousand six hundred and thirty two dollars (\$12, 632).
- Expenditure comparison is right on track
- Seventy-five percent (75%) of revenue is coming from renewal fees and twenty-four percent (24%) from application fees.
- The Committee has performed well bringing in more revenues than expenses.

Ms. French reviewed the Cumulative Carry-over policy and reported carry-over will be tracked and after two (2) full fiscal years after fee reduction we may need to discuss fee reduction again.

Legislative Update

Patrick Powell presented the 2018 Legislative Update:

Public Chapter 611

This law requires an agency holding a public hearing as part of its rulemaking process, to make copies of the rule available in “redline form” to people attending the hearing. This takes effect July 1, 2018.

Public Chapter 744

This statute allows a licensing entity the discretion to not suspend/deny/revoke a license in cases where the licensee has defaulted or become delinquent on student loans IF a medical hardship significantly contributed to the default or delinquency. This act took effect January 1, 2019.

Public Chapter 745 and Public Chapter 793

These public chapters work together to create and implement the “Fresh Start Act.” Licensing authorities are prohibited from denying an application or renewal for a license/certificate/registration due to a prior criminal conviction that does not directly relate to the applicable occupation. Lays out the requirements on the licensing authorities as well as the exceptions to the law (ex: rebuttable presumption regarding A and B level felonies). These acts take effect July 1, 2018.

Public Chapter 754

This chapter prevents any board, commission, committee, etc. created by statute from promulgating rules, issuing statements, or issuing intra-agency memoranda that infringe on an entity member’s freedom of speech. Freedom of speech includes, but is not limited to, a member’s freedom to express an opinion concerning any matter relating to that governmental entity, excluding matters deemed to be confidential under TCA 10-7-504. Violations as determined by a joint evaluation committee may result in recommendations to the general assembly concerning the entity’s sunset status, rulemaking authority and funding. This act took effect April 18, 2018.

Public Chapter 929

This act redefines policy and rule and requires each agency to submit a list of all policies, with certain exceptions, that have been adopted or changed in the previous year to the chairs of the government operations committees on July 1 of each year. The submission shall include a summary of the policy and the justification for adopting a policy instead of a rule. This act also prohibits any policy or rule by any agency that infringes upon an agency member's freedom of speech. Finally, this act establishes that an agency's appointing authority shall have the sole power to remove a member from a board, committee, etc. This act takes effect July 1, 2018 and applies to policies adopted on or after that date.

Public Chapter 954

This legislation requires the initial licensure fee for low-income persons to be waived. Low income individuals per the statute are defined as persons who are enrolled in a state or federal public assistance program including but not limited to TANF, Medicaid, and SNAP. All licensing authorities are required to promulgate rules to effectuate the purposes of this act. This act takes effect January 1, 2019.

Public Chapter 1021

This act allows for appeals of contested case hearings to be in the chancery court nearest the residence of the person contesting the agency action or at that person's discretion, in the chancery court nearest the place the action arose, or in the chancery court of Davidson County. Petitions seeking review must be filed within 60 days after entry of the agency's final order. This act takes effect July 1, 2018.

Discuss/Consider Rule Revisions

Ms. Menowsky requested a Rulemaking Hearing regarding the continuing education rule 0880-11-.12 (1)(a) of fifteen (15) hours per calendar year being changed to thirty (30) hours every two (2) calendar years (January 1 – December 31). There was consensus among the Committee.

Ms. Menowsky made a motion to adjourn. Mr. Dozier seconded. The motion passed.

The meeting was adjourned at 10:59 am.