

**PUBLIC MINUTES**  
**ALABAMA BOARD OF MEDICAL EXAMINERS**  
**September 16, 2009**  
**11:10 a.m.**

Robert Parker Bldg.  
Montgomery, AL

Members Present

Kenneth Aldridge, M.D., Chairman  
Richard M. Freeman, M.D., Vice-Chairman  
Jorge Alsip, M.D.  
James G. Davis, M.D.  
Steven P. Furr, M.D.  
J. Daniel Gifford, M.D.  
William E. Goetter, M.D.  
B. Jerome Harrison, M.D.  
David P. Herrick, M.D.  
Juan Johnson, M.D.  
John S. Meigs, Jr., M.D.  
Paul M. Nagrodzki, M.D.  
George C. Smith, Jr., M.D.  
Timothy A. Stewart, M.D.  
Pamela D. Varner, M.D.

Members Not Present

Others Present

Billy Addison  
Jackie Baskin  
Larry Dixon  
Randy Dixon  
Amy Dorminey  
Pat Enfinger  
Jeff Grimsley

Jane Hartley  
Jim Hulett  
Stan Ingram  
Carla Kruger  
David McGilvray  
Randy Moore  
Ed Munson

Jim Nichols  
Edwin Rogers  
Trish Shaner  
Anne Shiver  
Cheryl Thomas  
Deborah Winberry

Board Chairman, Kenneth Aldridge, M.D., stated that, a quorum of fifteen members being present, the public portion of the meeting of the Alabama Board of Medical Examiners was convened.

PUBLIC MINUTES OF AUGUST 19, 2009 The Credentials Committee recommended

that the Public Minutes of August 19, 2009, be approved. The motion was adopted.

ENDORSEMENT

	<u>Name</u>	<u>Medical School</u>	<u>Endor. With</u>
1	* Olasimbo M. Babatope	University of Ibadan	USMLE/GA
2	* Harold Edward Barrett	Nova Southeastern University College of Medicine	COMLEX/MI
3	Laura Marie Boudreaux	LA State University School of Medicine New Orleans	USMLE/AL
4	James Alexander Bowden	Memorial Univ of Newfoundland Faculty of Med	LMCC/New Foundland
5	Chad Richard Bowser	Rosalind Franklin Univer of Medicine and Science	USMLE/IN
6	* John Mark Cafardi	Medical College of Pennsylvania	USMLE/AL
7	James Parker Callaway	Medical College of Georgia School of Medicine	USMLE/AL
8	Corey M. Coleman	University of Mississippi School of Medicine	USMLE
9	James Ryan Conner	Mercer University School of Medicine	USMLE/AL
10	Djiby Diop	Warren Alpert Medical School of Brown University	FLEX/MA
11	* Sunitha Anne Ghanta	Kempegowda Institute of Medical Sciences	USMLE
12	Lauren Ann Gillory	University of Texas Medical School at Galveston	USMLE/AL
13	Willie Earl Harper Jr.	UASOM Birmingham	USMLE/AL
14	* Alexis Anne Harris Snead	Brody School of Medicine at East Carolina Univ	NBME/USMLE/NC
15	John Patrick Hill	UASOM Birmingham	USMLE/VA
16	Thomas Ashby Ireland Jr.	Medical College of Georgia School of Medicine	USMLE
17	Jayanth Koneru	Rangarya Medical College Andhra University	USMLE
18	Ronald S. Liu	Michigan State University College of Human Med	USMLE/MI
19	Jonathan Patmor Maddux	University of Louisville School of Medicine	USMLE/AL
20	* Melvyn Vanroy Mahon	Howard University College of Medicine	NBME/MD
21	Katherine Ward Munt	University of Utah School of Medicine	USMLE/AL
22	Frederick Henry Norris IV	University of Miami School of Medicine	USMLE
23	Charles Joseph Nunez Jr.	LA State University School of Medicine New Orleans	USMLE
24	* Stanley Allan Ordman	Morehouse Sch Med/Temple Univ School of Med	NBME/MT
25	* Valerie Denise Knight Pasche	Brody School of Medicine at East Carolina Univ	USMLE/NY
26	Urviben Rakshitkumar Patel	B J Medical College Gujarat University	USMLE
27	Brendan Michael Prendergast	University of Florida College of Medicine	USMLE
28	* Raul Jose Roa	Instituto Superior De Ciencias Med De La Havana	USMLE/FL
29	David Nathan Simmons	UASOM Birmingham	USMLE/AL
30	* Evelyn Patricia Simpkins	Michigan State University College of Human Med	USMLE/DC
31	* Mark Douglas Stracks	University of Connecticut School of Medicine	USMLE/UT
32	Thomas Richard Syverson	University of Illinois College of Medicine - Rockford	NBME/FL
33	* Patrick Conan Tapia	UASOM Birmingham	USMLE/AL
34	Jyothiprasanna Tummala	Osmania Medical College	USMLE/WV
35	Matthew Raymond Willey	University of Florida College of Medicine	USMLE/AL
36	Kenneth Taikong Yu	Columbia Univ College of Physicians & Surgeons	USMLE/NY
37	Courtney Baxley	University of South Alabama College of Medicine	USMLE/AL
38	Phillip Alton Berry	University of South Florida College of Medicine	USMLE/AL
39	Beret Ann Casey	Medical College of Wisconsin	USMLE/AL
40	Bill Ray Covington	University of Texas - Houston Medical School	USMLE/AL



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41	Jacquelyn Rose Covington	University of Texas - Houston Medical School	USMLE/AL
42	Christopher Hale Decker	University of Mississippi School of Medicine	USMLE/AL
43	William Bruce Donnellan	UASOM Birmingham	USMLE/AL
44	Pejman Avraham Firouztaie	Med Col WI/Keck SOM of the U of Southern CA	USMLE/CA
45	James Aaron Grubbs	Medical University of South Carolina COM	USMLE/AL
46	Sherman Jew	Kansas City University of Medicine & Biosciences	NBOME/CA
47	Lisa Caroline Klepczyk	University of South Florida College of Medicine	USMLE/AL
48	Melissa Lee Mannion	Eastern Virginia Medical School	USMLE/AL
49	Omar Ibrahim Massoud	Faculty Of Med Al-Azhar University	USMLE/OH
50	Philip Patrick McClarty	University of Tennessee Memphis COM	USMLE
51	Courtney Elizabeth Meredith	University of South Alabama College of Medicine	USMLE
52	Sheharyar Khan Merwat	Aga Khan Medical College Aga Khan University	USMLE
53	David James Mooney	Virginia Commonwealth University SOM	USMLE/AL
54	Amberly Kay Lindau Nunez	LA State University School of Medicine New Orleans	USMLE
55	Bryan Thomas Patterson	University of Texas - Houston Medical School	USMLE/AL
56	Brandice Maria Patterson	University of Texas - Houston Medical School	USMLE/AL
57	Jason Randall Pearce	University of Texas - Houston Medical School	USMLE
58	Jeremy Michael Rau	LA State University Medical Center In Shreveport	USMLE/LA
59	Amir Behzad Razavi	Medical Faculty University Of Vienna	USMLE/GA
60	David A. Rice	UASOM Birmingham	USMLE/AL
61	Anthony Michael Roman	St. George's U - Creighton University SOM	FLEX/TX
62	Rebecca Helen Smith	University of Tennessee Memphis COM	USMLE/AL
63	LaKeisha Shalounda Watson	Wright State University School of Medicine	USMLE/SC
64	Venkata Sukesh Yalamanchili	Gandhi Medical College Secunderabad	USMLE/AR

The Credentials Committee recommended approval of endorsement applicants one through sixty-four. The motion was adopted.

\* Olasimbo M. Babatope, M.D. After consideration of the application for licensure through endorsement and acceptance of the Non-Disciplinary Citation with Administrative Charge, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* Harold E. Barrett, D.O. After consideration of the application for licensure through endorsement, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* John Mark Cafardi, M.D. After consideration of the application for licensure through endorsement, the Credentials Committee recommended approval of the endorsement

application. The motion was adopted.

\* Sunitha Anne Ghanta, M.D. After consideration of the application for licensure through endorsement, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* Alexis Anne Harris Snead, M.D. After consideration of the application for licensure through endorsement and acceptance of the Non-Disciplinary Citation with Administrative Charge, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* Melvyn V. Mahon, M.D. After consideration of the application for licensure through endorsement, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* Stanley Allan Ordman, M.D. After consideration of the application for licensure through endorsement, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* Valerie Denise Knight Pasche, M.D. After consideration of the application for licensure through endorsement and acceptance of the Non-Disciplinary Citation with Administrative Charge, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* Raul Jose Roa, M.D. After consideration of the application for licensure through endorsement, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* Evelyn Patricia Simpkins, M.D. After consideration of the application for licensure

through endorsement, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* Mark Douglas Stracks, M.D. After consideration of the application for licensure through endorsement, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

\* Patrick Conan Tapia, M.D. After consideration of the application for licensure through endorsement, the Credentials Committee recommended approval of the endorsement application. The motion was adopted.

### LIMITED LICENSE

	<u>Name</u>	<u>Medical School</u>	<u>Endor. With</u>
1	Gabriel Neal Belue	UASOM Birmingham	LL/AL
2	Alfonso L. Espinel	Fac Of Med Cath Univ Guayaquil Santiago	LL/AL
3	Melissa Connell Gray	UASOM Birmingham	LL/AL
4	Vikas Gupta	Government Medical College Bhavnagar	LL/AL
5	Mohammad Irfan	St. Mary's School of Medicine	LL/AL
6	Willie K. Jones	St. Matthews University (Grand Caymen)	LL/AL
7	Amee Kozlovski	I.N.E.S.S.M. Algiers	LL/AL
8	Martin A. Lyons Jr.	UASOM Birmingham	LL/AL
9	* Beltran Jimenez Pages	Universidad De Zaragoza	LL/AL
10	Zenhong Zhou	Harbin Medical University	LL/AL
11	Steven Bernard Newman	Tufts University School of Medicine	LL/AL

The Credentials Committee recommended approval of limited license applicants one through eleven. The motion was adopted.

\* Beltran Jimenez Pages, M.D. After consideration of the application for limited licensure, the Credentials Committee recommended that Dr. Pages be granted a limited license for the practice of medicine within the confines of a state penal institution. The motion was adopted.

PHYSICIAN ASSISTANTS / ADVANCE PRACTICE NURSES

P.A. License

	<u>Name</u>	<u>School</u>	<u>NCCPA</u>
1	Maria Linda Gonzalez	Alderson-Broaddus College	1086538
2	Shana Marie Holman	Touro University-California	1072999
3	Leslie Irene Burnside	Idaho State University	1063596
4	Claire Brooke Hinton	USAM	1086246

The Credentials Committee recommended approval of P.A. License applicants one through four. The motion was adopted.

Temporary P.A. License

	<u>Name</u>	<u>School</u>	<u>NCCPA</u>
1	Jimmie Council Blan, Jr.	USAM	Registered
2	Marlee Bruno	Nova Southeastern	Registered
3	Amy B. Jacobs	USAM	Registered
4	Brian Patrick Neilan	USAM	Registered
5	Patrick Scott Nelson	USAM	Registered
6	James P. Junkins	USAM	Registered
7	Hannah Christine Salter	USAM	Registered
8	Justin Rex Edmondson	USAM	Registered
9	Chad J. Gilliam	Nova Southeastern	Registered

The Credentials Committee recommended approval of Temporary P.A. License applicants one through nine. The motion was adopted.

Temporary P.A. License to Full License

	<u>Name</u>	<u>School</u>	<u>NCCPA</u>
1	Jamaal LeGene Upshaw	USAM	1086336

The Credentials Committee recommended approval of the Temporary P.A. License to Full License applicant. The motion was adopted.

**P.A. Registration**

Heather Lynn Beck, PA / Robert Hugh Bradley, M.D. The Credentials Committee recommended approval of the P.A. registration application, including, with standard language previously approved by the Board, the request for the P.A. to perform central line placement and to assist with the application and adjustment of halo ring and vest assemblies. The motion was adopted.

Teresa Browne-Carter, PA / Allan Chandler Muller, D.O. The Credentials Committee recommended approval of the P.A. registration application, including, with standard language approved by the Board, number twenty-three on the P.A. formulary, birth control drugs and devices. The motion was adopted.

Darron E. Forrest, PA / Christopher R. Jones, M.D. The Credentials Committee recommended approval of the P.A. registration application. The motion was adopted.

Teresa Lynn Henderson, PA / John L. Drew, D.O. The Credentials Committee recommended approval of the P.A. registration application. The motion was adopted.

Amy B. Jacobs, PA / James L. Ruble, M.D. Remote site The Credentials Committee recommended approval of the P.A. registration application. The Committee further recommended that the request for remote site privileges be granted effective upon approval of the P.A.'s full licensure. The motion was adopted.

Ashley Larsen, PA / George Matewere, M.D. The Credentials Committee recommended



approval of the P.A. registration application, including, with standard language approved by the Board, number twenty-three on the P.A. formulary, birth control drugs and devices. The motion was adopted.

Michael T. Mount, PA / Charles T. Fletcher, Jr., M.D. The Credentials Committee recommended approval of the P.A. registration application. The motion was adopted.

Brian Nielan, PA / John McLean Trotter, M.D. The Credentials Committee recommended approval of the P.A. registration application, including, with standard language previously approved by the Board, the request for the P.A. to supervise cardiovascular stress testing. The motion was adopted.

Patrick Scott Nelson, PA / L. Terry Pynes, M.D. The Credentials Committee recommended approval of, with standard language previously approved by the Board, the request for the P.A. to perform the following duties: cryosurgery; chemical peels; laser hair removal; laser treatment of psoriasis; laser tattoo removal; laser treatment of rosacea and veins; laser treatment of brown spots; intense pulsed light treatment for photo-rejuvenation and hair reduction; XTRAC laser for psoriasis, eczema, and vitiligo; light therapy for acne, sun damage and aging; and nail surgery. The Committee recommended approval of the request for the P.A. to use the Hyfreacator, and further recommended that the Board's standard language be modified to state that the physician does not have to be physically present during the use; however, all other conditions previously adopted by the Board remain in effect. The Committee recommended deferring consideration of the request for the P.A. to perform patch testing, photodynamic therapy and wart treatment to request a letter of clarification regarding these duties. The motion was adopted.



Beverly Simoneau, PA / Julio R. Rios, M.D. The Credentials Committee recommended approval of the P.A. registration application. The motion was adopted.

Joseph E. Watters, PA / Ayman Abdul-Ghani, M.D. The Credentials Committee recommended approval of the P.A. registration application. The motion was adopted.

Charles David Winfrey, PA / Donette Louise Bish, D.O. The Credentials Committee recommended approval of the P.A. registration application with remote site privileges, including, with standard language approved by the Board, number twenty-three on the P.A. formulary, birth control drugs and devices. The motion was adopted.

Jimmie Council Blan, PA / Eddie Pace, M.D. The Credentials Committee recommended approval of the P.A. registration application. The motion was adopted.

Claire Brooke Hinton, PA / Ronald B. O’Gorman, M.D. The Credentials Committee recommended approval of the P.A. registration application. The motion was adopted.

Justin Rex Edmondson, PA / Dorothy Shannon Waters, M.D. The Credentials Committee recommended approval of the P.A. registration application. The motion was adopted.

Chad J. Gilliam, PA / Edward Gerard Witt, D.O. The Credentials Committee recommended approval of the P.A. registration application. The Committee further recommended that the request for remote site privileges be granted effective upon approval of the P.A.’s full licensure. The Credentials Committee further recommended approval to train the P.A. to perform knee and shoulder injections. The motion was adopted.

Hannah Christine Salter, PA / Marsha D. Raulerson, M.D. The Credentials Committee recommended approval of the P.A. registration application. The motion was adopted.

### **A.A. Registration**

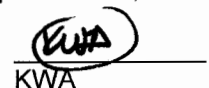
Wendy H. Kennon, AA / Thomas M. Stewart, M.D. The Credentials Committee recommended approval of the A.A. registration application. The motion was adopted.

### **Miscellaneous Requests / Reports**

Ramona Hagmaier, PA / Jennifer Ronderos, M.D. - Request for consideration of additional duties The Credentials Committee recommended approval of the request for the P.A. to use the Hyfreator 2000 at coagulation settings without the physician being physically present. The motion was adopted.

Kimberlee Johnson, PA / John L. Harlan, M.D. - Request for consideration of additional duties The Credentials Committee recommended approval of, with standard language previously approved by the Board, the request for the P.A. to perform sclerotherapy using sodium tetradecyl sulfate. The Committee recommended deferring consideration of the request for the P.A. to perform sclerotherapy using glycerine as a sclerosing agent to allow the Board to obtain an expert opinion regarding this process. The Committee further recommended approval of, with standard language previously approved by the Board, the request for the P.A. to use the Candela Gentle Yag Laser and the Dornier 940 laser. The motion was adopted.

L. Terry Pynes, M.D. - Request for clarification on PA scope of practice and nursing



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home facility patients The Credentials Committee recommended notifying Dr. Pynes that a nursing facility is not considered a remote site; however, a nursing facility can be considered and approved as a practice site for the physician / P.A. registration. The motion was adopted.

Amalee Smith, PA / Paul Castellanos, M.D. - Request for consideration of endoscopy privileges The Credentials Committee recommended that the Board affirm its previous denial of the request for the P.A. to perform endoscopic procedures. The motion was adopted.

Jamaal Upshaw, PA / Donald P. Brobst, M.D. - Request for consideration of formulary The Credentials Committee recommended approval of the P.A. formulary including, with standard language previously approved by the Board, number twenty-three, birth control drugs and devices. The motion was adopted.

QACSC The Credentials Committee recommended approval of the proposed P.A. QACSC fee schedule as follows: The initial application fee per each physician/P.A. registration will be set at \$100 plus \$10 for the Prescription Drug Monitoring Program fee; The annual renewal fee per each physician/P.A. registration will be set at \$50 plus \$10 for the Prescription Drug Monitoring Program fee. The Committee further recommended specifying in the Board's Administrative Rules that P.A.s shall be required to complete the Board of Medical Examiners and the Medical Association's jointly sponsored continuing medical education course, *Prescribing Controlled Drugs; Critical Issues and Common Pitfalls*, to obtain 8 hours of the 12 hours of Category 1 continuing medical education which

is required prior to making application for the QACSC, and shall be required to obtain the remaining 4 hours through a Board approved course in advanced pharmacology and prescribing trends related to controlled substances. The Committee recommended that P.A.s be required to obtain 4 hours of Category 1 continuing medical education regarding the prescribing of controlled substances every two years as a requirement to renew and maintain the QACSC. The motion was adopted.

Paige McDonald, CRNP / Steven M. Skinner, M.D. - Request for additional skills The Credentials Committee recommended approval of, with standard language previously approved by the Board, the request for the CRNP to perform cryosurgery, superficial chemical peels, cautery without biopsy, and destruction of basal or squamous cell carcinoma. The motion was adopted.

Debbie Meggs, CRNP / Melissa Harrison, CRNP / Mary Ellen Cole, CRNP / Richard E. Jones, III, M.D. - Documentation of supervised training for CRNP to perform joint injections The Credentials Committee recommended approval of the documentation of having trained the CRNPs to perform joint injections. The motion was adopted.

Cecilia Robinson, CRNP / David H. Arnold, M.D. - Request to train CRNP to perform cryotherapy of superficial skin lesions The Credentials Committee recommended approval of, with standard language previously approved by the Board, the request to train the CRNP to perform cryotherapy of superficial skin lesions. The motion was adopted.

Aiding and Abetting the Unauthorized Practice of Medicine in Interventional Pain Management This investigative report was erroneously placed in the public section of the Board's agenda. Pursuant to Code of Alabama § 34-24-60, the report was moved to the

privileged and confidential section of the agenda for consideration during the confidential portion of the meeting as the report contained confidential investigative information relating to an allegation that a physician has aided and abetted the unlicensed practice of medicine.

Joint Committee on Advanced Practice Nursing

Joint Committee Meeting - September 15, 2009 The Credentials Committee recommended deferring to the full Board for a report to be presented by Dr. Smith. The Board recommended that the report presented by Dr. Smith be received as information. The motion was adopted and a copy of the report shall be made a part of these Minutes and shall be attached hereto as Exhibit "A."

A motion was made that the recommendations of the Joint Committee, as stated in the Minutes of the Joint Committee, be approved. The motion was adopted and a copy of the Minutes of the Joint Committee Meeting shall be made a part of these Minutes and shall be attached hereto as Exhibit "B."

A motion was made to issue Cease and Desist letters to the physicians listed in the Joint Committee's Minutes of September 15, 2009, who failed to pay the collaborative practice agreement fee prior to the Committee's meeting. The motion was adopted.

Collaborative Practice Covering Physician Applicants

Collaborative Practice Covering Physician Applicants The Credentials Committee recommended approval of Collaborative Practice Covering Physician Applicants one

through one hundred forty-two. The motion was adopted and the list of Collaborative Practice Covering Physician Applicants shall be made a part of these Minutes and shall be attached hereto as Exhibit "C."

### CURRENT BUSINESS

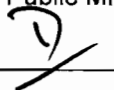
Administrative Rule Changes - CME Requirement Increase The Credentials Committee recommended that the amendments to Administrative Rules 540-X-14-.02; 540-X-14-.08; 540-X-7-.29; 540-X-7-.62; and 540-X-7, Appendix I be approved for publication for public comment in the *Alabama Administrative Monthly*. The motion was adopted.

Administrative Rule 540-X-3-.02, Medical Education Requirement The Credentials Committee recommended that the amendment to Administrative Rule 540-X-3-.02 be approved for final adoption. The motion was adopted.

Administrative Rule 540-X-14-.12, Grace Period and Notice The Credentials Committee recommended that the amendment to Administrative Rule 540-X-14-12 be approved for publication for public comment in the *Alabama Administrative Monthly*. The motion was adopted.

Administrative Rule 540-X-14-.13, Reinstatement After Revocation of License The Credentials Committee recommended that the amendment to Administrative Rule 540-X-14-.13 be approved for publication for public comment in the *Alabama Administrative Monthly*. The motion was adopted.

Delegation of Certain Physician Duties to Non-Physicians The Credentials Committee recommended that the Board rescind its previous opinion that a physician should not



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delegate to a Registered Health Information Technician the physician's duty of dictating a discharge summary. The motion was adopted.

Board Opinion Re: Responsibility of Physician for Discharge Summary, Delegation of Dictation Duty to Registered Health Information Technician - The Credentials Committee recommended that the Board adopt the opinion that a physician may delegate to a Registered Health Information Technician the duty of dictating a discharge summary from information already documented in the record. The expectation of the Board is that the discharge summary will include all pertinent information which would be required by physicians providing subsequent care, including: admitting diagnosis, discharge diagnosis, discharge medications, follow-up plans and an appropriately detailed narrative of the patient's hospital course. **The dictated discharge summary shall be reviewed and signed by the physician who shall accept full responsibility for the summary.** The motion was adopted.

Employment Policies - Health and Hospitalization Insurance The Credentials Committee recommended that the policy regarding employee health and hospitalization insurance be approved. The motion was adopted.

FSMB - Liaison Program The Credentials Committee recommended that the information regarding the FSMB's Liaison Program be received as information. The motion was adopted.

International Medical Graduate - Post Graduate Education Certification The Credentials Committee recommended that the Board affirm the current statute, Code of Alabama § 34-

24-70(2)2, which states, *All other applicants for a certificate of qualification who graduated from a college of medicine not accredited by the Liaison Committee on Medical Education of the American Medical Association or a college of osteopathy not accredited by the American Osteopathic Association shall present evidence satisfactory to the board that the applicant has completed three years of postgraduate or residency training in any of the following programs: a) A program listed in the directory of approved residency training programs published by the American Medical Association. b) A program accredited by the American Osteopathic Association. c) A program accredited by the Accreditation Committee of Royal College of Physicians and Surgeons of Canada. d) A program accredited by the College of Family Physicians of Canada.* The motion was adopted.

Prescribing Controlled Drugs - Presentation Evaluation The Credentials Committee recommended that the Presentation Evaluation be received as information. The motion was adopted.

Synagis® After consideration of correspondence from Health Information Designs, the Credentials Committee recommended notifying Mr. DiBenedetto that the Board would not consider it to be unprofessional conduct by a physician should the physician allow Synagis®, unused by another patient, to be used for other qualified patients within the same physician's practice under the conditions described in the correspondence of August 19, 2009; however, the Board recommends to Mr. DiBenedetto that he direct his question to the Alabama Board of Pharmacy under whose jurisdiction the question should be considered. The motion was adopted.



Article, Collaborative Practice: CMS Implements New Rules The Credentials Committee recommended that the article be received as information. The motion was adopted.

Article, Doctor of Nursing Practice Candidates Meet in Montgomery The Credentials Committee recommended that the article be received as information. The motion was adopted.

2009-2010 Lease Contract The Credentials Committee recommended that the 2009 - 2010 Contract for the Provision of Office Space be approved. The motion was adopted.

Statement of Economic Interests Reporting Requirements After consideration of correspondence from Hugh R. Evans, III, Esq., General Counsel for the State of Alabama Ethics Commission, a motion was made to receive as information the notification from Mr. Evans that members of the Alabama Board of Medical Examiners are not required to file Statements of Economic Interest forms; however, the Board was advised that they are subject to all other regulations contained in the Ethics Law. The motion was adopted.

## HEARINGS

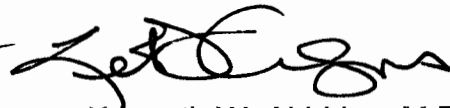
ABME Hearing Schedule The Credentials Committee recommended that the ABME Hearing Schedule be received as information. The motion was adopted.

Brian E. Cressman., M.D., Jasper After consideration of testimony presented during a hearing before the Board, a motion was made to continue the hearing and defer disposition pending receipt of additional expert evidence from an endocrinologist to be selected by the Board and to further receive articles of prospective, randomized, double-blinded studies showing that raising testosterone levels from low normal to high normal resulted in

objective, measurable improvements in patient health. The motion was adopted.

John P. Hagler, Jr., M.D., Montgomery After consideration of a Request for Reconsideration filed on behalf of Dr. Hagler, a motion was made and adopted to withdraw the Board's prior Order of August 28, 2009, and to enter an Order restricting Dr. Hagler's prescribing of Schedule II controlled substances to nursing homes, hospitals and hospice settings only and to conduct random patient chart reviews every six months. A copy of the Order shall be attached hereto and made a part of these Minutes as Exhibit "D."

  
Larry D. Dixon  
Executive Director

  
Kenneth W. Aldridge, M.D.  
Chairman