



THE FLORIDA BOARD OF MEDICINE MESSAGE FROM THE CHAIR

April 2012

Greetings

I wanted to take this opportunity to update you on some important changes on the Board of Medicine and in the Department of Health. Since my last Message from the Chair, Governor Scott has made two appointments to the Board of Medicine, and our state



*Dr. Jason J. Rosenberg,
MD, FACS*

Surgeon General has stepped down from his position following the legislative session.

Dr. Onelia Lage—a former board chair and a pediatrician from Miami—has been reappointed for a four-year term. Also appointed to the board for a four-year term is Dr. Magdalena Averhoff, a gastroenterologist from Miami. I welcome Dr. Lage back and will continue to rely on her leadership and assistance as the year continues. I also look forward to working with Dr. Averhoff and appreciate her willingness to continue to serve her profession in this significant new role.

I would like to thank Dr. Trina Espinola—an otolaryngologist from St. Petersburg—for over four years of service to her fellow physicians and licensees. Dr. Espinola was a distinguished leader on our board and a tireless advocate for the safe practice of medicine in our state. She will be missed, but she will continue her lifelong service of medicine as the Chief of Staff at Bayfront Medical Center in St. Petersburg.

Also of note, our State Surgeon General, Dr. Frank Farmer has stepped down from his post effective this month following the legislative

session. During Dr. Farmer's tenure, he was able to make significant contributions to the process by which Emergency Suspension Orders are issued in Florida. He also worked tirelessly to address the "pill mill" crisis in our state. Along with colleagues in the legislature and the executive branch, a great deal of progress has been made, and we are all safer



*Former State Surgeon General,
Dr. Frank Farmer*

for it. Dr. Farmer's highest priority has always been the safety of Florida's citizens, and his work on these two important initiatives will be another significant chapter in his distinguished career in public service. On behalf of the Board of Medicine, I salute his many contributions

to the medical profession, and to the people of Florida.

Working to improve our board structure, we have added a new standing committee—the Communication, Information and Education Committee. Chaired by consumer member, Ms. Brigitte Goersch, this committee will work to help the board more effectively communicate with our licensees. We recognize that the active practice of medicine is a full time job; knowing the requirements to comply with the medical practice act should not be. Our goal is to inform our licensees of their legal requirements in the most efficient way, freeing you to do what you do best—provide quality care to your friends and neighbors in your community.

Sincerely,

**Jason J. Rosenberg, MD, FACS
Chairman, Florida Board of Medicine**

Attorney General Bondi Recognized by the Board

At the February 2012 meeting, the Board of Medicine recognized Florida's 37th Attorney General, Pam Bondi. She has played an instrumental role in the war on prescription drug abuse in Florida.

Since taking office, she has joined forces with the Governor's Office, the Florida Legislature, the Department of Health, the Board of Medicine, and state and local law enforcement agencies in this effort.

A supporter and advocate of House Bill 7095, also known as the "Pill Mill Bill", she worked closely with the Legislature to create

stiffer criminal and administrative penalties for physicians and pain management clinics in violation of the State's controlled substance laws.

Her efforts have proven to be fast and effective. Just two years ago, USA Today reported that 90 of the top 100 over-prescribing physicians in America were based out of the State of Florida. Earlier this week, that number has been reported to have fallen to just 13.

Proactively identifying newborns as the latest victims of the prescription drug epidemic, she is now prioritizing protection of innocent babies born with an addiction to prescription medications. She is currently involved in efforts with lawmakers and law enforcement



Attorney General Pam Bondi with Board Chairman Dr. Jason J. Rosenberg

to examine ways to tackle this issue.

The Board of Medicine has committed to continuing in its partnership with the Florida Attorney General's Office in order to protect the health of all residents and visitors in the State of Florida.

Board Goes Live with Online Applications

Beginning in March of this year, a majority of the Board of Medicine's licensure applications have gone "live." What this means is that for the first time, applicants in the State of Florida can submit their licensure applications and fees by going online to the Board of Medicine's website, eliminating mailing time and further expediting the application process. Professions already using online applications have shown a decrease in the amount of time it takes to issue license's to their applicants.

The first time an applicant clicks the "Apply Online for Licensure" link on our website, the applicant will be asked to set up his/her User ID and Password. Once that has been done, the applicant can begin completing the application. If needed, the application can be saved and then later retrieved using the applicant's established login information. Once the application and fee has been submitted, the applicant will be able to go online to monitor the status of the application.

For those that prefer not to utilize the new online system, paper applications will still be made available.

Additional applications—including Office Surgery Registration and Pain-Management Clinic Registration—are expected to go live within the next few months. Stay tuned for additional details in a future issue of *Message from the Chair*.

February 2012 Board Meeting Highlights

This meeting was held on February 3rd and 4th at the Gaylord Palms Resort & Convention Center in Kissimmee, FL. The Board heard 43 disciplinary cases against both physicians and physician assistants, with offenses ranging from inappropriate prescribing and wrong site surgery to standard of care cases and failure to report disciplinary actions in other states. Below is a breakdown of each type of disciplinary action that was imposed:

Penalty	Number imposed
Revocation – These practitioners are no longer permitted to practice in Florida.	4
Suspension – These practitioners may not practice their profession for a specified period of time as outlined in the Final Order. Often the practitioners are required to appear before the Board to demonstrate their ability to practice with reasonable skill and safety.	4
Relinquished – These practitioners have relinquished their license in lieu of further prosecution.	6
Probation - This practitioner may practice his/her profession under the probationary terms outlined in the Final Order.	1
Obligations – These practitioners may practice their profession under the conditions specified in the Final Order and may be required to pay fines and costs, complete additional CME, give a lecture, obtain a quality assurance review of the practice and/or have restrictions placed on the practice.	20
Dismissed – In these cases, the Board reviewed the case materials and interviewed the physicians. Based on the individual circumstances and evidence presented, the Board dismissed the cases.	3
Pending cases – These are cases where the Board rejected the proposed Settlement Agreement and offered a counter proposal that is still pending the Respondent’s acceptance, or the hearing was tabled for another reason.	4

In addition to the Full Board disciplinary cases, several of the Board’s committees met to carry out their respective business. Below is a list of the committees that met, as well a brief description of what they do:

- The **Credentials Committee** interviews license applicants whose prior history—including malpractice cases—may raise questions of concern regarding the ability to practice with skill and safety, or questions about an applicant's performance while in medical school or prior practice in other jurisdictions.
- The **Council on Physician Assistants** is composed of members of the Board of Medicine, one member from the Board of Osteopathic Medicine and one licensed physician assistant approved by the State Surgeon General.

Council’s duties:

- Certification of applicants for licensure
- Development of rules regulating physician assistants
- Making recommendations to the Board regarding all matters relating to physician assistants

Board’s duties:

- Approve and adopt identical rule language recommended by the Council, or return the recommendation to the Council
- Disciplinary actions against licensees
- The **Rules/Legislative Committee** develops recommendations for the amendment or creation of Board rules in order to clarify standards, or to impose requirements to strengthen patient protection and quality of care. This committee also makes recommendations to the Full Board regarding bills filed with the legislature.

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- The **Surgical Care and Quality Assurance Committee** reviews the Board's rules relating to the standard of care for office surgery to determine necessary and appropriate revisions in order to strengthen patient safety and minimize the risk factors that contribute to adverse patient incidents. This committee addresses issues related to the quality of care and standards of practice, formulates policy recommendations for the Full Board's consideration, and studies quality of care issues as they arise.
- The new **Communication, Education and Information Committee** is tasked with developing proactive communication strategies in an effort to educate and inform applicants, licensees, and the public about the role of the Board of Medicine, as well as the laws and rules regulating the practice of medicine.
- The **Finance and Process Accountability Committee** reviews the Board's budgetary standing. In addition, this committee is tasked with following up on recommendations made with regard to process improvement.

Notes: For full audio tracks and the minutes for the Full Board and Committee meetings, visit our website. Once there, follow the link titled "Board Meeting Information", and then click "Agenda Materials and Audio Files."

As with all Board Meetings, physicians in attendance for either one of the two days of disciplinary hearings are eligible to receive five (5) hours of CME credit in ethics or risk management. Dates and locations for future meetings are available on the Board of Medicine website. If you plan to attend, be sure to sign in with the Board Staff upon your arrival at the meeting.

Testimonials and Awards

The staff at the Board of Medicine office strives every day to make processes easier and more efficient. We would like to take a moment to recognize some outstanding members of the staff:

Testimonials:

A physician, after going through the licensure process, wrote the following:

*I am writing you to express my gratitude towards both **Michelle Hawkins** who shepherded me through the application process and for the relative ease of the process itself. The application was largely self explanatory and the instructions were very good. The ability to download much of the information required for the application process was a lifesaver. I initially applied less than 3 months ago for licensure and had to get my residency programs from 25 years ago to re-create my training certificates as mine were long ago lost in flooding, so it was only this delay on my part that delayed my application. But 3 months is a very short time, and I have friends in other states including California that sometimes take 6 months or longer for medical licensure. I also wanted to tell you how conscientious Michelle Hawkins has been helping me through the process, communicating by email, but taking the time to call me via my cell phone more than once on her own accord to ask for clarification on issues. I did not ask her to call and find it refreshing (and somewhat astonishing) that this degree of personal attention is being given to the application process and the applicants going through the process. It is far more than was anticipated or expected. Michelle is a great asset to your*

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licensure process, and is both efficient and pleasant in her communications with me. I have not been granted licensure yet, but regardless if that transpires or not, I wanted to tell you of the wonderful experience I have had with your department, your personnel, and your process.

An attorney had this to say regarding **JoAnne Trexler**, a supervisor at the Board office:

I just had occasion to review the transcript of the hearing where you [Ms. Trexler] were a witness on September 13 . . . I just wanted to tell you that I think you did such a good job. You were terrific . . . You were simply great. From Donna Erlich

Awards:

Meritorious Achievement Award in Leadership

Presented to **Chandra Prine**, Program Operations Administrator for providing guidance, direction, encouragement and support to a large staff that has benefited from her knowledge and expertise. Under her leadership, her staff has built and maintained superior performance and has become empowered, strengthening the team.



Pictured left-to-right: Lucy Gee, Chandra Prine, Joy Tootle, Wendy Alls, and Angela Denson

Meritorious Achievement Award, Team Category



Presented to the following members of the Board Staff:

Crystal Sanford, Program Operations Administrator

JoAnne Trexler, Regulatory Supervisor

George Johnson, Regulatory Supervisor

Carla Piggot, Regulatory Specialist II

Lynda Alphin, Regulatory Specialist I

Vickie Martin, Records Specialist

This team worked through the creation of a new profession with regulations unlike any other in the State of Florida—pain-management clinics. Their purpose was to find the best, most efficient way of handling each new law, and they did so by:

- Collaborating and working together to produce process maps
- Producing results/solutions, meeting legislative mandated deadlines over two years and finding various ways to communicate with the clinics
- Understanding their goal of registering the applicants and regulating the licenses through participation in the program process mapping meetings
- The team members came prepared, showed respect for each other, valued time and the ideas of others, contributed, provided an environment of open communication
- Assisted in the development of online services

Great work and congratulations to the entire staff!

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