

OKLAHOMA STATE BOARD OF EXAMINERS OF PERFUSIONISTS

Minutes of Special Meeting

The Oklahoma State Board of Examiners of Perfusionists met on August 30, 2016, in accordance with the Open Meeting Act. The meeting was held at the office of the Board, 101 NE 51st Street, Oklahoma City, Oklahoma. Advance notice of this special meeting was transmitted to the Oklahoma Secretary of State on August 26, 2016, and posted on the Board's website on August 29, 2016. The notice and agenda were posted in prominent public view on the front doors of the Oklahoma Board of Medical Licensure and Supervision building located at 101 NE 51st St., Oklahoma City, OK on August 29, 2016, at 9:00 a.m.

Members Present were:

Douglas G. Hamilton, II, LP, Chairman
*Hayden Miller, LP, Vice-Chair
Mr. Gary Isbell, Secretary-Treasurer
Mr. Harold Wardlow
Marvin D. Peyton, MD
Samuel Friedrichsen, LP

Members Absent were:

Leah Davidson, LP
R. Darryl Fisher, MD
(Public member position vacant)

Others present:

Reji Varghese, Deputy Executive Director
Barbara J. Smith, Executive Secretary
Teresa Mitchell, Director of Licensing

Having noted a quorum, Mr. Hamilton called the meeting to order at 7:01 p.m.

*Mr. Hayden Miller joined the meeting.

Following Board review, Mr. Isbell moved to approve the Minutes of January 26, 2016, as written. Mr. Miller seconded the motion and the vote was unanimous in the affirmative.

Mr. Isbell moved to nominate Mr. Hamilton to serve as vice-chair pursuant to Okla. Admin. Code 527:1-1-2(C). Mr. Miller seconded the motion and the vote was unanimous in the affirmative. (*Mr. Miller will automatically move into the role of Chair for a one-year term pursuant to Okla. Admin. Code 527:1-1-2(C).*) (**See Attachment #1**)

Next the Board reviewed applications for licensure. Following Board discussion, Mr. Friedrichsen moved to approve the complete application of **SACHIN PRAVEN PATEL** for Provisionally Licensed Perfusionist. Mr. Miller seconded the motion and the vote was unanimous in the affirmative.

Mr. Miller moved to approve the incomplete application of **KLATYON WILLIAM**

BUCKLEY for Licensed Perfusionist pending completion of the file. Dr. Peyton seconded the motion and the vote was unanimous in the affirmative.

Mr. Miller moved to approve the incomplete application of **RYAN LEE HOLEVINSKI** for Licensed Perfusionist pending completion of the file. Mr. Friedrichsen seconded the motion and the vote was unanimous in the affirmative.

Next, Mr. Reji Varghese presented the contract with the Oklahoma State Board of Medical Licensure and Supervision for 2016-2017. Mr. Varghese stated there is no change from the previous year's contract. Following review, Mr. Isbell moved to approve the contract as presented. Mr. Miller seconded the motion and the vote was unanimous in the affirmative. (*See Attachment #2*)

Mr. Reji Varghese then presented the Financial Report, including a Revenue and Expenditure Report for the Symposium on Blood Conservation in the Cardiac Patient which was held in November of 2015. Mr. Varghese reported that the symposium was not expected to be a revenue generator, but more of a service to medical professionals. Following Board discussion, Ms. Barbara Smith was directed to place a discussion item regarding a future symposium on the next agenda. It was also requested by the Board that Ms. Smith begin looking for facilities to host the symposium as well as CME/ABCP accreditation companies. Mr. Wardlow moved to approve the Financial Report as presented. Mr. Isbell seconded the motion and the vote was unanimous in the affirmative. (*See Attachment #3*)

Mr. Reji Varghese reported that Board Staff has requested a financial audit from the state auditor since state agencies are required to be audited every three years. A couple of months ago, the auditors reported they would be ready to begin the audit process in mid-August and would send the required engagement letter and a questionnaire to Board Staff. Even though a financial audit was requested, the auditors stated they will perform a fully operational audit. Board Staff has not yet received the questionnaire or engagement letter to date.

The Board then discussed the possibility of offering Perfusion Emeritus status to Oklahoma licensed perfusionists. As it stands now, there is no provision in the law or rules governing perfusionists for obtaining and/or maintaining Emeritus status. ("Emeritus status" means a physician has retired, or is no longer practicing, but remains licensed.) The American Board of Cardiovascular Perfusion ("ABCP) has an Emeritus status provision, but it does not require continuing education units in order to maintain the status. Dr. Peyton stated that he holds Emeritus status at the University of Oklahoma, but a retired physician does not necessarily carry an Emeritus title. They maintain an "active" license but are not in an "active" practice and they comply with all the continuing medical education requirements. Mr. Varghese stated if a physician wants to be completely retired, but wants to continue to use the designation "M.D." after his name or be referred to as "Doctor," he needs to have an Emeritus license. Unlicensed physicians in Oklahoma cannot be referred to as "Doctor" or use the designation "M.D." after their name.

Mr. Varghese drew the Board's attention to Okla. Admin. Code 527:10-1-3(b) which states as follows: *"Compliance with the laws and rules regarding renewal of licensure shall be evidenced by recertification issued by the American Board of Cardiovascular Perfusionists or, for candidates for renewal who are ineligible for that recertification, compliance may be*

evidenced by submitting to the Oklahoma Board of Examiners of Perfusionists, evidence equivalent thereto.” (Emphasis added.)

The Board was clear that it wanted all perfusionists licensed in Oklahoma to continue to follow the guidelines put in place by ABCP with regard to training, education, continuing education and recertification. The Board, after discussion, came to the conclusion that if a potential licensee (or someone who had been on Emeritis status) had not completed that process, the Board could not, in good conscience grant a license. Mr. Miller moved to not pursue a potential rule change to allow Emeritus status for licensed perfusionists in Oklahoma. Mr. Wardlow seconded the motion and the vote was unanimous in the affirmative.

Ms. Barbara Smith was directed to place a discussion item on the next agenda regarding allowing a temporary license for perfusionists and/or allowing the review and voting on applications via electronic circularization by the Board members. Mr. Varghese will present an electronic circularization demonstration at that time as well.

Following Board review, Mr. Friedrichsen moved to approve the following 2017 Board Meeting Dates: **JANUARY 24, 2017; JUNE 13, 2017; AUGUST 22, 2017** and **NOVEMBER 7, 2017**. Mr. Miller seconded the motion and the vote was unanimous in the affirmative.

There being no further business, Mr. Hamilton adjourned the meeting. The time was 8:05 p.m.

CHAPTER 1. ADMINISTRATION AND ORGANIZATION

527:1-1-1. Purpose

The rules of this chapter have been adopted to establish the organizational and procedural framework of the agency and Board.

[Source: Added at 14 Ok Reg 160, eff 10-17-96 (emergency); Added at 14 Ok Reg 2319, eff 6-16-97]

527:1-1-2. Description of organization

(a) The Board is created by the Oklahoma Legislature, 59 O.S. 1996 Supp. §2053. The Board has the authority and duty to regulate and administer the practice of perfusion in this state.

(b) The Board consists of nine (9) members who are qualified and appointed in accordance with the provisions of 59 O.S. 1996 Supp. §2053 and §2054.

(c) The officers of the Board shall serve one year terms; the Vice-Chair shall automatically assume the position of Chair at the end of the one year term and a new Vice-chair shall be elected by majority vote of the members in attendance at the meeting.

[Source: Added at 14 Ok Reg 160, eff 10-17-96 (emergency); Added at 14 Ok Reg 2319, eff 6-16-97]

527:1-1-3. Method of operations

(a) The offices of the Oklahoma State Board of Perfusionists are located in Oklahoma City, Oklahoma

(b) The offices shall be open to the public for review of public records in accordance with the Open Records Act, 51 O.S. 24A.1 et seq.

(c) Every communication in writing to the Board shall be addressed to the Board at the Oklahoma City office unless the Board directs otherwise.

(d) The Board shall hold meetings in accordance with the Oklahoma Open Meetings Act. Special meetings may be called by the Chairman of the Board. Five (5) members of the Board constitute a quorum and may transact any business or conduct an individual proceeding by simple majority vote of a quorum.

(e) All rules and other written statements of policy or interpretations formulated, adopted or used by the Board in the discharge of its functions and all final orders, decisions, and opinions will be made available for public inspection at the Board office during regular office hours.

(f) All records of the Board which are public records pursuant to the Oklahoma Open Records Act shall be available during regular business hours. Copies shall be available upon payment of applicable fees. It is the policy of the Board to maintain as confidential all records held by the Board in any file, pursuant to 12 O.S section 2503. It is the position of the Board that investigative files are confidential under the Open Records Act.

[Source: Added at 14 Ok Reg 160, eff 10-17-96 (emergency); Added at 14 Ok Reg 2319, eff 6-16-97]

527:1-1-4. Rulemaking procedures

(a) **Submission of data.** Prior to the adoption, amendment, or repeal of any rule the Board shall afford any interested person a reasonable opportunity to submit data, views, or arguments, orally

CONTRACT - *Administrative Support Services*

This contract is made and entered into this _____ day of _____, 2016 by and between the **Oklahoma State Board of Medical Licensures and Supervision**, hereinafter referred to as the [Board] and the **Oklahoma State Board of Examiners of Perfusionists**, hereinafter referred to as the [Perfusionists Board].

WHEREUPON, the parties recognize that the **Perfusionists** requests assistance from the **Board** in performing staff level work necessary to carry out the Oklahoma Licensed Perfusionists Act.

NOW, THEREFORE, in consideration of the foregoing covenants and agreements, it is mutually agreed between the parties that beginning on **July 1, 2016 and continuing through to June 30, 2017** the following:

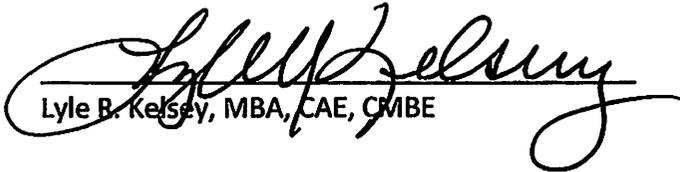
- A. The **Board** agrees to and does hereby contract to provide expert staff services to **Perfusionists Board**, including but not limited to issues relating to evaluation of applicants for licensure, licensure of qualified applicants as Perfusion and handling CME requirements and investigation of complaints and claims of unlawful practice and unprofessional conduct.
- B. The **Board** agrees to work with **Perfusionists Board** to expedite prompt rendering of professional services.
- C. **Perfusionists Board** agrees to pay the **Board** a monetary fee in the amount of \$100.00 per new licensee and \$40.00 per renewal.
- D. **Perfusionists Board** agrees that the **Board** will render only staff level services, and **Perfusionists Board** absolutely reserves and retains final decision making authority on all licensure and compliant matters. The **Board** Executive Director and/or **Perfusionists Board** Secretary will negotiate investigative services.
- E. **Perfusionists Board** agrees to reimburse the **Board** all expenses incurred in the performance of staff level services that include but not limited to:
 - 1 Travel expenses incurred in providing staff coverage of **Perfusionists Board** meetings
 - 2 All data processing services performed by the **Board** such as:
 - i Database management;
 - ii Website domain registration at cost and hosting charges at \$50 per month;
 - iii On-line renewal and on-line initial application, listings and labels from database;

- iv One-half of the verification of licensure fees collected;
- v Postage expenses above and beyond which is normally associated with applications for licensure and renewal of licenses;
- vi Expenses incurred in preparing mail-outs to all licensed Perfusionists.

F. Both parties agree that this contract can be changed or terminated by either party upon thirty- (30) day written notice.

BOARD OF MEDICAL LICENSURE AND SUPERVISION

BOARD OF EXAMINERS OF PERFUSIONISTS


Lyle B. Kelsey, MBA, CAE, CMBE

Secretary-Treasurer

Board of Examiners of Perfusionists

Revenue, Expenditure, Cash Receipts and Disbursement Report

For The Period Beginning July 1, 2015 to June 30, 2016

Clearing Account

Cash Balance in Clearing Account as of July 1, 2015 497.81

Receipts by source:

| | | |
|------------------------|----|----------|
| Applications | \$ | 2,100.00 |
| Copies | \$ | - |
| Data Processing | \$ | 1,400.00 |
| Duplicate Licenses fee | \$ | - |
| Duplicate Wallet Card | \$ | - |
| Renewal fee | \$ | 9,400.00 |
| Verification | \$ | 145.00 |

| | | |
|--|--|--------------|
| Total collection/receipt as at June 30, 2016 | | 13,045.00 |
| Total Receipt available for disbursement: | | \$ 13,542.81 |

Disbursements:

| | | |
|----------------------------------|----|-----------|
| Transfers out: | | |
| To Revolving Account - Fund 200) | \$ | 11,900.00 |
| General Revenue Fund (10%) | \$ | 1,343.00 |
| Refunds | \$ | 120.00 |
| Returned Checks | \$ | - |
| Misc. fees [Deposit Adjustment] | \$ | - |

| | | |
|-----------------------------------|--|-------------|
| Total Disbursement and adjustment | | \$13,363.00 |
|-----------------------------------|--|-------------|

| | | |
|--|--|-----------|
| CASH BALANCE IN CLEARING ACCOUNT AS OF June 30, 2016 | | \$ 179.81 |
|--|--|-----------|

Revolving Account

Beginning Cash Balance in Fund 200 (Revolving Account) as of July 1, 2015 \$ 101,435.17

Sources:

| | | |
|--|--|---------------|
| Transfers In: | | |
| Fiscal year 2016 Transfers | | 11,900.00 |
| Total Transfer in: Disbursement from Clearing Account to Revolving | | \$ 11,900.00 |
| Total cash available in revolving account | | \$ 113,335.17 |

Uses:

| | | |
|---|--|--------------|
| Business Support Services: FY 2015 Admin Charges for the Medical Board | | 4,585.90 |
| FY 2016 Risk management Insurance Premium - D&O COVERAGE | | 332.73 |
| Blood Conservation in the Cardiac Patient Symposium Expenses: | | |
| Educational Services | | 6,856.40 |
| Other Miscellaneous Health Practitioners | | 2,375.00 |
| Travel Reimbursement | | 300.00 |
| Food and Catering Services | | 1,193.12 |
| Total - Blood Conservation in the Cardiac Patient Symposium Expenses: | | \$ 10,724.52 |

| | | |
|---|--|--------------|
| Total Expenditure from July 1, 2015 - June 30, 2016 | | \$ 15,643.15 |
|---|--|--------------|

| | | |
|--|--|--------------|
| CASH BALANCE IN REVOLVING ACCT AS OF June 30, 2016 | | \$ 97,692.02 |
|--|--|--------------|

Note Blood Conservation in the Cardiac Patient Symposium registration fees (Attendees & Exhibitors) in the amount of \$3,150 is pending transfer to Perfusionist Board.

