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MINNESOTA BOARD OF MEDICAL PRACTICE

SUMMARY

BIENNIAL REPORT

JULY 1, 1990 TO JUNE 30, 1992

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SUMMARY

BIENNIAL REPORT

MINNESOTA BOARD OF MEDICAL EXAMINERS
2700 UNIVERSITY AVENUE WEST
SUITE 106
ST. PAUL, MN 55114-1080

STATUTORY AUTHORITY - M.S. 146, 147, 148, 319A

REPORT PERIOD - July 1, 1990 to June 30, 1992

SUBMITTED BY - H. Leonard Boche, Executive Director

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BOARD OF MEDICAL PRACTICE
RECEIPT AND DISBURSEMENT OF BOARD FUNDS

	<u>FY 91</u>	<u>FY92</u>	<u>TOTAL</u>
Total State Appropriations	2,090,523	1,958,000	4,048,523
Board Expenditures	2,086,774	1,836,410	3,923,184
AGO Expenditures	356,751	716,000	1,072,751
Total Disbursements	2,443,525	2,552,410	4,995,935
Total Fee Receipts	2,188,856	2,706,500	4,895,356

BOARD OF MEDICAL PRACTICE
 LIST OF MEMBERS WHO SERVED DURING FY 91 AND FY 92
 Number of Board members required by statute: 16
 Length of terms: 4 years

<u>NAME & ADDRESS</u>	<u>OCCUPATION</u>	<u>APPOINTMENT DATES</u>
BERT, Jack	Medical Doctor	4-5-83 to 1-5-91
BREINER, Adrienne	Teacher	5-17-91 to 1-25-95
BROOKER, Doris	Medical Doctor	9-4-90 to 1-3-94
ELLIS, Cassius	Medical Doctor	1-16-85 to 1-2-93
GILBERTSON, David	Doctor of Osteopathy	1-5-87 to 1-5-91
HART, Meredith	Health Advocate	1-6-86 to 1-6-90
HARTMANN, Mary	Administrator	4-6-83 to 1-5-91
HERMAN, David	Medical Doctor	9-4-90 to 1-9-93
IVANCE, Richard	Medical Doctor	2-11-92 to 1-9-96
JORDAN, Gloria	Businesswoman	9-4-90 to 1-3-94
KELLEY, Stephen	Attorney	1-20-84 to 1-6-92
KIDDER, David	Doctor of Osteopathy	5-17-91 to 1-2-95
KNAPP, James	Medical Doctor	5-6-90 to 1-3-94
MARTIN, M.J.	Medical Doctor	1-17-89 to 1-9-93
MIKA, Mary	Homemaker	2-11-92 to 1-1-96
MULDER, Richard	Medical Doctor	5-17-91 to 1-2-95
NOVAK, Karen	School Board	5-17-91 to 1-1-96
OLSON, Clyde	Medical Doctor	1-5-87 to 1-9-93
QUATTLEBAUM, Frank	Medical Doctor	1-5-87 to 1-6-92
SIGEL, Melvin	Medical Doctor	1-20-84 to 1-6-92
SPILOSETH, Paul	Medical Doctor	2-11-92 to 1-1-96
THORSON, Stuart	Medical Doctor	2-11-92 to 1-1-96

BOARD OF MEDICAL PRACTICE

Clause g: LIST THE NUMBER OF PERSONS HAVING EACH TYPE OF LICENSE AND REGISTRATION ISSUED BY THE BOARD AS OF JUNE 30, 1992 (IN THE YEAR OF THE REPORT)

TYPE OF LICENSE/REGISTRATION	TOTAL # IN EFFECT
Medicine and Surgery	14,408
Osteopathy	3
Physical Therapy	2,583
Physician Assistant	179
Professional Medical Corporation	644

Clause a: GENERAL STATEMENT OF BOARD ACTIVITIES

The Minnesota State Board of Medical Practice has been given the following responsibilities:

1. Licensure to Practice Medicine and Surgery

<u>Basis</u>	<u>Licenses Issued</u>	
	FY 91	FY 92
A. FLEX written examination	34	41
B. FLEX examination other state	151	162
C. Reciprocity	44	30
D. Endorsement of National Board of Medical Examiners	520	617
E. Endorsement of National Board of Osteopathic Examiners	8	15
F. Endorsement of Medical Council of Canada	<u>16</u>	<u>19</u>
TOTAL	773	884

A. FLEX Written Examination

The FLEX examination, a three day examination, was adopted by the Board in December, 1971 and is the examination used by all states within the United States. It is also used by Puerto Rico, the District of Columbia and the Province of Saskatchewan.

The FLEX score of 75.0 on each part is the passing score used by all states, including Minnesota. The examination is given in June and December. This examination is in two parts, each 1 1/2 days long.

B. FLEX Examination Other States

The Board has authorized the office to accept applications on the basis of FLEX examination taken in other states in lieu of taking our written examination or applying on the basis of reciprocity. Many of these applicants are international medical school graduates.

C. Reciprocity

Minnesota has reciprocity with all other states having examination requirements equal to or greater than Minnesota's. This means Minnesota will accept exam scores from other states, but does not guarantee licensure.

D. Endorsement of National Board of Medical Examiners

One normally becomes a Diplomate of the National Board of Medical Examiners by taking Day 1 (basic science subjects), as a second

year medical student, Day 2 (clinical science subjects), as a fourth year medical student and Day 3, (clinical competence), as a first year resident. This is the basis on which most United States graduates and many Canadian graduates are licensed in Minnesota.

E. Endorsement of National Board of Osteopathic Examiners

Since the Board of Osteopathy was merged with the Board of Medical Examiners in 1963, the only license the Doctor of Osteopathy can obtain in Minnesota is the license to practice medicine and surgery; the same license as issued to the Doctor of Medicine. They may apply on the basis of reciprocity, examination or the National Board of Osteopathic Examiners.

F. Endorsement of Medical Council of Canada

Minnesota Session Laws 1977, Chapter 7, authorized the Board to grant licenses to licentiates of the Medical Council of Canada.

G. SPEX Written Examination

Effective, August 1, 1991, the SPEX examination, a one day written examination, has been utilized by the Board to assure minimum competency of physician applicants who have not taken a licensing examination for ten years and are not currently specialty board certified.

2. Endorsement of Certification to Other States

During the two-year period, July 1, 1990 to June 30, 1992, 302 Minnesota licentiates used their Minnesota license to obtain licensure by reciprocity in other states. In addition to the above endorsements, thousands of certifications are made to the Drug Enforcement Administration, hospitals, drug companies and so forth.

3. Professional Corporations

During the two-year period, July 1, 1990 to June 30, 1992, 51 new corporations were formed, bringing the total of corporations formed since the original law was passed in 1951 to 1357. The number of corporations registered is 644, as of June 30, 1992.

4. Temporary Licenses

A temporary license to practice medicine can be issued until the next Board meeting if all requirements for a full licensure have been met. From July 1, 1990 to June 30, 1992, 704 temporary permits were issued.

5. Physical Therapy

Physical therapists have been registered in Minnesota since 1953. Physical therapists may be registered on the basis of having passed the Assessment Systems, Inc. (ASI) exam, the Professional

Examination Service (PES) examination or the American Registry of Physical Therapy Examination (no longer available). The number granted registration is as follows:

FY 91	197
FY 92	<u>178</u>
TOTAL	375

6. Physician Assistants

Physician assistants have been registered in Minnesota since 1987. Current regulations dictate that physician assistants may be registered on the basis of having graduated from an accredited program and passed the National Commission on Certification of Physician Assistants, Inc. (NCCPA) exam. Effective March 9, 1992, rules were adopted allowing physician to delegate authority to physician assistants to prescribe and administer drugs. Physician assistants practice under a supervisory agreement with a supervising physician(s). The number granted registration is as follows:

FY 91	35
FY 92	<u>29</u>
TOTAL	64

Clause m: Persons previously licensed or registered by the Board whose licenses or registrations were revoked, suspended, or otherwise altered in status, with brief statements of the reasons for the revocation, suspension, or alteration.

Status Change totals for the biennial periods (89-92):

<u>Status Change Type</u>	<u>FY89</u>	<u>FY90</u>	<u>Total</u>	<u>FY91</u>	<u>FY92</u>	<u>Total</u>
Amended Order	7	8	15	1	5	6
Emeritus Registration	0	1	1	0	0	0
Prohibition	1	1	2	1	1	2
Reinstatement	19	11	30	20	13	33
Reprimand	1	0	1	0	0	0
Reprimand & Civil Penalty	2	1	3	0	1	1
Restriction & Civil Penalty	0	0	0	12	12	24
Restriction	32	37	69	27	28	55
Revocation	3	3	6	1	3	4
Surrender	8	6	14	6	6	12
Suspension	8	8	16	6	13	19
Total	81	76	157	74	82	156

Clause n: List the number of complaints and other communications received by the Executive Director, each Board Member, employee, or other person performing services for the Board.

Complaints that allege or imply a violation of a statute or rule which the Board is empowered to enforce. These totals include cases referred to the Attorney General's staff who are assigned to assist your Board:

Jurisdictional complaints:

	<u>FY91</u>	<u>FY92</u>	<u>Total</u>
Written	943	1,156	2,099
Oral			
Total	943	1,156	2,099

Complaints which are forwarded to other agencies as required by M.S. 214.10:

	<u>FY91</u>	<u>FY92</u>	<u>Total</u>
Written	40	31	71
Oral	0	0	0
Total	40	31	71

Please indicate the number of complaints referred to each other governmental agency (Federal, State, and Local) in each fiscal year:

<u>Agency</u>	<u>FY91</u>	<u>FY92</u>	<u>Total</u>
Board of Chiropractors	8	3	11
Board of Dentistry	1	2	3
Board of Nursing	14	9	23
Board of Optometry	3	3	6
Board of Podiatry	2	1	3
Board of Psychology	7	5	12
Health Department	1	2	3
OHFC	4	3	7
Unlisted		3	3
Total	40	31	71

Clause o: Summarize, by specific category, the substance of the complaints and communications referred to in clause (n) of M.S. 214.07 and, for each specific category, the resources and dispositions thereof pursuant to M.S. 214.10 and 214.11 (indicate authority/citations for dispositions).

(Dispositions occurring during this period of complaints and communications received prior to July 1, 1990, and complaints and communications received, but not disposed, as of June 30, 1992 should be included.)

Summary of complaints and communications by specific category (Give number in each specific category. Individual complaints may involve more than one category.):

<u>Type</u>	<u>FY91</u>	<u>FY92</u>	<u>Total</u>
Access to Medical Records (A)	5	13	18
Acting outside the Scope of Licensure (OS)	1	17	18
Billing Practice (BP)	29	31	60
Chemical Dependency (CD)	52	59	111
Competency (C)	5	50	55
Ethics (E)	118	76	194
Failure to Report (Reporting Obligation) (RO)	53	14	67
False/Misleading Advertising (FA)	13	13	26
Fee Splitting (FS)	8	2	10
Fraud (F)	5	3	8
Improper Management of Medical Records (IM)	36	6	42
Inappropriate Delegation (D)	9	11	20
License Disciplined in Another State (LD)	37	48	85
Mental Competency (MC)	6	5	11
Non-Jurisdictional (X)	33	13	46
Practicing without License/Registration (W/O)	25	15	40
Prescribing Practices (P)	131	170	301
Questionable License/Registration (L)	24	31	55
Questions/Concerns regarding Hospital Privileges (H)	7	18	25
Sexually Inappropriate Acts (S)	78	66	144
Taxes Delinquent (T)	1	4	5
Unprofessional Conduct (UP)	861	718	1579
Violation of Stipulation and Order (V)	14	12	26
Total	1551	1395	2946

Summary of complaints and communications by specific source:

<u>Source</u>	<u>FY91</u>	<u>FY92</u>	<u>Total</u>
Anonymous (AN)	4	0	4
Board of Medical Practice (BMP)	227	341	568
Enforcement Agency (EA)	80	78	158
Family Member of Patient (FM)	136	116	252
Insurance Company (IN)	0	6	6
Office of Health Facility Complaints (OHFC)	51	47	98
Patient (PT)	357	346	703
Reporting Obligation (Licensed Health Professionals) (RO)	187	201	388
Third Party (Except Licensed Health Professional) (TP)	19	82	101
Total	1061	1217	2278

Summary of responses and dispositions for each specific category (Give number in each specific category.):

	<u>FY91</u>	<u>FY92</u>	<u>Total</u>
Dismissed as non-jurisdictional	118	61	179
Dismissed but jurisdictional	578	464	1,042
In process	179	501	680
Referred to AGO	186	191	377
(Disciplinary Action taken*	74	82	156
(Referred to other agencies*	40	31	71)
Total	1,061	1,217	2,278

*Secondary dispositions, not included in total.

Status change details for the biennial period (Cases are M.D. licensees, unless otherwise noted. See Clause o for explanation of abbreviations.):

<u>Case</u>	<u>Reason(s) for Status Change</u>	<u>Status Change</u>
1	Compliance with Order (CD)	Amended Order
2	LD	Amended Order
3	Compliance with Order (CD)	Amended Order
4	Compliance with Order (IM,UP,E)	Amended Order
5	Compliance with Order (CD)	Amended Order
6	Compliance with Order (P)	Amended Order
7	LD	Prohibition
8 (no license)	W/O	Prohibition
9	Compliance with Order (CD)	Reinstatement
10	Compliance with Order (CD)	Reinstatement
11	Compliance with Order (CD)	Reinstatement
12	Compliance with Order (CD)	Reinstatement
13	Compliance with Order (CD)	Reinstatement
14	Compliance with Order (CD)	Reinstatement
15	Compliance with Order (CD)	Reinstatement
16	Compliance with Order (CD)	Reinstatement
17	Compliance with Order (CD)	Reinstatement
18	Compliance with Order (CD)	Reinstatement
19	Compliance with Order (P)	Reinstatement
20	Compliance with Order (P)	Reinstatement
21	Compliance with Order (UP)	Reinstatement
22	Compliance with Order (UP)	Reinstatement
23	Compliance with Order (UP)	Reinstatement
24	Compliance with Order (P)	Reinstatement
25	Compliance with Order (P)	Reinstatement
26	Compliance with Order (P)	Reinstatement
27	Compliance with Order (P)	Reinstatement
28	Compliance with Order (P)	Reinstatement
29	Compliance with Order (CD)	Reinstatement
30	Compliance with Order (P)	Reinstatement
31	Compliance with Order (UP)	Reinstatement
32	Compliance with Order (P)	Reinstatement
33	Compliance with Order (CD)	Reinstatement
34	Compliance with Order (P)	Reinstatement
35	Compliance with Order (UP,C)	Reinstatement
36	Compliance with Order (E,UP,IM,P)	Reinstatement
37	Compliance with Order (UP,P)	Reinstatement
38	Compliance with Order (E,UP,P)	Reinstatement
39	Compliance with Order (P)	Reinstatement
40	Compliance with Order (E,UP)	Reinstatement
41	Compliance with Order (S)	Reinstatement
42	E,UP,IM	Reprimand & Civil Penalty
43	Compliance with Order (CD)	Restricted (Suspension removed)
44	CD	Restriction
45	CD	Restriction
46	CD	Restriction
47	CD	Restriction
48	Illness	Restriction
49	Illness, CD	Restriction
50	Illness, MC	Restriction

51	Illness	Restriction
52	CD	Restriction
53	Illness, P	Restriction
54	Illness	Restriction
55	CD	Restriction
56	CD	Restriction
57	CD	Restriction
58	Illness	Restriction
59	CD	Restriction
60	Illness, CD	Restriction
61	Illness	Restriction
62	CD	Restriction
63	Illness, CD	Restriction
64	Illness	Restriction
65	Illness	Restriction
66	Illness	Restriction
67	CD	Restriction
68	UP, P	Restriction
69	CD	Restriction
70	Illness	Restriction
71	CD, P	Restriction
72	CD	Restriction
73	CD	Restriction (suspension removed)
74	CD	Restriction
75	LD	Restriction
76	E, UP, CD, Illness	Restriction
77	UP	Restriction
78	E, UP, IM, P, S	Restriction
79	LD	Restriction
80	E, UP, IM, P	Restriction & Civil Penalty
81	E, UP, IM, P	Restriction & Civil Penalty
82	LD	Restriction
83	E, UP, IM, P	Restriction & Civil Penalty
84	LD, CD	Restriction
85	E, UP, S, IM	Restriction & Civil Penalty
86	E, UP, IM, P	Restriction & Civil Penalty
87	P	Restriction
88	E, UP, P	Restriction
89	LD, E, UP	Restriction
90	UP, E	Restriction & Civil Penalty
91	CD, Failure to cooperate with the Board investigation	Restriction & Civil Penalty
92	UP, E, IM, S	Restriction & Civil Penalty
93	UP, S	Restriction & Civil Penalty
94	UP, E, IM, S	Restriction & Civil Penalty
95	Compliance with Order (CD, P, RO)	Restriction (Suspension removed)
96	E, UP	Restriction
97	LD	Restriction
98	E, UP, IM, P	Restriction & Civil Penalty
99	E, UP, IM, P	Restriction
100	E, UP, IM, P	Restriction & Civil Penalty
101	E, UP, IM, P	Restriction & Civil Penalty
102	E, UP, IM, P	Restriction & Civil Penalty
103	E, UP, P	Restriction

104	E, UP	Restriction
105	UP, IM, P	Restriction
106	E, UP, IM	Restriction
107	E, UP, IM, P	Restriction
108	E, UP, IM	Restriction
109	E, UP, IM	Restriction & Civil Penalty
110	E, UP, IM	Restriction & Civil Penalty
111	UP, E	Restriction
112	E, UP, IM, P	Restriction & Civil Penalty
113	E, UP, IM	Restriction & Civil Penalty
114	UP, IM	Restriction
115	LD	Restriction
116	UP, E, P	Restriction & Civil Penalty
117	E, UP, P, S	Restriction & Civil Penalty
118	UP, E, P	Restriction & Civil Penalty
119	E, UP, P	Restriction & Civil Penalty
120	UP, E, CD, P	Restriction
121	E, UP, P,	Restriction & Civil Penalty
122	E, UP	Revocation
123	UP, E,P	Revocation
124	LD, E, UP, CD, P, S	Revocation
125	E, UP	Revocation
126	Illness	Surrender
127	Illness	Surrender
128	Illness	Surrender
129	Illness	Surrender
130	CD	Surrender
131	Illness	Surrender
132	Illness	Surrender
133	CD	Surrender
134	E, UP, P	Surrender
135	LD	Surrender
136	RO, E, UP, S	Surrender
137	E, UP, IM	Surrender
138	CD	Suspension
139	MC	Suspension
140	CD	Suspension
141	CD	Suspension
142	Illness, CD	Suspension
143	Illness	Suspension
144	Illness	Suspension
145	CD	Suspension
146	Violation of Stip & Order	Suspension
147	CD	Suspension
148	CD, RO	Suspension
149	Illness, CD, P, RO	Suspension
150	Violation of Stip & Order	Suspension
151	Violation of Stip & Order	Suspension
152	UP, E, S, P, IM	Suspension
153	LD	Suspension
154	Violation of Stip & Order	Suspension
155	LD	Suspension
156	Violation of Stip & Order	Suspension