

WEST VIRGINIA BOARD OF OSTEOPATHY
Board Meeting Minutes
July 25, 2011

The West Virginia Board of Osteopathy met via teleconference on Monday, July 25, 2011, at 9:00AM. The meeting was called to order by President, Ernest Miller.

Members Present:

Ernie Miller, D.O. – President
Robert Whitley – Vice President
Elizabeth Blatt – Public Member
Arthur Rubin, D.O. – Secretary

Staff Members Present:

Doren Burrell, Esq. – Board Attorney
Diana Shepard – Executive Director

Members Absent:

Joseph Schreiber, D.O. – Physician Member

Today's meeting agenda consisted of four (4) issues requiring immediate attention from the Board. The first two items dealt with proposed Rule changes and the remaining two items were complaints.

Proposed Amendment to Osteopathic Licensing Rule:

The Board's intention in the proposed Rule change was to only eliminate the two words, "Schedule II." However, the comments received, addressed the time limitation of two weeks during a six week period.

Motion was made to keep the Rule change on the 2012 Legislative agenda with the following revisions:

- 1) Requiring screening for metabolic and cardiac functioning;
- 2) Medication for weight loss is prescribed as part of a comprehensive program of management of diet and lifestyle with regular monitoring by the physician;
- 3) Medications to be used for weight loss must be identified by the FDA as appropriate for the treatment of obesity;
- 4) Short-term use is defined as a period not to exceed 12 weeks out of any 6 month period unless physician documentation verifies continued weight loss with no adverse affects. **(Whitley/Blatt)**

Rules of WV Board of Pharmacy:

The WV Board of Pharmacy is proposing a rule change to the administration of vaccines by pharmacists by adding the following vaccines:

Hepatitis A & B - Herpes Zoster - Td - Tdap

Motion was made to approve the changes to the Pharmacy Rule as long as all adverse events are promptly reported to the Vaccine Adverse Events Reporting System (VAERS) and to the WV Board of Pharmacy. **(Whitler/Blatt)** Dr. Rubin abstained.

The Board moved into Executive Session at 9:30 with all Board members, the Board's Executive Director and Attorney present. **(Blatt/Whitler)**

The Board moved back into Public Session at 9:42 AM. **(Whitler/Blatt)**

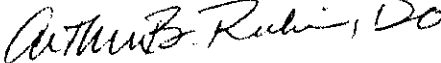
Complaint 2005-07: Agreement was reached following mediation on July 15, 2011. The agreement was signed on July 15th with two minor amendments agreed upon by both the physician and the Executive Director.

Motion was made to accept the Consent Order as amended.
(Blatt/Rubin)

Complaint 2009-18: The Board has obtained information that the Medical Board of Ohio has summarily suspended the physician's license to practice in Ohio. Since this is in violation of the physician's probation in West Virginia, motion was made to issue a notice of probation violation and to summarily suspend his license.
(Rubin/Blatt)

The next Board meeting will be scheduled for September 2011. Members are asked to contact the Board Office with dates of their availability.

Respectfully submitted,

Handwritten signature of Arthur B. Rubin, D.O. in cursive script.

Arthur Rubin, D. O.
Secretary