

**Joints Boards of Medicine and Osteopathic Medicine  
Telemedicine Committee Meeting**

**Hyatt Regency Jacksonville Riverfront  
225 East Coastline Drive  
Jacksonville, FL 32202  
(904) 588-1234**

**December 3, 2015**

**MEETING REPORT**

Roll call 3:14 p.m.

**Members Present:**

James W. Orr, Jr., M.D., Chair  
Enrique Ginzburg, M.D.  
Sarvam TerKonda, M.D.  
Jorge Lopez, M.D.  
Bernardo Fernandez, M.D.  
Brigitte Goersch, Consumer Member  
Joel Rose, D.O.  
Anna Hayden, D.O.  
Sandra Schwemmer, D.O.

**Members Absent:**

Nabil El Sanadi, M.D.

**Staff Present:**

Adrienne Rodgers, J.D., Interim Executive Director  
Edward Tellechea, Esquire, Board Counsel  
Donna McNulty, Esquire, Board Counsel  
Nancy Murphy, Certified Paralegal  
Crystal Sanford, CPM, Program operations Administrator

**Others Present:**

At the last Board Meeting, the Board heard several petitions for waiver or variance regarding Rule 64B8-9.0141, FAC – Standards for Telemedicine Practice (medical version). The equivalent of this rule for the Osteopathic Board is Rule 64B15-14.0081, F.A.C. – Standards for Telemedicine Practice. The Board referred the matter of prescribing controlled substances for psychiatric conditions using telemedicine to the joint committee to consider amending the rule.

Lucy Gee, Director, Medical Quality Assurance was recognized in the audience.

Corinne Mixon, Esquire, representing the Florida Academy of Physician Assistants addressed the Committee. She reminded the members the Board had already agreed Physician Assistants (PAs) could order controlled substances for his/her supervising physician's patients in a hospital setting. She asked the Committee to consider adding PAs to this rule so the rule would read:

*This rule does not preclude physicians or physician assistants from ordering controlled substances through the use of telemedicine for patients hospitalized in a facility licensed pursuant to Chapter 395, F.S.*

A motion was made to amend the proposed language to add PA's. This motion was later withdrawn.

Dr. Rose stated the petitions the Board considered at the last meeting concerned non-narcotic controlled substances. He asked if language should be added that makes it clear this amendment does not include opiates or narcotics.

Dr. Hayden stated it should be added for clarity purposes.

A motion was made and seconded to recommend approval of the proposed language.

Mr. Tellechea reminded the members that psychiatrists cannot prescribe controlled substances for chronic non-malignant pain through telemedicine.

Dr. Hayden asked if that statement could be added to the rule for clarity purposes.

Mr. Tellechea stated it was unnecessary because the rule specifies psychiatric disorders.

The motion carried unanimously.

Mr. Tellechea read the proposed language with the addition of the PA's so the rule will read:

*Controlled substances shall not be prescribed through the use of telemedicine except for the treatment of psychiatric disorders. This rule does not preclude physicians or physician assistants from ordering controlled substances through the use of telemedicine for patients hospitalized in a facility licensed pursuant to Chapter 395, F.S.*

A motion was made, seconded and carried unanimously to recommend approval of amending the proposed language to include PA's.

A motion was made, seconded and carried unanimously to find the proposed rule amendments would not have an adverse impact on small business nor would it be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one year after implementation of the rule amendments

**Action taken:** proposed language approved and amended to add PA's; no SERC

There being no further business, the meeting adjourned at 3:32 p.m.