

Medical Advisory Board

Minutes

October 20, 2017, 12:00 – 2:00 PM

- I. Call to Order: MAB Chair, John Taylor
 - A. Present: Jay Taylor, Robert Dreher, Eileen Fingerman, Gene Giunti, Robert Lodato, Thomas Morrione, Janis Petzel, Thea Fickett, Linda Grant
 - B. Attended by Phone: None
 - C. Absent: Karen Kurkjian, Larry Boivin
- II. Housekeeping Linda Grant
- III. Approval of Minutes John Taylor
 - A. April 21, 2017 minutes unanimously accepted without revision
- IV. Review of Complicated Case Thea Fickett
 - A. Summary of complicated case: 45 y/o male

[REDACTED]

- 4. MAB recommendations:
 - 1. Place notes on driver record to make all staff aware that driver should not be restored without special medical review.
 - 2. When/if a favorable CR-24 is received by BMV, request MAB review before restoring license. It could be reviewed by MAB using e-mail rather than waiting for a meeting.

3. Seek input from the MAB at large, rather than only related specialist on the MAB.
4. Consider requiring neuropsych evaluation and drug screens before restoring.

V. New business: Thea Fickett

A. MAB Membership – Recruiting Needs

1. Vacancy - Sleep Medicine Seat
 - a. Members were asked to recommend specialists for consideration by the Secretary of State. One name has been provided to date, Dr. Patrick Keaney. He is certified in pulmonary and critical care. Members agreed that a pulmonologist without certification in sleep medicine would be considered appropriate as a specialist to fill this seat, as they traditionally treat sleep medicine cases.
2. New Seat - Addiction Specialist
 - a. Members provided names of possible candidates for this position. Other names may be sent to Thea Fickett after the meeting.
3. Expiring Term - Cardiology
 - a. Karen Kurkjian's term will expire in February, 2018. Thea Fickett will communicate with her regarding interest in continuing on the Board.

B. Medical Review Statistics

1. Reported total number of reviews by diagnosis between 01/01/17 – 09/30/17
2. Medical Review – Detail, draft spreadsheet was provided to demonstrate types of information being captured.

C. Vision Statistics

1. Reported summary of vision detail regarding reviews between 01/01/17 – 09/30/17.
2. 33 drivers were suspended for vision between 01/01/17 – 09/30/17. 19 of these have already been rescinded. Of these, 13 suspensions were due to change in rules (representing 12 drivers). Six of these drivers remain suspended.
3. Robert Dreher expressed the need for statistics correlating crashes with various visual acuity levels and Esterman test results.

VI. Old business: Thea Fickett

A. FAP Updates

1. Peripheral Vision
 - a. Reviewed internal policy, as defined following dialogue between Dr. Dreher, Dr. Feero, Dr. Kelley and BMV. This policy allows reasonable application of current rules regarding Esterman test results within existing rules.
2. Narcolepsy
 - a. Discussed clinician qualifications for this position and letter from Frank Breznyak, NP, who specializes in treating sleep apnea and narcolepsy.

Members agreed that page 2 of the FAP, Section 3.B., provides for the Secretary of State to specify qualifications. In this instance, Mr. Breznyak could submit his CV and a letter of recommendation from a sleep specialist. With proper review of credentials a nurse practitioner or physician's assistant that specializes in sleep medicine might be allowed to sign CR-24's for narcolepsy.

3. Seizures

a. Presented letter from Dr. Degenhardt and her concerns about the Seizures/Epilepsy FAP.

4. Clinician Feedback Regarding FAP's

a. Members request that significant feedback regarding FAP's be forwarded to them for review. Currently, it is forwarded to the MAB Member responsible for the related specialty, and if pertinent to possible FAP revisions then passed on to the Board as a whole.

B. LD 1426 status update

1. A Letter from the MAB was submitted to the Transportation Committee, noting position as not in favor of legislation.

2. Testimony against legislation as written, included Maine Medical Association, Linda Schumacher- Feero (ophthalmologist), Patty Morneault & Thea Fickett

3. Legislation did not pass.

4. Driver was able to meet vision standard under new rules.

C. Follow-up of April 21, 2017 Case Review

1. The vision case discussed at last meeting did not meet peripheral vision standard, based on clinician's interpretation of the Esterman test. The clinician interpreted the results very conservatively and the Board recommended that the driver's case be reviewed again and his license be reinstated, if possible. The man was retested and passed the Esterman test. His visual field was 50+60=110. He did not miss any points in the central 20 degree radius on Esterman.

VI. Open discussion:

A. FAP revisions

John Taylor

1. Discussion included timeframes and process for making revisions. The topic is not on the legislative agenda for 2018, so the earliest rule changes can be proposed is 2019 unless there is an emergency. Proposed changes may be made to isolated sections of the FAP. The revised sections will have to go through the public review and comment period. This being a fact, changes should be thoughtful and substantive to make the effort worthwhile.

2. John Taylor recommends that BMV prioritize FAP sections needing revision and present two or three topics at the next meeting. Ad Hoc committees of four or five members may be formed, inviting physicians with expertise in the specific subject matter. These committees can draft changes and make recommendations

for MAB review prior to submitting proposed rule changes. Thea Fickett will summarize FAP issues of concern and present them to the MAB.

3. It might be advisable to consider working on two or three sections of the FAP every other year, to keep the rules up to date and the workload more manageable.
4. In the future, clinicians need to be pointed to the website as the location for up to date rules. If clinicians can't or don't want to access the website, then special accommodations can be made.
5. Linda Grant pointed out that a better way of notifying clinicians of rule revisions needs to be found. There are still clinicians reporting they did not receive the 12/31/16 revisions, even with the costly and cumbersome mailing carried out last year.
6. Linda Grant will place this on the 2019 Rulemaking Agenda.
7. Online transmittal of the CR-24 and MVE-103 is a goal of BMV and supported by Members.

B. MAB history

Thea Fickett

1. Brief review of MAB origin in 1962 was presented.

VII. Meeting Schedule:

- A. Meeting schedule was discussed and unanimously approved. There will be 2 scheduled meetings and ad hoc meetings will be called if necessary. The ad hoc meetings may involve less than the entire board but should involve those appropriate to the discussion or others not part of the Board, if necessary.
- B. Next Meeting Date: Friday, April 6, 2018
- C. From: 12:00 – 3:00 PM
- D. Location: BMV Executive Conference Room
- E. Other 2018 meeting date: November 2, 2018

Adjournment: 2:00 PM

Handouts included:

1. Agenda
2. Minutes: April 21, 2017
3. Case example – 1 (JV)
4. Medical Review Statistics
5. Vision Detail Report
6. Esterman Interpretation
7. Clinician Letters (Narcolepsy, Frank Breznyak & Seizures, Alexandra Degenhardt)
8. Mileage reimbursement forms