

## Minutes

The Board of Medical Licensure and Supervision met on September 25, 2013, in a special meeting in accordance with the Open Meeting Act and the Administrative Procedures Act. The meeting was held at the Office of the Board, 101 NE 51<sup>st</sup> Street, Oklahoma City, Oklahoma. Members present were:

G. David Casper, MD, President  
J. Andy Sullivan, MD  
Deborah Huff, MD  
Mr. Hank Ross  
Mr. Chuck Skillings

Members absent were:

William Kinsinger, MD.  
Lee Schoeffler, MD  
Riaz Sirajuddin, MD  
Ann Warn, MD

Others present included:

Lyle Kelsey, Executive Director  
Gerald C. Zumwalt, MD, Board Secretary/Medical Advisor  
Randy Sullivan, Attorney Advisor for the Board  
Reji Varghese, Deputy Director  
Kathy Plant, Executive Secretary  
Mike Sulzycki  
Cynthia Miller  
Candice Shaw  
Paul Preslar, DO

The meeting was called to order at 5:00 P.M. Mr. Kelsey advised that this special meeting was being called to discuss the adoption of a position statement clarifying the definition of a face-to-face encounter when using telemedicine in Oklahoma. The Board heard comments from Ms. Miller, Ms. Shaw and Dr. Preslar. Proposed language of the position statement was reviewed, which stated real-time telemedicine encounters would meet the face-to-face requirement required by the Board rules as long as the audio and video capabilities meet the elements either required by the Centers for Medicare and Medicaid Services (CMS) or recommended by the American Telemedicine Association (ATA). The Board discussed the broad nature of the ATA's standards, covering not only healthcare providers but technology producers and others. After discussion, Mr. Skillings moved to find that it is the position of the Board that the face-to-face encounter required by OAC 435: 10-1-4 in order to establish a physician/patient relationship includes real-time telemedicine encounters with audio and video capability. He further moved, in order to qualify as a face-to-face encounter set out in this definition, the telemedicine audio and video capability must meet those elements required by CMS (Centers for Medicare and Medicaid Services), deleting the reference to ATA recommendations. Dr. Sullivan seconded the motion and the vote was unanimous in the

affirmative.

There being no further business, Dr. Sullivan moved to adjourn the meeting. Mr. Skillings seconded the motion and the vote was unanimous in the affirmative. The time was 5:48 P.M.