

North Carolina Board of Pharmacy
Durable Medical Equipment Committee

MINUTES OF APRIL 22, 2008

Chairwoman Marcia Ladd called the meeting to order at 10:18 am, at the Board of Pharmacy office. Present for the meeting were Robert (Joey) McLaughlin, Jr., Karen Womack, committee members. Also present were Board staff Karen Matthew, Wendy Watson, Rachel Paris and Board Counsel Sarah Phillips. Also present was Don Jacobus.

Chairwoman Ladd read the ethics statement.

Minutes of the October 23, 2007 meeting were approved by all.

Old Business:

Wendy Watson reported on the status of DME permits. She stated there were 49 permits closed out that did not renew for 2008 permits. She stated most of the non-renewals involved independent DME owners. Rachel Paris added that DME permits had increased from around 750 to around 800, both in-state and out of state permits.

Chairwoman Ladd asked if any of the DME renewals involved DME facilities who also held Division of Facility Service Permits (DFS). Ms. Watson stated only a few who held DFS permits also had renewed or applied for Board DME permits.

New Business:

Chairwoman Ladd brought up a new Medicare Oxygen regulation that would affect customers in 2009. Ownership of oxygen tanks after 36 months of service under Medicare would revert to the customer. She stated that there had been no guidance from Center for Medicare & Medicaid Services (CMS) about how customers would obtain maintenance on the oxygen equipment after ownership reverted to them.

Ms. Phillips was to check to see if this regulation would affect any Board rules, especially those dealing with the 24 hour oxygen back-up requirement.

There was then discussion about a new position statement from the Respiratory Care Board (RCB) concerning respiratory technician training. Chairwoman Ladd asked if the Board of Pharmacy could approve the position statement or could the committee recommend to the Board that the Board express approval or a resolution supporting the RCB position statement.

After discussion, Chairwoman Ladd with a second by Mr. McLaughlin all voted to recommend that the Board write a letter stating that the Board of Pharmacy would work with the RCB to ensure patient care was a priority and to support the position statement. It was requested that the recommendation be brought up at the Board meeting set for May 13, 2008.

Chairwoman Ladd then asked Ms. Phillips if the Board could make any statement about the oxygen tank issue previously mentioned earlier in the meeting. Ms. Phillips stated that the Board could not perform any lobbying functions for DME due to state statutes. Ms. Ladd asked if a short item about the CMS competitive bidding could be mentioned in one of the Board's next newsletters. Ms. Matthew stated she would bring up the item with the Board's Executive Director Jay Campbell.

The meeting adjourned at 11:15 a.m.

Next Meeting:

The committee set the next date for the meeting at 10:00 a.m., October 28, 2008.

Marcia Ladd, Chairperson

Karen Womack

Robert (Joey) McLaughlin, Jr.

Not Present

J. Parker Chesson, Jr.

Not Present

Mel Elliott