

ALABAMA BOARD OF HOME MEDICAL EQUIPMENT

Post Office Box 240636 · Montgomery, Alabama 36124-0636

Phone: (334) 215-3474 · Fax (334) 215-3457

www.homemed.alabama.gov

MINUTES

Board Meeting

May 22, 2018

The Alabama Board of Home Medical Equipment met on Tuesday, May 22, 2018, at the Board's office located at 2777 Zelda Road in Montgomery to conduct Board business. Board members in attendance were Ms. Lisa Wells (Board Chair), Mr. Kent Crenshaw (member), Mr. Andy Alvarez (member), Mr. Robert Beard (member), Mr. Jason Jones (member) and Dr. Randall Lee Murphy, Jr. (new member). Board members not in attendance were Mr. Vernon Johnson (member) and Mr. Don Jones (member). Others present were Mr. Keith Warren (Executive Director), Mr. Cameron McEwen (General Counsel) and Ms. Renee' Reames (Executive Secretary to Mr. Warren and serving as recording secretary).

The meeting was called to order at 10:00 a.m. by Ms. Wells and a quorum was present. Public notice of this rescheduled meeting was advertised on the Board's web site at www.homemed.alabama.gov, and published on the Secretary of State's web site at www.sos.alabama.gov, in accordance with the requirements of the Alabama Open Meetings Act.

Mr. Warren administered the oath of office to new Board member, Dr. Lee Murphy. The Board members welcomed Dr. Murphy to the Board.

Ms. Wells presented the minutes from the February 20, 2018 Board meeting for the Board's approval. A copy of the minutes was provided to the Board members prior to the meeting. Mr. Beard made a motion to accept the February minutes as presented. The motion was seconded by Mr. J. Jones and unanimously approved by the Board, with none voting "nay." (Minutes available for viewing in the Board's Official Book of Minutes and on the Board's website).

Ms. Wells, Board Chair, welcomed the new Board member, Dr. Murphy, and thanked him for his service. She indicated that she had no new information to report to the Board.

Mr. Warren presented the Executive Director Report, which included financial activities by the Board for the period ending April 30, 2018. Also reported were the number of active licensees, number of inspections conducted to-date, and number of complaints received during FY 2018 (report available for viewing in the Board's Official Book of Minutes).

Mr. Warren presented the Administrator's Report on activities performed by staff since the last Board meeting, along with a list of new licenses and companies inspected.

Mr. Warren asked the Board's approval to sale the Board vehicle at State auction through a transfer to ADECA, along with Board's conference table, which both were not currently in use on a regular basis. Mr. J. Jones made the motion to sell the vehicle and conference table. The motion was seconded by Dr. Murphy and unanimously approved by the Board.

Dr. Murphy made the motion to approve the financial report as presented. The motion was seconded by Mr. Alvarez and unanimously approved by the Board, with none voting "nay."

Mr. McEwen presented the Legal Counsel Report to include an exemption inquiry concerning patient's range of motion and patient manipulation. He reported that the company does deliver the equipment into the patient's home and give instruction of equipment use. Upon the Board consideration of the use of the product and review of the Board's statute and rules, it was the Board's opinion that the provider met the description of DME and definition for licensure. Mr. McEwen indicated that he would notify the company of the Board's decision on this product.

Mr. McEwen indicated that he had no new information to present regarding the request for exemption concerning the sale of compression stockings.

Mr. McEwen reported on activities by one or more state concerning sale of medical equipment and related supplies by Amazon on the Internet. He reminded the Board that this matter was a follow-up on the presentation given by Ms. Linda West at the last Board meeting. Ms. Wells asked Mr. McEwen to prepare a letter to Amazon, for Mr. Warren's or Mr. McEwen's signature, concerning the Board's licensure requirements and concerns

Ms. Wells provided an update on the activities of the ADMEA, commenting on the annual meeting in Washington and meeting with legislators on issues. She noted that recent Medicare changes have had a negative effect on DME providers in the rural areas.

Mr. Warren presented the administrative services contract for its annual renewal. Ms. Wells commented on the positive comments she had received regarding inspections and services provided by the Board's staff. Mr. Beard made a motion to approve the renewal of the administrative services contract for one year, with no changes to the contract. The motion was seconded by Mr. Alvarez and unanimously approved by the Board, with none voting "nay."

Mr. Warren reported that the Legislative Services Agency had instructed boards and commissions to certify its rules adopted prior to July 1, 2013. A copy of the notice was distributed to the Board. Mr. McEwen reminded the Board of its review of the rules over the last several months. Mr. Alvarez made a motion to certify the rules adopted prior to July 1, 2018. The motion was seconded by Mr. Crenshaw and unanimously approved by the Board, with none voting "nay."


The Board discussed the requirement to list hours of operation a minimum of 30 hours per week for the public. Mr. McEwen reported that he would follow up on the inspection requirement.

There being no further business, Ms. Wells adjourned the meeting at 10:47 a.m.

Respectfully Submitted,



Lisa Wells
Chair



Keith E. Warren
Executive Director

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