December 1-2, 2011

The Georgia Composite Medical Board (GCMB) held its regular meeting on December 1-2, 2011, at 2 Peachtree Street, NW, 36<sup>th</sup> Floor, Atlanta, Georgia 30303, to consider Medical Board matters.

### Board Members in attendance on Thursday, December 1, 2011, were:

Charles White, DO, Chairperson

William Butler, MD, Vice Chairperson

John S. Antalis, MD

Gilbert Chandler, MD

Eddie R. Cheeks MD

Alexander S. Gross, MD

Alice House, MD

Kathy Kemle, PA, Ex-Officio Board Member

Kathy Kinlaw, Consumer Member

Rhonda Kunes, Consumer Member

Marion O'Neil Lee, MD

David W. Retterbush, MD

William Sightler, DO

Roland S. Summers, MD

Richard Weil, MD

### Board member absent on Thursday, December 1, 2011 was:

John T. Perry, MD

### Representatives from the Attorney General's Office:

Janet Wray, Senior Assistant Attorney General Wylencia Hood Monroe, Assistant Attorney General Amelia Baker, Assistant Attorney General

Dr. White called the meeting to order at 7:30 a.m.

#### **AGENDA**

Dr. House made a motion, seconded by Dr. Weil, to approve the agenda of the December 1-2, 2011 GCMB meeting. The motion carried unanimously.

### **MINUTES**

Dr. Retterbush made a motion, seconded by Dr. Summers, to approve the minutes of the November 3-4, 2011 Board meeting. The motion carried unanimously.

#### **OATH OF OFFICE**

Dr. White administered the Oath of Office to the new Board Member, Gilbert S. Chandler, III, MD.

### EXECUTIVE DIRECTOR'S REPORT

LaSharn Hughes, Executive Director, presented the following report to the Board:

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- 1. Letter from Paul Glynn regarding Institutional License more information is required before the Board can make a determination.
- 2. Letter from Andrew Wright allowing the licensing of naturopathic medicine this will require legislative action.
- 3. The Board is endorsing the legislation for SB 2 Georgia Government Accountability Act.
- 4. In response to the letter from a physician who wanted to care for his father in hospice with the anticipated use of controlled substances, the Board stated this would constitute unprofessional conduct as stated in Rule 360-3-.02(2).
- 5. The questions from the application and the renewal forms regarding mental or physical disorder or hospitalization that might impair the ability to practice will be referred to the Licensure Committee.
- 6. In a response to a letter from MAG Mutual, the Board determined that facilities in Georgia may accept orders for lab tests/imaging studies from physicians who are out-of-state and not licensed in Georgia, since the Board does not have authority over those physicians.

### The Board accepted the following as information:

- 7. FY 2011 Annual Statistical Report for the Enforcement and Investigative Departments
- 8. Article from amednews.com entitled "When an Office Visit is a Family Matter"
- 9. Article from amednews.com entitled "ABMS to Make Physician Maintenance-of-Certification Status Public"
- 10. Second call for nominations of candidates for elected office for the FSMB
- 11. Second call for appointments for the FSMB
- 12. Letter from MAG regarding rules posted by the Georgia Board of Nursing
- 13. Legislation will be introduced this coming year requiring coroners to report certain deaths to the Medical Board.

### PUBLIC HEARING FOR RULES

Dr. Gross gave an introduction to the Office Based Surgery guidelines and stressed that these guidelines are not Rules or part of the GA Code. Marcus Downs from MAG presented comments.

Dr. Lee gave an introduction to the establishment of rules in Rule 360-3-.06 "Pain Management" and changing the unprofessional conduct of physicians in Rule 360-3-.02 "Unprofessional Conduct Defined." Public comments were presented by Dr. Charles Mikel, Carolyn Noel, Richard Donadio, MD, Charity Garey, Dr. Bob Twillman, Liz Schoen, Marsha Hanson, RN, Steven Edson, DC, Gary Siegel, MD, Gene Kennedy, MD, Shereef Girgis, MD, Tom Bauer, Thomas Oglesby, and Jet Toney.

Dr. Gross made a motion, seconded by Dr. Butler, to adopt the Office Based Surgery guidelines. The motion carried. Dr. Lee made a motion, seconded by Dr. Cheeks, to refer Rules 360-3-.02 and 360-6-.06 back to the Rules Committee for reconsideration. The motion carried.

#### **CLOSED SESSION**

Dr. House made a motion, seconded by Dr. Retterbush, to go into Closed Session to conduct investigative interviews. The motion carried. Dr. White then declared that the meeting would be in Open Session upon completion of the investigative interviews.

### RECONVENED

Dr. White called the meeting to order at 3:44 p.m.

### ACUPUNCTURE ADVISORY COMMITTEE

Dr. Gross presented the report of the Acupuncture Advisory Committee. Dr. Summers seconded the Committee's motion, and it carried unanimously.

The Board took the following actions:

 Accept the following Quarterly Reports: Van Horn, Mariah Whelchel, Noel

- 2. Approve full Acupuncture License to: Dollar, Jonathan
- 3. Reviewed the list of Limited Licensees and Supervisors.
- 4. Table discussion of the proposed changes to Rule 360-6-.11, "License Renewal," until next month.
- 5. Table until next month the discussion of applications and scheduling of interviews for the open Committee position.

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6. Send a Cease & Desist letter and refer to the Investigative Committee for possible unlicensed practice.

#### PERFUSIONIST ADVISORY COMMITTEE

Dr. Summers presented the report of the Perfusionist Advisory Committee. Dr. Retterbush seconded the Committee's motion, and it carried unanimously.

The Board took the following action:

Table the following application for Perfusion Licensure: Milton Wilkes - pending additional information

#### RESPIRATORY CARE ADVISORY COMMITTEE

Dr. Summers presented the report of the Respiratory Care Advisory Committee. Dr. Lee seconded the Committee's motion, and it carried unanimously.

The Board took the following actions:

1. Approved the following applicants requesting 12-month permits:

### **Augusta Technical College**

Easley, Melissa

<u>**Darton College**</u> - pending Education Verification

Bassong, Marguerite

Beck, Kelli

Bruner, Mary

Burks, Hakim

Carranza, Christine

Collins, William

Griner, Logan

Harris, Amanda

Jenkins, Bolivia

Johnson, Kimberly

McCorkle, Joshua

Price, Bethany

Rowe, Christy

Sheffield, Precoshia

Stolze, Tabitha

Taunton, Emma

Thomas, Santori

Widner, Ocean

Macon State - pending Education Verification

Ahmed, Mutiatu Geter, Donelle Green, Shanterrian Jones, Justin Steinmeyer, Randa Terrell, BaShunice

- 2. Approved the following applicant requesting licensure by Reciprocity: Baker, Amy
- 3. Approved of the following applicants for full licensure:

Besay, Michelle Howard, Jerri Jackson, Latana Phon, Chooi San Riffle, Haley Thomas, Raju Wheaton, Blair

- 4. Other Business
  - 1. Opposed adding a rule regarding the practice of Respiratory Care Technicians.
  - 2. Approved enrolling members of the Respiratory Care Advisory Committee, Executive Director to the Board, LaSharn Hughes, and Licensing Manager, Phyllis White to the State Licensure Liaison Group Extranet (Secure extranet site created by the NBRC).

### PHYSICIAN ASSISTANT ADVISORY COMMITTEE

Dr. Retterbush presented the report of the Physician Assistant Advisory Committee. Dr. Summers seconded the Committee's motion, and it carried unanimously.

The Board took the following actions:

1. Approve the following additional duties requests:

| <u>Physician Assistant</u><br>Rallie Cogburn | Additional Duties Requested Nuclear Stress Test                                 |
|--|---|
| John Heisler                                 | Arterial Line Placement Central Line Placement                                  |
| John Jacobs                                  | Cardiac Stress Testing  |
| Lori Little                                  | Bone Marrow Biopsy/Aspiration Joint Injection/Aspiration (provide which joints) |

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Paracentesis/Aspiration/Drain Placement

Thoracentesis/Catheter Placement

Julie Locke Cardiovascular Stress Testing (pharmacologic and

non-pharmacologic)

2. Approve the following applications for licensure:

Physician Assistant Supervising Physician

Allison Anderson Lee Padove, MD – pending additional information

Lindsey Bergman Charles D. Williams, MD
Kristina Dean Deborah Henry, MD
Amy Dunman Jay Chastain, MD

Kristen Hippensteel Shankar Thiruppathi, MD

Nicholas de la Mottee Hurst
Jason Kaylor
Angelina McCormack
Lauren Magee
Louis Ciamillo, MD
Krysatl Millikan
Carlos Moreno
Nikki Orciuch
Marchael Balman
March

Mitchell Palmer

Mari Shelton

Jennifer Swinburne

Mandy Ulseth

Catalina Valencia

Joshua Woodin

Timothy HunterD

Christi Ghaleb, MD

Brian Levitt, MD

Ronald Perry, MD

Scott Qyuisling, MD

Daniel Matricia, MD

3. Approve the following Reinstatement Application:
Kenneth Norris - pending additional information

4. Approved applications to add or change supervising physicians:

| Physician Assistant | Supervising Physician | New Supervising Physician |
|---------------------|-----------------------|---------------------------|
| Julie Abrahamson    | Paul Rubin, MD        | Van Millin, MD            |
| Erica Addison       | Jerry Jones, MD       | Justin Scott, MD          |
| Ashley Bell         | Russell Thomas, MD    | Larry Brannam, MD         |
| Coral Benge         | Betsy Horton, MD      | Jorge Moreno, MD          |
| Kevin Bourquine     | Karin Bandelund, MD   | Johathan Parrott, MD      |
| Patricia Carpenter  | Charlie Rouse, MD     | Charanjit Shikh, MD       |
| Beverly Cartwright  | Charles Williams, MD  | Tanya Pandya, MD          |
| Dawn Collins        | Carroll Cooper, MD    | Van Millin, MD            |
| Alison Colquitt     | Arnold Sutton, MD     | Kristyna Landt, MD        |
| Ashely Cooper       | Rafael Pascual, MD    | Jeffrey Schermerhorn, MD  |
| Robert Culver       | Michael Allison, MD   | David Coolman, MD         |
| Karen Donato        | Clyde Green, MD       | Titus Taube, MD           |

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| Rachel Duncan        | Scott Warren, MD      | Ashley Cavalier, MD    |
|----------------------|-----------------------|------------------------|
| Paul Folendore       | Jain Pravin, MD       | George Stafanis, MD    |
| Brittany Hill        | Alicia Hidron, MD     | Hanna Khoury, MD       |
| Pandora Hodge        | David Zimmerman, MD   | Utapal Pandya, MD      |
| Pandora Hodge        | David Zimmerman, MD   | Ashima Bharara, MD     |
| Tina Hood            | Tisha Williams, MD    | Steve Durocher, MD     |
| Steve Horne          | Raymond Easley, MD    | Katina Robertson, MD   |
| John Jacobs          | Robert Collins, MD    | Timothy Catchings, MD  |
| Virginia Joslin      | Susan Shcayes, MD     | Susana Alfonso, MD     |
| Sarah Klein          | James Daly, MD        | Mary Porter, MD        |
| Christy Lau          | Lucas Lathrop, MD     | Andrew Jones, MD       |
| Elizabeth Lemmon     | Kyong Moon, MD        | Connie Dupre, MD       |
| Lori Little          | David Caldwell, MD    | J. David Spivey, MD    |
| Kendra Lott          | Martin Garland, MD    | James Graham, MD       |
| Lydia Lu             | Brian Mason, MD       | Stanley Allen, MD      |
| Sabrina Martin       | Franklyn Greary, MD   | Felicia Rhaney, MD     |
| Susan Medrow         | Shurki Makhlouf, MD   | Randy Yanda, MD        |
| Jannet Morias        | Carrie Ann Civiak, MD | James Eckman, MD       |
| Alan Noon            | Shirin Valiani, MD    | Charles Johnson, MD    |
| Matthew Noonan       | David Josephson, MD   | Nabeel Khan, MD        |
| Matthew Peters       | Joachim Hertel, MD    | Laura Malloy, MD       |
| Nicole Rivera        | Ayisha Gani, MD       | Stanley Allen, MD      |
| Anthony Rives        | Rodrigo Sanchez, MD   | Connie Dupre, MD       |
| Ceronnie Robinson    | Zada Weston-Hill, MD  | Charanjit Shikh, MD    |
| Jennifer Sewing      | Tanya Pahdya, MD      | John Shih, MD          |
| Bryan Shiver         | Mark Lee, MD          | Garrett N. Bennett, MD |
| David Siegel         | Stephen Felton, MD    | Neil Gladstone, MD     |
| Christopher Stansell | Richard Lodise, MD    | Martha Schuh, MD       |
| Mary Staube          | James Hughes, MD      | Bernard Oddi, MD       |
| Haleh Stratton       | Stewat Fermin, MD     | Terry Sharpe, MD       |
| Meghan Summerall     | Casssandra Wanzo, MD  | Daniel Henson, MD      |
| Paul Taylor          | Cyril Spann, MD       | Ashley Slappy, MD      |
| Julie Thomas         | Michael Pinell, MD    | Steven Johnson, MD     |
| Janice West          | Frank McCoy, MD       | Kathleen Long, MD      |
| Melissa Wolff        | Jhakor Patel, MD      | Nabeel Khan, MD        |
| Jennifer Wood        | Douglas Brewer, MD    | Jesse Ray Grant, MD    |
| Sheena Woods         | Jamal Muhammad, MD    | Hiromi Maurama, MD     |
|                      |                       |                        |

CH - Refer for Consent Order reinstating license under probationary terms and conditions.

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- 5. Other Business:
  - 1. Referred Ms. Beardsley to the rules regarding "What forms can a PA legally sign?"
  - 2. Invite JN, NW, KN, and MR for interviews.
  - 3. Accepted resignation of Bill Paulsen from the PA Committee.
  - 4. Include in upcoming newsletter that an additional duties request form should be submitted for Botox approval.

#### ORTHOTICS AND PROSTHETICS ADVISORY COMMITTEE

Dr. Antalis presented the report of the Orthotics and Prosthetics Advisory Committee. Dr. Weil seconded the Committee's motion, and it carried unanimously.

The Board took the following actions:

### The Board took the following action:

1. Approved the following applicant for Orthotic & Prosthetic licensure:

Lapinski, Joseph

2. Approved the following applicant for Prosthetic licensure:

Latham, Robert Selinger, Doron

3. Denied the following applicant for reinstatement of Prosthetic licensure:

A.S.

4. Other Business

The Rules are still with the AG's office.

### NURSE PROTOCOL ADVISORY COMMITTEE

Dr. Sightler presented the report of the Nurse Protocol Advisory Committee. Dr. Lee seconded the Committee's motion, and it carried unanimously.

The Board took the following actions:

1. The following protocol agreements meet the provisions of OCGA 43-34-25:

### <u>APRN</u> <u>Delegating Physician</u>

Anderson, Laura Grundfast, Matthew DO

Berg, Shawna Ou, Mike MD

Bishara, Melody Friedman, Mark MD

Bower, Bonnie Pinell, Michael MD
Bracewell, Joanne Bailey, Marion MD
Bruce, Anne Blache, Charlene MD

Campbell, Jennifer Smith, Jason MD
Catrett, Judy Alvarez, Ricardo MD
Chambers, Donna Cantrell, David MD
Davis, Jaqueline Kestin, Sharon MD
Estes, Shaquita Flowers, Runette MD
Evans, Kimberly Munsayac, Lumawig MD

Gill, Sherry Paxton, William MD Glebikowska, Iwona Soyoola, Emmanuel MD

Goodno, Shana Lee, Clay DO

Hatcher, Katherine Woods, W. Jason MD

Gustin, Courtney
Hannah, Monica
Hooks, Julie
Kruscka, Kathryn
Look, Juliet

Woods, W. Vason MD
Lue, John MD
Maria, Bernard MD
Pierzchajlo, Richard MD
Cantrell, David MD
Baker, Roy MD

Lyerly, Carol Soyoola, Emanuel MD
Maher, Anne Fleming, Alesia MD
McCall, Laurie Warren, Brandi DO
Mercado, Mary Martin, Garland MD
Moore, Megan Thompson, Theron MD
Morris Loria Fisher Neil MD

Morris, Lorie Fisher, Neil MD
Nodine, Jan Duffey, Franklin MD
O'Connor, Diane Elam, Mark MD
Olawuyi, Tiwalade Snell, William DO
Rambo, Brandi Sedghi, Shahriar MD
Petca, Persida Mills, William MD

Plant, Kelly Yalamanchili, Gandhiji MD

Shedd, Cheryl
Smith, Daniel
Smith, Nicole
Stoll, Sarah
Summerour, Lanissa
Swiger, Nicole
Shedd, Cheryl
Flynn, Timothy MD
Webb, Lawrence MD
Grizzard, Stewart MD
Chen, Jonathen DO
Bennett, Jan DO
Chu, Ha MD

Thompson, Patricia
VanJura, Brandy
Walker, Regina
Walsh, Laurie
Kitchens, William MD
Williams, Stewart MD
Reddy, Ram MD
Leaderman, Adam MD

White, Katharine Leaderman, Adam MI Levin, Fred MD

Willard, Brandi Hatmaker, David MD

Winstead, Nicole Jerath, Rita MD
Woughter, Linda Brannen, James MD
Yarnall, Richard Steckl, Pete MD

Young, Dawn Edwards, Tania DO

2. The following protocols meet the provisions of OCGA 43-34-25 with changes:

### APRN <u>Delegating Physician</u>

Ayer, Adam

Bleacher, John MD

Merlino, John MD

Carman, Catherine

Daniels, Christina

Delestowicz, Victoria

Lenaz, Leona

Long, Marsha

Bleacher, John MD

Merlino, John MD

Fernandez, Eusebio MD

Volas-Redd, Gena MD

Fernandez, Eusebio MD

Plaxico, Elisha Miller, Jeri MD

Ray, Melanie Hargraves, Joshua MD Ross, Anita Ludwick, Robert MD Taylor, Jaimi Rogers, John MD Thomas-Cloud, Rosemary Odujebe, Oladapo MD

3. Additional information or documentation must be submitted before determining whether the following protocol meets the provisions of OCGA 43-34-25:

### APRN <u>Delegating Physician</u>

AW AD, MD

- 4. Other Business
  - 1. The Board added thoracentesis to the existing agreement between Yodit Markos, APRN and Jermaine Jackson, MD.
  - 2. The Board accepted as information the quarterly report from N.M.
  - 3. Update the APRN checklist to add verbiage that a copy of the national certification card and an explanation/documentation of training for procedures not normally within the scope of their training (e.g., joint injections, stress tests, etc) must be submitted.

### PHYSICIAN LICENSING AND PROFILES ADVISORY COMMITTEE

Dr. House presented the report of the Physician Licensing and Profiles Advisory Committee. Ms. Kunes seconded the motion, and it carried unanimously.

### **Approve for licensure:**

Bloch, Miria Blonder, Jeffrey Certo, Louis Fairbrother, Paul

Goldsmith, Jeffrey
Hammer, Michael
Milanick, John
Mohuchy, Mykola
Nagpal, Ruby
Palmer, Sharon
Sawyer, Steven
Thoelecke, Heather
Turner, Ivorique
Yates, Michael
Zema, Michael

Must Take Clinical Skills

PH

Allow to Withdraw:

RS

JS

Table

OH

DR

Interview

MP (RNST)

JM

SV

Refer to Wellness Committee

WK

#### Other Business:

Advise RH that he cannot apply for a VIM license in lieu of taking a clinical skills exam.

Advise SA that the Board upholds their original decision regarding his application for initial physician licensure - allow withdrawal of application, does not meet requirements.

Made changes to the Physician Licensing Rules.

Advise PC that he does not meet licensure requirements.

Send WA a copy of the Rules and Laws regarding licensure eligibility.

Advise CRO that he has to complete one-year of postgraduate training in an ACGME accredited program.

Approve for licensure the following:

| Initial                    | Initial                   | Initial              |    |
|----------------------------|---------------------------|----------------------|----|
| Adejumo, Adetunji MD       | Hatten, Homer MD          | Palmer, Sharon       | MD |
| Bentley, Richard MD        | Holcombe, Michael MD      | Pasley, William      | MD |
| Bertrand, Todd MD          | Hunt, James DO            | Patel, Ekta          | MD |
| Blonder, Jeffrey MD        | Ilori, Titilayo MD        | Pollock, Ashley      | MD |
| Blouch, Miraim MD          | Iqbal, Nasir MD           | Prescott, Michael    | MD |
| Bouldin, Steven MD         | Iqbal, Vaseem MD          | Rogers, Kael         | MD |
| Brewer, Edward MD          | Kantrow, Sara MD          | Ross, David E        | MD |
| Brooks, Janice MD          | Kanu, Okechukwu MD        | Rowan, Cody          | MD |
| Calhoun, Kathryn MD        | Kanu, Taiwo MD            | Saad, Hosain         | MD |
| Cao, Xuan MD               | Katsnelson, Flora MD      | Saghafi Ramin        | MD |
| Certo, Louis MD            | Kim, James MD             | Samakur, Madhurika   | MD |
| Clark, Deandra MD          | Klauburg, Kurt MD         | Sawyer, Steven       | MD |
| Comas, George MD           | Krishnaiengar, Suparna MD | Sayet, Donald        | MD |
| 2, 2                       |                           | Seilman Toosi,       |    |
| Correnti, Gary MD          | Krishnan, Sandeep MD      | Mehrdad              | MD |
| Desikan, Kamalakannan MD   | Lakkimsetty, Mohan MD     | Siddiqi, Asma        | MD |
| Doniparthi, Venkatalakshmi |                           |                      |    |
| MD                         | Laseter, Timothy DO       | Soto Lopez, Juan     | MD |
| Epstein, Noam MD           | Lee, Frances MD           | Stein, Gerald        | MD |
| Evangelidis, Nicholas MD   | Long, Andrea MD           | Steinberg, Frederick | MD |
| Eves, Jason MD             | Martin, Howard MD         | Stephens, Kelly      | MD |
| Fairbrother, Paul MD       | Milanick, John MD         | Streeter, Jonathan   | MD |
| Faulk, Tarra DO            | Mohuchy, Mykola MD        | Suarez, Paola        | MD |
| Gilliland, J David MD      | Nagpal, Ruby MD           | Swain, Christopher   | MD |
| Goldsmith, Jeffrey MD      | Obajuluwa, Kolade MD      | Thoelecke, Heather   | MD |
| Griffith, James MD         |                           | Turner, Ivorique     | DO |
| ,                          |                           | Ventura Lopez, Jose  | MD |
|                            |                           | Webb, Fonda          | MD |
| <b>Pending Documents</b>   |                           | Wendt, Frederick     | MD |
| Harrell, Veronica MD       |                           | Yates, Michael       | DO |
| Hammer, Michael MD         |                           | Zema, Michael        | MD |
|                            |                           |                      |    |
| Reinstatement              | Reinstatement             | Reinstatement        |    |
| Abo Kayass, Ahmad MD       |                           |                      |    |
| 63622                      | Myhrer, Erik MD 57901     | Sang, Nelson 42718   | MD |
| Anderson, Peter MD 60697   | O'Neal, James MD 13854    |                      |    |
| Frazier, John MD 14622     |                           |                      |    |

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### **Board Members in attendance on Friday, December 2, 2011, were:**

Charles White, DO, Chairperson

William Butler, MD, Vice Chairperson

John S. Antalis, MD

Gilbert Chandler, III, MD

Eddie R. Cheeks MD

Alexander S. Gross, MD

Alice House, MD

Kathy Kemle, PA, Ex-Officio Board Member

Kathy Kinlaw, Consumer Member

Rhonda Kunes, Consumer Member

Marion O'Neil Lee, MD

David W. Retterbush, MD

William Sightler, DO

Roland S. Summers, MD

Richard Weil, MD

### Board member absent on Friday, December 2, 2011 was:

John T. Perry, MD

### Representative from the Attorney General's Office:

Janet Wray, Senior Assistant Attorney General

Dr. White called the meeting to order at 8:00 a.m.

### WELLNESS COMMITTEE

Dr. Gross made a motion, seconded by Dr. Summers to accept the following report and it carried unanimously. The Board took the following actions:

Case # 20100065-Refer to lift suspension with terms and conditions.

Case # 1104980512-Reschedule.

Case # 20110340-Refer for Consent Order with terms and conditions.

Case # 20120770-Refer for Consent Order with terms and conditions.

Case # 20091783-Refer for Consent Order with terms and conditions.

Case # 20111933-Amend informal monitoring agreement.

Case # 20120180-Refer for OMPE.

Case #20080758-Terminate Consent Order.

Case #20120202-Close.

Case # 20090711-Amend Consent Order to indefinite informal monitoring. No work hour restriction.

Case # 20101630-Deny request for modification.

### LAW ENFORCEMENT ACTION COMMITTEE REPORT

Dr. Gross made a motion, seconded by Dr. Lee to accept the following report and it carried unanimously. The Board took the following actions:

- 1. 20070880 Accepted Consent Order with terms and conditions
- 2. 20120366 Send Cease and Desist letter from Medical Director stating no use of MD and no patient contact. Copy Chief Medical Officer of the hospital.
- 3. 20090962 Accept inactive status
- 4. JR License under Consent Order with terms and conditions
- 5. 20110761 OMPE extended until January 15, 2012

### **Investigative Committee Report**

Dr. Gross made a motion, seconded by Dr. Cheeks to accept the following report and it carried unanimously. The Board took the following actions:

| REFER TO A        | G / LEGAL SE | ERVICES        |              |          |          |
|-------------------|--------------|----------------|--------------|----------|----------|
| 20101231          | 20110915     | 20120603       | 20120604     | 20120633 | 20120757 |
| 20101792          |              |                |              |          |          |
|                   |              |                |              |          |          |
| <u>CLOSE</u>      |              |                |              |          |          |
| 20101894          | 20110006     | 20110367       | 20110687     | 20111187 | 20111460 |
| 20111549          | 20111558     | 20111614       | 20111637     | 20111821 | 20111822 |
| 20111927          | 20111932     | 20111955       | 20111956     | 20112067 | 20112174 |
| 20112203          | 20120007     | 20120022(But   | tler, House) | 20120050 | 20120074 |
| 20120105          |              |                |              |          |          |
| 20120151          | 20120160     | 20120176       | 20120186     | 20120222 | 20120272 |
| 20120290          | 20120387     | 20120396       | 20120566(Ch  | andler)  |          |
|                   |              |                |              |          |          |
| <b>CLOSE WITI</b> | H LETTER OF  | <b>CONCERN</b> |              |          |          |
| 20111135          | 20111353     | 20111667       | 20111946     | 20112135 | 20120167 |
| 20120238          | 20120629     |                |              |          |          |

**INTERVIEW** 

20110443(Lee) 20110901 20111025 20111118 20111417 20112086

20112192 20120025 20120119 20120167 20120230 20120285

20120438(Butler)

**TABLED** 

20110561(White, Chandler) 20110960 20111496 20111649 20120154

20120565

20101678

PEER REVIEW

20110226

**CEASE AND DESIST** 

20120249 20120535

**Initial Malpractice Evaluations** 

**CLOSE** 

20120707 20120774 20120775 20120795(Chandler) 20120811

**Initial Complaint Evaluations** 

<u>CLOSE</u>

| 20111043    | 20111293   | 20111403  | 20111436  | 20111461  | 20111478 |
|-------------|------------|-----------|-----------|-----------|----------|
| 20111610(W  | hite) 2011 | 1694 2011 | 1820 2011 | 1843 2011 | 1855     |
| 2011        | 1878       |           |           |           |          |
| 20111911    | 20111926   | 20112011  | 20112038  | 20112078  | 20112079 |
| 20112101    | 20112140   | 20112150  | 20112155  | 20112219  | 20120021 |
| 20120042    | 20120060   | 20120061  | 20120062  | 20120063  | 20120064 |
| 20120069    | 20120088   | 20120109  | 20120114  | 20120116  | 20120136 |
| 20120152    | 20120165   | 20120166  | 20120188  | 20120200  | 20120203 |
| 20120220    | 20120226   | 20120229  | 20120234  | 20120263  | 20120269 |
| 20120278    | 20120284   | 20120286  | 20120289  | 20120292  | 20120302 |
| 20120309    | 20120310   | 20120342  | 20120355  | 20120362  | 20120372 |
| 20120392(Le | ee)        | 20120393  | 20120399  | 20120400  | 20120401 |
| 20120423    |            |           |           |           |          |
| 20120443    | 20120455   | 20120473  | 20120478  | 20120480  | 20120521 |
| 20120526    | 20120527   | 20120637  | 20120702  | 20120704  | 20120738 |
| 20120745    | 20120771   | 20120793  | 20120798  |           |          |

CLOSE WITH LETTER OF CONCERN

20111644 20111657 20111881 20112158 20112162 20120090

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| 20120158 | 20120183 | 20120240 | 20120258 | 20120266 | 20120279 |
|----------|----------|----------|----------|----------|----------|
| 20120283 | 20120344 | 20120351 | 20120358 | 20120382 | 20120383 |
| 20120429 | 20120442 | 20120489 |          |          |          |

### **Investigative Interview Recommendations**

CLOSE

20120002 20111068(Retterbush)20110899(Retterbush)20102055(Retterbush)

20110628(Weil) 20111536(Butler)

20111525 20112130

**CLOSE WITH LETTER OF CONCERN** 

20111628 20110950(Summers)

PEER REVIEW

20110602 20101674 20110276 20111611(Summers)

AG-OMPE

20110442

**TABLED** 

20111547 20111427 20101288 20111470 20111441

AG-NOH

20110442 20111200

#### PRESENTATION BEFORE THE BOARD

Mr. Warren Ross from the University of Medicine and Health Sciences, St. Kitt's, presented information on the school and asked the Board to consider adding this institution as an accepted facility for foreign medical graduates. The following were with Mr. Ross: Elizabeth Morgan, MD; Burton Herz, MD; and Joseph Boveri, MD. The Board asked questions. Dr. Gross made a motion, seconded by Dr. Butler, for Dr. White to appoint an ad-hoc committee to study the school. The motion carried.

### **CLOSED SESSION**

Dr. Gross made a motion, seconded by Dr. Summers, to go into Closed Session. The motion carried unanimously. Dr. White then declared the meeting in open session.

### APPEARANCES BEFORE THE BOARD

Lorenzo Rolle requested an appearance before the Board for the denial of the reinstatement of his Respiratory Care Professional license. Mr. Rolle presented oral arguments. The Board members asked questions.

Waheed Akthar, MD requested an appearance before the Board for the denial of the reinstatement of his Physician license. Dr. Akthar was represented by his attorney, Fran Cullen. Dr. Akthar presented oral arguments. The Board members asked questions.

Mr. David Mitchell requested an appearance before the Board for the denial of the reinstatement of his Prosthetic license. Mr. Mitchell presented oral arguments. The Board members asked questions.

#### REVIEW HEARING

The Board conducted a review hearing regarding Jay Paul Jacobs, II, MD. Dr. Jacobs was not present. Since Dr. Jacobs was not present, a preliminary hearing for proper service was held. Janet Wray, Senior Assistant Attorney General, represented the Petitioner, the Board, and presented Petitioner's arguments.

#### **CLOSED SESSION**

Dr. Lee made a motion, seconded by Dr. Weil, to go into closed session to discuss disciplinary matters. Dr. White declared the meeting in open session.

### **OPEN SESSION**

Ms. Kunes made a motion, seconded Dr. Summers, to revoke and refuse to renew the license of Jay Paul Jacobs, II, MD. The motion carried unanimously.

### **CLOSED SESSION**

Dr. Butler made a motion, seconded by Dr. Weil, to go into Closed Session to discuss disciplinary matters. The motion carried unanimously. Dr. White then declared the meeting in open session.

### **OPEN SESSION**

Dr. Gross made a motion, seconded by Dr. Retterbush, to reinstate the Respiratory Care Professional license to Mr. Lorenzo Rolle. The motion carried.

Ms. Kunes made a motion, seconded by Dr. Cheeks, to deny the application of Waheed Akthar, MD for the reinstatement of his Physician license. The motion carried.

Dr. Butler made a motion, seconded by Dr. Gross, to notify David Mitchell to submit a request for a waiver to the rule requiring him to take the ABC examination to reinstate his prosthetist license and the Board will consider the waiver. The motion carried.

### **RULES COMMITTEE**

Dr. Cheeks made a motion, seconded by Dr. Lee, to post Rule 360-3-.02. The motion carried. Dr. Cheeks also made a motion, seconded by Dr. Gross, to post Rule 360-3-.06, as amended. The motion carried. Dr. Cheeks made a motion, seconded by Dr. Retterbush, to post Rules 360-5-.03, 360-5-.05, 360-5-.11, and 360-5-.12. The motion carried.

| 9  | luct, Dr. Retterbush moved that the December 1-2, c. Antalis seconded and it carried unanimously. |
|--|---|
| Charles White, D.O., Chairperson         | LaSharn Hughes, MBA, Executive Director   |
| Recorded by Carol Dorsey Board Secretary | Edisham Flagnes, 19151, Encount of Processi   |