



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MIKE ZIMMER
DIRECTOR

**MICHIGAN BOARD OF MEDICINE
JANUARY 20, 2016 MEETING**

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Medicine met on January 20, 2016, at the Ottawa Building, Conference Room 3, 611 West Ottawa Street, Lansing, Michigan 48933.

CALL TO ORDER

Peter Graham, M.D., Vice-Chairperson, called the meeting to order at 10:00 a.m.

ROLL CALL

Members Present: Peter Graham, M.D., Vice-Chairperson
Mohammed Arsiwala, M.D.
Luis Avila, J.D.
Richard Bates, M.D.
Michael Chrissos, M.D.
Stacey Frankovich, Public Member
Michelle Gormas, P.A.
Sandra Howell, M.D.
Renee Johnston, Public Member
Kara Morley-Smolek, M.D.
Louis Prues, Ph.D, Public Member
James Rogers, M.D.
James Sondheimer, M.D.
Dennis Szymanski, M.D.
Terri Tahnoose, Public Member
Rosalie Tocco-Bradley, M.D., Ph.D (arrived at 10:03 a.m.)

Members Absent: Lisa Huta, Public Member
Cynthia Pasky, Public Member

Staff Present: Erin Londo, Board Support, Board and Committees Section
Michael Siracuse, Policy Analyst, Boards and Committees Section
Kiran Parag, Analyst, Enforcement Section
Virginia Abdo, Compliance Manager, Enforcement Section
Michele Wagner-Gutkowski, Assistant Attorney General

APPROVAL OF AGENDA

MOTION by Rogers, seconded by Szymanski, to approve the agenda as presented.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Szymanski, seconded by Arsiwala, to approve the November 18, 2015 meeting minutes as presented.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

James W. Leete, M.D. – Petition for Reinstatement

MOTION by Rogers, seconded by Arsiwala to deny Petition for Reinstatement.

Discussion was held.

A roll call vote followed: Yeas: Rogers

Nays: Arsiwala, Avila, Bates, Chrissos, Frankovich, Gormas, Howell, Johnston, Morley-Smolek, Prues, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley, Graham

MOTION FAILED

MOTION by Arsiwala, seconded by Szymanski, to accept the Petition for Reinstatement. Petitioner's license shall be limited for a minimum of one (1) year and Petitioner is precluded from obtaining, possessing, dispensing, administering or prescribing any schedule 2 through 5 controlled substances. Petitioner is required to petition for reclassification of the limited license.

Petitioner is also placed on probation to run concurrent with the period of limitation and required to enter into and comply with the terms of a regulatory HPRP monitoring agreement.

Petitioner shall meet quarterly with a physician designated by Affiliated Monitors, Inc. to review Petitioner's professional practice and records. Petitioner's designated physician reviewer shall file reports to the Department advising of Petitioner's work performance and records.

Discussion was held.

A roll call vote followed: Yeas: Arsiwala, Avila, Bates, Chrissos, Frankovich, Gormas, Howell, Johnston, Morley-Smolek, Prues, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley, Graham

Nays: Rogers

MOTION PREVAILED

Craig Brian Tubbs, M.D. – Petition for Reinstatement

MOTION by Rogers, seconded by Sondheimer, to deny the Application for Reinstatement.

Discussion was held.

A roll call vote followed: Yeas: Arsiwala, Avila, Bates, Chrissos, Frankovich, Gormas, Johnston, Morley-Smolek, Prues, Rogers, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley, Graham

Nays: None

Abstain: Howell

MOTION PREVAILED

Fitzgerald Anthony Hudson, M.D. – Proposal for Decision

MOTION by Sondheimer, seconded by Rogers, to accept the Proposal for Decision and deny reinstatement.

Discussion was held.

A roll call vote followed: Yeas: Avila, Bates, Chrissos, Frankovich, Gormas, Howell, Johnston, Morley-Smolek, Prues, Rogers, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley

Nays: None

Recuse: Arsiwala, Graham

MOTION PREVAILED

Salahuddin Saleem Ahmad, M.D. – Rewrite for proposal for Decision

MOTION by Howell, seconded by Szymanski, to accept the Board's Finding of Fact and Conclusions of Law and deny relicensure.

Discussion was held.

A roll call vote followed: Yeas: Arsiwala, Avila, Bates, Chrissos, Frankovich, Gormas, Howell, Johnston, Morley-Smolek, Prues, Rogers, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley, Graham

Nays: None

MOTION PREVAILED

Richard Anthony Miles, M.D. – Petition for Reinstatement

MOTION by Arsiwala, seconded by Tahnoose, to accept the Petition for Reinstatement. Petitioner is placed on probation for one year and shall not violate the Public Health Code.

Discussion was held.

A roll call vote followed: Yeas: Arsiwala, Avila, Bates, Chrissos, Frankovich, Gormas, Howell, Johnston, Morley-Smolek, Prues, Rogers, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley, Graham

Nays: None

MOTION PREVAILED

COMMITTEE REPORTS

Investigations and Allegations

Rogers reported that the Investigations and Allegations (I&A) Committee reviewed 29 files in December 2015. Ten (10) files were authorized for investigation, 18 files were closed, and one (1) file was returned for additional records. There were five (5) reviewers.

In January 2016, the I&A Committee reviewed 33 files. Twelve (12) files were authorized for investigation, 19 files were closed, and two (2) files were returned for additional records. There were eight (8) reviewers.

Disciplinary Subcommittee

Johnston reported that the Disciplinary Subcommittee (DSC) met today and considered 15 matters: five (5) Administrative Complaints, one (1) Petition for Reclassification, two (2) Requests for Dismissal, and seven (7) Consent Orders and Stipulations.

Chairperson's Report

Graham reported that he handled ten (10) Conferee Assignments and one (1) Summary Suspension.

Graham thanked the conferees for their hard work.

OLD BUSINESS

None

NEW BUSINESS

A. Director of Legal Affairs Division – revised I & A process

Ann Ward-Fuchs spoke to the Board regarding a need for an open dialogue with the Department for LEIN process improvement.

Rogers requested that Ward-Fuchs attend the I & A meeting in February. Tocco-Bradley supported the request by Rogers and also requested a list of criteria used to determine which cases are reviewed.

A discussion regarding the scanning of materials and the practicality of that practice was held.

B. Elections

Election for Chairperson

MOTION by Prues, seconded by Rogers, to elect Peter Graham, M.D. as Chairperson.

A voice vote was held.

MOTION PREVAILED

Election for Vice-Chairperson

Sondheimer nominated Arsiwala. Morley-Smolek nominated Tocco-Bradley. Paper ballots were submitted to Siracuse. Arsiwala elected over Tocco-Bradley by 9 votes to 7.

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held on March 16, 2016 at 10:00 a.m., at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

Chairperson Graham adjourned the meeting at 11:16 a.m.

Minutes approved by the Board on March 16, 2016

Prepared by:
Erin Londo, Board Support

January 25, 2016