



STATE OF MICHIGAN

RICK SNYDER  
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF HEALTH CARE SERVICES

MIKE ZIMMER  
DIRECTOR

## MICHIGAN BOARD OF MEDICINE JANUARY 21, 2015 MEETING

### ***APPROVED MINUTES***

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Medicine met in regular session on January 21, 2015, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

### ***CALL TO ORDER***

Richard Burney, M.D., Chairperson, called the meeting to order at 10:15 a.m.

### ***ROLL CALL***

***Members Present:*** Richard Burney, M.D., Chairperson  
Peter Graham, M.D., Vice-Chairperson  
Richard Bates, M.D.  
Stacey Frankovich, Public Member  
Sandra Howell, M.D.  
Lisa Huta, Public Member  
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  
Gail Torreano, Public Member

***Members Absent:*** Mohammed Arsiwala, M.D.  
Luis Avila, J.D  
Renee Johnston, Public Member  
Kara Morley-Smolek, M.D.  
Cynthia Pasky, Public Member

**Staff Present:** Shellayne Grimes, Secretary, Policy, Rules and Board Support Section  
Michael Siracuse, Analyst, Policy, Rules and Board Support Section  
Norene Lind, Manager, Policy, Rules and Board Support Section  
Kiran Parag, Analyst, Enforcement Division  
Virginia Abdo, Manager, Enforcement Division  
Joe Campbell, Director, Enforcement Division (left at 10:26 a.m.)  
Michele Wagner-Gutkowski, Assistant Attorney General

**Others Present:** Lynn Mills  
Andrew Schepers, MSMS  
Nancy Short, Governor Snyder's Appointments Office  
Max Hoffman, Attorney  
Joan Eddy

## **INTRODUCTIONS**

Burney introduced Stacey Frankovich as a new Public Member. Burney asked all Board members and staff to introduce themselves.

## **APPROVAL OF MINUTES**

*MOTION* by Prues, seconded by Torreano, to approve the minutes of the November 19, 2014 Board meeting, as presented.

*MOTION PREVAILED*

## **APPROVAL OF AGENDA**

*MOTION* by Torreano, seconded by Howell, to approve the agenda, as presented.

*MOTION PREVAILED*

## **ELECTIONS**

### **Election for Chairperson**

Lind ran the election for Chairperson.

*MOTION* by Torreano, seconded by Rogers, to re-elect Richard Burney, M.D., as Chairperson.

A voice vote was held.

*MOTION PREVAILED*

## **Election for Vice-Chairperson**

Burney ran the election for Vice-Chairperson.

*MOTION* by Tocco-Bradley, seconded by Prues, to re-elect Peter Graham, M.D., as Vice Chairperson.

A voice vote was held.

*MOTION PREVAILED*

## **REGULATORY CONSIDERATION**

A. Zahid Nazir, M.D. – Request for Reconsideration

*MOTION* by Szymanski, seconded by Howell, to deny the Request for Reconsideration, in the matter of Zahid Nazir, M.D.

Discussion was held.

A roll call vote followed: Yeas: Bates, Howell, Huta, Prues, Rogers, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley, Torreano, Graham, Burney

Abstain: Frankovich

*MOTION PREVAILED*

## **COMMITTEE REPORTS**

### **INVESTIGATIONS AND ALLEGATIONS**

Rogers reported that the Investigations and Allegations Committee reviewed 27 files in December, 2014. Nine files were authorized for investigation, and 18 files were closed.

For January, there were 32 files reviewed. Twelve were authorized for investigation, and 20 files were closed.

### **OPERATIONS COMMITTEE**

No report.

### **DISCIPLINARY SUBCOMMITTEE**

Toreano reported that the Disciplinary Subcommittee (DSC) met today and considered 29 matters; one (1) Request for Reconsideration, three (3) Proposals for Decision,

seven (7) Administrative Complaints, fourteen (14) Consent Orders and Stipulations, and four (4) Requests for Dismissal. The Disciplinary Subcommittee will reconvene after the completion of the full Board meeting to finish its agenda.

## **CHAIRPERSON'S REPORT**

Burney provided the following summary of Board of Medicine activity between November 18, 2014 and January 18, 2015, handling 57 matters, compared to 27 last year during the same interval.

<b>Type</b>	<b>Number</b>
• Summary suspensions	3
• Conferee assignments	9
• Advice regarding sanction recommendations	9
• Advice regarding filing/pursuing complaint	1
• Approve CME and general supervision Requests	4
• Discuss sanction recommendation	21
• Compliance conference	1
• Review/approve monitoring plans/reports	5
• Miscellaneous matters	4

He also provided graphs that showed an upward trend over the past three (3) years in the number of matters coming to him for decisions. The number of conferee assignments per month has remained stable during the past three (3) years.

## ***OLD BUSINESS***

None

## ***NEW BUSINESS***

### **Committee Assignments**

Burney will review Committee assignments and share with members at a later date.

### **Department Update**

Lind announced that the Bureau will be reorganized during 2015.

## ***PUBLIC COMMENT***

Sondheimer reported that Michele Wagner-Gutkowski, Assistant Attorney General, met with the Investigations and Allegations (I&A) Committee members prior to today's board

meeting. This meeting was very helpful to understand the process used for gathering the opioid-related information and MAPS reports that leads to administrative complaints.

Burney noted that two (2) board members have been nominated for seats on the Federation of State Medical Boards (FSMB) committees: Mohammed Arsiwala, M.D. has been nominated for the Nominations Committee and Louis Prues, Ph.D, has been nominated for a position on the FSMB Board. Burney encouraged board members to submit letters of support for both of these candidates.

Prues explained that he will be running a very active campaign for his seat on the FSMB. He asked Michigan board members to submit letters of support on his behalf.

Tocco-Bradley asked for a synopsis of Dr. Prues' background, which he will provide. Wagner-Gutkowski noted that it was 10 years ago since Michigan had representation at the FSMB.

Howell reported that she is interested in sitting on the FSMB USMLE Committee.

## **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held on March 18, 2015 at 10:00 a.m., at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

## **ADJOURNMENT**

*MOTION* by Prues, seconded by Torreano, to adjourn the meeting at 10:45 a.m.

  
Richard Burney, M.D., Chairperson

  
Shellayne Grimes, Board Secretary

  
Date Minutes Approved

  
Date Minutes Prepared