



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

**MICHIGAN BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE
MAY 20, 2015
MEETING**

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Medicine Disciplinary Subcommittee met in regular session on May 20, 2015 at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

CALL TO ORDER

Gail Torreano, Chairperson, called the meeting to order at 8:30 a.m.

ROLL CALL

Members Present: Gail Torreano, Public Member, Chairperson
Mohammed Arsiwala, M.D.
Sandra Howell, M.D.
Renee Johnston, J.D., Public Member (left at 11:37 a.m.)
Dennis Szymanski, M.D.

Members Absent: None

Staff Present: Shellayne Grimes, Secretary, Policy, Rules and Board Support
Kiran Parag, Analyst, Enforcement Section
Virginia Abdo, Manager, Enforcement Manager
Thomas Clement, Assistant Attorney General

Others Present: Travis Lee
Ken Einheuser
Joy Einheuser
Richard Bates, M.D. (arrived at 11:26 a.m.; left at 11:33 a.m.)
Richard Burney, M.D. (arrived at 11:26 a.m.; left at 11:47 a.m.)
Kara Morley-Smolek, M.D. (arrived at 8:36 a.m.)

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A roll call vote was held: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Thomas Owen Orvald, MD – Administrative Complaint

MOTION by Arsiwala, seconded by Johnston, to limit Respondent's license for a minimum of one (1) day, in the matter of Thomas Owen Orvald, MD.

Respondent shall not practice medicine in the state of Michigan until such time as Respondent provides evidence to the Department from the State of Washington Department of Health Medical Quality Assurance Commission verifying that he has fully complied with all terms and conditions imposed by the April 3, 2014 Stipulation to Informal Disposition, and holds an unencumbered Washington license.

Additionally, a fine shall be assessed in the amount of \$5,000.00, payable prior to filing an application for reclassification.

A roll call vote was held: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Paula E. Williamson, MD – Administrative Complaint

MOTION by Howell, seconded by Arsiwala, to dissolve the Order of Summary Suspension dated March 4, 2015 and revoke Respondent's license, in the matter of Paula E. Williamson, MD.

Additionally, a fine shall be assessed in the amount of \$10,000.00, payable prior to filing an application for reinstatement/relicensure.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Richard V. Utarnachitt, MD – Administrative Complaint

MOTION by Arsiwala, seconded by Szymanski, to dissolve the Order of Summary Suspension dated February 10, 2015 and revoke Respondent's license, in the matter of Richard V. Utarnachitt, MD.

Discussion was held.

A roll call vote followed: Yeas – Howell, Johnston, Szymanski, Torreano
 Recuse – Arsiwala

MOTION PREVAILED

Michael David Smith, MD – Petition for Reclassification

MOTION by Szymanski, seconded by Howell, to accept Respondent's Petition for Reclassification and grant Respondent a full and unlimited license, in the matter of Michael David Smith, MD.

Discussion was held.

A roll call vote followed: Yeas – Howell, Johnston, Szymanski, Torreano
 Recuse – Arsiwala

MOTION PREVAILED

David Ernest Scheeres, MD – Request for Dismissal

MOTION by Arsiwala, seconded by Johnston, to accept the Request for Dismissal, in the matter of David Ernest Scheeres, MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Johnston, Szymanski, Torreano
 Recuse – Howell

MOTION PREVAILED

Katherine Allison Starr, MD, f/k/a Katherine Allison Damm – Request for Dismissal

MOTION by Arsiwala, seconded by Johnston, to accept the Request for Dismissal, in the matter of Katherine Allison Starr, MD, f/k/a Katherine Allison Damm.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
 Torreano

MOTION PREVAILED

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Barry Seth Barudin, MD – Consent Order and Stipulation

MOTION by Howell, seconded by Szymanski, to reject the Consent Order and Stipulation and offer a counter-offer to place Respondent on probation for a minimum of one (1) day not to exceed six (6) months, with the following terms and conditions, in the matter of Barry Seth Barudin, MD:

- (1) During the probationary period, Respondent shall complete a total of five (5) hours of Board-approved CE in the following areas:
 - a. Documentation
 - b. Safe Prescribing Practices

Additionally, a fine shall be assessed in the amount of \$1,000.00, payable within 90 days.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Richard L. Carpenter, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Szymanski, to accept the Consent Order and Stipulation, in the matter of Richard L. Carpenter, MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Anthony Vernon Dallas, Jr., MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Howell, to accept the Consent Order and Stipulation, in the matter of Anthony Vernon Dallas, Jr., MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Randy Mitchell Dean, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Szymanski, to accept the Consent Order and Stipulation, in the matter of Randy Mitchell Dean, MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Vincent R. Elie, MD, PT – Consent Order and Stipulation

MOTION by Howell, seconded by Arsiwala, to accept the Consent Order and Stipulation, in the matter of Vincent R. Elie, MD, PT.

A roll call vote was held: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

William F. Kirchain, Jr., MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Howell, to accept the Consent Order and Stipulation, in the matter of William F. Kirchain, Jr., MD.

A roll call vote was held: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Jeffrey C. Maludy, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Johnston, to accept the Consent Order and Stipulation, in the matter of Jeffrey C. Maludy, MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

A. Bala Setty, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Johnston, to accept the Consent Order and Stipulation, in the matter of A. Bala Setty, MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Randall Howard Sturm, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Johnston, to reject the Consent Order and Stipulation and offer a counter-offer to place Respondent on probation for a minimum period of one (1) day not to exceed six (6) months, with the following terms and conditions, in the matter of Randall Howard Sturm, MD:

(1) During the probationary period, Respondent shall complete three (3) hours of Board-approved CE in each of the following areas:

- a. Risk Management
- b. Practice Management

Additionally, a fine shall be assessed in the amount of \$500.00, payable within 90 days.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Johnston, Szymanski,
Torreano

MOTION PREVAILED

Bela Verma, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Szymanski, to accept the Consent Order and Stipulation, in the matter of Bela Verma, MD.

Discussion was held.

Peter T. Smith, MD – Consent Order and Stipulation

MOTION by Szymanski, seconded by Howell, to accept the Consent Order and Stipulation, in the matter of Peter T. Smith, MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Szymanski, Torreano

MOTION PREVAILED

Paul Arthur Dowsett, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Howell, to accept the Consent Order and Stipulation, in the matter of Paul Arthur Dowsett, MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Torreano
 Recuse – Szymanski

MOTION PREVAILED

Hatem M. Ataya, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Howell, to accept the Consent Order and Stipulation, in the matter of Hatem M. Ataya, MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Szymanski, Torreano

MOTION PREVAILED

Lee Adam Balaklaw, MD – Consent Order and Stipulation

MOTION by Howell, seconded by Szymanski, to accept the Consent Order and Stipulation, in the matter of Lee Adam Balaklaw, MD.

A roll call vote was held: Yeas – Arsiwala, Howell, Szymanski, Torreano

MOTION PREVAILED

Recess

MOTION by Howell, seconded by Arsiwala, to recess at 12:30 p.m. The meeting reconvened at 12:32 p.m.

MOTION PREVAILED

Julie Ann Farrell, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Howell, to accept the Consent Order and Stipulation, in the matter of Julie Ann Farrell, MD.

A roll call vote was held: Yeas – Arsiwala, Howell, Szymanski, Torreano

MOTION PREVAILED

Paul J. Fierke, MD – Consent Order and Stipulation

MOTION by Howell, seconded by Szymanski, to accept the Consent Order and Stipulation, in the matter of Paul J. Fierke, MD.

A roll call vote was held: Yeas – Arsiwala, Howell, Szymanski, Torreano

MOTION PREVAILED

Rodger S. Huckins, MD – Consent Order and Stipulation

MOTION by Arsiwala, seconded by Howell, to accept the Consent Order and Stipulation, in the matter of Rodger S. Huckins, MD.

Discussion was held.

A roll call vote followed: Yeas – Arsiwala, Howell, Szymanski, Torreano

MOTION PREVAILED

PUBLIC COMMENT

Ken Einheuser attempted to speak regarding the Donald John Hardman, MD case; however, he was asked by Clement to refrain from directly speaking about the merits of the case.

ANNOUNCEMENTS

The next regularly scheduled Disciplinary Subcommittee meeting will be held on July 15, 2015, at 9:30 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

MOTION by Arsiwala, seconded by Howell, to adjourn the meeting at 12:40 p.m.

Gail Torreano For
Gail Torreano, Public Member, Chairperson

Shellayne Grimes
Shellayne Grimes, Board Secretary

7/15/15.
Date Minutes Approved

5/20/2015
Date Minutes Prepared