



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JANET OLSZEWSKI
DIRECTOR

MICHIGAN BOARD OF MEDICINE DISCIPLINARY SUBCOMMITTEE JULY 16, 2008 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 July 16, 2008, at the Ottawa Building, 611 West Ottawa, Conference Room 3 (Upper Level Conference Center), Lansing, Michigan.

CALL TO ORDER

Theresa Fraley, Public Member, Chairperson, called the meeting to order at 11:40 a.m.

ROLL CALL

Members Present: Theresa Fraley, Public Member, Chairperson
Oliver G. Cameron, M.D., Ph.D.
William Fenn, PA-C, Ph.D. (left at 12:55 p.m.)
Jeffrey M. Jones, M.D.
Vivian Leung, Public Member
Nathaniel Smith-Tyge, Public Member

Members Absent: None

Staff Present: Ray Garza, Director, Regulatory Division
Karen Carpenter, Analyst, Enforcement Section
Michele Wagner-Gutkowski, Assistant Attorney General
Laurie VanBeelen, Secretary, Licensing Division
Pamela Millben, Analyst, Enforcement Section
Leo Friedman, Division Chief, Licensing & Regulation
Division, Office of Attorney General
Serene Katranji-Zeni, Assistant Attorney General
Jennifer Milczarski, Student, Licensing Division

Others Present: Scot Goldberg, M.D.
David L. Dull, M.D. (left at 12:19 p.m.)
William Fenn, PA-C, Ph.D. (left at 12:55 p.m.)
Carol Holmes, Attorney

APPROVAL OF MINUTES

MOTION by Jones, seconded by Cameron, to approve the minutes of the May 21, 2008 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Fenn, seconded by Cameron, to approve the agenda with the following change of order and addition:

Regulatory cases will be heard in the following order: A. Krieger; B. Thibault; C. Chapman; D. Gallucci; E. Gilmore; F. Savas; G. Kim; H. Sethavarangura; I. Bender; J. Lacivita; K. Rouillard; L. Shareghi; M. James; N. Kelly; O. Orengo; P. Sukha; Q. Courtney;

Add: **6. NEW BUSINESS. DSC Master Resolution (CME).** The remaining agenda items will be re-numbered accordingly.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

GLENN D. KRIEGER, M.D. – CONSENT ORDER AND STIPULATION

Motion by Fenn, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Glenn D. Krieger, M.D.

A roll call vote followed: Yeas: Jones, Smith-Tyge, Cameron, Leung, Fraley

MOTION PREVAILED

STEVEN J. THIBAUT, M.D. – CONSENT ORDER AND STIPULATION

Motion by Cameron, seconded by Jones, to accept the Consent Order and Stipulation in the matter of Steven J. Thibault, M.D.

A roll call vote followed: Yeas: Fenn, Cameron, Jones, Smith-Tyge, Leung, Fraley

MOTION PREVAILED

TIMOTHY LAMAR CHAPMAN, M.D. – CONSENT ORDER AND STIPULATION

Motion by Jones, seconded by Fenn, to accept the Consent Order and Stipulation in the matter of Timothy Lamar Chapman, M.D.

A roll call vote followed: Yeas: Cameron, Jones, Smith-Tyge, Fenn, Leung, Fraley

MOTION PREVAILED

RICHARD P. GALLUCCI, M.D. – CONSENT ORDER AND STIPULATION

Motion by Jones, seconded by Fenn, to accept the Consent Order and Stipulation in the matter of Richard P. Gallucci, M.D.

A roll call vote followed: Yeas: Jones, Smith-Tyge, Cameron, Fenn, Leung, Fraley

MOTION PREVAILED

KATHLEEN MARY GILMORE, M.D. – CONSENT ORDER AND STIPULATION

Fenn recused himself from the matter and left the meeting.

Motion by Cameron, seconded by Jones, to accept the Consent Order and Stipulation in the matter of Kathleen Mary Gilmore, M.D.

A roll call vote followed: Yeas: Cameron, Jones, Smith-Tyge, Leung, Fraley

MOTION PREVAILED

Fenn returned to the meeting.

VICKY SAVAS, M.D. – ORDER OF DISMISSAL

Motion by Cameron, seconded by Jones, to accept the Order of Dismissal in the matter of Vicky Savas, M.D.

A roll call vote followed: Yeas: Cameron, Jones, Smith-Tyge, Fenn, Leung, Fraley

MOTION PREVAILED

SOON K. KIM, M.D. – CONSENT ORDER AND STIPULATION

Motion by Jones, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Soon K. Kim, M.D.

Discussion was held.

A roll call vote followed: Yeas: Jones, Smith-Tyge, Cameron, Fenn, Leung, Fraley

MOTION PREVAILED

PORNPICHIT SETHAVARANGURA, M.D. – CONSENT ORDER AND STIPULATION

Motion by Jones, seconded by Fenn, to accept the Consent Order and Stipulation in the matter of Pornpichit Sethavarangura, M.D.

A roll call vote followed: Yeas: Jones, Smith-Tyge, Cameron, Fenn, Leung, Fraley

MOTION PREVAILED

JEFFREY ALLEN BENDER, M.D. – CONSENT ORDER AND STIPULATION

Motion by Jones, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Jeffrey Allen Bender, M.D.

Discussion was held.

A roll call vote followed: Yeas: Cameron, Jones, Smith-Tyge, Leung, Fraley

MOTION PREVAILED

LEONARD PAUL LACIVITA, M.D. – CONSENT ORDER AND STIPULATION

Motion by Jones, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Leonard Paul Lacivita, M.D.

A roll call vote followed: Yeas: Cameron, Jones, Smith-Tyge, Leung, Fraley

MOTION PREVAILED

SANDRA JEAN ROUILLARD, M.D. – CONSENT ORDER AND STIPULATION

Motion by Jones, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Sandra Jean Rouillard, M.D.

A roll call vote followed: Yeas: Cameron, Jones, Smith-Tyge, Leung, Fraley

MOTION PREVAILED

GHOLAMREZ SHAREGHI, M.D. – REQUEST FOR RECONSIDERATION

Jones recused himself from the matter.

Motion by Cameron, seconded by Smith-Tyge, to grant the Request for Reconsideration in the matter of Gholamrez Shareghi, M.D.

Discussion was held.

Motion was withdrawn.

Motion by Cameron, seconded by Smith-Tyge, to deny the Request for Reconsideration in the matter of Gholamrez Shareghi, M.D.

A roll call vote followed: Yeas: Fenn, Cameron, Smith-Tyge, Leung, Fraley

MOTION PREVAILED

LOUIS ANTHONY JAMES, M.D. – ADMINISTRATIVE COMPLAINT

Motion by Jones, seconded by Cameron, to issue a reprimand and impose a \$1,000 fine in the matter of Louis Anthony James, M.D.

Discussion was held.

Motion was withdrawn.

Motion by Jones, seconded by Cameron, to suspend Respondent's license for a minimum of one day until he can prove that he holds a full and unencumbered license in the State of Illinois in the matter of Louis Anthony James, M.D. If the suspension lasts more than six (6) months, he must petition for reinstatement.

A roll call vote followed: Yeas: Cameron, Jones, Smith-Tyge, Fenn, Leung, Fraley

MOTION PREVAILED

JAMES JOSEPH KELLY, JR, M.D. – ADMINISTRATIVE COMPLAINT

Motion by Cameron, seconded by Jones, to dissolve the summary suspension and suspend Respondent's license for a minimum of six (6) months and one (1) days in the matter of James Joseph Kelly, Jr., M.D.

A roll call vote followed: Yeas: Jones, Smith-Tyge, Cameron, Leung, Fraley

MOTION PREVAILED

OSVALDO ORENGO, M.D. – PROPOSAL FOR DECISION

Wagner-Gutkowski left the meeting.

Motion by Jones, seconded by Cameron, to accept the Proposal for Decision in the matter of Osvaldo Orengo, M.D.

A roll call vote followed: Yeas: Fenn, Cameron, Jones, Smith-Tyge, Leung, Fraley

MOTION PREVAILED

Motion by Jones, seconded by Cameron, to dissolve the summary suspension, place Respondent on probation for a minimum of two (2) years, impose a \$1,000 fine, and require 20 hours of CME in the area of boundary issues, which shall not count towards licensing requirements, in the matter of Osvaldo Orengo, M.D.

Discussion was held.

Amended Motion by Jones, seconded by Cameron, to dissolve the order of summary suspension in the matter of Osvaldo Orengo, M.D. Respondent's license shall be limited for a minimum period of two (2) years. When examining and/or treating female patients, Respondent shall have a Board-approved licensed health professional female chaperone present at all times. Respondent must petition for reclassification of his limited license. Respondent is to be placed on probation to run concurrent with the period of limitation. During the first year of Respondent's probationary period,

Respondent shall complete twenty (20) hours of continuing education in the area of boundary issues which shall be Board-approved, but shall not count toward Respondent's current license renewal. During the limitation and probationary period, Respondent's licensed health professional female chaperone shall file written reports with the Board on a quarterly basis, advising of the appropriateness of Respondent's interactions with female patients. Respondent is fined \$1,000.00, which is to be paid within sixty (60) days.

A roll call vote followed: Yeas: Jones, Smith-Tyge, Cameron, Fenn, Leung, Fraley

MOTION PREVAILED

Wagner-Gutkowski returned to the meeting.

NAGIN R. SUKHA, M.D. – PROPOSAL FOR DECISION

Motion by Smith-Tyge, seconded by Jones, to accept the Proposal for Decision in the matter of Nagin R. Sukha, M.D.

A roll call vote followed: Yeas: Cameron, Jones, Smith-Tyge, Fenn, Leung, Fraley

MOTION PREVAILED

Motion by Fenn, seconded by Cameron, to suspend Respondent's license for a minimum of six (6) months and one (1) day and impose a fine of \$2,500, which shall be payable within 60 days in the matter of Nagin R. Sukha, M.D.

A roll call vote followed: Yeas: Fenn, Cameron, Jones, Smith-Tyge, Leung, Fraley

MOTION PREVAILED

RICKEY LAVELL COURTNEY, M.D. – ORDER OF DISMISSAL

Motion by Jones, seconded by Cameron, to accept the Order of Dismissal in the matter of Rickey Lavell Courtney, M.D.

A roll call vote followed: Yeas: Jones, Smith-Tyge, Cameron, Fenn, Leung, Fraley

MOTION PREVAILED

NEW BUSINESS

DSC MASTER RESOLUTION (CME)

The Committee continued discussion of the Board of Medicine Disciplinary Subcommittee Master Resolution as it relates to the severity of discipline for CE violations. It was decided that Cameron will assist Garza in creating new language to include in the master resolution and present it to the Committee at the September meeting.

PUBLIC COMMENT

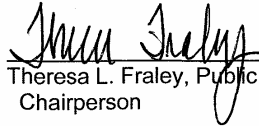
Attorney Carol Holmes asked the Committee to be mindful of the language to be contained in the DSC Master resolution regarding CE if it is the Committee's intention that CE sanctions are not reportable to the national data bank.

ANNOUNCEMENTS

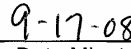
The next regularly scheduled meeting will be held on September 17, 2008 at 8:30 a.m. at the Ottawa Building, 611 West Ottawa, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

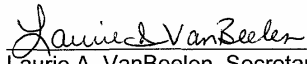
MOTION by Smith-Tyge, seconded by Cameron, to adjourn the meeting at 1:02 p.m.



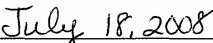
Theresa L. Fraley, Public Member,
Chairperson



Date Minutes Approved



Laurie A. VanBeelen, Secretary



Date Minutes Prepared