



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JANET OLSZEWSKI
DIRECTOR

MICHIGAN BOARD OF OSTEOPATHIC MEDICINE & SURGERY DISCIPLINARY SUBCOMMITTEE

OCTOBER 6, 2009 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Osteopathic Medicine and Surgery Disciplinary Subcommittee met in regular session on October 6, 2009, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

CALL TO ORDER

Paulette Lindberg, Chairperson, called the meeting to order at 9:18 a.m.

Members Present: Paulette Lindberg, Public Member, Chairperson
Kathleen Carney, Public Member, Vice Chairperson
William Cunningham, D.O.
Dennis Dobritt, D.O.
Gale Easton, P.A.

Members Absent: None

Staff Present: Lidia McGee, Analyst, Health Regulatory Division
Merry Rosenberg, Assistant Attorney General
Laurie VanBeelen, Board Secretary, Health Regulatory Division

APPROVAL OF MINUTES

MOTION by Carney, seconded by Dobritt, to approve the August 6, 2009 meeting minutes as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Carney, seconded by Cunningham, to approve the agenda as presented.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Erwin Feldman, D.O. – Consent Order and Stipulation

MOTION by Dobritt, seconded by Easton, to accept the Consent Order and Stipulation in matter of Erwin Feldman, D.O.

Discussion followed.

A roll call vote was held: Yeas: Dobritt, Easton, Carney, Cunningham, Lindberg

MOTION PREVAILED

Robert Paul Niedbalski, D.O. – Consent Order and Stipulation

MOTION by Easton, seconded by Cunningham, to accept the Consent Order and Stipulation in the matter of Robert Paul Niedbalski, D.O.

Discussion followed.

A roll call vote was held: Yeas: Easton, Carney, Cunningham, Dobritt, Lindberg

MOTION PREVAILED

David Gale Wageman, D.O. – Order of Dismissal

MOTION by Carney, seconded by Dobritt, to accept the Order of Dismissal in the matter of David Gale Wageman, D.O.

A roll call vote was held: Yeas: Cunningham, Dobritt, Easton, Carney, Lindberg

MOTION PREVAILED

Barry Steven Meyer, D.O. – Petition for Reclassification

MOTION by Easton, seconded by Dobritt, to grant Petitioner's request for a full and unrestricted license in the matter of Barry Steven Meyer, D.O.

Discussion followed.

A roll call vote was held: Yeas: Cunningham, Dobritt, Easton, Carney, Lindberg

MOTION PREVAILED

Horace J. Davis, D.O. – Proposal for Decision

Easton recused himself from the matter.

MOTION by Dobritt, seconded by Cunningham, to accept the Proposal for Decision in the matter of Horace J. Davis, D.O.

Discussion followed.

Motion withdrawn.

MOTION by Dobritt, seconded by Cunningham, to remand the matter back to the Administrative Law Judge for additional determinations in the matter of Horace J. Davis, D.O. Specifically, the DSC is remanding this case to the State Office of Administrative Hearings and Rules (SOAHR) for the purpose of obtaining information regarding what steps Petitioner has taken or will take that will allow him to engage in the independent practice of obstetrics in a safe and competent manner. In the event Petitioner does not plan to practice obstetrics in the future, the DSC is remanding this case to SOAHR for the purpose of securing supporting documentation.

A roll call vote was held: Yeas: Dobritt, Carney, Cunningham, Lindberg

MOTION PREVAILED

Larry Wayne Shapiro, D.O. – Administrative Complaint

MOTION by Carney, seconded by Cunningham, to fine Respondent \$500.00 to be paid within ninety (90) days in the matter of Larry Wayne Shapiro, D.O.

Discussion followed.

AMENDED MOTION by Carney, seconded by Cunningham, to fine Respondent \$500.00 to be paid within ninety (90) days in the matter of Larry Wayne Shapiro, D.O. Additionally, Respondent must provide the Department within ninety (90) days documentation verifying his compliance with the Board's continuing medical education requirements pursuant to 1991 AACCS, R 338.91 et seq.

A roll call vote was held: Yeas: Easton, Carney, Cunningham, Dobritt, Lindberg

MOTION PREVAILED

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held on Thursday, December 3, 2009, immediately following the regularly scheduled Michigan Board of Osteopathic Medicine and Surgery meeting, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 3, Lansing, Michigan.

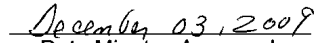
ADJOURNMENT

MOTION by Carney, seconded by Cunningham, to adjourn the meeting at 10:33 a.m.


MOTION PREVAILED



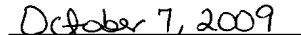
Paulette Lindberg, Chairperson



Date Minutes Approved



Laurie A. VanBeelen, Board Secretary



Date Minutes Prepared