



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

SHELLY EDGERTON  
DIRECTOR

## **MICHIGAN BOARD OF MEDICINE DISCIPLINARY SUBCOMMITTEE**

### **January 17, 2018 MEETING**

### **APPROVED MINUTES**

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Medicine Disciplinary Subcommittee met on January 17, 2018, at the Ottawa Building, Conference Room 3, 611 West Ottawa Street, Lansing, Michigan 48933.

#### **CALL TO ORDER**

Renee Johnston, JD, Chairperson, called the meeting to order at 8:39 a.m.

#### **ROLL CALL**

**Members Present:** Renee Johnston, JD, Public Member, Chairperson  
Michael Chafty, MD  
Dennis Szymanski, MD  
Terri Tahnoose, Public Member, Alternate

**Members Absent:** Mohammed Arsiwala, MD

**Staff Present:** Weston MacIntosh, Analyst, Boards and Committees Section  
Kiran Parag, Analyst, Compliance Section  
Forrest Pasanski, Enforcement Division Director  
LeAnn Payne, Board Support, Boards and Committees Section  
Bridget Smith, Assistant Attorney General  
Michele Wagner-Gutkowski, Assistant Attorney General

#### **APPROVAL OF AGENDA**

MOTION by Chafty, seconded by Szymanski to approve the agenda with the addition of Department Update: Forrest Pasanski, Enforcement Division Director.

A voice vote followed.

MOTION PREVAILED

## **APPROVAL OF MINUTES**

MOTION by Szymanski, seconded by Chafty, to approve the November 14, 2017 meeting minutes as presented.

A voice vote followed.

MOTION PREVAILED

## **REGULATORY CONSIDERATIONS**

Michele Wagner-Gutkowski and Kiran Parag advised the DSC, as they have been doing in the past, that the criteria of Michigan Administrative Code R 338.7005 (Rule 5) must be considered when assessing fines in disciplinary cases. However, the DSC must now explicitly state for the record that they considered Rule 5 when imposing a fine.

### **Amaning Kwarteng Sarkodie, MD – Proposal for Decision**

Michele Wagner-Gutkowski recused herself from discussion in the matter and left the room. Bridget Smith, Assistant Attorney General substituted.

MOTION by Szymanski, seconded by Chafty, to accept the Proposal for Decision.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

MOTION by Szymanski, seconded by Chafty, to dissolve the Order of Summary Suspension and suspend Respondent's license for 180 days with credit for the time period Respondent was summarily suspended. Upon reinstatement, Respondent's license will be limited for one year precluding Respondent from obtaining, possessing, prescribing, dispensing, or administering any drug designated as a Schedule 2 through 5 controlled substance under the Public Health Code or its counterpart in federal law. Respondent may petition for removal of this limitation at the end of one year. Respondent will be placed on probation for two years. Upon automatic reinstatement, Respondent shall request approval of a proposed physician reviewer from a Board-accepted monitoring organization who shall review and provide quarterly reports on Respondent's professional practice, documentation, and records. During each year of probation, Respondent shall complete Board-approved continuing education in the following areas: a) five hours in documentation and b) five hours in narcotic prescribing. The continuing education shall not count toward current license renewal. Respondent shall read and prepare a summary on each chapter of the following titled books for the physician reviewer to discuss with Respondent a) Controlled Substance Management and Chronic Pain; and b) The Principles of Analgesic Use. After

consideration of R 338.7005, (Rule 5), Respondent is fined \$2,500.00 to be paid within 90 days.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Karen Lind Butler, MD – Court Affirming Violation Determination, Vacating Fine And Remanding for Consideration of Fine Amount.**

MOTION by Szymanski, seconded by Tahnoose, comply with the Court Order Affirming Violation Determination, Vacating, Fine and Remanding for Consideration of Fine Amount.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

MOTION by Szymanski, seconded by Chafty, after consideration of R 338.7005(d), the cost incurred in investigating and proceeding against the licensee, Respondent is fined \$500.00 to be paid within 90 days.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Vernon Eugene Proctor, MD – Request for Rehearing**

MOTION by Chafty, seconded by Tahnoose, to deny the Request for Rehearing.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Gary Lee Ruelle, MD – Request for Dismissal**

MOTION to table until later in the meeting for more information.

A voice vote was held.

MOTION PREVAILED

**Chitra Sinha, MD – Request for Dismissal**

MOTION by Szymanski, seconded by Chafty, to discuss.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Chafty, seconded by Szymanski, to accept the Request for Dismissal.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Jerrold H. Weinburg, MD – Request for Dismissal**

MOTION by Chafty, seconded by Szymanski, to table until later in the meeting for more information.

A voice vote was held.

MOTION PREVAILED

**Waseem Alam, MD – Administrative Complaint**

MOTION by Szymanski, seconded by Chafty, to dissolve the Order of Summary Suspension and revoke Respondent's license. After consideration of R. 338.7005 (Rule 5), Respondent is fined \$100,000.00 to be paid prior to filing an application for reinstatement.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Roosbeh Badii, MD – Administrative Complaint**

MOTION by Szymanski, seconded by Chafty, to reprimand Respondent. After consideration of R 338.7005 (Rule 5) Respondent will be fined \$100.00 to be paid within 90 days.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Timothy Barth, MD – Administrative Complaint**

MOTION by Szymanski, seconded by Chafty, to dissolve the Order of Summary Suspension and revoke Respondent's license. After consideration of R 338.7005 (Rule 5), Respondent will be fined \$75,000.00 to be paid prior to filing an application for reinstatement.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Demain Ibrahim Naguib, MD – Proposal for Decision**

MOTION by Chafty, seconded by Tahnoose, to accept the Proposal for Decision.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Tahnoose, Johnston  
Nays: Szymanski

MOTION PREVAILED

MOTION by Chafty, seconded by Tahnoose, to discuss.

A voice vote was held.

MOTION PREVAILED

MOTION by Chafty, seconded by Tahnoose, to place Respondent on probation for a minimum of one day, not to exceed six months. Respondent is required to complete five hours of board approved continuing education in record keeping. The continuing education shall not count towards current license renewal. After consideration of R 338.7005 (Rule 5), Respondent is fined \$500.00 to be paid within 90 days.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Gary Thomas Roome, MD – Consent Order and Stipulation**

MOTION by Chafty, seconded by Szymanski, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Bassel Altantawi, MD – Consent Order and Stipulation**

MOTION by Szymanski, seconded by Chafty, to accept the Consent Order and Stipulation.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Recess**

MOTION by Chafty, seconded by Tahnoose, to adjourn 9:55 a.m., until after the Full Board meeting.

A voice vote was held.

MOTION PREVAILED

MOTION by Chafty, seconded by Tahnoose, to reconvene at 11:43 a.m.

A voice vote was held.

MOTION PREVAILED

**Gary Reulle, MD – Request for Dismissal**

MOTION by Chafty, seconded by Tahnoose, to un-table.

A voice vote was held.

MOTION PREVAILED

MOTION by Chafty, seconded by Tahnoose, to discuss.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Szymanski, seconded by Chafty, to accept the Request for Dismissal.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Jerrold H. Weinburg, MD – Request for Dismissal**

MOTION by Szymanski, seconded by Chafty, to un-table.

A voice vote was held.

MOTION PREVAILED

MOTION by Chafty, seconded by Szymanski, to accept the Request for Dismissal.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Thomas Donnellon, MD – Consent Order and Stipulation**

MOTION by Szymanski, seconded by Chafty, to accept the Consent Order and Stipulation.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Dan G. Guyer, MD – Consent Order and Stipulation**

MOTION by Szymanski, seconded by Tahnoose, to discuss

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Tahnoose, seconded by Chafty, to reject the Consent Order and Stipulation with a counteroffer. Respondent will be placed on probation for a minimum of one day, not to exceed six months. Respondent is required to complete board approved continuing education in neuro-psycho pharmacology. The continuing education shall not count toward current license renewal. All other terms of the proposed Consent Order and Stipulation will remain unchanged.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Todd Lockwitz, MD – Consent Order and Stipulation**

MOTION by Tahnoose, seconded by Chafty, to discuss.

A voice vote was held.

MOTION PREVAILED

MOTION by Chafty, seconded by Tahnoose, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Nevena M. Mihailoff, MD – Consent Order and Stipulation**

MOTION by Szymanski, seconded by Tahnoose, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Joseph Edwin Oesterling, MD – Consent Order and Stipulation**

MOTION by Szymanski, seconded by Chafty, to accept the Consent Order and Stipulation.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose  
Nays: None  
Recuse: Johnston



MOTION PREVAILED

**Jamie Sutton, MD – Consent Order and Stipulation**

MOTION by Szymanski, seconded by Chafty, to accept the Consent Order and Stipulation.

Discussion was held.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**David Vallance, MD – Consent Order and Stipulation**

MOTION by Tahnoose, Szymanski, to discuss.

A voice vote was held.

MOTION PREVAILED

Discussion was held.

MOTION by Chafty, seconded by Szymanski, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Chafty, Szymanski, Tahnoose, Johnston  
Nays: None

MOTION PREVAILED

**Marc Keen, MD – Consent Order and Stipulation**

MOTION by Chafty, seconded by Tahnoose, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Chafty, Tahnoose, Johnston  
Nays: None  
Recuse: Szymanski

MOTION PREVAILED

**Claude Hall, MD – Consent Order and Stipulation**

MOTION by Chafty, seconded by Tahnoose, to discuss.

A voice vote was held.

**MOTION PREVAILED**

Discussion was held.

**MOTION** by Chafy, seconded by Szymanski, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Chafy, Szymanski, Tahnoose, Johnston  
Nays: None

**MOTION PREVAILED**

**Robert Nicholson, III, MD – Consent Order and Stipulation**

**MOTION** by Szymanski, seconded by Tahnoose, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Szymanski, Tahnoose, Johnston  
Nays: None  
Recuse: Chafy

**MOTION PREVAILED**

**Howard Leslie Mahabeer, MD – Consent Order and Stipulation**

**MOTION** by Szymanski, seconded by Chafy, to accept the Consent Order and Stipulation.

A roll call vote was taken: Yeas: Chafy, Szymanski, Tahnoose, Johnston  
Nays: None

**MOTION PREVAILED**

**Department Update**

Pasanski explained to the Subcommittee that the Department exercised the right to set aside the decision regarding Mohammed Derani, MD., a case that came before them in November, and impose a new sanction in accordance with section 16216(5) of the Public Health Code. Pasanski explained the basis for the department's decision. Pasanski stated the Department appreciated the Subcommittee's dedication and careful decision making. The Subcommittee appreciated the explanation of the matter and agreed with the Department's decision.

## **PUBLIC COMMENT**

Dawn Stamp thanked the Board for their time and efforts. She appreciated their preparation in dealing with such difficult cases.

## **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held March 14, 2018 scheduled to begin at 8:30 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 3, Lansing, Michigan.

## **ADJOURNMENT**

MOTION by Szymanski, seconded by Tahnoonse, to adjourn the meeting at 12: 38 p.m.

A voice vote was taken.

MOTION PREVAILED

Minutes approved by the Board on 3-14-18.

Prepared by:  
LeAnn Payne  
Bureau of Professional Licensing

January 25, 2018