In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Medicine Disciplinary Subcommittee met on November 14, 2017, 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 8:34 a.m.

ROLL CALL

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

Members Absent: None

Staff Present: Nakisha Bayes, Board Support, Boards and Committees Section
Weston MacIntosh, Analyst, Boards and Committees Section
Kiran Parag, Analyst, Compliance Section
Michele Wagner-Gutkowski, Assistant Attorney General

APPROVAL OF AGENDA

MOTION by Arsiwala, seconded by Chafty, to approve the agenda with the following change: Remove item 5E, Ernesto C. Jaranilla, MD.

A voice vote followed.

MOTION PREVAILED
APPROVAL OF MINUTES

MOTION by Szymanski, seconded by Chafty, to approve the September 13, 2017 meeting minutes as presented.

A voice vote followed.

MOTION PREVAILED

MASTER DISCIPLINARY SUBCOMMITTEE RESOLUTION

MacIntosh summarized the proposed changes to the Resolution.

MOTION by Tahnoose, seconded by Chafty, to approve the Master Disciplinary Subcommittee Resolution as presented.

Discussion was held.

A voice vote followed.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Vernon Eugene Proctor, MD – Accepted in part and rejected in part Proposal for Decision – Tabled 7-12-2017 for drafting the DSC Findings of Fact and Conclusions of Law

MOTION by Chafty, seconded by Tahnoose, to un-table the matter of Vernon Eugene Proctor, MD.

A voice vote followed.

MOTION PREVAILED

MOTION by Arsiwala, seconded by Szymanski, to accept the DSC’s Findings of Fact and Conclusions of Law.

A voice vote followed.

MOTION PREVAILED

MOTION by Szymanski, seconded by Arsiwala, to limit Respondent’s license for two years precluding Respondent from providing Michigan Medical Marihuana physician certifications to individuals or patients. Respondent may petition for removal of this limitation at the end of the 2 year period. Respondent’s license is further limited for one year precluding Respondent from obtaining, possessing, prescribing, dispensing
or administering any drug designated as a schedule 2 or 3 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 is placed on probation for 1 year. During the probationary period, 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. In addition, Respondent shall complete board-approved continuing education in the following: a) 4 in-person live hours in documentation and b) 10 in-person live hours in pain management including narcotic prescribing. Respondent is to pay a fine $10,000.00 within 90 days.

Discussion was held.

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

MOTION PREVAILED


MOTION by Arsiwala, seconded by Szymanski, to un-table the matter of William F. Du Bois, MD.

A voice vote followed.

MOTION PREVAILED

MOTION by Szymanski, seconded by Arsiwala, to approve the Order of Dismissal.

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

MOTION PREVAILED

Muhammed Kamran Ahsan, MD – Administrative Complaint

MOTION by Arsiwala, seconded by Tahnoose, to suspend Respondent’s license for 6 months and 1 day. Respondent is to pay a fine of $20,000.00 prior to applying for reinstatement.

Discussion was held.

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

Mohammed Derani, MD – Administrative Complaint

MOTION by Arsiwala, seconded by Tahnoose, to dissolve the Summary Suspension and to suspend Respondent’s license for 6 months and 1 day. Respondent is to pay a fine of $20,000.00 prior to applying for reinstatement.

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

MOTION PREVAILED

Thomas J. Mertz, MD – Proposal for Decision

MOTION by Szymanski, seconded by Arsiwala, to accept the Proposal for Decision and to place Respondent on probation for a minimum of 1 day, not to exceed 1 year. During the probationary period, Respondent shall submit proof of completing 114 deficient hours of continuing education which shall not count towards current license renewal. Respondent is to pay a fine of $5,000.00 within 90 days. Failure to comply with the terms of the Order shall result in license suspension.

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

MOTION PREVAILED

Alex Abbas Kafi, MD – Consent Order and Stipulation

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

Discussion was held.

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

MOTION PREVAILED
Connie Jo Braun, MD – Consent Order and Stipulation

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

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

MOTION PREVAILED

Dwayne Lee Cook, MD – Consent Order and Stipulation

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

Discussion was held.

MOTION by Arsiwala, seconded by Szymanski, to withdraw the previous motion.

MOTION WITHDRAWN

MOTION by Tahnoose, seconded by Arsiwala to reject the Consent Order and Stipulation and suspend Respondent’s license for 6 months and 1 day. Respondent is to pay a fine of $20,000.00 prior to applying for reinstatement.

Discussion was held.

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

MOTION PREVAILED

Stanley Michael Higgins, MD – Consent Order and Stipulation

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

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

MOTION PREVAILED

Mohan Viswa Kaza, MD – Consent Order and Stipulation
MOTION by Tahnoose, seconded by Chafty, to accept the Consent Order and Stipulation.

Discussion was held.

MOTION by Tahnoose, seconded by Chafty, to withdraw the previous motion.

MOTION WITHDRAWN

MOTION by Szymanski, seconded by Tahnoose, to reject the Consent Order and Stipulation and dissolve the Summary Suspension. Respondent’s license is suspended for 3 months. Respondent’s license will be automatically reinstated if, within 6 months, the Department receives satisfactory evidence from the Center for Personalized Education for Physicians verifying that Respondent has undergone an evaluation and an assessment of his skills and is deemed safe to practice and is complying with CPEP’s recommendations. Additionally, the Department must receive satisfactory evidence from the Health Professional Recovery Program verifying that a) Respondent has entered into a disciplinary non-confidential monitoring agreement and that HPRP has endorsed Respondent safe to practice; or b) HPRP has determined that Respondent does not require treatment monitoring. Upon reinstatement, Respondent will be placed on probation for 2 years and must comply with terms of an HPRP disciplinary monitoring agreement, if applicable. If license remains suspended for more than 6 months Respondent must petition for reinstatement.

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

MOTION PREVAILED

David Harvey Pridmore, MD – Consent Order and Stipulation

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

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

MOTION PREVAILED

Valinda Nwadike, MD – Consent Order and Stipulation

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

Discussion was held.

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

MOTION PREVAILED

**Syed A. Raoof, 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: Arsiwala, Szymanski

MOTION PREVAILED

**Brain Thomas Gietzen, MD – Request for Dismissal**

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

Discussion was held.

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

MOTION PREVAILED

**Joram O. Mogaka, MD – Request for Dismissal**

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

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

MOTION PREVAILED

**PUBLIC COMMENT**

None

**ANNOUNCEMENTS**
The next regularly scheduled meeting will be held January 17, 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 Arsiwala, seconded by Chafty, to adjourn the meeting at 10:00 a.m.

A voice vote was taken.

MOTION PREVAILED

Minutes approved by the Board on ____1/17/18_____________.

Prepared by:
Nakisha Bayes
Bureau of Professional Licensing

November 15, 2017