



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

MICHIGAN BOARD OF MEDICINE

NOVEMBER 14, 2017 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, the Michigan Board of Medicine met on November 14, 2017, at the Ottawa Building, Conference Room 3, 611 West Ottawa Street, Lansing, Michigan 48933.

CALL TO ORDER

Peter Graham, MD, Chairperson, called the meeting to order at 10:05 a.m.

ROLL CALL

Members Present: Peter Graham, MD, Chairperson
Mohammed Arsiwala, MD, Vice Chairperson
Luis Avila, JD, Public Member
Michael Chaffy, MD
Michael Chrissos, MD
Stacey Frankovich, Public Member
Michelle Gormas, PA
Renee Johnston, Public Member
Kara Morley-Smolek, MD
Louis Prues, PhD, Public Member
James Rogers, MD
Paul Sophiea, Public Member
Dennis Szymanski, MD
Terri Tahnoose, Public Member
Rosalie Tocco-Bradley, MD, PhD

Members Absent: Richard Bates, MD
Lisa Huta, Public Member
James Sondheimer, MD

Staff Present: Kim Gaedeke, Acting Deputy Director, LARA
Nakisha Bayes, Board Support, Board 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 Johnston, to amend the agenda with the following change: Add Presentation of Board Member Resolutions to immediately follow item 4, Approval of Minutes from meeting of September 13, 2017.

A voice vote followed.

MOTION PREVAILED

MOTION by Arsiwala, seconded by Chafty, to approve the agenda as amended.

A voice vote followed

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Chrissos, seconded by Johnston, to approve the September 13, 2017 meeting minutes as presented.

A voice vote followed.

MOTION PREVAILED

PRESENTATION OF BOARD MEMBER RESOLUTIONS

Gaedeke presented and read the Board Member Resolution honoring Dr. Graham from the Department.

Arsiwala presented and read the Board Member Resolution honoring Dr. Graham from the Governor of the State of Michigan.

Gaedeke presented and read the Board Member Resolution honoring Dr. Bates from the Department.

REGULATORY CONSIDERATIONS

Donald John Hardman, MD – Proposal for Decision – Petition for Reinstatement

MOTION by Chrissos, seconded by Frankovich, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

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

A roll call vote was taken: Yeas: Avila, Chafty, Chrissos, Gormas, Johnston,
 Morley-Smolek, Sophiae, Szymanski, Tahnoose,
 Tocco-Bradley, Arsiwala, Graham
 Nays: Frankovich, Prues, Rogers

MOTION PREVAILED

MOTION by Szymanski, seconded by Arsiwala, to limit Petitioner's license for a minimum of one day. The terms of limitation preclude Petitioner from the practice of medicine. Petitioner's license shall be automatically reclassified to a full and unlimited license upon evidence that Petitioner has submitted to an assessment and evaluation of his professional skills and knowledge by the Center for Personalized Education for Physicians (CPEP) and has been endorsed to be safe to practice by CPEP. Upon reclassification Petitioner shall be placed on probation for 2 years. During the probationary period, Petitioner shall request approval of a proposed physician reviewer from a Board-accepted monitoring organization who shall review and provide quarterly reports on Petitioner's professional practice, records, and compliance with CPEP's recommendations.

A roll call vote was taken: Yeas: Avila, Chafty, Chrissos, Frankovich, Gormas,
 Johnston, Morley-Smolek, Prues, Rogers,
 Sophiea, Szymanski, Tahnoose,
 Tocco-Bradley, Arsiwala, Graham
 Nays: None

MOTION PREVAILED

COMMITTEE REPORTS

Investigations and Complaints

Rogers reported that the Investigations and Complaints (I&C) Committee reviewed forty-seven (47) files in October 2017. Twenty-four (24) files were authorized for investigation and twenty-three (23) files were closed. No files were returned for additional records. There were three (3) reviewers.

The Investigation & Complaints Committee reviewed forty-five (45) files in November 2017. Thirty (30) files were authorized for investigation and fifteen (15) files were closed. No files were returned for additional records. There were five (5) reviewers.

Operations Committee

Tocco-Bradley reported that the Committee met with MacIntosh on November 8, 2017. Graham took part in the meeting as well. Tocco-Bradley highlighted the discussion topics as follows:

- Finger-printing and verification of good moral character are required for licensure, the Committee endorses making this a three-year standard for relicensure as well.
- The Committee endorses requiring two hours of CME in opioid training. This training will be separate from the CME requirement in pain and symptom management.
- The Committee will clarify the standards for prescribing by nurse practitioners.
- The Committee discussed requiring one CME in tobacco cessation.
- The Committee discussed the status of certain physicians' Clinical Academic Licenses, as well as the Department's request for a Board issued specialty limited license.

Chrissos recommended that the Committee discuss the 7-year USMLE requirements, which is creating a barrier to licensure for applicants in the military and dual-degree PhD programs.

Disciplinary Subcommittee

Johnston reported that the Disciplinary Subcommittee (DSC) met today and considered fifteen (15) matters: two (2) matters were un-tabled, two (2) Administrative Complaints, one (1) Proposal for Decision, eight (8) Consent Orders and Stipulations, and two (2) Request for Dismissals.

Chairperson's Report

Activity from September 13, 2017 to November 2017

Summary Suspensions	3
Conferee assignments	6
Advice/discuss sanction recommendations	12
Advice regarding filing/pursuing complaint	1
Approve CME and general supervision requests	5
Compliance conference	2
Review/Approve monitoring plans/reports	5
Miscellaneous matters	13
<hr/> Totals	<hr/> 47

Graham thanked the DSC members for all of their hard work.

Graham announced that United States Secretary of Health and Human Services, Tom Price, has launched an Opioid Management Panel, Graham would like Chafty to be considered by the Board as a nominee to sit on the panel.

Graham stated that all of the people he has worked on Board matters over the past eight years have been wonderful to work with. Graham expressed his appreciation for the hard work and patience of the Department staff. Graham expressed that it has been a privilege to work with and learn from the Attorney General's Office. Graham stated that the members of the Board have challenged him, inspired him, and befriended him. He thanked the members for the experience and wished them all the best.

OLD BUSINESS

None

NEW BUSINESS

Claude Reitelman, MD – Continuing Education Waiver

MOTION by Szymanski, seconded by Rogers, to deny the request.

Discussion was held.

A roll call vote was taken:
Yeas: Avila, Chafty, Chrissos, Frankovich, Gormas,
Johnston, Morley-Smolek, Pruess, Rogers,
Sophiea, Szymanski, Tahnoose,
Tocco-Bradley, Arsiwala, Graham
Nays: None

MOTION PREVAILED

Rules Discussion

MacIntosh requested that the Board consider opening the rules.

Discussion was held.

The Board will consider opening the rules at a later date when a draft is closer to completion.

Department Update

Gaedeke announced the following staffing changes. Cheryl Pezon, JD is now the Acting Bureau Director for the Bureau of Professional Licensing. Gaedeke is now the Acting Deputy Director for the Department of Licensing and Regulatory Affairs. Gaedeke reported

that she will still be involved with MAPS. She will also be overseeing the Bureau of Community Health Systems, MIOSHA, and CSCL.

Gaedeke provided background regarding the Clinical Academic Licenses.

Arsiwala notified the Board that he received emails from the absent members Huta and Sondheimer. Both members thanked Graham for his service on the Board.

Arsiwala notified the Board that he will not be present at the January 2018 meeting. He introduced Leigh-a Karpinkas. Karpinkas is a PA student from Arkansas in rotation with Dr. Arsiwala. She thanked the Board for the opportunity to attend the meeting.

Gormas introduced her student, Destiny Spaulding. Spaulding is a NP student that is nearing the end of her rotation with Gormas.

Morely-Smolek announced that she will not be seeking re-appointment to the Board so she can spend more time with her family.

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held January 17, 2018 at 10:00 a.m., at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

MOTION by Prues, seconded by Johnston, to adjourn the meeting at 11:40 a.m.

A voice vote followed.

MOTION PREVAILED

Minutes approved by the Board on: 1/17/18.

Prepared by:
Nakisha Bayes
Bureau of Professional Licensing

November 15, 2017