



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

MICHIGAN BOARD OF MEDICINE

NOVEMBER 16, 2016 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, the Michigan Board of Medicine met on November 16, 2016, 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, M.D., Chairperson
Mohammed Arsiwala, M.D., Vice Chairperson
Michael Chrissos, M.D.
Michelle Gormas, P.A.
Sandra Howell, M.D.
Luis Avila, J.D., Public Member
Louis Pries, Ph.D., Public Member
James Rogers, M.D.
Dennis Szymanski, M.D.
Paul Sophiea, Public Member
Richard Bates, M.D.
Renee Johnston, Public Member
Kara Morley-Smolek, M.D.
Stacey Frankovich, Public Member

Members Absent: Lisa Huta, Public Member
James Sondheimer, M.D.
Rosalie Tocco-Bradley, M.D., Ph.D.
Terri Tahnoose, Public Member

Staff Present: Brian Hoot, Board Support, Board and Committees Section
LeAnn Payne, Board Support, Board and Committees Section
Kiran Parag, Analyst, Compliance Section
Karen Carpenter, Policy Analyst, Boards and Committees Section
Michele Wagner-Gutkowski, Assistant Attorney General

Graham introduced new Board Paul Sophiea, Public Member.

APPROVAL OF AGENDA

MOTION by Chrissos, seconded by Arsiwala, to approve the agenda with corrections. The previous meeting took place September 21, 2016, not September 16, 2016.

A voice vote was taken.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Prues, seconded by Howell, to approve the September 21, 2016 meeting minutes with corrections. The removal of "Pj" from agenda item 6D, Chairpersons Report, between the words "through" and "October" in the first line. "October" should be "September".

A voice vote was taken.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Sailajah Jarnarthanan, MD – Petition for Reinstatement

MOTION by Prues, seconded by Szymanski, to accept the Proposal for Decision and deny the Petition for Reinstatement.

Discussion was held.

A roll call vote followed:

Yeas:	Avila, Bates, Arsiwala, Chrissos, Frankovich, Gormas, Howell, Johnston, Morley-Smolek, Prues, Rogers, Sophiea, Szymanski, Graham
Nays:	None

MOTION PREVAILED

Mohamad Mosalam Teran, MD – Petition for Reinstatement

MOTION by Arsiwala, seconded by Szymanski, to deny the Petition for Reinstatement

Discussion was held.

A roll call vote followed: Yeas: Avila, Bates, Arsiwala, Chrissos, Frankovich, Gormas, Howell, Johnston, Morley-Smolek, Prues, Rogers, Sophiea, Szymanski, Graham
Nays: None

MOTION PREVAILED

Craig Brian Tubbs, MD – Petition for Reinstatement

MOTION by Chrissos, seconded by Morley-Smolek, to accept the Proposal for Decision and grant Reinstatement.

Discussion was held.

A roll call vote was taken: Yeas: Chrissos, Gormas, Howell, Morley-Smolek, Sophiea, Szymanski, Arsiwala
Nays: Avila, Bates, Frankovich, Johnston, Prues, Rogers, Graham

MOTION FAILED

MOTION by Prues, seconded by Rogers, to accept in part and reject in part the Proposal for Decision.

Discussion was held.

A roll call vote was taken: Yeas: Avila, Bates, Frankovich, Johnston, Prues, Rogers, Graham
Nays: Chrissos, Gormas, Howell, Morley-Smolek, Sophiea, Szymanski, Arsiwala

MOTION FAILED

MOTION by Chrissos, seconded by Arsiwala, to accept the Proposal for Decision and grant Reinstatement with restrictions. The Petitioner's license shall be limited for a minimum of ten years and the Petitioner shall only treat patients 18 or older. Petitioner is required to petition for reclassification of the limited license. In addition, Petitioner shall be placed on probation for two years. The terms of probation require that the Petitioner meet quarterly with a physician monitor that is pre-approved by the Board's Chairperson or the Chairperson's designee to review Petitioner's professional practice with an emphasis placed on confirming that the Petitioner is not providing treatment to any individuals under the age of 18. The physician monitor shall file quarterly reports advising of the Petitioner's work performance.

Discussion was held.

A roll call vote was taken: Yeas: Chrissos, Gormas, Howell, Morley-Smolek,
Sophiea, Szymanski, Arsiwala, Graham
Nays: Avila, Bates, Frankovich, Johnston, Prues,
Rogers

MOTION PREVAILED

Abdelbaset Abdelmagid Youssef, MD – Petition for Reinstatement

MOTION by Chrissos, seconded by Szymanski, to accept the Proposal for Decision and deny Reinstatement.

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

MOTION PREVAILED

COMMITTEE REPORTS

Investigations and Allegations

Rogers reported that the Investigations and Allegations (I&A) Committee reviewed thirty one (31) files in October 2016. Ten (10) files were authorized for investigation and twenty one (21) files were closed. No files were returned for additional records. There were three (3) reviewers.

The Investigations and Allegations Committee reviewed thirty seven (37) files in November 2016. Twelve (12) files were authorized for investigation and twenty five (25) files were closed. No files were returned for additional records. There were six (6) reviewers.

Operations Committee

Carpenter spoke with the Operations Committee via teleconference. The rules are progressing, and are expected to be done by the New Year. She will send an email notice when the rules are final. The Operations Committee is looking at different physician monitoring companies, doing a rubric to assist Board conferees, and pre-approving continuing education in specific areas as ordered in a final order. The pre-approval of continuing education courses will save the Chairperson from repeatedly having to review/approve continuing education.

Disciplinary Subcommittee

Johnston reported that the Disciplinary Subcommittee (DSC) met today and considered sixteen (16) matters: Nine (9) Consent Orders and Stipulations, four (4) Administrative Complaints, and three (3) Requests for Dismissal.

Chairperson's Report

Activity since the September 21, 2016 meeting and March 16, 2016

Summary Suspensions	5
Conferee assignments	6
Advice/discuss sanction recommendations	9
Advice regarding filing/pursuing complaint	2
Approve CME and general supervision requests	6
Compliance conference	1
Review/Approve monitoring plans/reports	7
Miscellaneous matters	<u>1</u>
Totals	37

MAPS is being replaced by Appriss, expected to deploy March or April of 2017. There will be Board input for use. Graham states that the only time Law Enforcement should have access to this is with proper legal documents, no at-will searches.

Mandatory MAPS usage might be coming in the future. The legislative branch is involved and will make a decision on this matter.

Offices that keep controlled substances (Schedule 2-5) for in-office use, will likely be subject to on-demand inventory visits, as opposed to bi-annual visits. It is recommended to keep a perpetual inventory when this transition happens.

Michigan is seeking to have standing orders for Naloxone prescription, possibly modeled after New Mexico or Ohio.

New Commission for opioid prescription issues, encompassing the pain and symptom management panel recommended.

Graham gave thanks to the Operations Committee for all the work have done.

OLD BUSINESS

None

NEW BUSINESS

Bernard Bercu, MD – Continuing Education Waiver

MOTION by Szymanski, seconded by Chrissos, to deny the Continuing Education Waiver.

A roll call vote followed: Yeas: Avila, Bates, Chrissos, Frankovich, Gormas, Howell, Johnston, Morley-Smolek, Prues, Rogers, Sophiea, Szymanski, Arsiwala, Graham
Nays: None

MOTION PREVAILED

Continuing Education Program Approval

MOTION by Arsiwala, seconded by Chrissos, to approve the presented continuing education program. (See Addendum 1)

A voice vote was taken.

MOTION PREVAILED

Department Update

Carpenter introduced new Board Support staff Brian Hoot.

PUBLIC COMMENT

None

ANNOUNCEMENTS

Howell is resigning her position on the Board of Medicine to take a position with Creighton University.

The next regularly scheduled meeting will be held on January 18, 2017 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 Rogers, seconded by Arsiwala, to adjourn the meeting at 11:24 a.m.

A voice vote was taken.

MOTION PREVAILED

Minutes approved by the Board on January 18, 2017.

Prepared by:
Brian Hoot, Board Support

November 16, 2016

Addendum 1

**BOARD OF MEDICINE
CONTINUING EDUCATION PROGRAM REVIEW
OPERATIONS COMMITTEE RECOMMENDATIONS**

ANDERSON EYE ASSOCIATES – GRAND ROUNDS - MARCH 16, 2016

Topic – Diabetic Retinopathy by Eric Collier, D.O.

Requested: 1 hour of CME Category II

RECOMMENDED: APPROVE FOR 1 HOUR OF CME – CATEGORY II

ANDERSON EYE ASSOCIATES – GRAND ROUNDS – JUNE 15, 2016

Topic – Update on Newest Trends in Pain Management by Michael Papenfuse, D.O.

Requested: 1 hour of CME Category II – with 1 hour in pain and symptom management

RECOMMENDED: APPROVED FOR 1 HOUR OF CME – CATEGORY II

CHALDEAN AMERICAN ASSOCIATION FOR HEALTH PROFESSIONALS (CAAHP) – OCTOBER 8, 2016 MEDICAL SYMPOSIUM

Topics: Comprehensive Patient Care-Interprofessional Collaboration between the Medical and Dental Professional by Shyam Prasad Aravindakshka, BDS, MDS, PGDMLS; Arbovirus and Related Diseases (Zika) by Vilma Drelichman, MD; Current Approaches to Congestive Heart Failure; Diagnosis, Therapy and Daily Monitoring by Dustin Feldman, D.O.; and Obstructive Sleep Apnea (OSA); A Review by Muhammad Ehtesham, M.D.

Requested: 4 hours of CME Category II

RECOMMENDED: APPROVED FOR 4 HOURS OF CME – CATEGORY II

CHALDEAN AMERICAN ASSOCIATION FOR HEALTH PROFESSIONALS (CAAHP) – HPV VACCINATION

Topic: Latest Literature regarding HPV Vaccination by Rabbie Hanna, MD.

Requested: 1 hour of CME Category II

RECOMMENDED: APPROVED FOR 1 HOUR OF CME – CATEGORY II

CHALDEAN AMERICAN ASSOCIATION FOR HEALTH PROFESSIONALS (CAAHP) – ESOPHAGEAL CANCER OVERVIEW

Topic: Esophageal Cancer Overview by Stage and Life after Esophagectomy by Kevin Jamil MD.

Requested: 1 hour of CME Category II

RECOMMENDED: APPROVED FOR 1 HOUR OF CME – CATEGORY II

MICHIGAN PUBLIC HEALTH INSTITUTE – MHA SAFE TABLE PROGRAM

Topics: Alcohol Free Baby and Me – Online Independent Study Course; Surgery Safe Table by Bryan Buckley, B.S., M.P.H.; Pediatric Safe Table, Melissa Fishbeck, B.A.; Sepsis Safe Table by Bryan Buckley, B.S., M.P.H., and Melissa Fishbeck, B.A.; CAUTI Regional Safe Table, Michelle Norcross, M.S.A; Falls Safe Table by Steve Levy, BA, MBA; Health Information Technology Safe Table by Steve Levy, BA, M.B.A; and Michigan Critical Access Hospitals Safe Table by Bryan Buckley, B.S.,M.P.H., and Melissa Fishbeck, B.A.

Requested: 17 hours of CME Category II

RECOMMENDED: DENY APPROVAL

UPPER PENINSULA HEALTH PLAN INC – CLINICAL ADVISORY COMMITTEE

Topics: Oversight Committee for clinical quality in the UPHP with 14 participating physicians; oversees clinical components quality assessment and improvement and utilization management program.

Requested: 10 hours of CME Category II

RECOMMENDED: APPROVE FOR 8 HOURS OF CME – CATEGORY