



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

**BOARD OF OSTEOPATHIC MEDICINE & SURGERY
DISCIPLINARY SUBCOMMITTEE
FEBRUARY 1, 2018 MEETING**

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Osteopathic Medicine & Surgery Disciplinary Subcommittee met on February 1, 2018, at the Ottawa Building, Conference Room 4, 611 West Ottawa Street, Lansing, Michigan 48933.

CALL TO ORDER

Sheri Thompson, Chairperson, called the meeting to order at 10:27 a.m.

Members Present: Sheri Thompson, Chairperson, Public Member
Ronald Bradley, D.O.
James Kilmark, P.A.-C.
David Waterson, D.O.

Members Absent: None

Staff Present: Laury Brown, Analyst, Compliance Section
Kimmy Catlin, Board Support, Boards and Committees Section
Weston MacIntosh, Analyst, Boards and Committees Section
Michele Wagner-Gutkowski, Assistant Attorney General
Stephanie Wysack, Board Support, Boards and Committees Section

APPROVAL OF AGENDA

MOTION by Bradley, seconded by Waterson, to approve the agenda as presented.

A voice vote was taken.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Kilmark, seconded by Bradley, to approve the December 7, 2017, meeting minutes as presented.

A voice vote was taken.

MOTION PREVAILED

Laury Brown 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.

REGULATORY CONSIDERATIONS

Mark Rasak, D.O. – Consent Order and Stipulation

MOTION by Bradley, seconded by Waterson, to accept the Consent Order and Stipulation as presented.

A roll vote was held: Yeas – Bradley, Kilmark, Waterson, Thompson
 Nays – None

MOTION PREVAILED

Keith Javery, D.O. – Consent Order and Stipulation

MOTION by Kilmark, seconded by Bradley, to accept the Consent Order and Stipulation as presented.

Discussion was held.

A roll vote was held: Yeas – Bradley, Kilmark, Waterson, Thompson
 Nays – None

MOTION PREVAILED

Gary Mally, D.O. – Consent Order and Stipulation

MOTION by Kilmark, seconded by Waterson, to accept the Consent Order and Stipulation as presented.

Discussion was held.

A roll vote was held: Yeas – Bradley, Kilmark, Waterson, Thompson
 Nays – None

MOTION PREVAILED

Gerald Larson, D.O. – Consent Order and Stipulation

MOTION by Bradley, seconded by Waterson, to accept the Consent Order and Stipulation as presented.

A roll vote was held: Yeas – Bradley, Kilmark, Waterson, Thompson
 Nays – None

MOTION PREVAILED

Kumar Singh, D.O. – Proposal for Decision

MOTION by Waterson, seconded by Kilmark, to discuss the matter.

A voice vote was taken.

MOTION PREVAILED

Discussion was held.

MOTION by Bradley, seconded by Kilmark, to accept the proposal for decision and dissolve the summary suspension. Respondent's license is suspended for three years. After consideration of Michigan Administrative Code, R 338.7005, Respondent is fined \$100,000.00, to be paid prior to application for reinstatement.

A roll vote was held: Yeas – Bradley, Kilmark, Waterson, Thompson
 Nays – None

MOTION PREVAILED

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held on April 5, 2018 immediately following the regularly scheduled Michigan Board of Osteopathic Medicine and Surgery meeting scheduled to begin at 9:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 4, Lansing, Michigan.

ADJOURNMENT

MOTION by Bradley, seconded by Kilmark, to adjourn the meeting at 10:53 a.m.

A voice vote was taken.

MOTION PREVAILED

Minutes approved by the Board on April 5, 2018.

Prepared by:
Kimmy Catlin, Board Support
Bureau of Professional Licensing

February 5, 2018