



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

MICHIGAN BOARD OF MEDICINE

MARCH 15, 2017 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, the Michigan Board of Medicine met on March 15, 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 10:09 a.m.

ROLL CALL

Members Present: Peter Graham, M.D., Chairperson
Mohammed Arsiwala, M.D., Vice Chairperson
Rosalie Tocco-Bradley, M.D., Ph.D.
Michelle Gormas, P.A.
James Sondheimer, M.D.
Domenic Policicchio, 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.
Michael Chrissos, M.D.
Stacey Frankovich, Public Member
Michael Chafy, M.D.

Members Absent: Terri Tahnoose, Public Member
Lisa Huta, Public Member
Luis Avila, J.D., Public Member
Louis Prues, Ph.D., Public Member

Staff Present: Kim Gaedeke, Director, Bureau of Professional Licensing
Brian Hoot, Board Support, Board and Committees Section
Karen Carpenter, Analyst, Boards and Committees Section
Michele Wagner-Gutkowski, Assistant Attorney General

Graham introduced new Board member Michael Chafty, M.D., professional member. Arsiwala introduced Anthony O'Hara, a College of Human Medicine student from MSU.

APPROVAL OF AGENDA

MOTION by Rogers, seconded by Sondheimer, to approve the agenda with the addition of "MAPS Update" to follow "Approval of Minutes from meeting of January 18, 2017" and the moving of item 8I, "Volunteer License Review" to become item 8D.

A voice vote was taken.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Arsiwala, seconded by Policicchio, to approve the January 18, 2017 meeting minutes as presented.

A voice vote was taken.

MOTION PREVAILED

MAPS Update

Gaedeke updated the Board on the new MAPS software. A Test Workgroup, comprised of licensed practitioners around the state, was created. Testing of the new system started on March 1, 2017 and will continue to March 15, 2017. The new system is within budget, on track, and will be ready for pre-registration beginning March 9, 2017 through April 3, 2017. Users of the new system will need to register to the new PMP AWARxE software, developed by Appriss Health (vendor) in order to use the new program starting on April 4, 2017. The current MAPS program will be fully replaced with the new PMP AWARxE software and users who go to the old site on April 4, 2017 will be re-directed to the new MAPS site.

REGULATORY CONSIDERATIONS

Vernon Roy Stevenson, M.D. – Petition for Reinstatement

MOTION by Rogers, seconded by Chrissos, to deny the Petition for Reinstatement.

Discussion was held.

A roll call vote followed

Yeas –	Chrissos, Frankovich, Johnston, Morley-Smolek, Rogers, Sophiea
Nays –	Bates, Chafty, Gormas, Policicchio, Sondheimer, Szymanski, Tocco-Bradley
Recused –	Arsiwala, Graham

MOTION FAILED

MOTION by Tocco-Bradley, seconded by Sophiea, to accept the Petition for Reinstatement with limitations. Petitioner shall have a limited license for 1 year. Petitioner shall not obtain, possess, prescribe, dispense or administer any drug designated as a controlled substance under the Public Health Code or its counterpart in federal law unless the controlled substance is prescribed or dispensed by a licensed physician for Petitioner as a patient. In addition, Petitioner shall only practice under general supervision of a board-approved physician. Petitioner is required to petition for reclassification of the limited license. Petitioner will be placed on probation and will run concurrent with the period of limitation with required quarterly supervisor reports and completion of Board-approved continuing education as follows: 8 hours in chronic pain management, 8 hours in opioid prescribing, and 4 hours in general prescribing to obstetric patients, including controlled substances.

Discussion was held.

A roll call vote followed

Yeas – Bates, Chafty, Chrissos, Frankovich, Gormas, Johnston, Morley-Smolek, Sondheimer, Sophiea, Szymanski, Tocco-Bradley
Nays – Policicchio, Rogers
Recused – Arsiwala, Graham

MOTION PREVAILED

James Richard Caputo, M.D. – Proposal for Decision – Re-licensure

MOTION by Frankovich, seconded by Policicchio, to accept the Proposal for Decision and deny re-licensure.

Discussion was held.

A roll call vote followed

Yeas – Bates, Chafty, Chrissos, Frankovich, Gormas, Johnston, Morley-Smolek, Policicchio, Rogers, Sondheimer, Sophiea, Szymanski, Tocco-Bradley, Arsiwala, Graham
Nays – None

MOTION PREVAILED

COMMITTEE REPORTS

Investigations and Complaints

Rogers reported that the Investigations and Complaints (I&C) Committee reviewed twenty nine (29) files in February 2017. Fourteen (14) files were authorized for investigation and

fifteen (15) files were closed. No files were returned for additional records. There were five (5) reviewers.

The Investigation & Complaints Committee reviewed seventy five (75) files in March 2017. Forty eight (48) files were authorized for investigation and twenty seven (27) files were closed. No files were returned for additional records. There were six (6) reviewers.

MOTION by Chrissos, seconded by Chafty, to approve the Investigations and Complaints committee report.

A voice vote was taken.

MOTION PREVAILED

Operations Committee

Tocco-Bradley stated that the Operations Committee met via teleconference. They discussed the rules and how new legislation affected the current rules. Tocco-Bradley stated that the Prescription Drug and Opioid Advisory Committee (PDOAC) may look for mandatory continuing education (CE) for all medical doctors possessing a controlled substance license concerning opioids. Tocco-Bradley informed the Board that tobacco cessation is also being considered as future mandatory CE.

Tocco-Bradley and Carpenter are still working on building the sanction guide for use by conferees. Tocco-Bradley is also reviewing CE for pre-approval by Graham to be included in the sanction guide.

MOTION by Arsiwala, seconded by Szymanski, to approved the Operations Committee report.

A voice vote was taken.

MOTION PREVAILED

Disciplinary Subcommittee

Johnston reported that the Disciplinary Subcommittee (DSC) met today and considered thirty one (31) matters: twenty one (21) Consent Orders and Stipulations, four (4) Administrative Complaints, two (2) Proposal for Decisions, three (3) Request for Dismissals, and one (1) Petition for Reclassification.

MOTION by Chafty, seconded by Bates, to approve the Disciplinary Subcommittee report.

A voice vote was taken.

MOTION PREVAILED

Chairperson's Report

Activity since the January 17, 2017 meeting and March 14, 2017

Summary Suspensions	3
Conferee assignments	13
Advice/discuss sanction recommendations	11
Advice regarding filing/pursuing complaint	2
Approve CME and general supervision requests	1
Compliance conference	2
Review/Approve monitoring plans/reports	7
<u>Miscellaneous matters</u>	<u>3</u>
Totals	42

Graham discussed the appointment of members to committees and that everyone that contacted him was placed on a committee. Graham inquired if Chafty has interest in serving on the Disciplinary Subcommittee (DSC).

Graham is a beta tester for the program replacing MAPS, and is happy with many of the features. Graham states the interface is refreshing, it has an easier login, and is very user friendly.

Graham reported that the subpoena process has been streamlined, and they are still working out some kinks. Graham asked the Board, and specifically the DSC, to trust the process being used.

Graham stated that Prues was nominated for the FSMB Board of Directors, Public Member and gave congratulations to Prues.

Graham stated that former Michigan Board of Medicine Chairperson, Dr. Richard Burney, M.D., was the recipient of the John H. Clark, M.D. Leadership Award issued by the FSMB. Arsiwala thanked Graham for his time and work put into the nomination letter.

MOTION by Arsiwala, seconded by Johnston, to approve the Chairperson report.

A voice vote was taken.

MOTION PREVAILED

OLD BUSINESS

Midwife Report

The Board of Midwifery hasn't met yet, so there is no update to provide.

NEW BUSINESS

Nays - None

MOTION PREVAILED

Volunteer License Review

MOTION by Tocco-Bradley, seconded by Policicchio, to update the Board of Medicine resolution to allow the Department to approve volunteer licenses provided the applicant satisfies the statutory provisions and has not had any prior discipline.

Discussion was held.

A roll call vote followed Yeas – Bates, Chaftly, Chrissos, Frankovich, Johnston,
 Morley-Smolek, Sophiea, Szymanski, Tocco-Bradley,
 Graham
 Nays – Rogers, Arsiwala
 Abstain – Gormas, Policicchio, Sondheimer

MOTION PREVAILED

Department Update

Carpenter stated that Kerry Przybylo, analyst, has been promoted to Manager in Boards and Committees Section.

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held on May 17, 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 Sondheimer, to adjourn the meeting at 12:00 p.m.

A voice vote was taken.

MOTION PREVAILED

Minutes approved by the Board on May 17, 2017.

Prepared by:
Brian Hoot, Board Support
Bureau of Professional Licensing

March 22, 2017