MICHIGAN BOARD OF MEDICINE

JANUARY 16, 2019 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, the Michigan Board of Medicine met on January 16, 2019 at the Ottawa Building, Conference Room 3, 611 West Ottawa Street, Lansing, Michigan 48933.

CALL TO ORDER

Mohammed Arsiwala, MD, Chairperson called the meeting to order at 10:14 a.m.

ROLL CALL

Members Present: Mohammed Arsiwala, MD, Chairperson
Louis Prues, PhD, Public Member, Vice Chairperson
Richard Bates, MD (10:50 a.m. arrival)
Michael Chafty, MD
Michael Chrissos, MD
Stacey Frankovich, Public Member
John McGinnity, MS, PA-C
Venkat Rao, MD
Traci Ruiz, Public Member
James Sondheimer, MD
Dennis Szymanski, MD
Shereen Tabrizi, Public Member
Rosalie Tocco-Bradley, MD, PhD

Members Absent: Cara Poland, MD
Renee Johnston, Public Member
James Rogers, MD
Paul Sophiea, Public Member
Eric Stocker, Public Member
Terri Tahnoose, Public Member

Staff Present: Debi Haigh, Analyst, Licensing Division
Weston MacIntosh, Analyst, Boards and Committees Section
Kiran Parag, Analyst, Compliance Section
LeAnn Payne, Board Support, Board and Committees Section
Kerry Przybylo, Manager, Board and Committees Section
Michele Wagner-Gutkowski, Assistant Attorney General
APPROVAL OF AGENDA

MOTION by Tocco-Bradley, seconded by Ruiz, to approve the agenda, as presented.

A voice vote followed.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Chrissos, seconded by Rao, to approve the November 14, 2018, meeting minutes, as presented.

McGinnity recused himself.

A voice vote followed.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Ali Abdul-Karim Elhorr, MD – Petition for Reinstatement

MOTION by Sondheimer, seconded by Tocco-Bradley, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Chrissos, seconded by Chafty, to grant the Petition for Reinstatement. Petitioner's license will be limited for a minimum of one day until the terms of the limitation prohibit the Petitioner from performing all surgical procedures. Petitioner's license shall be reclassified upon receipt by the Department of satisfactory evidence verifying that Petitioner has undergone a successful reentry clinical assessment/evaluation by a Board-approved program such as Center for Personalized Education for Physicians (CPEP) and has been endorsed safe to practice by the program. The reentry assessment/evaluation shall focus on Petitioner's surgical skills and knowledge. In addition, Petitioner shall be placed on probation for one year. During the probationary period, Petitioner shall request approval of a proposed physician reviewer from a Board-accepted monitoring organization that shall review and provide quarterly reports on Petitioner's professional surgical practice, prescribing and documentation and compliance with any CPEP recommendations.

A roll call vote was held:  Yeas: Chafty, Chrissos, Frankovich, McGinnity, Rao, Sondheimer, Syzmanski, Tabrizi, Tocco-Bradley, Prues, Arsiwala

Nays: Ruiz
MOTION PREVAILED

Jeffrey Askanazi, MD – Proposal for Decision

MOTION by Szymanski, seconded by Frankovich, to accept the amended Proposal for Decision and deny reinstatement.

A roll call vote was held: Yeas: Bates, Chafty, Chrissos, Frankovich, McGinnity, Rao, Ruiz, Sondheimer, Szymanski, Tabrizi, Tocco-Bradley, Prues, Arsiwala
Nays: None

MOTION PREVAILED

Arsiwala recused himself from Dwayne Lee Cook, MD. Vice Chair Prues chaired the matter.

Dwayne Lee Cook, MD – Board's Findings of Fact and Conclusions of Law

MOTION by Chafty, seconded by Chrissos, to un-table the matter.

A voice vote was taken.

MOTION PREVAILED

MOTION by Szymanski, seconded by Chrissos, to accept the Board’s Findings of Fact and Conclusions of Law and deny reinstatement.

A roll call vote was held: Yeas: Bates, Chafty, Chrissos, Frankovich, McGinnity, Rao, Ruiz, Sondheimer, Szymanski, Tabrizi, Tocco-Bradley, Prues
Nays: None
Recused: Arsiwala

MOTION PREVAILED

Abdelbaset Abdelmagid Youssef, MD – Board's Findings of Fact and Conclusions of Law

MOTION by Chrissos, seconded by Sondheimer, to un-table this matter.

A voice vote was taken.

MOTION PREVAILED

MOTION by Frankovich, seconded by Chrissos, to accept the Board’s Findings of Fact and Conclusions of Law and deny reinstatement.

A roll call vote was held: Yeas: Bates, Chafty, Chrissos, Frankovich, McGinnity, Rao, Ruiz, Sondheimer, Szymanski, Tabrizi,
Tocco-Bradley, Prues, Arsiwala
Nays: None

MOTION PREVAILLED

OLD BUSINESS

None

NEW BUSINESS

Continuing Education Waiver – Marvin L. Starman, MD

MOTION by Sondheimer, seconded by Tocco-Bradley, to discuss.

A voice vote was taken.

MOTION PREVAILLED

Discussion was held.

MOTION by Chrissos, seconded by Tabrizzi, to deny the Continuing Waiver Request.

A roll call vote was held: Yeas: Bates, Chafty, Chrissos, Frankovich, Ruiz, Sondheimer, Szymanski, Tabrizi, Tocco-Bradley, Prues, Arsiwala
Nays: McGinnity, Rao

MOTION PREVAILLED

Elections

MacIntosh ran the elections.

MOTION by Rao, seconded by Frankovich, to re-elect Arsiwala, as Chairperson.

A roll call vote was held: Yeas: Bates, Chafty, Chrissos, Frankovich, McGinnity, Rao, Ruiz, Sondheimer, Szymanski, Tabrizi, Tocco-Bradley, Prues, Arsiwala
Nays: None

MOTION PREVAILLED

MOTION by Sondheimer, seconded by Tabrizi, to re-elect Prues as Vice Chairperson.

A roll call vote was held: Yeas: Bates, Chafty, Chrissos, Frankovich, McGinnity, Rao, Ruiz, Sondheimer, Szymanski, Tabrizi, Tocco-Bradley, Prues, Arsiwala
Nays: None

MOTION PREVAILLED
Committee Assignments

Allegations: Arsiwala, Frankovich, McGinnity, Poland, Roger (Chair), Ruiz, Sondheimer

DSC: Bates, Johnston (Chair), Prues, Rao, Szymanski
Alternates: Chafty, Stocker, Tabrizi

Rules: Arsiwala, Chafty, Chrissos, McGinnity, Sophiea, Stocker, Tahnoose, Tocco-Bradley (Chair)

HPRP Annual Report

Rick Roselle, Analyst for the Department and Carolyn Batchelor, Program Director for the Health Professional Recovery Program, presented the annual report.

Artificial Intelligence Seminar Review

Prues informed the Board he attended a seminar on Artificial Intelligence in Health Care and gave an overview of the seminar.

Chairperson’s Report

Arsiwala welcomed John McGinnity to the Board and asked everyone to introduce themselves.

Conferee Assignment: 8
Quarterly Reports Approved: 3
CME/CPEP courses approved: 7
Face to Face Conferee Conference: 6
Settlement offers, and conferee conference issued: 10
Violation of consent orders and suspension issued: 0
Emergency Suspension issued: 0
File Review: 0
Physician Reviewer approved: 2

Arsiwala stated Prues will represent the Board at the FSMB Annual Conference.

Arsiwala stated he worked with the Department on streamlining the Peer to Peer forms and is happy to report it is completed.

Department Update

MacIntosh announced that Orlene Hawks is the new Director of the Department of Licensing and Regulatory Affairs.

MacIntosh informed the Board that Michigan is now part of the Interstate Compact.

MacIntosh informed the Board that a bill was passed to license Genetic Counselors. They will be regulated under the Board of Medicine, which means that new rules will need to
be drafted to allow for this change. The makeup of the Board will change as well. Once a public member leaves, they will be replaced with a genetic counselor.

COMMITTEE REPORTS

Investigations and Complaints

No report due to Rogers being absent.

Arsiwala informed the Board that he met with Cheryl Pezon to discuss the changes/issues with the new allegation review process. He will keep the Board updated.

Rules Committee

Tocco-Bradley informed the Board that the new Pharmacy rules have been promulgated, which include and update on new controlled substances. MacIntosh stated that he is hopeful that medicine rules draft will be presented to the Board for review at the March meeting.

Disciplinary Subcommittee

Prues informed the Board that the DSC reviewed 38 cases and tabled one case.

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held March 20, 2019 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 Tocco-Bradley, seconded by Sondheimer, to adjourn the meeting at 11:53 a.m.

A voice vote followed.

MOTION PREVAILED

Minutes approved by the Board on: 3-20-19

Prepared by:
LeAnn Payne
Bureau of Professional Licensing

January 18, 2019