



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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Telephone (480) 551-2700 • Fax (480) 551-2705 • In-State Toll Free (877) 255-2212

DRAFT MINUTES FOR REGULAR SESSION MEETING Held on Wednesday, February 6, 2013 9535 E. Doubletree Ranch Road • Scottsdale, Arizona

Board Members

Douglas D. Lee, M.D., Vice Chair
Gordi S. Khera, M.D., F.A.C.C., Secretary
Andrea E. Ibàñez, Member At Large
Jodi A. Bain, Esq.
James M. Gillard, M.S., M.D., F.A.C.E.P., F.A.A.E.M.
Jody L. Jenkins, M.D.
Ram R. Krishna, M.D.
Harold Magalnick, M.D.
Richard T. Perry, M.D.
Wanda J. Salter, R.N.
William J. Thrift, M.D.

CALL TO ORDER

Dr. Lee called the meeting to order at 8:00 a.m.

ROLL CALL

The following Board members were present: Ms. Bain, Dr. Gillard, Ms. Ibàñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift.

FORMAL HEARING MATTERS

CONSIDERATION OF AND VOTE ON PROPOSED BOARD ORDER ARISING FROM ADMINISTRATIVE LAW JUDGE (ALJ) RECOMMENDED DECISION

1. MD-10-1418A, MICHAEL P. LOWE, M.D., LIC. #29130

Dr. Lowe was present during the Board's consideration of this case. Sarah Selzer, Assistant Attorney General, was present for the State and requested that the Board adopt the ALJ's recommended decision with the following modifications:

- Modify the case number to reflect the Board's case number of 12A-29130-MDX;
- Finding #2: replace "is" with "has been;"
- Finding #3: insert "testified that he" before "has been board certified;"
- Finding #12: insert "testified that he" before "informed Dr. Glow;"
- Finding #17: replace "A.C.'s step-grandson" with "the Board" and delete the final sentence of the paragraph;
- Finding #18: replace "receiving the complaint" with "opening its investigation;"
- Conclusion #2 should read "Pursuant to A.R.S. §41-1092.07(G)(2), the Board has the burden of proof in this matter. Pursuant to A.R.S. §32-1451.04, the standard of proof is by clear and convincing evidence. The evidence of record supports the conclusion that the Board met its burden of proof in this matter;"
- Conclusion #3: add "physicians" after "the ethics of" and replace "were" with "is;" and
- Conclusion #4: replace "should not" with "who" and insert "fall below the standard of care" after "substantial gifts from patients."

MOTION: Dr. Krishna moved to adopt the ALJ's recommended Findings of Fact and Conclusions of Law, as modified by the State.

SECOND: Dr. Jenkins

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

MOTION: Dr. Gillard moved to issue an Advisory Letter and Order for Non-Disciplinary CME in ethics to be completed within six months. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Khera

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard and Dr. Perry. The following Board members voted against the motion: Ms. Bain, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Ms. Salter, and Dr. Thrift. The following Board member was absent: Ms. Ibáñez.

VOTE: 2-yay, 8-nay, 0-abstain, 0-recuse, 1-absent.

MOTION FAILED.

MOTION: Dr. Krishna moved to issue a Letter of Reprimand.

SECOND: Dr. Lee

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift. The following Board member was absent: Ms. Ibáñez.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

2. MD-11-0335A and MD-12-0232A, ANDRZEJ J. SLASKI, M.D., LIC. #6972

Dr. Slaski was not present during the Board's consideration of this matter. Anne Froedge, Assistant Attorney General, was present for the State and requested that the Board adopt the ALJ's recommended Findings of Fact and Conclusions of Law with the following modifications:

- Finding #15: replace "addition" with "addiction;"
- Finding #24: modify to reflect that Celina Shepherd, not Dr. Sosnowski, was assigned to investigate the case;
- Finding #25: modify to reflect that Dr. Sosnowski is a board medical consultant who assisted in the interview; and
- Conclusion #2 should read "Pursuant to A.R.S. §41-1092.07(G)(2), the Board has the burden of proof in this matter. Pursuant to A.R.S. § 32-1451.04, the standard of proof is by clear and convincing evidence. The evidence of record supports the conclusion that the Board met its burden of proof in this matter by uncontroverted clear and convincing evidence."

MOTION: Dr. Krishna moved to adopt the ALJ's recommended Findings of Fact and Conclusions of Law, as modified by the State.

SECOND: Ms. Bain

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

MOTION: Dr. Krishna moved to Revoke Dr. Slaski's medical license on the effective date of the Order.

SECOND: Dr. Jenkins

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift. The following Board member was absent: Ms. Ibáñez.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

LEGAL MATTERS

RESCIND REFERRAL TO FORMAL HEARING AND ACCEPT PROPOSED CONSENT AGREEMENT

1. MD-12-0499A, DEREK LANDAN, M.D., LIC. #28634

Dr. Landan was not present during the Board's consideration of this case. Ms. Froedge was present for the State.

MOTION: Dr. Gillard moved to rescind the referral to Formal Hearing and accept the proposed Consent Agreement for a Letter of Reprimand.

SECOND: Dr. Jenkins

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Gillard, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift. The following Board member was absent: Ms. Ibáñez.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

2. MD-12-0483A, JAMES W. EISENBERG, M.D., LIC. #40512

Dr. Eisenberg was not present during the Board's consideration of this case. Ms. Froedge was present for the State.

MOTION: Dr. Gillard moved to rescind the referral to Formal Hearing and accept the proposed Consent Agreement for Surrender of License.

SECOND: Dr. Magalnick

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Gillard, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift. The following Board member was absent: Ms. Ibáñez.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

3. MD-10-0945A, YARON J. LIDOR, M.D., LIC. #34838

Dr. Lidor was not present during the Board's consideration of this matter. Jennifer Boucek, Assistant Attorney General, was present for the State.

MOTION: Dr. Gillard moved to rescind the referral to Formal Hearing and accept the proposed Consent Agreement for a Decree of Censure and Practice Restriction. Dr. Lidor shall not practice medicine and is prohibited from prescribing any form of treatment, including prescription medications, in Arizona. He shall not seek to renew his Arizona medical license and shall not reapply for an Arizona medical license for a period of five years.

SECOND: Dr. Krishna

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Gillard, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift. The following Board member was absent: Ms. Ibáñez.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

CALL TO THE PUBLIC

LEGAL MATTER

MOTION FOR REHEARING/REVIEW

1. MD-12-0120A and MD-12-0123A, ABDULKADIR A. HOURANI, M.D., LIC. #25270

Dr. Krishna was recused from this case.

MOTION: Dr. Khera moved to deny the motion for rehearing or review.

SECOND: Dr. Jenkins

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 1-absent.

MOTION PASSED.

FORMAL INTERVIEWS

1. MD-11-1448A, KHALED HAMAWI, M.D., LIC. #40623

MOTION: Dr. Khera moved for a finding of unprofessional conduct in violation of A.R.S. §32-1401(27)(q) - Any conduct that is or might be harmful or dangerous to the health of the patient or the public.

SECOND: Ms. Bain

VOTE: 8-yay, 3-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

MOTION: Dr. Khera moved to issue an Advisory Letter for failure to recognize the presence of sepsis; and Order for Non-Disciplinary CME. Within six months, complete 8-15 hours of Board staff pre-approved Category I non-disciplinary CME in the management of sepsis. The CME hours shall be in addition to the hours required for license renewal. There is insufficient evidence to support discipline.

SECOND: Ms. Ibáñez

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift.

VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

2. MD-12-0631B, JOACHIN U. OKAFOR, M.D., LIC. #36747

MOTION: Dr. Krishna moved for a finding of unprofessional conduct in violation of A.R.S. §32-1401(27)(q) - Any conduct that is or might be harmful or dangerous to the health of the patient or the public.

SECOND: Dr. Jenkins

VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

MOTION: Dr. Gillard moved to issue an Advisory Letter for failure to adequately perform a physical exam, investigate the patient's previous ER evaluation including x-rays and blood cultures, for failure to evaluate the patient other than a physical exam with no diagnostics performed; and an Order for Non-Disciplinary CME. Within six months, complete 10 hours of Board staff pre-approved Category I non-disciplinary CME for documentation and physical examination. The CME hours shall be in addition to the hours required for license renewal. This matter does not rise to the level of discipline.

SECOND: Dr. Krishna

AMENDED MOTION: Dr. Gillard moved to return the case to notice the physician regarding a recordkeeping violation with the recommendation for a non-disciplinary Advisory Letter and CME Order.

SECOND: Dr. Jenkins

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift.

VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

3. MD-12-0392A, EDWARD J. SAYEGH, M.D., LIC. #40787

MOTION: Dr. Thrift moved for a finding of unprofessional conduct in violation of A.R.S. §32-1401(27)(e) - Failing or refusing to maintain adequate records on a patient; and A.R.S. §32-1401(27)(q) - Any conduct that is or might be harmful or dangerous to the health of the patient or the public.

SECOND: Dr. Jenkins

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

MOTION: Dr. Thrift moved for a draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand and One Year Probation. Within six months, complete 15-20 hours of Board staff pre-approved Category I CME in an intensive, in-person controlled substance prescribing course. The Probation shall include quarterly chart reviews. Within thirty days, Dr. Sayegh shall enter into a contract with a Board approved monitoring company to perform the chart reviews, and is responsible for the monitoring costs.

SECOND: Dr. Jenkins

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Dr. Perry, and Ms. Salter. The following Board member was absent: Dr. Krishna.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

4. MD-12-0805A, ABDUL-SAMI F. SIDDIQUI, M.D., LIC. #34975

MOTION: Dr. Magalnick moved for a finding of unprofessional conduct in violation of A.R.S. §32-1401(27)(o) - Action that is taken against a doctor of medicine by another licensing or regulatory jurisdiction due to that doctor's mental or physical inability to engage safely in the practice of medicine, the doctor's medical incompetence or for unprofessional conduct as defined by that jurisdiction and that corresponds directly or indirectly to an act of unprofessional conduct prescribed by this paragraph. The action taken may include refusing, denying, revoking or suspending a license by that jurisdiction or a surrendering of a license to that jurisdiction,

otherwise limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on probation by that jurisdiction.

SECOND: Ms. Ibáñez

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

MOTION: Dr. Magalnick moved to issue an Advisory Letter for action taken by the State of Nevada. This matter does not rise to the level of discipline.

SECOND: Dr. Jenkins

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift. The following Board members voted against the motion: Ms. Bain, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, and Dr. Lee. The following Board member was absent: Dr. Krishna.

VOTE: 5-yay, 5-nay, 0-abstain, 0-recuse, 1-absent.

MOTION FAILED.

MOTION: Dr. Jenkins moved for a draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand.

SECOND: Dr. Lee

MOTION: Dr. Khera moved to enter into Executive Session to receive legal advice.

SECOND: Dr. Jenkins

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

The Board entered into Executive Session at 1:55 p.m.

The Board returned to Open Session at 2:05 p.m.

No discussions or deliberations were made during Executive Session.

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Lee, Dr. Perry, Ms. Salter, and Dr. Thrift. The following Board members voted against the motion: Ms. Bain, Dr. Gillard, and Dr. Magalnick. The following Board member was absent: Dr. Krishna.

VOTE: 7-yay, 3-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

5. MD-12-0389A, DAVID C. SEELEY, M.D., LIC. #21244

Dr. Khera was recused from this case.

MOTION: Dr. Thrift moved for a finding of unprofessional conduct in violation of A.R.S. §32-1401(27)(e) - Failing or refusing to maintain adequate records on a patient; and A.R.S. §32-1401(27)(q) - Any conduct that is or might be harmful or dangerous to the health of the patient or the public.

SECOND: Ms. Bain

VOTE: 8-yay, 1-nay, 0-abstain, 1-recuse, 1-absent.

MOTION PASSED.

MOTION: Dr. Thrift moved to issue an Advisory Letter for failure to address abnormal lab findings, inadequate management of diabetes, for performing an inadequate stress test, and for inadequate medical records; and an Order for Non-Disciplinary CME. Within six months, complete 15-20 hours of Board staff pre-approved Category I CME in the management of diabetes and 15-20 hours of CME in medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal. This matter does not rise to the level of discipline.

SECOND: Dr. Magalnick

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Lee, Dr. Magalnick, Dr. Perry, Ms. Salter, and Dr. Thrift. The following Board member was recused: Dr. Khera. The following Board member was absent: Dr. Krishna.

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 1-absent.

MOTION PASSED.

NON-TIME SPECIFIC ITEMS

Executive Director's Report

Lisa S. Wynn, Executive Director, presented a report to the Board.

Chair's Report

Dr. Lee presented a report to the Board.

Legal Advisor's Report

Ms. Boucek presented a report to the Board.

Election of Board Officers

Ms. Wynn announced the results of the Election: Dr. Khera, Chair; Dr. Jenkins, Vice Chair; Dr. Magalnick, Secretary; and Ms. Ibáñez, Member-At-Large.

Staff Relations Committee Update and Approval of Employee Grievance Policy

Ms. Ibáñez provided an update for the Board and presented the proposed Employee Grievance Policy.

MOTION: Dr. Jenkins moved to approve the Employee Grievance Policy.

SECOND: Ms. Salter

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

Approval of Minutes

MOTION: Dr. Gillard moved to approve the December 5, 2012 Regular Session Meeting, including Executive Session.

SECOND: Dr. Khera

VOTE: 7-yay, 0-nay, 0-abstain, 3-recuse, 1-absent.

MOTION PASSED.

ADVISORY LETTERS (Non-Disciplinary)

MOTION: Dr. Jenkins moved to issue an Advisory Letter in item numbers 2, 8, 9, 10, 13, 14, 16, 17, and 18.

SECOND: Dr. Khera

VOTE: 9-yay, 0-nay, 1-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-12-0719A, PAUL A. BUDNICK, M.D., LIC. #34093

MOTION: Dr. Thrift moved to issue an Advisory Letter for failure to consider or diagnose a renal cell carcinoma in a patient with hematuria and for making the diagnosis of prostatitis without a prostate exam. This matter does not rise to the level of discipline.

SECOND: Dr. Khera

VOTE: 9-yay, 1-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

2. MD-12-1062A, ALLEN L. PETERSON, M.D., LIC. #32015

RESOLUTION: Issue an Advisory Letter for failing to evaluate a pregnant patient for ABO/RH incompatibility, and for failing to consult an obstetrician for possible preterm labor, fetal monitoring, possible tocolysis and possible cerclage. This matter does not rise to the level of discipline.

3. MD-12-0608A, JEFFREY M. GOLD, M.D., LIC. #32115

MOTION: Dr. Gillard moved for dismissal

SECOND: Dr. Thrift

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

4. MD-12-0659A, KATHRYN R. SANDERLIN, M.D., LIC. #31173

MOTION: Dr. Jenkins moved to issue an Advisory Letter for inadequate documentation. This matter does not rise to the level of discipline.

SECOND: Ms. Ibáñez

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

5. MD-12-0659C, FRANCISCO E. GARCIA, M.D., LIC. #43187

MOTION: Dr. Thrift moved for dismissal.

SECOND: Dr. Magalnick

MOTION: Dr. Jenkins moved to issue an Advisory Letter for inadequate medical records. This matter does not rise to the level of discipline.

MOTION: Ms. Ibáñez

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

6. MD-12-0307A, HOWARD J. ROLINS, M.D., LIC. #24625

MOTION: Dr. Thrift moved for dismissal.

SECOND: Dr. Jenkins

MOTION: Dr. Perry moved for dismissal.

SECOND: Ms. Ibáñez

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

7. MD-12-0850A, VERONICA T. HERNANDEZ, M.D., LIC. #37289

MOTION: Dr. Gillard moved to issue an Advisory Letter for inadequate medical records and for prescribing controlled substances to a member of her immediate family; and an Order for Non-Disciplinary CME. Within six months, complete 10-15 hours of Board staff pre-approved Category I CME in prescribing. The CME hours shall be in addition to the hours required for license renewal. This matter does not rise to the level of discipline.

SECOND: Ms. Bain

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

8. MD-12-0916A, VINAY PRABHAKARAN, M.D., LIC. #40421

RESOLUTION: Issue an Advisory Letter for pre-signing blank prescriptions. This matter does not rise to the level of discipline.

9. MD-12-0781A, WILLIAM L. ABRAHAM, M.D., LIC. #28486

RESOLUTION: Issue an Advisory Letter for inadequate evaluation of a patient with back pain with radicular symptoms, and for inadequate medical records. This matter does not rise to the level of discipline.

10. MD-12-0652A, RANDY A. SAG, M.D., LIC. #44015

RESOLUTION: Issue an Advisory Letter for incorrect interpretation of an x-ray. This matter does not rise to the level of discipline.

11. MD-12-1254A, MARLYN G. SY-ELTANAL, M.D., LIC. #11099

MOTION: Ms. Ibáñez moved for dismissal.

SECOND: Dr. Thrift

MOTION: Dr. Jenkins moved to issue an Advisory Letter for failure to obtain the required CME for the renewal of licensure.

SECOND: Dr. Magalnick

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

12. MD-12-0748A, RAVI GUPTA, M.D., LIC. #33007

MOTION: Dr. Gillard moved for dismissal.

SECOND: Dr. Perry

VOTE: 4-yay, 6-nay, 0-abstain, 0-recuse, 1-absent.

MOTION FAILED.

MOTION: Dr. Jenkins moved to issue an Advisory Letter for failure to perform a neurological examination. This matter does not rise to the level of discipline.

SECOND: Dr. Khera

VOTE: 6-yay, 4-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

13. MD-12-1097A, LE H. VU, M.D., LIC. #31932

RESOLUTION: Issue an Advisory Letter for inadequate physical examination and inadequate documentation. This matter does not rise to the level of discipline.

14. MD-12-0361A, ALBERT E. CARLOTTI, M.D., LIC. #29728

RESOLUTION: Issue an Advisory Letter for improper performance of surgery and for inadequate records. This matter does not rise to the level of discipline.

15. MD-12-1215A, JAMES A. COIL, M.D., LIC. #28527

MOTION: Dr. Gillard moved for dismissal.

SECOND: Dr. Thrift

VOTE: 3-yay, 7-nay, 0-abstain, 0-recuse, 1-absent.

MOTION FAILED.

MOTION: Dr. Jenkins moved to issue an Advisory Letter for failure to obtain the required CME for the renewal of licensure. This matter does not rise to the level of discipline.

SECOND: Ms. Ibáñez

VOTE: 7-yay, 3-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

16. MD-12-1068A, RAQUEL M. COLLINS, M.D., LIC. #27213

RESOLUTION: Issue an Advisory Letter for action taken by the State of Washington. This matter does not rise to the level of discipline.

17. MD-12-0295A, GARY T. PURCELL, M.D., LIC. #26179

RESOLUTION: Issue an Advisory Letter for failure to recognize a postoperative complication and for inadequate medical records. This matter does not rise to the level of discipline.

18. MD-12-0746B, PARAG M. RAMI, M.D., LIC. #33043

RESOLUTION: Issue an Advisory Letter for improper performance of a procedure and for inadequate medical records. This matter does not rise to the level of discipline.

NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION (CME) ORDER

1. MD-12-0884A, RODNEY S. IANCOVICI, M.D., LIC. #28530

MOTION: Dr. Krishna moved to issue an Order for Non-Disciplinary CME for inappropriate prescribing and management of opioids. Within six months, complete 15-20 hours of Board staff pre-approved Category I CME in an intensive, in-person opioid prescribing course. The CME hours shall be in addition to the hours required for license renewal. This matter does not rise to the level of discipline.

SECOND: Dr. Gillard

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

ADVISORY LETTER WITH NON-DISCIPLINARY CME ORDER

1. MD-12-0548A, RAY O. HATCH, M.D., LIC. #15921

MOTION: Dr. Jenkins moved to issue an Advisory Letter for inappropriate and excessive prescribing of controlled substances, and for inadequate records; and a Non-Disciplinary CME Order to complete 15-20 hours of Board staff pre-approved Category I CME in an intensive, in-person prescribing course within six months. The CME hours shall be in addition to the hours required for the renewal of licensure. This matter does not rise to the level of discipline.

SECOND: Dr. Krishna

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

MOTION: Dr. Krishna moved to uphold the dismissal in cases 1 and 3-12.

SECOND: Dr. Khera

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-12-0899A, MEERA P. GANDHY, M.D., LIC. #32091

RESOLUTION: Uphold the dismissal.

2. MD-12-0871A, JABER ABAWI, M.D., LIC. #32175

MOTION: Dr. Thrift moved to uphold the dismissal.

SECOND: Dr. Krishna

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

3. MD-12-1002A, LISA M. JAACKS, M.D., LIC. #34977

RESOLUTION: Uphold the dismissal.

4. MD-12-1182B, PETER W. MITCHELL, M.D., LIC. #27147

RESOLUTION: Uphold the dismissal.

5. MD-12-0539A, ADAM B. LOWE, M.D., LIC. #30655

RESOLUTION: Uphold the dismissal.

6. MD-12-1128A, AMALIA DECOMAS, M.D., LIC. #43293

RESOLUTION: Uphold the dismissal.

7. MD-12-0891A, MICHAEL B. HORSLEY, M.D., LIC. #44829

RESOLUTION: Uphold the dismissal.

8. MD-12-1225A, CLAUDE R. THIBEAULT, M.D., LIC. #19972

RESOLUTION: Uphold the dismissal.

9. MD-12-0993A, EARL L. FENG, M.D., LIC. #22589

RESOLUTION: Uphold the dismissal.

10. MD-12-1297A, SANJAY R. PATEL, M.D., LIC. #40721

RESOLUTION: Uphold the dismissal.

11. MD-12-1242A, DAVID K. ALSTER, M.D., LIC. #22096

RESOLUTION: Uphold the dismissal.

12. MD-12-1183B, HECTOR F. GARCIA, M.D., LIC. #16076

RESOLUTION: Uphold the dismissal.

OTHER BUSINESS

PROPOSED CONSENT AGREEMENTS (Disciplinary)

MOTION: Ms. Ibáñez moved to accept the proposed Consent Agreement for a Letter of Reprimand. Within six months, complete 6-10 hours of a Board staff pre-approved Category I CME course in management of bipolar disorder and/or psychiatric therapy drug monitoring. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Magalnick

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Lee, Dr. Magalnick, Dr. Perry, and Dr. Thrift. The following Board members abstained from the vote: Ms. Bain and Ms. Salter. The following Board member was absent: Dr. Krishna.

VOTE: 8-yay, 0-nay, 2-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-12-0439A, AMNON I. KAHANE, M.D., LIC. #23948

2. MD-12-0704A, CECIL C. GRAHAM, M.D., LIC. #30345

APPROVAL OF DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

MOTION: Ms. Ibáñez moved to approve the draft Findings of Fact, Conclusions of Law and Order for Other Business items 3 and 4.

SECOND: Dr. Khera

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Ibáñez, Dr. Gillard, Dr. Jenkins, Dr. Khera, Dr. Lee, Dr. Magalnick, and Dr. Thrift. The following Board members were recused: Ms. Bain, Dr. Perry, and Ms. Salter. The following Board member was absent: Dr. Krishna.

VOTE: 7-yay, 0-nay, 0-abstain, 3-recuse, 1-absent.

MOTION PASSED.

3. MD-12-0648A, SCOTT J. CRAWFORD, M.D., LIC. #10293

4. MD-11-0662A, CLAUDIO G. ZAMORANO, M.D., LIC. #10019

APPROVE OR DENY LICENSE APPLICATION

5. MD-12-1449A, PAUL M. SCHEELE, M.D., LIC. #N/A

MOTION: Dr. Gillard moved to approve the license application.

SECOND: Dr. Jenkins
VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.
MOTION PASSED.

The meeting adjourned at 5:33 p.m.



Lisa S. Wynn, Executive Director