

**MEDICAL EXAMINING BOARD
MEETING MINUTES
OCTOBER 16, 2013**

PRESENT: Greg Collins; Carolyn Ogland, MD; Timothy Westlake, MD; Timothy Swan, MD; Mary Jo Capodice, DO; Jude Genereaux; Rodney Erickson, MD; Suresh Misra, MD; Russell Yale, MD; Gene Musser, MD; and Sridhar Vasudevan, MD
EXCUSED: James Barr; Kenneth Simons, MD
STAFF: Tom Ryan, Executive Director; Joshua Archiquette, Bureau Assistant; Matthew Guidry, Bureau Assistant; and other Department staff

CALL TO ORDER

Timothy Swan, Vice Chair, called the meeting to order at 8:00 a.m. A quorum of eleven (11) was confirmed.

ADOPTION OF AGENDA

MOTION: Suresh Misra moved, seconded by Mary Jo Capodice, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

- **Add: “HAS THE WISCONSIN MEDICAL EXAMINING BOARD ADOPTED SPECIFIC GUIDELINES FOR PHYSICIANS WHO ARE TREATING CHRONIC PAIN OR PRESCRIBING CONTROLLED SUBSTANCES FOR THE TREATMENT OF PAIN?” To the position statement motion regarding treatment of pain in the minutes from September 18, 2013**

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to approve the minutes of September 18, 2013 as amended. Motion carried unanimously.

SPEAKING ENGAGEMENTS

MOTION: Sridhar Vasudevan moved, seconded by Mary Jo Capodice, to designate Kenneth Simons, MD, as the Board’s representative to speak at the Medical College of Wisconsin Department of Otolaryngology on Thursday, December 5, 2013. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

MOTION: Sridhar Vasudevan moved, seconded by Greg Collins, to approve the Scope Statement on Continuing Education Audit for submission to the Governor’s Office and publication and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

FALL NEWSLETTER

MOTION: Timothy Westlake moved, seconded by Suresh Misra, to approve the Fall Newsletter content and designate Tim Swan as the Board's representative to work with DSPS staff on any additional edits and authorize Dr. Swan to give final approval. Motion carried unanimously.

MOTIONS

MOTION: Gene Musser moved, seconded by Suresh Misra, to delegate to the Chair, or the Vice Chair if the Chair is unavailable, and two board members selected to consider a petition for summary suspension pursuant to Wis. Stat. sec. 448.03(4), the authority to also make a determination of probable cause, if appropriate, on behalf of the Board with regard to any formal complaint and notice of hearing submitted in conjunction with the petition.. Motion carried unanimously.

SCREENING PANEL REPORT

Jude Genereaux reported that twenty-one (21) cases were opened. two (2) ten-day letters were sent.

CLOSED SESSION

MOTION: Sridhar Vasudevan moved seconded by Carolyn Ogland, to convene to closed session to deliberate on cases following hearing § 19.85 (1) (a), Stats.; consider closing disciplinary investigations with administrative warning § 19.85 (1)(b), Stats., and 448.02(8), Stats., to consider individual histories or disciplinary data § 19.85(1) (f), Stats., and, to confer with legal counsel § 19.85 (1) (g), Stats.). Timothy Swan, Vice Chair; read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Timothy Swan – yes; Greg Collins – yes; Timothy Westlake – yes; Mary Jo Capodice – yes; Rodney Erickson – yes; Russell Yale – yes; Sridhar Vasudevan – yes; Gene Musser – yes; Suresh Misra – yes; Carolyn Ogland, - yes; and Jude Genereaux – yes. Motion carried unanimously.

The Board convened into Closed Session at 9:22 a.m.

FULL BOARD ORAL EXAM OF CANDIDATES FOR LICENSURE

MOTION: Suresh Misra moved, seconded by Gene Musser to find that Jamey L. Walker, M.D. passed her full Board Examination. Motion carried unanimously.

MOTION: Carolyn Ogland moved, seconded by Suresh Misra, to approve Jamey L Walker, M.D.'s application for Medical licensure once all requirements are met. Motion carried unanimously.

MOTION: Gene Musser moved, seconded by Jude Genereaux, to defer Kaukab P. Shah, M.D.'s application for Medical licensure pending additional information. Motion carried unanimously.

MOTION: Timothy Westlake moved, seconded by Greg Collins to find that Ravi K. Pasupuleti, M.D failed his full Board Examination. Motion carried unanimously

MOTION: Russell Yale moved, seconded by Suresh Misra, to deny Ravi K. Pasupuleti, M.D.'s application for Medical licensure. Reason for Denial: Failed his oral Examination due to lack of evidence of an ability to practice with reasonable skill and safety. The Board based its decision upon his lack of adequate clinical experience for the last five years. Motion carried unanimously.

MONITORING MATTERS

MOTION: Suresh Misra moved, seconded by Timothy Westlake, to deny the request of Roger Pellmann, M.D. for rescission of Suspension. **Reason for Denial:** Roger Pellmann, M.D. hasn't presented to the Board evidence sufficient to establish his ability to safely and competently resume the practice of medicine and surgery. Motion carried unanimously.

Pam Stach, Board Legal counsel; recused herself from deliberation of the above matter

MOTION: Timothy Westlake moved, seconded by Gene Musser, to deny the request of Kirsten Peterson, M.D. for reduction in Drug and Alcohol Screens. **Reason for Denial:** Insufficient time to show compliance. Motion carried.

Sridhar Vasudevan voted no in the above matter

MOTION: Rodney Erickson moved, seconded by Suresh Misra, to rescind, vacate, and expunge the June 13, 2013 order suspending the license of George Boyum, M.D. to practice medicine and surgery in the State of Wisconsin. Motion carried unanimously.

MOTION: Rodney Erickson moved, seconded by Suresh Misra, to Amend Previous Final Decision and Order dated November 14, 2012 to remove the costs in the matter of 12 MED 322, George Boyum, M.D. Motion carried unanimously.

REQUESTING RESCISSION OF BOARD MOTION TO DENY APPLICATION FOR MEDICAL LICENSURE – NIPA H. SINH, M.D.

MOTION: Gene Musser moved, seconded by Russell Yale, to deny the request of Nipa H. Sing, M.D. to rescind the Board's denial of application for licensure. The Board has reviewed the additional material submitted. Motion carried.

Sridhar Vasudevan abstained from voting in the above matter.

PETITION FOR AUTHORIZATION TO REQUEST EXTENSION OF TIME IN CASE NUMBER 12 MED 381, GRAIG ADERS, M.D. AND DAVID DRAKE, M.D.

MOTION: Gene Musser moved, seconded by Jude Genereaux, to grant the petition for extension of time in case number 12 MED 381, Graig Aders, M.D. and David Drake, M.D. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Suresh Misra moved, seconded by Greg Collins, to issue an administrative warning in the matter of case number 12 MED 219 (R.L.E.). Motion carried unanimously.

MOTION: Jude Genereaux moved, seconded by Timothy Westlake, to close case 12 MED 079 (J.A.M.) for P2 (Prosecutorial Discretion). Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Suresh Misra moved, seconded by Timothy Westlake, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of disciplinary proceedings against Bruce A. Kraus, M.D. (12 MED 375). Motion carried unanimously.

MOTION: Greg Collins moved, seconded by Mary Jo Capodice, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of disciplinary proceedings against Paul Strapon III, M.D. (12 MED 440). Motion carried unanimously.

MOTION: Suresh Misra moved, seconded by Gene Musser, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of disciplinary proceedings against Arvind Ahuja, M.D. (13 MED 133). Motion carried unanimously.

Mary Jo Capodice and Russell Yale recused themselves for deliberating and voting on the above matter

MOTION: Sridhar Vasudevan moved, seconded by Gene Musser, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter

of disciplinary proceedings against George Darrel Soncrant, D.O. (13 MED 277). Motion carried unanimously.

DLSC MATTERS

Case Closures

MOTION: Suresh Misra moved, seconded by Timothy Westlake, to close case 11 MED 281 (H.M.T.) for P1 (Prosecutorial Discretion). Motion carried unanimously.

RATIFY ALL LICENSES AND CERTIFICATES

MOTION: Sridhar Vasudevan moved, seconded by Jude Genereaux, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Suresh Misra moved, seconded by Carolyn Ogland, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 12:42 p.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: Suresh Misra moved, seconded by Jude Genereaux, to affirm all motions made in closed session. Motion carried unanimously.

ADJOURNMENT

MOTION: Gene Musser moved, seconded by Sridhar Vasudevan, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:58 p.m.