

**MEDICAL EXAMINING BOARD
MEETING MINUTES
JULY 17, 2013**

PRESENT: James Barr; Kenneth Simons, MD; Greg Collins; Carolyn Ogland Vukich, MD; Timothy Westlake, MD; Timothy Swan, MD; Mary Jo Capodice, DO; Jude Genereaux; Rodney Erickson, MD; Suresh Misra, MD; Russell Yale, MD; and Sridhar Vasudevan, MD

EXCUSED: Gene Musser, MD

STAFF: Tom Ryan, Executive Director; Matthew C. Niehaus, Bureau Assistant; Nicholas Tank, Bureau Assistant; and other Department Staff

CALL TO ORDER

Dr. Kenneth Simons, Vice-Chair, called the meeting to order at 8:00 a.m. A quorum of twelve (12) members was present.

ADOPTION OF AGENDA

- **CLOSED SESSION – ADD** “Determine Equivalency of NBOME and California Exam Scores for John Alvey, DO”

MOTION: Dr. Timothy Swan moved, seconded by Dr. Sridhar Vasudevan, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 19, 2013

MOTION: Dr. Mary Jo Capodice moved, seconded by, Mr. Greg Collins, to approve the minutes of June 19, 2013 as published. Motion carried unanimously.

ADMINISTRATIVE UPDATES

NOMINATION: Dr. Suresh Misra nominated Dr. Kenneth Simons for the Office of Chair. Nomination carried by unanimous vote.

Tom Ryan called for other nominations three (3) times.

Dr. Kenneth Simons was elected as Chair.

NOMINATION: Dr. Rodney Erickson nominated Dr. Timothy Swan for the Office of Vice-Chair. Nomination carried by majority vote.

NOMINATION: Mr. Greg Collins nominated Dr. Sridhar Vasudevan for the Office of Vice-Chair.

Tom Ryan called for other nominations three (3) times.

Dr. Timothy Swan was elected as Vice-Chair.

MOTION: Dr. Suresh Misra moved, seconded by Ms. Jude Genereaux, to recognize the appointment of Mary Jo Capodice as a Credentialing Liaison and Dr. Carolyn Oglund Vukich as a Credentialing Liaison Alternate. Motion carried unanimously.

CONTINUING MEDICAL EDUCATION AUDITS

MOTION: Ms. Jude Genereaux moved, seconded by Dr. Timothy Westlake, to approve the permanent Scope Statement on MED 13.06 and designate the Chair as the Board's representative to approve the Scope for implementation after publication. Motion carried unanimously.

ADMINISTRATIVE/LEGISLATIVE RULE MATTERS

MOTION: Dr. Timothy Westlake moved, seconded by Mr. Jim Barr, to adopt the language "The physician providing supervision must be readily identifiable by the physician assistant through procedures commonly employed in the physician assistant's practice" for MED 8.07(2). Motion carried.

Sridhar Vasudevan voted no in the matter regarding MED 8.07(2).

APPLICATION OF JODY WILKINS FOR COUNCIL ON PHYSICIAN ASSISTANTS RE-APPOINTMENT

MOTION: Dr. Sridhar Vasudevan moved, seconded by Dr. Suresh Misra, to reappoint Jody Wilkins' to the Physician Assistants Council. Motion carried unanimously.

FSMB MATTERS

MOTION: Dr. Sridhar Vasudevan moved, seconded by Ms. Jude Genereaux, to endorse Tom Ryan's appointment to the FSMB Maintenance of Licensure Task Force on Continuous Professional Development. Motion carried unanimously.

SCREENING PANEL REPORT

Ms. Jude Genereaux reported via e-mail that thirty-nine (39) cases were reviewed. Twenty-one (21) cases were opened for investigation. Two (2) ten-day letters were sent.

CLOSED SESSION

MOTION: Dr. Timothy Swan moved, seconded by Mr. Greg Collins, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Legal Services and Compliance case status reports. Dr. Kenneth Simons read the language of the motion. The vote of each member was ascertained by voice vote. Timothy Swan, MD – yes; Timothy Westlake – yes; James Barr-yes; Greg Collins-yes; Kenneth Simons, MD-yes; Mary Jo Capodice, DO-yes; Jude Genereaux; Rodney Erickson, MD; Suresh Misra, MD; Sridhar Vasudevan, MD – yes; Carolyn Ogland, MD – yes; and Russell Yale, MD – yes. Motion carried unanimously.

The Board convened into Closed Session at 9:25 a.m.

DETERMINE EQUIVALENCY OF NBOME & CALIFORNIA EXAM SCORES FOR JOHN ALVEY, D.O.

MOTION: Dr. Timothy Westlake moved, seconded by Dr. Suresh Misra, to accept California's exam as equivalent to NBOME part 3 in the matter of John Alvey, D.O. and issue a license when all other requirements are met. Motion carried unanimously.

G.X.Z. ADMINISTRATIVE WARNING REVIEW, DLSC CASE NO. 11 MED 064

MOTION: Mr. Greg Collins moved, seconded by Dr. Suresh Misra, to affirm the administrative warning in 11 MED 064 (G.X.Z.). Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATIONS AND FINAL DECISIONS AND ORDERS

MOTION: Dr. Timothy Westlake moved, seconded by Mr. Greg Collins, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against Daniel T. Cabot, D.O. (11 MED 147.) Motion carried unanimously.

MOTION: Dr. Sridhar Vasudevan moved, seconded by Dr. Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against Jong W Kim, M.D. (13 MED 131.) Motion carried unanimously.

MOTION: Dr. Suresh Misra moved, seconded by Mr. Greg Collins, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against Carol Haughey, P.A. (12 MED 388.) Motion carried unanimously.

Dr. Sridhar Vasudevan left the room at 11:01 a.m.

MOTION: Ms. Jude Genereaux moved, seconded by Dr. Timothy Westlake, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against Bruce W. Irwin, M.D. (12 MED 441.) Motion carried.

*Dr. Sridhar Vasudevan was absent during deliberation and voting in the matter of 12 MED 441.
Dr. Sridhar Vasudevan returned to the room at 11:03 a.m.*

DELIBERATION OF ADMINISTRATIVE WARNINGS

MOTION: Dr. Timothy Westlake moved, seconded by Dr. Suresh Misra, to issue an administrative warning in the matter of case number 12 MED 427, S.O.F. Motion carried.

Dr. Timothy Swan recused himself from deliberation and voting in the matter of 12 MED 427, S.O.F.

CASE CLOSINGS

MOTION: Dr. Timothy Swan moved, seconded by Dr. Suresh Misra, to close case 13 MED 127 (R.B.) for Prosecutorial Discretion (P7). Motion carried unanimously.

MOTION: Dr. Suresh Misra moved, seconded by Dr. Rodney Erickson, to close case 13 MED 043 (M.B., M.T., and M.F.) for No Violation (NV). Motion carried.

Dr. Timothy Westlake recused himself from deliberation and voting in the matter of 13 MED 043.

MOTION: Dr. Sridhar Vasudevan moved, seconded by Ms. Jude Genereaux, to close case 10 MED 031 (I.B. & P.B.) for Insufficient Evidence (IE). Motion carried unanimously.

MOTION: Dr. Timothy Swan moved, seconded by Dr. Mary Jo Capodice, to close case 13 MED 069 (T.L.) for No Violation (NV). Motion carried unanimously.

MOTION: Dr. Rodney Erickson moved, seconded by Dr. Timothy Westlake, to close case 12 MED 448 (P.S.) for No Violation (NV). Motion carried unanimously.

RATIFY ALL LICENSES AND CERTIFICATES

MOTION: Dr. Sridhar Vasudevan moved, seconded by Mr. Jim Barr, 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: Dr. Timothy Swan moved, seconded by Dr. Russell Yale, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 11:32a.m.

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

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

ADJOURNMENT

MOTION: Dr. Rodney Erickson moved, seconded by Mr. Greg Collins, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:35 a.m.