

**MEDICAL EXAMINING BOARD
MEETING MINUTES
November 19, 2014**

PRESENT: Mary Jo Capodice, D.O; Greg Collins; Rodney Erickson, M.D. (*arrived at 8:11 a.m.*); Suresh Misra, M.D.; Kenneth Simons, M.D.; Timothy Swan, M.D.; Sridhar Vasudevan, M.D.; Timothy Westlake, M.D.; Russell Yale, M.D.; Robert Zondag

EXCUSED: James Barr; Carolyn Ogland Vukich, M.D.; Michael Phillips, M.D.

STAFF: Tom Ryan, Executive Director; Gretchen Mrozinski, Legal Counsel; Taylor Thompson, Bureau Assistant; and other Department staff

CALL TO ORDER

Kenneth Simons, Chair, called the meeting to order at 8:00 a.m. A quorum of nine (9) members was confirmed.

ADOPTION OF AGENDA

Amendments:

- Revise Post-Adjournment Closed Session to read “Reviewing applications and conducting oral examinations of seven (7) candidates for licensure – Drs. Simons, Swan, Westlake, and Yale.”

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

APPROVAL OF MINUTES

MOTION: Timothy Swan moved, seconded by Sridhar Vasudevan, to approve the minutes of October 15, 2014 as published. Motion carried unanimously.

BOARD NEWSLETTER

MOTION: Suresh Misra moved, seconded by Sridhar Vasudevan, to approve the Board Newsletter. Motion carried unanimously.

**CONSIDERATION OF MICHAEL BOTTCHEr, M.D. FOR APPOINTMENT TO THE
COUNCIL ON ANESTHESIOLOGIST ASSISTANTS**

MOTION: Sridhar Vasudevan moved, seconded by Greg Collins, to appoint Michael L. Bottcher to the Council on Anesthesiologists Assistants as an anesthesiologist member, for a term to expire on 9/1/2015. Motion carried unanimously.

FEDERATION OF STATE MEDICAL BOARDS MATTERS

Public Member Scholarships to Attend the 2015 Annual Meeting

MOTION: Sridhar Vasudevan moved, seconded by Russell Yale, to affirm Robert Zondag's application for scholarship and authorize his attendance at the 2015 – 103rd Annual FSMB Meeting on April 23-25, 2015 in Fort Worth, Texas. Motion carried unanimously.

SPEAKING ENGAGEMENT(S), TRAVEL, OR PUBLIC RELATION REQUEST(S)

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to authorize Mary Jo Capodice to attend the American Association of Osteopathic Examiners Summit Meeting on January 9-10, 2015 in Los Angeles, California. Motion carried unanimously.

CLOSED SESSION

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to convene to Closed Session to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 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.). The Chair read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Mary Jo Capodice – yes; Greg Collins – yes; Rodney Erickson – yes; Suresh Misra – yes; Kenneth Simons – yes; Timothy Swan – yes; Sridhar Vasudevan – yes; Timothy Westlake – yes; Russell Yale – yes; and Robert Zondag – yes. Motion carried unanimously.

The Board convened into Closed Session at 9:51 a.m.

RECONVENE TO OPEN SESSION

MOTION: Sridhar Vasudevan moved, seconded by Robert Zondag, to reconvene in Open Session at 11:21 a.m. Motion carried unanimously.

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

MOTION: Timothy Swan moved, seconded by Suresh Misra, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

FULL BOARD REVIEW OF CANDIDATES FOR LICENSURE

Eddie Rosete, PA-C

MOTION: Timothy Westlake moved, seconded by Timothy Swan, to approve the application for licensure as a Physician Assistant of Eddie Rosete, once all requirements are met. Motion carried unanimously.

John Littlefield, PA-C

MOTION: Russell Yale moved, seconded by Suresh Misra, to require John Littlefield to appear for a full Board oral examination. Motion carried unanimously.

REQUEST FOR REEXAMINATION IN THE MATTER OF THE FULL-BOARD ORAL EXAMINATION OF BHARAT PAL, M.D.

MOTION: Timothy Swan moved, seconded by Sridhar Vasudevan, to deny the request of Bharat Pal, M.D., for reexamination in the matter of the Full-Board oral examination. **Reason for Denial:** The Board does not believe that a second examination will be dispositive. Motion carried unanimously.

MONITORING MATTERS

Dr. Vasudevan recused himself and left the room for the deliberation, and voting in the matters of Shirley Y. Godiwalla, M.D., and Roman Berezovski, M.D.

Shirley Y. Godiwalla, M.D. – Request for Approval of Training Program

MOTION: Timothy Swan moved, seconded by Timothy Westlake, to deny the request of Shirley Y. Godiwalla, M.D. for full license. **Reason for denial:** She has not completed the two year program as approved in the January 7, 2013 Board order. Motion carried.

Roman Berezovski, M.D. – Requesting Reduction of Drug Screens and Elimination of Requirement to Attend AA/NA

MOTION: Robert Zondag moved, seconded by Rodney Erickson, to deny the request of Roman Berezovski, M.D. for termination of AA/NA and reduction of drug screens to 18 per year. The Board approves of a reduction in drug and alcohol screenings to 28 per year with a hair test. **Reason for denial:** He has not been fully compliant under the terms of the original order. Motion carried.

**PRESENTATION AND DELIBERATION ON PROPOSED STIPULATIONS, FINAL
DECISIONS AND ORDERS BY THE DIVISION OF LEGAL SERVICES AND COMPLIANCE
(DLSC)**

MOTION: Greg Collins moved, seconded by Timothy Westlake, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

- 1) Avery D. Alexander, M.D. – 12 MED 156, 13 MED 084, and 13 MED 123
- 2) Mazin Ellias, M.D. – 12 MED 403 and 14 MED 189
- 3) Stephen McAvoy, M.D. – 13 MED 259
- 4) James T. Murphy, M.D. – 14 MED 009
- 5) Mark S. Petrovani, M.D. – 14 MED 020
- 6) Robert C. Cates, M.D. – 14 MED 072
- 7) Jeffrey K. Klingbeil, M.D. – 14 MED 092
- 8) Sandra T. Congdon, M.D. – 14 MED 142
- 9) John S. Poser, M.D. – 14 MED 167
- 10) John D. Riesch, M.D. – 14 MED 226

Motion carried unanimously.

**PRESENTATION AND DELIBERATION ON COMPLAINTS FOR DETERMINATION OF
PROBABLE CAUSE**

John Ingalls, M.D. – 13 MED 152

MOTION: Timothy Swan moved, seconded by Timothy Westlake, to find probable cause to believe that John Ingalls, M.D., DLSC case number 13 MED 152, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried unanimously.

Norman Rechsteiner, M.D. – 13 MED 155

MOTION: Timothy Westlake moved, seconded by Suresh Misra, to find probable cause to believe that Norman Rechsteiner, M.D., DLSC case number 13 MED 155, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried unanimously.

Greg Collins recused himself and left the room for the deliberation, and voting in the matters of Steven L. Armus, M.D.

Steven L. Armus, M.D. – 13 MED 244

MOTION: Mary Jo Capodice moved, seconded by Suresh Misra, to find probable cause to believe that Steven L. Armus, M.D., DLSC case number 13 MED 244, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried.

Dr. Misra recused himself and left the room for the deliberation, and voting in the matters of Lois S. Seno, Jr., M.D.

Louis S. Seno, Jr., M.D. – 13 MED 433

MOTION: Timothy Swan moved, seconded by Greg Collins, to find probable cause to believe that Louis S. Seno, Jr., M.D., DLSC case number 13 MED 433, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried.

Greg Collins recused himself and left the room for the deliberation, and voting in the matters of Jonathan G. Peterson, M.D., and Zulfiqar Ali, M.D.

Jonathan G. Peterson, M.D. – 14 MED 029

MOTION: Mary Jo Capodice moved, seconded by Robert Zondag, to find probable cause to believe that Jonathan G. Peterson, M.D., DLSC case number 14 MED 029, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried.

Zulfiqar Ali, M.D. – 14 MED 298

MOTION: Robert Zondag moved, seconded by Sridhar Vasudevan, to find probable cause to believe that Zulfiqar Ali, M.D., DLSC case number 14 MED 298, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried.

PRESENTATION AND DELIBERATION ON ADMINISTRATIVE WARNING(S)

14 MED 264 – R.H.C.B.

MOTION: Sridhar Vasudevan moved, seconded by Mary Jo Capodice, to issue an Administrative Warning in the matter of DLSC case number 14 MED 264 (R.H.C.B.). Motion carried unanimously.

14 MED 073 – E.A.S.

MOTION: Robert Zondag moved, seconded by Sridhar Vasudevan, to table issuing an Administrative Warning in the matter of DLSC case number 14 MED 073 (E.A.S.). Motion carried unanimously.

CASE CLOSING(S)

12 MED 432 – S.R.B.

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to close DLSC case number 12 MED 432, against S.R.B., for prosecutorial discretion (P7). Motion carried unanimously.

Dr. Swan recused himself and left the room for the deliberation, and voting in the matters of 13 MED 158 (J.A.C.).

13 MED 158 – J.A.C.

MOTION: Suresh Misra moved, seconded by Mary Jo Capodice, to close DLSC case number 13 MED 158, against J.A.C., for no violation (NV). Motion carried.

13 MED 354 – P.R.

MOTION: Greg Collins moved, seconded by Russell Yale, to close DLSC case number 13 MED 354, against P.R., for no violation (NV). Motion carried unanimously.

13 MED 445 – J.C.M.

MOTION: Greg Collins moved, seconded by Timothy Westlake, to close DLSC case number 13 MED 445, against J.C.M., for no violation (NV). Motion carried unanimously.

14 MED 051 – H.L.C.

MOTION: Suresh Misra moved, seconded by Russell Yale, to close DLSC case number 14 MED 051, against H.L.C., for no violation (NV). Motion carried unanimously.

14 MED 078 – J.P.W.

MOTION: Timothy Westlake moved, seconded by Robert Zondag, to close DLSC case number 14 MED 078, against (J.P.W.), for no violation (NV). Motion carried unanimously.

14 MED 259 – R.P.L.

MOTION: Timothy Swan moved, seconded by Suresh Misra, to close DLSC case number 14 MED 259, against R.P.L., for no violation (NV). Motion carried unanimously.

14 MED 269 – T.C.T.

MOTION: Greg Collins moved, seconded by Timothy Westlake, to close DLSC case number 14 MED 269, against T.C.T., for no violation (NV). Motion carried unanimously.

14 MED 276 – R.Y.M.

MOTION: Greg Collins moved, seconded by Timothy Swan, to close DLSC case number 14 MED 276, against R.Y.M., for no violation (NV). Motion carried unanimously.

14 MED 310 – J.R.H.

MOTION: Sridhar Vasudevan moved, seconded by Greg Collins, to close DLSC case number 14 MED 310, against J.R.H., for no violation (NV). Motion carried unanimously.

14 MED 044 – S.I.C.

MOTION: Robert Zondag moved, seconded by Sridhar Vasudevan, to table DLSC case number 14 MED 044, against S.I.C. Motion carried unanimously.

DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES

MOTION: Greg Collins moved, seconded by Suresh Misra, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 11:26 a.m.