

**MEDICAL EXAMINING BOARD
MEETING MINUTES
February 18, 2015**

PRESENT: Mary Jo Capodice, D.O; Rodney Erickson, M.D.; Suresh Misra, M.D.; Carolyn Ogland Vukich, M.D.; Michael Phillips, M.D.; Kenneth Simons, M.D.; Timothy Swan, M.D.; Sridhar Vasudevan, M.D.; Timothy Westlake, M.D. (*arrived at 8:03 a.m.*); Russell Yale, M.D.; Robert Zondag

EXCUSED: James Barr, Greg Collins

STAFF: Tom Ryan, Executive Director; 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 ten (10) members was confirmed.

ADOPTION OF AGENDA

Amendments:

- Remove Item D) Intake Complaint Process and appearance from Kelley Sankbeil
- Correct Item J) to read “Level 2”
- Remove Item T)2) Proposed Stipulation, Final Decision and Order of Karen Butler, M.D. – 13 MED 308

MOTION: Michael Phillips moved, seconded by Suresh Misra, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

Corrections:

- Case Closing 14 MED 444 should be corrected to read as “12 MED 444”
- Correct motion in the matter of Nitinrai Pandya, MD to read “is not substantially” in the reason for denial.

MOTION: Sridhar Vasudevan moved, seconded by Carolyn Ogland Vukich, to approve the minutes of January 21, 2015 as corrected. Motion carried unanimously.

ADMINISTRATIVE UPDATES

DELEGATED AUTHORITY MOTIONS

MOTION: Suresh Misra moved, seconded by Mary Jo Capodice, to rescind the delegated authority motion from the January meeting and adopt the updated Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today’s agenda packet. Motion carried unanimously.

CONSIDERATION OF JENNIFER L. JARRETT, MPAS, PA-C, FOR APPOINTMENT TO THE COUNCIL ON PHYSICIAN ASSISTANTS

MOTION: Sridhar Vasudevan moved, seconded by Michael Phillips, to appoint Jennifer L. Jarrett to the Council on Physician Assistants as a physician assistant member, as of 7/1/2015 for a term to expire on 7/1/2019. Motion carried unanimously.

NATIONAL BOARD OF OSTEOPATHIC MEDICAL EXAMINERS REQUEST FOR NOMINATIONS TO STANDARD SETTING PANEL FOR THE HUMANISTIC DOMAIN OF COMLEX-USA LEVEL 2 – PERFORMANCE EVALUATION – BOARD CONSIDERATION

MOTION: Sridhar Vasudevan moved, seconded by Russell Yale, to nominate Mary Jo Capodice to serve as a member of the National Board of Osteopathic Medical Examiners standard setting panel for the Humanistic Domain of COMLEX-USA Level 2 – Performance Evaluation. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

REVIEW OF MED 1.04 RELATING TO ENTRANCE TO EXAM

MOTION: Sridhar Vasudevan moved, seconded by Robert Zondag, to approve the draft as amended for filing Med 1, 3, 5 relating to Physician Licensure for posting of EIA Comments and submission to the Clearinghouse. Motion carried unanimously.

CLOSED SESSION

MOTION: Sridhar Vasudevan moved, seconded by Carolyn Ogland Vukich, 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; Rodney Erickson – yes; Suresh Misra – yes; Carolyn Ogland Vukich – Yes; Michael Phillips – 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 8:57 a.m.

RECONVENE TO OPEN SESSION

MOTION: Mary Jo Capodice moved, seconded by Suresh Misra, to reconvene in Open Session at 10:42 a.m. Motion carried unanimously.

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

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

SEEKING EQUIVALENCY FOR THE 12 MONTHS OF ACGME APPROVED POST-GRADUATE TRAINING BASED ON EDUCATION AND TRAINING

AZAR SHEIKHOESLAMI, M.D.

MOTION: Timothy Westlake moved, seconded by Suresh Misra, to find that the training and education of Azar Sheikholeslami, M.D. is not substantially equivalent to the requirements set forth in Wis. Stat. § 448.05(2). Motion carried unanimously.

MONITORING MATTERS

FARID A. AHMAD – REQUESTING RETURN OF FULL UNRESTRICTED LICENSE

MOTION: Timothy Swan moved, seconded by Carolyn Ogland Vukich, to deny Farid Ahmad's request for full unrestricted license. **Reason for denial:** the Respondent did not comply with the Order, page 2, paragraph 2. The Respondent did not complete the CPEP post evaluation, as required per the Order. Motion carried unanimously.

CAROL HAUGHEY, P.A. – REQUESTING MODIFICATIONS OF REQUIREMENTS

MOTION: Timothy Swan moved, seconded by Carolyn Ogland Vukich, to grant the request of Carol Haughey for a reduction of drug screens to 36 with an annual hair test. Motion carried unanimously.

MOTION: Timothy Swan moved, seconded by Carolyn Ogland Vukich, to deny the request to work in an environment with access to controlled substances. **Reason for denial:** Further compliance under the Order is required before additional modifications will be considered. Motion carried unanimously.

ELEAZAR KADILE – REQUESTING MODIFICATIONS OF REQUIREMENTS

MOTION: Timothy Swan moved, seconded by Suresh Misra, to deny the request of Eleazar Kadile for approval to engage in research on human subjects. **Reason for denial:** The Respondent is not in compliance with the current Order. Motion carried unanimously.

HEATH MEYER – REQUESTING MODIFICATIONS OF REQUIREMENTS

MOTION: Timothy Westlake moved, seconded by Russell Yale, to grant the request of Heath Meyer for a reduction in drug screens to 28 times per year and a hair test, and therapy visits on an as needed basis. Motion carried unanimously.

JONATHAN THOMAS – REQUESTING REDUCTION IN DRUG AND ALCOHOL SCREENS

MOTION: Robert Zondag moved, seconded by Rodney Erickson, to grant the request of Johnathan Thomas for a reduction in drug and alcohol screens from 25 times per year to 14 times per year, and to be able to travel internationally and have the screens suspended during that time. These modifications are approved while the Respondent is not working as a Physician. However, when the Respondent returns to the workforce as a Physician, the Board will revisit these modifications.
Motion carried.

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

KAREN BUTLER, M.D. – 13 MED 161

MOTION: Sridhar Vasudevan moved, seconded by Carolyn Ogland Vukich, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Karen Butler, M.D., DLSC case number 13 MED 161.
Motion carried unanimously.

JAMES R. LLOYD, M.D. – 13 MED 321

Dr. Vasudevan recused himself for the deliberation and voting in the matter of James R. Lloyd, M.D. – 13 MED 321

MOTION: Timothy Swan moved, seconded by Rodney Erickson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against James R. Lloyd, M.D., DLSC case number 13 MED 321. Motion carried unanimously.

LOUIS SENO, JR., M.D. – 13 MED 433

MOTION: Carolyn Ogland Vukich moved, seconded by Michael Phillips, to reject the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Louis Seno, Jr., M.D., DLSC case number 13 MED 433. Motion carried unanimously.

DAVID S. BUDDE, M.D. – 14 MED 519

MOTION: Michael Phillips moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against David S. Budde, M.D., DLSC case number 14 MED 519. Motion carried unanimously.

JOHN D. WOLSKI, D.O. – 14 MED 579

MOTION: Sridhar Vasudevan moved, seconded by Russell Yale, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against John D. Wolski, D.O., DLSC case number 14 MED 579. Motion carried unanimously.

DELIBERATION ON COMPLAINTS FOR DETERMINATION OF PROBABLE CAUSE

GLENN STOW, M.D. – 14 MED 379

Dr. Vasudevan recused himself for the deliberation and voting in the matter Glenn Stow, M.D. – 14 MED 379

MOTION: Timothy Westlake moved, seconded by Suresh Misra, to find probable cause to believe that Glenn Stow, M.D., DLSC case number 14 MED 379, 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 319 – A.J.

MOTION: Mary Jo Capodice moved, seconded by Timothy Westlake, to issue an Administrative Warning in the matter of DLSC case number 14 MED 319 (A.J.). Motion carried unanimously.

CASE CLOSING(S)

12 MED 042 – A.Y. AND H.D.

Drs. Vasudevan and Yale recused themselves for the deliberation and voting in the matter of 12 MED 042 – A.Y. and H.D.

MOTION: Timothy Swan moved, seconded by Rodney Erickson, to close DLSC case number 12 MED 042, against A.Y. and H.D., for insufficient evidence (IE). Motion carried.

MOTION: Michael Phillips moved, seconded by Timothy Swan, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 13 MED 181 (S.B.A.) for prosecutorial discretion (P2)
2. 13 MED 308 (T.C.) for no violation (NV)
3. 13 MED 509 (J.C.L.) for no violation (NV)
4. 14 MED 342 (A.J.C.) for no violation (NV)
5. 14 MED 512 (M.A.B.) for prosecutorial discretion (P2)
6. 14 MED 541 (C.L.K.) for no violation (NV)
7. 14 MED 548 (S.G.S.) for insufficient evidence (IE)
8. 14 MED 551 (S.H.V.) for no violation (NV)

Motion carried.

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

MOTION: Mary Jo Capodice moved, seconded by Robert Zondag, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Michael Phillips moved, seconded by Timothy Westlake, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:43 a.m.