

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

PRESENT: Mary Jo Capodice, D.O; Greg Collins; Rodney Erickson, M.D.; Suresh Misra, M.D.; Michael Phillips, 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.

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 8:01 a.m. A quorum of eleven (11) members was confirmed.

ADOPTION OF AGENDA

Amendments:

- Add item P.4. Monitoring Matters – Eleazar M. Kadile – Requesting Modification of Requirements.
- Add item after BB.1. Education and Examination Matters, Mark P. Bishop – Consider Motion to Acknowledge Full Unrestricted License.

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

APPROVAL OF MINUTES

MOTION: Robert Zondag moved, seconded by Timothy Westlake, to approve the minutes of February 18, 2015 as published. Motion carried unanimously.

**MOTION TO VACATE: IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS
AGAINST NANETTE J. LIEGEOIS, M.D., RESPONDENT (DHA CASE SPS-14-0101)(DLSC
CASE 14 MED 581)**

Christianna Finnern, Attorney of Respondent, and Joost Kap, DLSC Attorney, appeared before the Board to present the Motion to Vacate.

FEDERATION OF STATE MEDICAL BOARDS MATTERS

ANNUAL MEETING RESOLUTIONS

MOTION: Mary Jo Capodice moved, seconded by Sridhar Vasudevan, to support Resolution 15-1. Motion carried unanimously.

MOTION: Sridhar Vasudevan moved, seconded by Mary Jo Capodice, to support Resolution 15-2. Motion carried unanimously.

MOTION: Sridhar Vasudevan moved, seconded by Timothy Westlake, to support Resolution 15-3, and to authorize the Chair to make inquiry and suggest amendment as necessary. Motion carried unanimously.

MOTION: Timothy Swan moved, seconded by Sridhar Vasudevan, to not support Resolution 15-4, in favor of Resolution 15-1 with provision that the Delegate would be allowed discretion to support 15-4 should 15-1 fail. Motion carried unanimously.

MOTION: Timothy Swan moved, seconded by Russell Yale, to support Resolution 15-5. Motion carried unanimously.

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

MOTION: Sridhar Vasudevan moved, seconded by Timothy Westlake, to authorize Kenneth Simons to serve on the Reference Committee at the 2015 Annual FSMB Meeting. Motion carried unanimously.

MOTION: Timothy Swan moved, seconded by Timothy Westlake, to authorize Kenneth Simons to speak at Marquette University on March 31, 2015. Motion carried unanimously.

CLOSED SESSION

MOTION: Timothy Swan moved, seconded by Mary Jo Capodice, 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; 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 10:17 a.m.

RECONVENE TO OPEN SESSION

MOTION: Suresh Misra moved, seconded by Michael Phillips, to reconvene in Open Session at 12:45 p.m. Motion carried unanimously.

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

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

MONITORING MATTERS

AMY GRELE – REQUESTING MODIFICATION OF ORDER

MOTION: Michael Phillips moved, seconded by Rodney Erickson, to grant the request of Amy Grelle for full licensure. Motion carried.

JOHN HALE – REQUESTING FULL REINSTATEMENT OF LICENSE

MOTION: Timothy Swan moved, seconded by Sridhar Vasudevan, to grant the request John Hale for termination of AA/NA requirement, and to continue therapy as recommended by his treatment provider. Motion carried unanimously.

MOTION: Timothy Swan moved, seconded by Sridhar Vasudevan, to deny the request John Hale for full licensure. **Reason for denial:** Failure to comply for 5 years and previous compliance failures. Motion carried unanimously.

STEPHEN HAUGHEY – REQUESTING MODIFICATION OF ORDER

MOTION: Timothy Swan moved, seconded by Greg Collins, to deny the request Stephen Haughey for access to controlled substances and reduction of drug screens. **Reason for denial:** Failure to comply with the Order. Motion carried.

ELEAZAR M. KADILE – REQUESTING MODIFICATION OF REQUIREMENTS

MOTION: Sridhar Vasudevan moved, seconded by Michael Phillips, to table this matter until the April meeting. Motion carried unanimously.

PETITION FOR EXAMINATION IN CASE NUMBER 13 MED 469, SHAKER H. ITANI, M.D.

Greg Collins recused himself for the deliberation and voting in the matter of Shaker H. Itani, M.D. – 13 MED 469.

MOTION: Mary Jo Capodice moved, seconded by Timothy Westlake, to order the Respondent to complete any necessary physical, mental, or professional examinations as ordered and approved by the Board Chair, or in the event of his unavailability the highest ranking or longest serving member of the Board. Motion carried.

PROPOSED FINAL DECISION AND ORDER: IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST ANGELINA M. MONTEMURRO, M.D., RESPONDENT (DHA CASE SPS-14-0103)(DLSC CASE 12 MED 288)

Robert Zondag recused himself for the deliberation and voting in the matter of Angelina M. Montemurro, M.D. – 12 MED 288.

MOTION: Timothy Westlake moved, seconded by Rodney Erickson, to adopt the Proposed Findings of Fact, Conclusions of Law, and Order of the Administrative Law Judge as the Board's Final Decision and Order in the matter of disciplinary proceedings against Angelina M. Montemurro, M.D., Respondent – DHA Case # SPS-14-0103 / DLSC Case # 12 MED 288. Motion carried.

PROPOSED FINAL DECISION AND ORDER: IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST LINDA R. ROGOW, M.D., RESPONDENT (DHA CASE SPS-14-0100)(DLSC CASE 14 MED 033)

Sridhar Vasudevan recused himself for the deliberation and voting in the matter of Linda R. Rogow, M.D. – 14 MED 033.

MOTION: Rodney Erickson moved, seconded by Suresh Misra, to adopt the Proposed Findings of Fact, Conclusions of Law, and Order of the Administrative Law Judge as the Board's Final Decision and Order in the matter of disciplinary proceedings against Linda R. Rogow, M.D., Respondent – DHA Case # SPS-14-0100 / DLSC Case # 14 MED 033. Motion carried.

PROPOSED FINAL DECISION AND ORDER: IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST ZULFIQAR ALI, M.D., RESPONDENT (DHA CASE SPS-14-0093)(DLSC CASE 14 MED 298)

Greg Collins recused himself for the deliberation and voting in the matter of Zulfiqar Ali, M.D. – 14 MED 298.

MOTION: Michael Phillips moved, seconded by Suresh Misra, to adopt the Proposed Findings of Fact, Conclusions of Law, and Order of the Administrative Law Judge as the Board's Final Decision and Order in the matter of disciplinary proceedings against Zulfiqar Ali, M.D., Respondent – DHA Case # SPS-14-0093 / DLSC Case # 14 MED 298. Motion carried.

PROPOSED FINAL DECISION AND ORDER: IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST NANETTE J. LIEGEOIS, M.D., RESPONDENT (DHA CASE SPS-14-0101)(DLSC CASE 14 MED 581)

Timothy Westlake recused himself for the deliberation and voting in the matter of Nanette J. Liegeois, M.D. – 14 MED 581.

MOTION: Timothy Swan moved, seconded by Greg Collins, to deny the Respondent's request to Vacate the Proposed Decision and Order and allow the respondent to answer the complaint. **Reason for Denial:** The Respondent did not establish good cause pursuant to Wis. Admin. Code § SPS 2.14. Motion carried.

MOTION: Rodney Erickson moved, seconded by Suresh Misra, to adopt the Proposed Findings of Fact, Conclusions of Law, and Order of the Administrative Law Judge as the Board's Final Decision and Order in the matter of disciplinary proceedings against Nanette J. Liegeois, M.D., Respondent – DHA Case # SPS-14-0101 / DLSC Case # 14 MED 581. Motion carried.

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

ARLYN A. KOELLER, M.D. – 13 MED 117

MOTION: Rodney Erickson moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Arlyn A. Koeller, M.D., DLSC case number 13 MED 117. Motion carried unanimously.

DEBORAH A. DRYER, M.D. – 13 MED 117

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Deborah A. Dryer, M.D., DLSC case number 13 MED 117. Motion carried unanimously.

JOHNSPENCER C. ARCHINIHU, M.D. – 13 MED 231

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Johnspencer C. Archinihu, M.D., DLSC case number 13 MED 231. Motion carried unanimously.

WESTCOT G. KRIEGER, M.D. – 13 MED 329

MOTION: Timothy Westlake moved, seconded by Michael Phillips, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Westcot G. Krieger, M.D., DLSC case number 13 MED 329. Motion carried unanimously.

STEPHEN F. WELCH, M.D. – 14 MED 014

MOTION: Timothy Swan moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Stephen F. Welch, M.D., DLSC case number 14 MED 014. Motion carried unanimously.

ISIDORO V. ZAMBRANO, M.D. – 14 MED 165

MOTION: Sridhar Vasudevan moved, seconded by Timothy Westlake, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Isidoro V. Zambrano, M.D., DLSC case number 14 MED 165. Motion carried unanimously.

JOCELYN EICHE, M.D. – 14 MED 230

MOTION: Timothy Westlake moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jocelyn Eiche, M.D., DLSC case number 14 MED 230. Motion carried unanimously.

ALICIA A. FRANKWITZ, D.O. – 14 MED 305

MOTION: Timothy Westlake moved, seconded by Sridhar Vasudevan, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Alicia A. Frankwitz, D.O., DLSC case number 14 MED 305. Motion carried unanimously.

PRESENTATION AND DELIBERATION ON ADMINISTRATIVE WARNING(S)

13 MED 529 – P.N.B.

MOTION: Sridhar Vasudevan moved, seconded by Michael Phillips, to issue an Administrative Warning in the matter of DLSC case number 13 MED 529 (P.N.B.). Motion carried unanimously.

14 MED 116 – S.B.S.

MOTION: Greg Collins moved, seconded by Suresh Misra, to issue an Administrative Warning in the matter of DLSC case number 14 MED 116 (S.B.S.). Motion carried unanimously.

14 MED 135 – V.M.K.

MOTION: Timothy Swan moved, seconded by Greg Collins, to issue an Administrative Warning in the matter of DLSC case number 14 MED 135 (V.M.K.). Motion carried unanimously.

14 MED 138 – C.T.

MOTION: Greg Collins moved, seconded by Suresh Misra, to issue an Administrative Warning in the matter of DLSC case number 14 MED 138 (C.T.). Motion carried unanimously.

14 MED 166 – S.S.

MOTION: Greg Collins moved, seconded by Russell Yale, to issue an Administrative Warning in the matter of DLSC case number 14 MED 166 (S.S.). Motion carried unanimously.

PETITIONS FOR EXTENSION OF TIME

14 MED 070 – UNKNOWN

MOTION: Greg Collins moved, seconded by Robert Zondag, to grant the Petition and Request for an Extension of Time in the matter of case # 14 MED 070 (Unknown). Motion carried unanimously.

14 MED 104 – R.J.D.

MOTION: Sridhar Vasudevan moved, seconded by Mary Jo Capodice, to grant the Petition and Request for an Extension of Time in the matter of case # 14 MED 104 (R.J.D.). Motion carried unanimously.

CASE CLOSING(S)

MOTION: Greg Collins moved, seconded by Sridhar Vasudevan, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 13 MED 290 (T.A.J.) for no violation (NV)
2. 13 MED 426 (J.W.S.) for no violation (NV)
3. 14 MED 157 (unknown) for insufficient evidence (IE)
4. 14 MED 175 (M.L.U.) for no violation (NV)
5. 14 MED 328 (T.L.V.) for insufficient evidence (IE)
6. 14 MED 391 (R.M.A.) for no violation (NV)
7. 14 MED 397 (L.M.B.) for no violation (NV)
8. 14 MED 398 (M.B.) for no violation (NV)
9. 14 MED 399 (J.B.B.J.) for no violation (NV)
10. 14 MED 400 (A.B.B.) for no violation (NV)
11. 14 MED 401 (L.H.C.) for no violation (NV)
12. 14 MED 402 (M.E.C.) for no violation (NV)
13. 14 MED 403 (M.M.C.) for no violation (NV)
14. 14 MED 406 (M.M.C.) for no violation (NV)
15. 14 MED 408 (T.T.D.) for no violation (NV)
16. 14 MED 409 (A.J.D.) for no violation (NV)
17. 14 MED 411 (L.T.D.) for no violation (NV)
18. 14 MED 415 (R.J.G.) for no violation (NV)
19. 14 MED 416 (R.B.G.) for no violation (NV)
20. 14 MED 420 (R.M.H.) for no violation (NV)
21. 14 MED 421 (K.L.H.) for no violation (NV)
22. 14 MED 425 (M.B.H.) for no violation (NV)
23. 14 MED 427 (A.H.) for no violation (NV)
24. 14 MED 436 (M.W.J.) for no violation (NV)
25. 14 MED 438 (J.J.K.) for no violation (NV)
26. 14 MED 439 (Z.R.K.) for no violation (NV)

27. 14 MED 441 (J.T.K.) for lack of jurisdiction (L2)
 28. 14 MED 444 (E.L.L.) for no violation (NV)
 29. 14 MED 447 (D.W.L.J.) for no violation (NV)
 30. 14 MED 457 (V.O.O.) for no violation (NV)
 31. 14 MED 461 (N.P.L.) for no violation (NV)
 32. 14 MED 464 (M.L.R.) for no violation (NV)
 33. 14 MED 470 (S.J.R.) for no violation (NV)
 34. 14 MED 472 (N.S.R.) for no violation (NV)
 35. 14 MED 474 (A.E.R.) for no violation (NV)
 36. 14 MED 483 (D.D.S.) for no violation (NV)
 37. 14 MED 485 (A.T.) for no violation (NV)
 38. 14 MED 488 (R.F.T.) for no violation (NV)
 39. 14 MED 490 (J.B.T.) for no violation (NV)
 40. 14 MED 491 (E.R.T.) for no violation (NV)
 41. 14 MED 492 (J.R.W.) for no violation (NV)
 42. 14 MED 494 (D.P.W.) for no violation (NV)
 43. 14 MED 495 (Y.X.) for no violation (NV)
 44. 14 MED 499 (W.M.L.) for no violation (NV)
 45. 14 MED 500 (K.M.M.) for no violation (NV)
 46. 14 MED 502 (M.M.S.) for no violation (NV)
 47. 14 MED 540 (M.J.M. and A.E.U.) for no violation (NV)
 48. 14 MED 545 (J.S.H. and C.I.G.) for no violation (NV)
 49. 14 MED 547 (C.P.W.) for no violation (NV)
 50. 14 MED 550 (F.P.A.) for no violation (NV)
 51. 14 MED 560 (D.L.V.) for no violation (NV)
- Motion carried unanimously.

14 MED 044 – S.I.C.

Timothy Westlake recused himself for the deliberation and voting in the matter of S.I.C., M.D. – 14 MED 044.

MOTION: Sridhar Vasudevan moved, seconded by Russell Yale, to close DLSC case number 14 MED 044, against S.I.C., for prosecutorial discretion (P7). Motion carried.

EDUCATION AND EXAMINATION MATTERS

MARK P. BISHOP – CONSIDER MOTION TO ACKNOWLEDGE FULL UNRESTRICTED LICENSE

MOTION: Michael Phillips moved, seconded by Robert Zondag, to affirm the reinstatement of Mark P. Bishop, M.D.'s license to practice medicine and surgery in Wisconsin without restrictions. Motion carried.

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

MOTION: Suresh Misra 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 Robert Zondag, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 12:46 p.m.