

**MEDICAL EXAMINING BOARD
MEETING MINUTES
April 15, 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.; Carolyn Oglan Vukich, M.D; Timothy Westlake, M.D. (*via GoToMeeting arrived at 8:03 a.m., excused 9:00 a.m.*); Russell Yale, M.D.; Robert Zondag

EXCUSED: James Barr

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 eleven (11) members was confirmed.

ADOPTION OF AGENDA

Amendments:

- Additional material was added to the packet pertaining to the Full Board Oral Interview of Sohail Imran Mohammad, M.D.
- An additional item was added under Monitoring Matters – Stephen Haughey

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

APPROVAL OF MINUTES

Corrections:

- Quorum corrected to read “eleven”
- Case closing 14 MED 540 is for both M.J.M. and A.E.U.

MOTION: Suresh Misra moved, seconded by Robert Zondag, to approve the minutes of March 18, 2015 as corrected. Motion carried unanimously.

ADMINISTRATIVE UPDATES

LIAISON APPOINTMENTS

MOTION: Sridhar Vasudevan moved, seconded by Robert Zondag, to affirm the Chair’s appointment of Timothy Swan as the travel liaison. Motion carried unanimously.

BOARD SPRING NEWSLETTER

MOTION: Carolyn Oglan Vukich moved, seconded by Russell Yale, to approve the Spring 2015 MEB Newsletter draft as published and to request distribution as soon as possible. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS**PUBLIC HEARING ON CLEARINGHOUSE RULE 15-021 RELATING TO ENTRANCE TO EXAMS**

MOTION: Michael Phillips moved, seconded by Greg Collins, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 15-021 relating to entrance to exams for submission to the Governor's Office and Legislature. Motion carried unanimously.

MED 13 RELATING TO CONTINUING EDUCATION AUDITS (CR 14-033)

MOTION: Sridhar Vasudevan moved, seconded by Michael Phillips, to approve the Adoption Order for MED 13 relating to continuing education audits. Motion carried unanimously.

MED 18 RELATING TO PHYSICIANS AND INFORMED CONSENT (CR 14-040)

MOTION: Suresh Misra moved, seconded by Mary Jo Capodice, to approve the Adoption Order for MED 18 relating to physicians and informed consent. Motion carried unanimously.

REVIEW OF OT 1, 3, 4 RELATING TO SELF-REFERRAL OF OCCUPATIONAL THERAPY SERVICES

MOTION: Timothy Swan moved, seconded by Robert Zondag, to invite the Chair of the Occupational Therapists Affiliated Credentialing Board to a Medical Examining Board meeting to discuss concerns of the Board. Motion carried unanimously.

CLOSED SESSION

MOTION: Sridhar Vasudevan moved, seconded by Timothy Swan, 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; Carolyn Ogland Vukich – yes; Michael Phillips – yes; Kenneth Simons – yes; Timothy Swan – yes; Sridhar Vasudevan – yes; Russell Yale – yes; and Robert Zondag – yes. Motion carried unanimously.

The Board convened into Closed Session at 9:09 a.m.

RECONVENE TO OPEN SESSION

MOTION: Sridhar Vasudevan moved, seconded by Carolyn Ogland Vukich, to reconvene in Open Session at 11:50 a.m. Motion carried unanimously.

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

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

FULL BOARD ORAL INTERVIEW OF CANDIDATE FOR LICENSURE

SOHAIL IMRAN MOHAMMAD, M.D.

MOTION: Michael Phillips moved, seconded by Suresh Misra, to request the applicant to authorize release(s) allowing the Medical Examining Board to obtain all records from the training file of his MedStar Franklin Square residency and the State of Maryland Department of Health and Mental Hygiene complaint file. Motion carried unanimously.

**WAIVER OF THE 12 MONTHS OF ACGME APPROVED POST-GRADUATE TRAINING
BASED ON EDUCATION AND TRAINING**

FNU FAIZA, M.D.

Dr. Simons recused himself for the deliberation and voting in the matter of FNU Faiza, M.D.

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

MONITORING MATTERS

**ELEAZAR M. KADILE – REQUESTING PERMISSION TO ENGAGE OR PARTICIPATE IN
RESEARCH ON HUMAN SUBJECTS**

MOTION: Robert Zondag moved, seconded by Carolyn Ogland Vukich, to grant the request of Eleazar Kadile for permission to participate in the study presented. Motion carried.

STEPHEN HAUGHEY – REQUESTING ACCESS TO CONTROLLED SUBSTANCES

MOTION: Michael Phillips moved, seconded by Robert Zondag, to rescind the motion from March 18, 2015, regarding Stephen Haughey. Motion carried unanimously.

MOTION: Timothy Swan moved, seconded by Greg Collins, to deny the request of Stephen Haughey for access to controlled substances. **Reason for denial:** Insufficient time of full compliance under the terms of the order. Motion carried unanimously.

PETITION FOR EXAMINATION IN CASE NUMBER 15 MED 069, GRACE HEITSCH, M.D.

MOTION: Timothy Swan moved, seconded by Sridhar Vasudevan, 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 unanimously.

DELIBERATION ON PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS BY THE DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC)**RICK L. PERKINS, M.D. – 12 MED 002**

MOTION: Suresh Misra moved, seconded by Greg Collins, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Rick L. Perkins, M.D., DLSC case number 12 MED 002. Motion carried unanimously.

DILIP KUMAR TANNAN, M.D. – 13 MED 091

MOTION: Greg Collins moved, seconded by Sridhar Vasudevan, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Dilip Kumar Tannan, M.D., DLSC case number 13 MED 091. Motion carried unanimously.

LOUIS S. SENO, JR., M.D. – 13 MED 433

MOTION: Robert Zondag moved, seconded by Timothy Swan, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Louis S. Seno, Jr., M.D., DLSC case number 13 MED 433. Motion carried unanimously.

MARY BURGESSER-HOWARD, M.D. – 13 MED 501

MOTION: Robert Zondag moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Mary Burgesser-Howard, M.D., DLSC case number 13 MED 501. Motion carried unanimously.

RICHARD H. STRAUSS, M.D. – 14 MED 070

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 Richard H. Strauss, M.D., DLSC case number 14 MED 070. Motion carried unanimously.

ANN E. STANGER, M.D. – 14 MED 207

MOTION: Mary Jo Capodice moved, seconded by Greg Collins, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Ann E. Stanger, M.D., DLSC case number 14 MED 207. Motion carried unanimously.

JAMAL A. ZEREIK, M.D. – 14 MED 323

MOTION: Suresh Misra moved, seconded by Michael Phillips, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jamal A. Zereik, M.D., DLSC case number 14 MED 323. Motion carried unanimously.

JILL M. HUNT, M.D. – 14 MED 324

MOTION: Michael Phillips moved, seconded by Rodney Erickson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jill M. Hunt, M.D., DLSC case number 14 MED 324. Motion carried unanimously.

CHRISTOPHER A. GARCES, M.D. – 14 MED 353

MOTION: Rodney Erickson moved, seconded by Greg Collins, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Christopher A. Garces, M.D., DLSC case number 14 MED 353. Motion carried unanimously.

GLENN C. STOW, M.D. – 14 MED 379

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 Glenn C. Stow, M.D., DLSC case number 14 MED 379. Motion carried unanimously.

PETER A. FERGUS, M.D. – 14 MED 414

MOTION: Robert Zondag moved, seconded by Russell Yale, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Peter A. Fergus, M.D., DLSC case number 14 MED 414. Motion carried unanimously.

RICHARD J. HENDRICKS, M.D. – 14 MED 419

MOTION: Russell Yale moved, seconded by Mary Jo Capodice, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Richard J. Hendricks, M.D., DLSC case number 14 MED 419. Motion carried unanimously.

RICHARD G. RILLING, M.D. – 14 MED 486

Dr. Ogland Vukich recused herself for the deliberation and voting in the matter of Richard G. Rilling – 14 MED 486.

MOTION: Robert Zondag moved, seconded by Greg Collins, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Richard G. Rilling, M.D., DLSC case number 14 MED 486. Motion carried unanimously.

MOTION: Robert Zondag moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. Robert C. Hert, M.D. – 14 MED 423
2. Janeen Hudzinski, M.D. – 14 MED 428
3. Eias E. Jweied, M.D. – 14 MED 437
4. George J. Plzak, M.D. – 14 MED 460
5. Susan L. Poe, M.D. – 14 MED 462
6. Dale S. Schaper, M.D. – 14 MED 479
7. William J. Smollen, M.D. – 14 MED 482

Motion carried unanimously.

DELIBERATION ON COMPLAINTS FOR DETERMINATION OF PROBABLE CAUSE**ADEGBOYEGA LAWAL, M.D. – 13 MED 310**

Dr. Swan recused himself for the deliberation and voting in the matter of Adegboyega Lawal, M.D. – 13 MED 310.

MOTION: Sridhar Vasudevan moved, seconded by Mary Jo Capodice, to find probable cause to believe that Adegboyega Lawal, M.D., DLSC case number 13 MED 310, 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.

PRESENTATION AND DELIBERATION ON ADMINISTRATIVE WARNING(S)**14 MED 368 – D.G.G.**

MOTION: Michael Phillips moved, seconded by Suresh Misra, to issue an Administrative Warning in the matter of DLSC case number 14 MED 368 (D.G.G.). Motion carried unanimously.

MOTION: Robert Zondag moved, seconded by Suresh Misra, to issue administrative warnings and to close the cases in the matter of case numbers:

1. 14 MED 077 (T.J.O.)
2. 14 MED 214 (M.D.E.)
3. 14 MED 407 (S.K.D.)
4. 14 MED 431 (J.F.H.)
5. 14 MED 475 (J.A.R.)
6. 14 MED 501 (M.E.N.)
7. 15 MED 035 (T.G.N.)

Motion carried unanimously.

CASE CLOSING(S)

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

1. 13 MED 090 (A.H.L.) for no violation (NV)
2. 13 MED 090 (R.S.C.) for prosecutorial discretion (P3)
3. 13 MED 157 (B.W.) for no violation (NV)
4. 13 MED 193 (T.M.M.) for no violation (NV)
5. 13 MED 341 (D.C.) for no violation (NV)
6. 13 MED 468 (J.P.) for insufficient evidence (IE)
7. 14 MED 103 (B.A.) for prosecutorial discretion (P2)
8. 14 MED 128 (M.O.) for no violation (NV)
9. 14 MED 227 (P.J.L.) for no violation (NV)
10. 14 MED 247 (M.A.B.) for no violation (NV)
11. 14 MED 349 (J.D.F.) for no violation (NV)
12. 14 MED 367 (D.J.H.) for no violation (NV)
13. 14 MED 384 (M.J.M.) for no violation (NV)
14. 14 MED 392 (N.B.) for no violation (NV)
15. 14 MED 395 (M.J.B.) for no violation (NV)
16. 14 MED 396 (L.B.T.) for no violation (NV)
17. 14 MED 426 (M.A.H.) for no violation (NV)
18. 14 MED 478 (A.M.S.) for no violation (NV)
19. 14 MED 480 (A.M.S.) for no violation (NV)
20. 14 MED 484 (K.C.S.) for lack of jurisdiction (L2)
21. 14 MED 532 (D.L.O.) for no violation (NV)

Motion carried unanimously.

13 MED 247 – D.J.H.

MOTION: Carolyn Ogland Vukich moved, seconded by Greg Collins, to close DLSC case number 13 MED 247, against D.J.H., for prosecutorial discretion (P7). Motion carried unanimously.

14 MED 394 – M.W.B.

MOTION: Timothy Swan moved, seconded by Robert Zondag, to close DLSC case number 14 MED 394, against M.W.B., for no violation (NV). Motion carried unanimously.

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

MOTION: Timothy Swan 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: Sridhar Vasudevan moved, seconded by Carolyn Ogland Vukich, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:51 a.m.