

**MEDICAL EXAMINING BOARD  
MEETING MINUTES  
FEBRUARY 17, 2016**

**PRESENT:** Mary Jo Capodice, D.O.; Greg Collins; Rodney Erickson, M.D.; Suresh Misra, M.D.; Michael Phillips, M.D.(*via GoToMeeting*); David Roelke, M.D.; Kenneth Simons, M.D.; Sridhar Vasudevan, M.D.; Timothy Westlake, M.D.; Russell Yale, M.D.; Robert Zondag

**EXCUSED:** Carolyn Ogland Vukich, M.D.

**STAFF:** Tom Ryan, Executive Director; Nifty Lynn Dio, 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 to the Agenda:**

- *Added: Item E.2: WCA Support Announcement Letter*
- *Correct: Item I: “Wisconsin’s Commissioners” to “Wisconsin’s Commissioner”*
- *Removed Item S: Proposed Final Decisions and Orders*

**MOTION:** Greg Collins moved, seconded by Suresh Misra, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES OF JANUARY 20, 2016 – REVIEW AND APPROVAL**

**MOTION:** Sridhar Vasudevan moved, seconded by David Roelke, to approve the minutes of January 20, 2016 as published. Motion carried unanimously.

**ELECTIONS, APPOINTMENTS, REAPPOINTMENTS, CONFIRMATIONS, AND  
COMMITTEE, PANEL AND LIAISON APPOINTMENTS**

**Reappointment – Council of Physicians Assistants – Jeremiah Barrett**

**MOTION:** Sridhar Vasudevan moved, seconded by Suresh Misra, to reappoint Jeremiah Barrett to the Council on Physicians Assistants for a term to expire 07/01/2016. Motion carried unanimously.

**MOTION:** David Roelke moved, seconded by Russell Yale, to affirm the Chair’s appointment of Timothy Westlake as the sole legislative liaison. Motion carried unanimously.

**LEGISLATIVE/ADMINISTRATIVE RULE MATTERS**

**Review and Respond to Clearinghouse Report and Public Hearing Comments Concerning Clearinghouse Rule 15-087 Relating to Telemedicine**

**MOTION:** Greg Collins moved, seconded by Robert Zondag, to appoint a committee of the Board consisting of David Roelke, Carolyn Ogland, Kenneth Simons and Robert Zondag to work with DSPS staff to revise Clearinghouse Rule 15-087 relating to telemedicine. Motion carried unanimously.

**WIS. STAT. § 448.14 ANNUAL REPORT REQUIREMENT/MEDICAL EXAMINING BOARD –  
CALENDAR YEAR 2015 – BOARD REVIEW FOR APPROVAL**

**MOTION:** Robert Zondag moved, seconded by Greg Collins, to approve the Wis. Stat. § 448.14 Annual report for calendar year 2015. Motion carried unanimously.

**FEDERATION OF STATE MEDICAL BOARDS (FSMB) MATTERS**

**FSMB 2016 House of Delegates and Annual Meeting – April 28-30, 2016 – San Diego, California –  
Consider Attendance**

**MOTION:** Russell Yale moved, seconded by David Roelke, to designate Rodney Erickson to attend the FSMB 2016 Annual Meeting on April 28-30 in San Diego, California and authorize travel. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** David Roelke 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; Michael Phillips – yes; David Roelke – yes; Kenneth Simons – yes; Sridhar Vasudevan – yes; Timothy Westlake – yes; Russell Yale – yes; and Robert Zondag – yes. Motion carried unanimously.

The Board convened into Closed Session at 9:21 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Suresh Misra moved, seconded by Robert Zondag, to reconvene in Open Session at 11:10 a.m. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**MOTION:** Russell Yale moved, seconded by Mary Jo Capodice, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

**REQUEST FOR WAIVER OF 24 MONTHS OF ACGME/AOA APPROVED POST  
GRADUATE TRAINING**

**Olusola Adedipe**

**MOTION:** Sridhar Vasudevan moved, seconded by Greg Collins, to deny a waiver to the 24-month post-graduate training program accredited by the ACGME, to Olusola Adedipe, per Wis. Stat. § 448.05(2)(c). Motion carried. Opposed: 2

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC)  
MATTERS**

**Complaints**

*15 MED 278 – Michael H. Malek, M.D.*

**MOTION:** David Roelke moved, seconded by Suresh Misra, to find probable cause to believe that Michael H. Malek, M.D., DLSC case number 15 MED 278, has committed 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.

*(Robert Zondag abstained from deliberation and voting in the matter concerning, DLSC case number 15 MED 278.)*

*13 MED 501 – R.S.*

**MOTION:** Sridhar Vasudevan moved, seconded by Greg Collins, to issue an Administrative Warning in the matter of DLSC case number 13 MED 501 – R.S. Motion carried unanimously.

*14 MED 580 – D.H.*

**MOTION:** Timothy Westlake moved, seconded by Greg Collins, to issue an Administrative Warning in the matter of DLSC case number 14 MED 580 – D.H. Motion carried unanimously.

*15 MED 052 – S.A.H.*

**MOTION:** David Roelke moved, seconded by Russell Yale, to issue an Administrative Warning in the matter of DLSC case number 15 MED 052 – S.A.H. Motion carried unanimously.

*15 MED 344 –R.S.S.*

**MOTION:** Sridhar Vasudevan moved, seconded by Suresh Misra, to issue an Administrative Warning in the matter of DLSC case number 15 MED 344 – R.S.S. Motion carried unanimously.

*13 MED 187 – Vance A. Masci, M.D.*

**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 Vance A. Masci, M.D., DLSC case number 13 MED 187. Motion carried.

*(Sridhar Vasudevan recused himself and left the room for deliberation and voting in the matter concerning Vance A. Masci, M.D., DLSC case number 13 MED 187.)*

***13 MED 492 and 15 MED 310 – Nosheen Hasan, M.D.***

**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 Nosheen Hasan, M.D., DLSC case numbers 13 MED 492 and 15 MED 310. Motion carried unanimously.

***14 MED 251 – Waleed S. Najeeb, M.D.***

**MOTION:** Russell Yale moved, seconded by Rodney Erickson, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Waleed S. Najeeb, M.D., DLSC case number 14 MED 251. Motion carried. Opposed: 2

***14 MED 274 – Leonardo Aponte, M.D.***

**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 Leonardo Aponte, M.D., DLSC case number 14 MED 274. Motion carried unanimously.

***14 MED 383 – Jonathan Hayward, P.A.***

**MOTION:** Greg Collins moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jonathan Hayward, P.A., DLSC case number 14 MED 383. Motion carried unanimously.

***14 MED 559 – James R. Feltes, M.D.***

**MOTION:** Suresh Misra moved, seconded by Sridhar Vasudevan, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against James R. Feltes, M.D., DLSC case number 14 MED 559. Motion carried unanimously.

***15 MED 186 – Jeremias B. Vinluan, M.D.***

**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 Jeremias B. Vinluan, M.D., DLSC case number 15 MED 186. Motion carried unanimously.

**Case Closings**

**CASE CLOSING(S)**

**MOTION:** Greg Collins moved, seconded by Mary Jo Capodice, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 14 MED 060 – A.P. *No Violation*
  2. 14 MED 530 – M.C.J. *No Violation*
  3. 15 MED 030 – S.M. *No Violation*
  4. 15 MED 084 – J.P. *No Violation*
  5. 15 MED 086 – D.M. *No Violation*
  6. 15 MED 087 – J.H. *No Violation*
  7. 15 MED 088 – J.K. *No Violation*
  8. 15 MED 089 – S.D. *No Violation*
  9. 15 MED 090 – M.R. *No Violation*
  10. 15 MED 091 – C.G. *No Violation*
  11. 15 MED 092 – N.K. *No Violation*
  12. 15 MED 104 – E.J.U. and P.W.O. *No Violation*
  13. 15 MED 161 – S.C. and S.S. *No Violation*
  14. 15 MED 212 – P.S. and J.P.F. *No Violation*
  15. 15 MED 288 – J.J.N. *No Violation*
  16. 15 MED 308 – R.S. *Prosecutorial Discretion (P3)*
- Motion carried unanimously.

***14 MED 220 – V.M.***

**MOTION:** Robert Zondag moved, seconded by David Roelke, not to close DLSC case number 14 MED 220 against V.M. for *No Violation*. Motion carried unanimously.

***14 MED 601 – H.B.A.***

**MOTION:** Timothy Westlake moved, seconded by David Roelke, to close DLSC case number 14 MED 601 against H.B.A. and J.O. for *No Violation*. Motion carried unanimously.

***15 MED 053 – T.D.***

**MOTION:** Russell Yale moved, seconded by David Roelke, to close DLSC case number 15 MED 053 against T.D. for *No Violation*. Motion carried unanimously.

***15 MED 083 – C.T.***

**MOTION:** Robert Zondag moved, seconded by David Roelke, to close DLSC case number 15 MED 083 against C.T. for *No Violation*. Motion carried unanimously.

***15 MED 244 – D.V.D.***

**MOTION:** David Roelke moved, seconded by Robert Zondag, to close DLSC case number 15 MED 244 against D.V.D. for *No Violation*. Motion carried unanimously.

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

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

*(Suresh Misra excused himself from the meeting at 11:13 a.m.)*

*(Michael Phillips excused himself from the meeting at 11:39 a.m.)*

*(Mary Jo Capodice excused herself from the meeting at 11:50 a.m.)*

**ADJOURNMENT**

**MOTION:** Sridhar Vasudevan moved, seconded by David Roelke, to adjourn the meeting.  
Motion carried unanimously.

The meeting adjourned at 11:54 a.m.