



**IOWA BOARD OF MEDICINE
400 SW EIGHTH STREET - SUITE C
DES MOINES, IOWA 50309**

SEPTEMBER 20-21, 2012, BOARD MEETING

OPEN MINUTES

September 20, 2012

MEMBERS PRESENT: Colleen Stockdale, M.D., Chair
Hamed Tewfik, M.D., Secretary
Frank Bognanno
Diane Clark
Ann Gales
Julie Perkins, M.D.
Michael Thompson, D.O.
Joyce Vista-Wayne, M.D.

MEMBERS ABSENT: Jeff Snyder, M.D., Vice Chair
Greg Hoversten, D.O.

STAFF PRESENT: Mark Bowden, Executive Director
Kent Nebel, Director of Legal Affairs
John Olds, M.D., Medical Advisor
Russell Bardin, Chief Investigator
Aaron Kephart, Investigator
Brandi Allen, Investigator
Cathy McCullough, Investigator
Dave McGlaughlin, Investigator
Mary Knapp, Enforcement Monitor
Shantel Billington, Enforcement Monitor
Deb Anglin, Coordinator, Iowa Physician Health Program
Patti Rix, Case Manager, Iowa Physician Health Program
Kari Rolls, Administrative Assistant
Julie Bussanmas, Assistant Attorney General
Theresa Weeg, Assistant Attorney General

Colleen Stockdale, M.D., chair, called the meeting to order at 8:15 a.m.

At 8:15 a.m., on a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all members present voted to meet in closed session, pursuant to Iowa Code Chapter 17A, Iowa Code Sections 21.5(1)(d), and 21.5(1)(f). Frank Bognanno, Diane Clark, Ann Gales, Julie Perkins, M.D., Colleen Stockdale, M.D., Hamed Tewfik, M.D., Michael Thompson, D.O., and Joyce Vista-Wayne, M.D., all voted aye in a roll call vote to approve the motion.

Joyce Vista-Wayne, M.D., left the meeting at 1:05 p.m.

Joyce Vista-Wayne, M.D., returned to the meeting at 2:10 p.m.

Michael Thompson, D.O., left the meeting at 2:49 p.m.

At 4:28 p.m., the Board went to recess.

September 21, 2012

MEMBERS PRESENT: Colleen Stockdale, M.D., Chair
Hamed Tewfik, M.D., Secretary
Frank Bognanno
Diane Clark
Ann Gales
Julie Perkins, M.D.
Michael Thompson, D.O.
Joyce Vista-Wayne, M.D.

MEMBERS ABSENT: Jeff Snyder, M.D., Vice-Chair
Greg Hoversten, D.O.

STAFF PRESENT: Mark Bowden, Executive Director
Kent Nebel, Director of Legal Affairs
John Olds, M.D., Medical Advisor
Russell Bardin, Chief Investigator
Aaron Kephart, Investigator
Brandi Allen, Investigator
Cathy McCullough, Investigator
Dave McGlaughlin, Investigator
David Schultz, Investigator
James Machamer, Investigator
Mary Knapp, Enforcement Monitor
Shantel Billington, Enforcement Monitor
Kari Rolls, Administrative Assistant
Julie Bussanmas, Assistant Attorney General
Theresa Weeg, Assistant Attorney General

The Board's closed session, which began September 20, resumed at 12:12 p.m., on September 21, and ended at 1:00 p.m., at which time the Board met in open session for a public meeting.

September 21, 2012, Open Session / Public Meeting

MEMBERS PRESENT: Colleen Stockdale, M.D., Chair
Jeff Snyder, M.D., Vice-Chair
Hamed Tewfik, M.D., Secretary
Frank Bognanno
Diane Clark
Ann Gales
Julie Perkins, M.D.
Michael Thompson, D.O.
Joyce Vista-Wayne, M.D.

MEMBERS ABSENT: Greg Hoversten, D.O.

STAFF PRESENT: Mark Bowden, Executive Director
Kent Nebel, Director of Legal Affairs
John Olds, M.D., Medical Advisor
Russell Bardin, Chief Investigator
Aaron Kephart, Investigator
Brandi Allen, Investigator
Cathy McCullough, Investigator
Dave McGlaughlin, Investigator
David Schultz, Investigator
James Machamer, Investigator
Mary Knapp, Enforcement Monitor
Shantel Billington, Enforcement Monitor
Amy Van Maanen, Director of Licensure
Deb Anglin, Coordinator, Iowa Physician Health Program
Teena Turnbaugh, Secretary
Julie Bussanmas, Assistant Attorney General
Theresa Weeg, Assistant Attorney General

PUBLIC IN ATTENDANCE: Michael Prescher, M.D.
Tony Leys, Des Moines Register
Dale Woolery, Governor's Office of Drug Control Policy
Jeanine Freeman, Iowa Medical Society
Leah McWilliams, Iowa Osteopathic Medical Association
Annette Owenson, Wellmark Blue Cross/Blue Shield
Nick Mauro, Crawford & Mauro Law Firm
Kevin Kruse, Iowa Society of Anesthesiologists
Jenny Tyler, Iowa Association of Nurse Anesthetists
Chris Newell, Iowa Board of Nursing

Colleen Stockdale, M.D., chair, called the open session of the public meeting to order at 1:05 p.m.

Dr. Stockdale requested approval of the agenda and acknowledged that Board member Greg Hoversten, D.O., was absent. She reported that Jeff Snyder, M.D., was participating in the meeting via telephone.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to approve the agenda.

Approval of Minutes

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to approve the following minutes:

- June 7-8, 2012, Board meeting - open and closed minutes
- July 26-27, 2012, Board meeting - open and closed minutes
- August 10, 2012, Teleconference meeting - open and closed minutes
- August 14, 2012, Teleconference meeting - open and closed minutes
- August 23, 2012, Teleconference meeting - open and closed minutes
- August 31, 2012, Teleconference meeting - open and closed minutes

Opportunity for Public Comments

Jeanne Freeman, Iowa Medical Society, addressed the Board regarding the national discussion on maintenance of licensure (MOL) initiatives. She asked for consideration of two items when the Board begins work on MOL:

- How MOL would affect physicians who are about to retire but would like to work a few more years; and
- How a retired physician could meet MOL standards to maintain an active Iowa license so the physician could do significant medical volunteer service.

Chair's Report

No report was provided.

Executive Director's Report

Governor Branstad has appointed Analisa Haberman, D.O., of Mason City, to the Board's alternate member pool. Dr. Haberman served on the Board from 2009 to 2012. Her term is effective immediately and will expire in 2021. There are six physicians and two public members in the pool, which is tapped when the Board is unable to secure a quorum for a contested-case hearing.

Mark Bowden, executive director, distributed guidance for responding to complaints about licensees' competence or conduct. The guidance provides examples of complaints that require an immediate response, are assigned and added to an investigator's caseload, are seen as an administrative issue handled by a letter from the chief investigator, or are referred to another state agency.

Bowden reported on a draft survey which is one of the pilot projects in the Federation of State Medical Boards' maintenance of licensure (MOL) initiative. The "readiness survey" is a 27-question survey to gauge how prepared a state board is to begin a thoughtful internal and external discussion about MOL. The survey will ask questions such as the staff's knowledge of MOL, whether or not a state board sees MOL as a priority, and what laws and rules may need to be amended or created to support MOL. The draft survey was created by the FSMB and it will be distributed to 10 state boards, including Iowa, in October. Bowden said a second pilot project is also a survey. This "acceptability survey" will be distributed to physicians to gauge their receptivity to such a system to measure the ongoing competency of a medical licensee. This survey will be distributed later this year or in early 2013.

He briefly reviewed continuing education and staff development:

- Shantel Billington and Mary Knapp, enforcement monitors, will attend the Center for Personalized Education for Physicians summit in Denver, Colorado, October 29-30. The Board sends physicians to this program for competency evaluations.
- Kent Nebel, Director of Legal Affairs, and Theresa Weeg and Julie Bussanmas, assistant attorneys general who prosecute Board cases, will attend the FSMB Workshop for Board Attorneys, in New Orleans, Louisiana, November 1-2.
- Ann Gales, a public member of the Board, will attend the Citizen Advocacy Center's annual meeting in Seminole, Florida, October 24-26. This year, the topic is on effective disciplinary programs.
- A staff workshop on the Iowa Physician Health Program will be held at 1 p.m. October 22. Deb Anglin, program coordinator, and Richard A. Hauser, M.D., Grinnell, Iowa, a psychiatrist who works with program participants, will present the workshop.
- Greg Skipper, M.D., a nationally recognized addiction specialist who has worked with impaired physicians, will be asked to present a workshop in 2013 for Board members and staff.
- The Governor's annual orientation for new members of boards and commissions will be held October 16. Bowden encouraged the Board's four new members to attend the workshop, which will be held at the State Historical Building.

The new file server for the distribution of materials for Board meetings and hearings is awaiting approval by the Department of Administrative Services' Information Technology Enterprise.

Ed Knapp, former chief investigator and investigator, is retiring September 25. He has worked for the Board for 12 years. Bowden praised Knapp's work, and said a request to fill the position will be filed with the Departments of Public Health, Administrative Services and Management in October.

Bowden expressed his appreciation to Kari Rolls and Teena Turnbaugh for clearing up the backlog of minutes from the Board meetings and teleconferences.

Administrative Rules

Kent Nebel, Director of Legal Affairs, presented the following administrative rules for consideration:

1. Adopt & File – ARC 0176C (653 - Chapter 22.5). Mandatory reporting of hospital action against a licensee's privileges

This rule was noticed by the Board on April 19. It would require a licensee to file a written report with the Board should a hospital take action that limits or restricts a licensee's privileges to admit and treat patients in the hospital, or if a licensee voluntarily restricts or surrenders privileges to avoid a hospital investigation. Bowden and Nebel have been working with the representatives of the Iowa Medical Society (IMS) and Iowa Osteopathic Medical Association (IOMA) to clarify the proposed rule. The latest revision is more specific about the types of actions that are to be reported. Also, the deadline for filing a report has been extended from 10 days to 30 days. The Board instructed staff to meet again with IMS and IOMA to work on final language. The proposed rule will be considered for adopting and filing at the November Board meeting.

2. Adopt & File – ARC 0177C (653 - Chapter 23.1(48)). Grounds for discipline for failure to report hospital action

As this proposed rule relates to the proposed amendment to 653 – Chapter 22, this proposed rule is on hold until the November meeting.

3. Updates – ARC 0215C, ARC 0216C and ARC 0217C. Amendments to licensure rules, Chapters 9, 10 and 11

There was nothing to report about these new amendments which became effective August 29.

4. Discussion - Governor's Executive Order No. 80.

The Governor's Executive Order No. 80 requires rule-making agencies such as the Board of Medicine to establish a formal stakeholder group if a proposed rule is deemed controversial or requires extraordinary input. The Governor's administrative rules coordinator can request an agency to establish a stakeholder group. The stakeholder group would make non-binding recommendations to the agency. Bowden noted that the Board routinely works with stakeholders on administrative rules, controversial or otherwise, and the agency staff will continue to do so pursuant to Executive Order No. 80. At this time, proposed amendments to Chapters 22 and 23

would not be applicable to the process described in Executive Order No. 80 because these rules were noticed before the order was issued.

Ad Hoc Committees and 2013 Legislation

1. Role of administrative law judges and alternate members in contested case hearings

The Board's ad hoc committee looking at the role of administrative law judges and the use of alternate Board members in contested case hearings consists of Joyce Vista-Wayne, M.D., chair, Greg Hoversten, D.O., and Ann Gales. Staff members Mark Bowden and Kent Nebel are assisting the committee. Dr. Vista-Wayne reported that the committee has met with Administrative Law Judge Jeff Farrell, who is frequently assigned to facilitate Board hearings, to gain his perspectives on the concept that judges might hear certain Board cases without a panel of Board members. The committee will have draft recommendations for consideration at the November Board meeting.

2. Expectations for physicians who supervise physician assistants

The Board's ad-hoc committee looking at expectations for physicians who supervise physician assistants will meet at 2 p.m. October 17, 2012. The committee consists of Jeff Snyder, chair, Diane Clark, Julie Perkin, M.D., and Colleen Stockdale, M.D. The meeting will include representatives from the Iowa Board of Physician Assistants. The committee will provide an update at the November Board meeting.

3. 2013 legislative priorities

Proposed legislation for 2013 will be reviewed by the Board at the November meeting.

Annual Review of Fees

The Executive Committee recommends that licensure and service fees not be increased in fiscal year 2013 (July 1, 2012, through June 30, 2013). Staff completed recently reviewed fees and determined that an increase in fees is not necessary this fiscal year and possibly not until fiscal year 2015, which begins July 1, 2014. The fees have not been increased since 2007.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to maintain the present fees for licensure and services for fiscal year 2013.

CMS Rules on Payment for CRNAs' Pain Management Procedures

The Centers for Medicaid and Medicare Services (CMS) proposes to begin paying certified registered nurse anesthetists (CRNAs) for providing certain pain management procedures in states where nurse anesthetists are "lawfully authorized" to perform pain management procedures. These procedures must fall within a CRNA's scope of practice as defined by the state. The Iowa Board of Nursing (BON) on August 2, voted to send a letter to CMS in support

of the proposed rules. The Iowa Society of Anesthesiologists sent a letter in opposition to the CMS proposed rules and a separate letter was sent to the BON stating the opposition to the CMS rules. The BON assertion is in conflict with the Iowa Board of Medicine administrative rules that interventional chronic pain management is a practice of medicine which has a definition in the Iowa Code related to the practice of medicine by physicians 653-13.9(3) (147, 148, 272C).

The BON was the only state agency to file comments on the proposed CMS rules. However, several state associations, including the Iowa Society of Anesthesiologists and the Iowa Medical Society, wrote letters to the CMS opposing the proposed rules.

Bowden reported that at the BON meeting on September 12 that board briefly referenced its letter to CMS with the BON's executive director saying there was no state law preventing CRNAs from performing the pain management procedures cited in the proposed CMS rules.

Bowden also noted that the BON is pursuing amendments to Iowa Code 152 to strip the law of language about the medical profession recognition in the process to determine if the scope of practice of a nurse should be expanded.

He said there is a hearing before the Iowa Supreme Court later this year on a court case involving the Board of Nursing and the Board of Health's rules that allowed the CRNAs to supervise the fluoroscopy. Those rules allowed use of fluoroscopy by CRNAs to perform certain interventional chronic pain management procedures.

Discussion was held as to whether to go ahead and respond to the CMS rules. The comment period has passed and the rules would be issued by November 1, 2012.

On a motion by Joyce Vista-Wayne, M.D., seconded by Diane Clark, Dr. Vista-Wayne moved to instruct the Executive Director of the Iowa Board of Medicine to register in opposition to any legislation that would eliminate language from Iowa Code Chapter 152 that requires recognition from the medical profession for any expansion of the scope of practice of nursing. Dr. Vista-Wayne's motion also directed the Executive Director to write a letter opposing the CMS rules, should CMS delay implementation of the rules.

All members present approved the motion.

Iowa Physician Health Committee and Program

Deb Anglin, coordinator of the Iowa Physician Health Program, said the statistical report distributed to Board members indicates program activity remains steady.

The Iowa Physician Health Committee is recommending Laura Van Cleve, D.O., a psychiatrist from Grinnell, and Douglas Peters, a retired minister from Iowa City, be appointed to the committee, effective January 1, 2012, to succeed Michael Flaum, M.D., who resigned in August 2012, and Diane O'Connor, whose third and final term expires at the end of 2013.

On a motion by Joyce Vista-Wayne, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to appoint Laura Van Cleve, D.O., and Douglas Peters to the Iowa Physician Health Committee, effective January 1, 2013.

Legal Update/Judicial Review of Cases

Theresa Weeg, assistant attorney general, reported that four cases are waiting for decisions or for the parties to finish filing briefs so the cases can move forward. They are:

- **Adel Al-Jurf, M.D.**
- **Amjad Butt, M.D.**
- **Wendy Smoker, M.D.**
- **Fawad Zafar, M.D.**

Julie Bussanmas, assistant attorney general, provided these updates:

- **Mark Collison, M.D.** – The Board’s brief will be filed today and Dr. Collison and his lawyer has ten days to respond. Oral arguments will be scheduled for October.
- **Michael Prescher, M.D.** – The District Court sealed the file so no report is available at this time.
- **Robert Tobin, M.D.** – Dr. Tobin’s case is in Polk County District Court and he requested a motion to extend the record to include closed session deliberations. This request leaves the judicial review on hold until a ruling is provided by the court.

Licensure Committee Report

Chair Diane Clark reported the committee granted four permanent licenses, recommended withdrawing one permanent application due to inactivity on the file, and reviewed a letter from the administrator of the Wayne County Hospital at Corydon, Iowa. The administrator expressed concern about lengthy licensure process for an applicant who had been recruited by the hospital. The committee directed Mark Bowden to respond to the letter.

Prescription Monitoring Program

Mark Bowden introduced Dale Woolery of the Governor’s Office of Drug Control Policy. Bowden has worked with Woolery’s office in the past year on the task force that looked at the issues of prescription drug abuse and diversion. Woolery spoke briefly about his office’s support for the Prescription Monitoring Program. He said patients have an expectation that someone is keeping track of their medications.

Terry Witkowski, Executive Office, Iowa Board of Pharmacy, entered the meeting to provide an overview on Iowa’s Prescription Monitoring Program, which is administered by the pharmacy board. In a PowerPoint presentation, Witkowski said the program’s fundamental objectives are improve patient care by providing practitioners a health care tool to determine appropriate treatment options; encourage appropriate prescribing; reduce diversion of controlled substances; and identify misuse or abuse of controlled substances.

Jeff Snyder, M.D., left the meeting (hung up his phone) as he is recused from the case involving Michael Prescher, M.D.

More public comment

Michael Prescher, M.D., asked to address the Board regarding the Board's decision and order in his case. He said the one-year suspension of his license will end on December 8, and he noted that the Board's next regularly scheduled meeting after December 8 will not be until January 10-11, 2013. He asked if/when the Board will act on ending the suspension. Kent Nebel, Director of Legal Affairs, stated that the Board was not prepared to discuss his case at this time. Nebel told Dr. Prescher that he (Dr. Prescher) or his lawyer could contact Nebel on Monday, September 24, to discuss the licensure reinstatement process.

At 2:57 p.m., the Board went to recess. At 3:10 p.m., the Board resumed its open session with the following persons present:

MEMBERS PRESENT: **Colleen Stockdale, M.D., Chair**
 Hamed Tewfik, M.D., Secretary
 Frank Bognanno
 Diane Clark
 Ann Gales
 Julie Perkins, M.D.
 Michael Thompson, D.O.
 Joyce Vista-Wayne, M.D.

STAFF PRESENT: **Mark Bowden, Executive Director**
 Kent Nebel, Director of Legal Affairs
 John Olds, M.D., Medical Advisor
 Russell Bardin, Chief Investigator
 Aaron Kephart, Investigator
 Brandi Allen, Investigator
 Cathy McCullough, Investigator
 Dave McGlaughlin, Investigator
 David Schultz, Investigator
 James Machamer, Investigator
 Mary Knapp, Enforcement Monitor
 Shantel Billington, Enforcement Monitor
 Kari Rolls, Administrative Assistant
 Julie Bussanmas, Assistant Attorney General
 Theresa Weeg, Assistant Attorney General

Unlicensed Practice of Medicine

Kent Nebel, Director of Legal Affairs, presented a case involving Sheryl Ellinwood of Pella, who is offering counseling services for "holistic nutrition" and consultations on "health and

breast cancer.” Information received by the Board indicated that Ms. Ellinwood has no medical training other than attending a seminar from the Integrative Institute on Nutrition and that she has encouraged patients who are being treated by an Iowa licensed physician to discontinue medications for conditions such as diabetes and hyperlipidemia. Ms. Ellinwood provided information to the Board indicating that she has all of her clients sign a release advising them that she is not a medical practitioner and that clients should not discontinue any medication unless advised by their physician. Upon review of the case, the Board determined that its investigation failed to substantiate the allegations that Ms. Ellinwood is practicing medicine in Iowa without a license.

On a motion by Colleen Stockdale, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to close file 01-2012-163 with no formal action.

At 3:20 p.m., on a motion by Diane Clark, seconded by Frank Bognanno, all members present voted to meet in closed session, pursuant to Iowa Code Chapter 17A and Iowa Code Section 21.5(1)(d), and 21.5(1)(f). Frank Bognanno, Diane Clark, Ann Gales, Julie Perkins, M.D., Colleen Stockdale, M.D., Hamed Tewfik, M.D., Michael Thompson, D.O., and Joyce Vista-Wayne, M.D., all voted aye in a roll call vote to approve the motion. At 4:28 p.m., while still in a closed session, all members present voted in favor of a motion by Diane Clark, seconded by Julie Perkins, M.D., to meet in open session. The following actions were taken in open session:

On a motion by Frank Bognanno, seconded by Julie Perkins, M.D., all Board members present voted to **accept** the Settlement Agreement for Frank Butera, M.D., file 02-2009-300. Joyce Vista-Wayne, M.D., recused.

On a motion by Frank Bognanno, seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2011-520.

On a motion by Frank Bognanno, seconded by Julie Perkins, M.D., all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Donna J.B. DeLouis, D.O., file 03-2012-157.

On a motion by Frank Bognanno, seconded by Julie Perkins, M.D., all Board members present voted to **accept** the Settlement Agreement and Monitoring Plan for Kimberly A. VerSteeg, D.O., file 03-2009-293. Colleen Stockdale, M.D., recused.

On a motion by Frank Bognanno, seconded by Julie Perkins, M.D., all Board members present voted to **accept** the Stipulated Order: Agree Not to Practice Medicine for Daniel J. Baldi, D.O., files 03-2009-653 and 03-2012-041.

On a motion by Frank Bognanno, seconded by Julie Perkins, M.D., all Board members present voted to **accept** the Stipulated Order: Agree Not to Practice Medicine for David V. Gierlus, D.O., file 03-2012-594.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2010-002 **with no formal action**. The Board also directed that the IBM database be flagged to alert staff if the physician renews his Iowa medical license.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **accept** the Stipulated Order: Agree Not to Practice Medicine for Malik E. Juweid, M.D., file 02-2011-097. Colleen Stockdale, M.D., recused.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **file Statement of Charges** against Jeffrey L. Piccirillo, D.O., files 03-2011-157, 03-2011-502, and 03-2011-400. Theresa Weeg, assistant attorney general, recused.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2009-205. Diane Clark recused.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-294.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2011-569.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2011-331 with **no formal action**.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 02-2011-150, **with no formal disciplinary action**.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 02-2011-202, **with no formal disciplinary action**.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 02-2011-421, **with no formal disciplinary action**.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 02-2010-583, **with no formal disciplinary action**.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 02-2011-363, **with no formal disciplinary action**.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2010-530.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 03-2011-370, **with no formal disciplinary action**.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 03-2010-517, **with no formal disciplinary action**.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 02-2011-214, **with no formal disciplinary action**.

On a motion by Diane Clark, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 02-2011-210, **with no formal disciplinary action**.

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to **affirm** its original decision to **close** file 02-2010-144, **with no formal disciplinary action**. Colleen Stockdale, M.D., recused.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **affirm** its original decision to **close** file 03-2011-240, **with no formal disciplinary action**.

On a motion by Julie Perkins, M.D., seconded by Joyce Vista-Wayne, M.D., all Board members present voted to **leave open** file 03-2011-524.

On a motion by Julie Perkins, M.D., seconded by Frank Bognanno, all Board members present voted to **leave open** file 02-2005-828.

On a motion by Julie Perkins, M.D., seconded by Diane Clark, all Board members present voted to **leave open** file 02-2009-516.

On a motion by Julie Perkins, M.D., seconded by Ann Gales, all Board members present voted to **leave open** file 02-2011-413. Frank Bognanno recused.

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to **close** files 02-2010-366 and 02-2010-571 with **no formal action**. Frank Bognanno recused.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** files 02-2009-606 and 02-2010-087.

On a motion by Julie Perkins, M.D., seconded by Frank Bognanno, all Board members present voted to **close** file 02-2009-487 with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Julie Perkins, M.D., seconded by Diane Clark, all Board members present voted to **close** file 02-2008-668 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Ann Gales, all Board members present voted to **close** file 02-2012-364 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Ann Gales, all Board members present voted to **close** file 02-2012-365 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to **close** file 03-2012-368 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to **close** file 02-2012-369 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2012-386 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2012-387 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Joyce Vista-Wayne, M.D., all Board members present voted to **close** file 02-2012-447 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Frank Bognanno, all Board members present voted to **leave open** file 02-2012-514.

On a motion by Julie Perkins, M.D., seconded by Diane Clark, all Board members present voted to **close** file 03-2012-520 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Ann Gales, all Board members present voted to **close** file 02-2012-390 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to **close** file 02-2012-491 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2012-453 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Joyce Vista-Wayne, M.D., all Board members present voted to **close** file 02-2012-394 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Frank Bognanno, all Board members present voted to **close** file 02-2012-515 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Diane Clark, all Board members present voted to **close** file 02-2012-497 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Ann Gales, all Board members present voted to **close** file 02-2012-423 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to **close** file 02-2012-490 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2012-393 with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Julie Perkins, M.D., seconded by Joyce Vista-Wayne, M.D., all Board members present voted to **close** file 02-2012-371 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Frank Bognanno, all Board members present voted to **close** file 02-2012-525 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Diane Clark, all Board members present voted to **close** file 02-2012-494 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Ann Gales, all Board members present voted to **close** file 02-2012-522 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to **close** file 02-2012-464 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2012-428 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Joyce Vista-Wayne, M.D., all Board members present voted to **close** file 02-2012-374 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Frank Bognanno, all Board members present voted to **close** file 02-2012-388 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Diane Clark, all Board members present voted to **close** file 02-2012-457 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Ann Gales, all Board members present voted to **close** file 03-2012-392 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to **close** file 02-2012-436 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2012-430 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Joyce Vista-Wayne, M.D., all Board members present voted to **close** file 02-2012-495 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Frank Bognanno, all Board members present voted to **close** file 02-2012-363 with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Julie Perkins, M.D., seconded by Diane Clark, all Board members present voted to **close** file 02-2012-521 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Ann Gales, all Board members present voted to **close** file 02-2012-389 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., all Board members present voted to **close** file 02-2012-248 with **no formal action**.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 03-2012-045 with **no formal action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-063. Colleen Stockdale, M.D., recused.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-097 with **no formal action**. Colleen Stockdale, M.D., recused.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-117 with **no formal action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-170. Joyce Vista-Wayne, M.D., recused.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-173.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2010-103 with **no formal action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-236.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 03-2012-196 with **no formal action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-261.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-235 with **no formal action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **affirm** its original decision to **close** file 02-2011-665, **with no formal disciplinary action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-258 with **no formal action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-130 with **no formal action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2011-483 with **no formal action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-226 with **no formal action**.

On a motion by Ann Gales, seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-208 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2011-575 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2011-728.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2007-811 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2008-012 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2009-143.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2009-460 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2010-388.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2011-110.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2011-477.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-036.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-151.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-339.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2011-350 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2011-696.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2006-563.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2011-148 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-263 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-242 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 03-2011-384 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 03-2011-385 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 03-2012-056.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-153 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-100.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 03-2012-016 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-103 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-039 with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-116.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-108 with **no formal action**.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-059.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-134 with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-260 with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-290 with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-291.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-292 with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-283.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2011-357 with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-266 with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-155 with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2007-346.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2011-415.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2012-285 with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2011-407.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-018.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-197.

On a motion by Hamed Tewfik, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-496.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **file Statement of Charges and Emergency Adjudicative Order** against Brian J. Hansen, D.O., files 03-2012-316 and 03-2012-326.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 02-2012-524. Joyce Vista-Wayne, M.D., recused.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **accept** the Licensure Committee Report and its recommendations.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **accept** the Monitoring Committee Report and its recommendations.

On a motion by Colleen Stockdale, M.D., seconded by Julie Perkins, M.D., all Board members present voted to **accept** the Screening Committee Report and its recommendations.

The open session of the meeting adjourned at 4:33 p.m.

These minutes are respectfully submitted by Kari Rolls, administrative assistant, and Teena Turnbaugh, secretary.