



Fields of Opportunities

STATE OF IOWA

TERRY BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

IOWA BOARD OF MEDICINE  
MARK BOWDEN, EXECUTIVE DIRECTOR

**IOWA BOARD OF MEDICINE  
JUNE 5-6, 2014, BOARD MEETING**

**OPEN MINUTES**

**THURSDAY, JUNE 5, 2014:**

**MEMBERS PRESENT:** Hamed Tewfik, M.D., Chair  
Michael Thompson, D.O., Vice-Chair  
Frank Bognanno  
Ronald Cheney, D.O.  
Diane Cortese  
Julie Perkins, M.D.

**MEMBERS ABSENT:** Allison Schoenfelder, M.D., Secretary  
Robert Bender II, M.D.  
Julie Carmody, M.D.  
Diane Clark

**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  
Jennifer Huisman, Investigator  
Mary Knapp, Enforcement Monitor  
Natalie Sipes, Secretary to Executive Director  
Kari Rolls, Administrative Assistant  
Julie Bussanmas, Assistant Attorney General  
September Lau, Assistant Attorney General

At 10:20 a.m., Hamed Tewfik, M.D., chair, called the meeting to order. A roll call was taken to establish a presence of a quorum of the Board. Robert Bender II, M.D., Diane Clark, Allison Schoenfelder, M.D., and Julie Carmody, M.D., were not present.

**At 10:20 a.m., on a motion by Frank Bognanno, seconded Michael Thompson, D.O., all members present voted to meet in closed session, pursuant to Iowa Code Sections 21.5(1)(c), 21.5(1)(d) and 21.5(1)(f), to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent, whether to initiate licensee disciplinary proceedings and discuss the decision to be rendered in a contested case. Frank Bognanno, Ronald Cheney, D.O., Diane Cortese, Julie Perkins, M.D., Hamed Tewfik, M.D., and Michael Thompson, D.O., all voted aye in a roll call vote to approve the motion.**

**At 4:30 p.m., the Board went to recess. The closed session resumed on Friday, June 6, 2014, at 8:32 a.m.**

**FRIDAY, JUNE 6, 2014:**

**MEMBERS PRESENT:** Hamed Tewfik, M.D., Chair  
Michael Thompson, D.O., Vice-Chair  
Frank Bognanno  
Ronald Cheney, D.O.  
Diane Cortese  
Julie Perkins, M.D.

**MEMBERS ABSENT:** Allison Schoenfelder, M.D., Secretary  
Robert Bender II, M.D.  
Julie Carmody, M.D.  
Diane Clark

**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  
Jennifer Huisman, Investigator  
Mary Knapp, Enforcement Monitor  
Natalie Sipes, Secretary to Executive Director  
Kari Rolls, Administrative Assistant  
Julie Bussanmas, Assistant Attorney General  
September Lau, Assistant Attorney General

**Closed session resumed at 8:32 a.m.**

**At 8:40 a.m., while still in a closed session, all members present voted in favor of a motion by Frank Bognanno, seconded by Julie Perkins, M.D., to meet in an open session. In open session, the Board took the following actions:**

The Board discussed information it received concerning Amy D. Putney, who is performing EEG's and QEEG's and treating with neurofeedback and other modalities on both children and adults for the treatment of ADD/ADHD, learning disorders, migraines, depression, sleep disorders and many other health and mental health issues. The information received alleges that Ms. Putney is practicing medicine in Iowa without a medical license in violation of Iowa law. The Board left the case open.

Mark Bowden, executive director, advised the Board that on May 19, 2014, Gov. Terry E. Branstad appointed Gerd Clabaugh the Director of the Iowa Department of Public Health (IDPH). Mr. Clabaugh has been serving as interim director of IDPH since January 9, 2014. He succeeds Marionette Miler-Meeks, M.D., who resigned to seek elective office. Mr. Clabaugh, a resident of Johnston, Iowa, served as Deputy Director of the Iowa Department of Public Health from August 2011, to January 2014. From 1989-1997, he served as the Director of the Center for Health Policy within the Iowa Department of Public Health. He held positions in the Iowa Department of Personnel and Iowa Department of Administrative Services between the years of 1997-2003. Mr. Clabaugh worked in the private sector from 2007-2011, which included serving as the Director of Operations for the Iowa Healthcare Collaborative.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Mary P. Rosman, D.O., files 03-2010-166, 03-2010-523 and 03-2012-460.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2008-449.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2010-488.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Melvyn W. Flye, M.D., file 02-2013-027.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for James R. Munns, M.D., file 02-2012-792.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Mark R. Matthes, M.D., file 02-2013-660.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for William A. Chadwick, M.D., file 02-2013-481.

Iowa Board of Medicine  
Open Minutes  
June 5-6, 2014

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Bryan J. Treacy, M.D., file 02-2013-279.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **file Statement of Charges** against Ali S. Makki, M.D., file 02-2012-350.

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

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-304.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-404.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-473.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 03-2012-243.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 03-2013-367.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-154.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2012-712.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-175.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2010-638.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2010-005.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2011-582.

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 02-2012-409, **with no formal disciplinary action**.

On a motion by Julie Perkins, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2011-395.

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 03-2012-602, **with no formal disciplinary action**.

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 02-2013-281, **with no formal disciplinary action**.

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 02-2013-382, **with no formal disciplinary action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-248.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-249.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 03-2014-079, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 03-2013-479.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 03-2014-104, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-370, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 01-2013-499.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2010-398, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-095, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-614.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 03-2013-661, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 03-2013-476.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-290, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 03-2012-214, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-049, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 03-2012-532, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-578, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-364, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-648, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 03-2013-558.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2012-421, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2012-586, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 06-2013-584, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-640, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 03-2011-702, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-378, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2012-762, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-315, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-013, with **no formal action**.

On a motion by Ronald Cheney, D.O., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-371, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Frank Bognanno, all Board members present voted to **leave open** file 02-2012-109.

On a motion by Michael Thompson, D.O., seconded by Ronald Cheney, D.O., all Board members present voted to **leave open** file 02-2012-786.

On a motion by Michael Thompson, D.O., seconded by Diane Cortese, all Board members present voted to **leave open** file 02-2012-264.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2013-371, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Frank Bognanno, all Board members present voted to **close** file 02-2013-113, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Ronald Cheney, D.O., all Board members present voted to **close** file 02-2013-114, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Diane Cortese, all Board members present voted to **leave open** file 03-2013-038.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **close** file 02-2013-051, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Frank Bognanno, all Board members present voted to **leave open** file 02-2013-566.

On a motion by Michael Thompson, D.O., seconded by Ronald Cheney, D.O., all Board members present voted to **close** file 02-2013-709, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Diane Cortese, all Board members present voted to **close** file 02-2013-710, 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 02-2013-711, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Frank Bognanno, all Board members present voted to **close** file 02-2013-712, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Frank Bognanno, all Board members present voted to **close** file 02-2014-025, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Ronald Cheney, D.O., all Board members present voted to **close** file 02-2014-026, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Diane Cortese, all Board members present voted to **close** file 02-2014-027, 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 02-2014-028, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Frank Bognanno, all Board members present voted to **close** file 02-2014-029, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Ronald Cheney, D.O., all Board members present voted to **close** file 02-2014-022, with **no formal action**.

On a motion by Michael Thompson, D.O., seconded by Diane Cortese, all Board members present voted to **leave open** file 03-2013-223.

On a motion by Michael Thompson, D.O., seconded by Julie Perkins, M.D., all Board members present voted to **leave open** file 03-2013-277.

On a motion by Michael Thompson, D.O., seconded by Frank Bognanno, all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Dennis S. Jones, M.D., file 02-2013-276.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-097.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-096.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-098.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-647, with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-408, with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-348, with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-706, with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-329.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2012-385.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2012-701.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-587.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2012-481.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2014-043.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-493, with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2014-007.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2013-586.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2014-019, with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **close** file 02-2013-700, with **no formal action**.

On a motion by Hamed Tewfik, M.D., seconded by Michael Thompson, D.O., all Board members present voted to **leave open** file 02-2011-648.

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

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

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

**JUNE 6, 2014 – OPEN SESSION/ PUBLIC MEETING:**

**MEMBERS PRESENT:**       **Hamed Tewfik, M.D., Chair**  
                                     **Michael Thompson, D.O., Vice Chair**  
                                     **Frank Bognanno**  
                                     **Ronald Cheney, D.O.**  
                                     **Diane Cortese**  
                                     **Julie Perkins, M.D.**

**MEMBERS ABSENT:**       **Robert Bender, M.D.**  
                                     **Julie Carmody, M.D.**  
                                     **Diane Clark**  
                                     **Allison Schoenfelder, M.D., Secretary**

**STAFF PRESENT:**       **Mark Bowden, Executive Director**  
                                     **Kent Nebel, Director of Legal Affairs**  
                                     **John Olds, Medical Advisor**  
                                     **Russell Bardin, Chief Investigator**  
                                     **James Machamer, Investigator**  
                                     **Amy Van Maanen, Iowa Physician Health Program Project**  
                                     **Manager**  
                                     **Natalie Sipes, Director of Licensure**  
                                     **Sylvia Crook, Licensing Specialist**  
                                     **Julie Bussanmas, Assistant Attorney General**  
                                     **September Lau, Assistant Attorney General**

**PUBLIC IN ATTENDANCE:**  
                                     **Tony Leys, Des Moines Register**  
                                     **Leah McWilliams, Iowa Osteopathic Medical Association**  
                                     **Linda Thiesen, University of Iowa**

**Hamed Tewfik, M.D., chair, called the meeting to order at 9:06 a.m. Dr. Tewfik recognized a quorum of the Board was present. The following items were addressed:**

**Introduction of New Members:**

Dr. Tewfik recognized two new members of the Board; Ronald Cheney, D.O., Carroll, and Diane Cortese, Urbandale, who began their term on May 1, 2014.

**Opportunity for Public Comment:**

No members of the public addressed the Board.

**Board Minutes for Consideration of Approval:**

On a motion by Julie Perkins, M.D., seconded by Hamed Tewfik, M.D., the Board unanimously approved the following minutes as presented:

April 17, 2014, Board meeting (open & closed)

On a motion by Frank Bognanno, seconded by Julie Perkins, M.D., the Board unanimously approved the following minutes as presented:

May 8, 2014, Teleconference (open & closed)

**Chair's Report:**

Dr. Tewfik did not provide a report.

**Executive Director's Report:**

Mark Bowden provided the following updates:

- Recognized Sylvia Crook, Licensing Specialist, for twenty-five years of service with the state of Iowa.
- Mark Bowden presented a brief overview of the Board's proposed FY 2015 budget. The Board is funded exclusively with licensure fees, and does not receive a direct fund appropriation. Fees were lowered on January 1, 2014, and had not been raised prior to that since FY 2007. Mr. Bowden does not project a need to raise fees next year. However the board will formally review fees in September.  
On a motion by Ronald Cheney, D.O., and a second by Julie Perkins, M.D., the Board unanimously approved the FY 2015.
- The Board's bill, Senate File 379, was attached as an amendment to the Iowa Department of Public Health's bill, Senate File 2196, which was approved by the House and Senate. The bill will allow the Board to use up to three Alternates members on contested case panels composed of at least 6 members. SF 2196 was signed by the Governor and will become effective on July 1, 2014.
- Robert Bender II, M.D., of Clive has resigned from the Board due to conflicts with his work schedule. The Governor will appoint someone to complete his unexpired term.
- A new law will require the state to establish a website where all fees charged by state agencies are posted.
- The Governor's Home Base Iowa Act to support Iowa military personnel and veterans was approved by the Legislature in 2014. The Board was proactive in its adoption of a rule that waives renewal fees for physicians in active military service.
- The Board will review the 2015 legislative priorities at the August meeting and finalize the Regulatory Plan for the coming year.
- 2013 Annual Report was distributed. Mr. Bowden noted that the licensure statistics in print were reflected through November 17, due to the new database. Updated statistics are posted on the Board's website.
- The state can seek the suspension or revocation of licenses for non-payment of state debt. The Board has received 26 requests from the Iowa Department of Revenue since July 2011, and has taken action against 2 of those physicians.

### **Administrative Rules & Potential Legislation:**

- Acupuncturists in Iowa have contacted Board staff regarding the status of legislation. Kent Nebel, Director of Legal Affairs, and Mark Bowden, Executive Director, will hold a meeting with a group of acupuncturists later in the month to discuss what they are seeking and bring that information to the Board to prepare for 2015 legislation. The licensure law for acupuncturists needs to be updated to reflect national standards.
- The Board can take reciprocal action on an inactive license, when the licensee has been disciplined by other state licensing Boards. The Board asked Mr. Nebel at the April meeting to draft legislation and rules that would say that if a licensee doesn't renew or reinstate their license for five years they would relinquish their license.
- Many states have an administrative license for non-clinical practice. This type of license has been on the Board's regulatory plan for a few years, and will be looked at again in the coming year. Model policy from Texas was provided to the Board for review.
- The latest draft of a proposal to establish an Interstate Medical Licensure Compact was provided to the Board. The compact will allow portability of medical licenses if the physicians meet the standards established in the compact. The compact would preserve the state-based licensure system. If the Board supports this idea, it would be added to the 2015 legislative agenda. The compact will require states wishing to participate in the compact to adopt the same legislation.

### **Federation of State Medical Boards:**

The FSMB Annual Meeting was held April 24-26, 2014, in Denver. Hamed Tewfik, M.D. and Diane Clark represented the Board at the meeting. Participants heard reports of the FSMB's telemedicine model policy and maintenance of licensure initiative. The final draft of a proposal to establish a medical licensure compact was introduced.

Iowa participated in a maintenance of licensure survey. The survey asked Iowa licensees what they know about maintenance of licensure and gauged what they are doing for professional development activities. Approximately 22% (1,600) of Iowa licensees participated in the survey. Initial survey results were provided to the Board just prior to the meeting. Mr. Bowden encouraged the Board to review the results for possible further discussion at the August meeting. Current rules state that the licensee's continuing medical education activities must be nationally accredited. The Board will need to determine if an administrative rule requiring the Board to approve CME activities is necessary.

The FSMB will have two representatives at the August meeting. They will provide an overview of the services provided by the Federation and join the Board for lunch.

### **Iowa Physician Health Program:**

Amy Van Maanen, IPHP project manager, presented a report on the Iowa Physician Health Program. The program is working with 82 participants. Ms. Van Maanen and Deb Anglin, IPHP coordinator, attended the Federation of State Physician Health Programs meeting in Denver

April 24-26, which ran concurrently to the Federation of State Medical Board meeting. Ms. Van Maanen shared highlights from the meeting with the Board.

### **Licensure Committee Report:**

The licensure committee was missing several members, so all cases were reviewed with the full Board. The Board granted four permanent and two resident licenses, reviewed one application for reinstatement and recommended withdrawing the application, reviewed one physician's examination history to determine eligibility, granted 2 temporary applications and approved 6 letters of warning for non-disclosure on the application.

### **Legal Update on Judicial Review of Board Cases and Related Cases:**

Julie Bussanmas, Assistant Attorney General, provided the Board with an overview of the contested case hearing process. Ms. Bussanmas also briefed the Board on six cases under judicial review in state courts:

**IAC 653 13.10** – Standards of practice for physicians who perform medical abortions. Plan Parenthood requested an interlocutory appeal to the Supreme Court and it was denied. The American Civil Liberties Union filed an application to file an amicus brief in support of Planned Parenthood, and the Thomas More Society filed an application to file an amicus brief on behalf of the Board. The District Court denied both of the motions and neither of the amicus briefs were allowed. Oral argument is scheduled for June 16.

**Amjad Butt, M.D.** – Dr. Butt has two cases awaiting review in District Court. A motion was filed to stay the second case while the first decision is going through judicial review.

**Mark Collison, M.D.** – Awaiting decision on respondent's application for further review by Supreme Court.

**Donna DeLouis, D.O.** – The case has been briefed with Appeals Court and is now awaiting oral argument.

**Richard Fleming, M.D.** – The case is awaiting review in District Court.

**Wendy Smoker, M.D.** – State has filed a motion to dismiss the appeal of the Board's denial of her claim for expenses. Oral argument is scheduled June 24.

### **Reports & Articles:**

The following articles were shared with the Board.

*U.S. Medical Regulatory Trends & Actions*, Federation of State Medical Boards, May 2014.

Doctors make 12 million outpatient diagnostic errors every year, Fierce HealthCare.com, April 17, 2014

*Need a doc? These companies will hook you up in a hurry*, Kaiser Health News, May 7, 2014

*Patient contact: Shake hands, hug, fist bump, or just smile?*, Medscape Medical News, May 20, 2014

*Patients lose when doctors can't do good physical exams*, Kaiser Daily Health Policy Report, May 20, 2014

Iowa Board of Medicine

Open Minutes

June 5-6, 2014

*Unnecessary tests and procedures in the health care system*, Perry Udem  
Research/Communication, May 1, 2014

**The meeting adjourned at 10:30 a.m.**

These minutes are respectfully submitted by Natalie Sipes, Director of Licensure, and Kari Rolls,  
Administrative Assistant/Enforcement