

IOWA BOARD OF MEDICINE

**BOARD MEETING
February 11-12, 2009**

OPEN MINUTES

February 11, 2009

MEMBERS PRESENT: Yasyn Lee, M.D., Chair
Rodney Zeitler, M.D., Vice Chair
Carole Frier, D.O., Secretary
Tom Drew
Janice Galli, D.O.
Colleen Kennedy, M.D.
Siroos Shirazi, M.D.
Paul Thurlow
Janece Valentine

MEMBERS ABSENT: Jeff Snyder, M.D.

STAFF PRESENT: Mark Bowden, Executive Director
Theresa Weeg, AAG
Kent M. Nebel, Director of Legal Affairs
John Olds, M.D., Medical Advisor
Russell Bardin, Chief Investigator
Amy VanMaanen, Director of Licensure
Shantel Billington, Compliance Monitor
Deb Anglin, Coordinator of IPHP
Mary Knapp, IPHP Case Manager
Bernard Jennisch, Investigator
Cathy McCullough, Investigator
David Smith, Investigator
Ed Knapp, Investigator
Teena Roush, Investigator
Kari Rolls, Administrative Assistant
Teena Turnbaugh, Secretary

The Executive Committee, Screening Committee, Monitoring Committee and Licensure Committee met prior to the Board meeting being called to order.

Yasyn Lee, M.D. called the meeting to order at 12:08 p.m.

On a motion by Colleen Kennedy, M.D., seconded by Rodney Zeitler, M.D., the meeting moved into closed session, pursuant to Iowa Code Section 21.5(1)(a). Tom Drew, Carole Frier, D.O.,

Janice Galli, D.O., Colleen Kennedy, M.D., Yasyn Lee, M.D., Siroos Shirazi, M.D., Paul Thurlow, Janece Valentine, Rodney Zeitler, M.D. all voted aye in a roll call vote.

On a motion by Colleen Kennedy, M.D., seconded by Tom Drew, the Board voted unanimously to **accept** the Screening Committee Report and its recommendations.

On a motion by Colleen Kennedy, M.D., seconded by Tom Drew, the Board voted unanimously to **accept** the Monitoring Committee Report and its recommendations.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **accept** the combined Statement of Charges and Settlement Agreement for Mary A. Ourada, M.D., on file 02-2008-030.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted to **accept** the combined Statement of Charges and Settlement Agreement for Lynette I. Iles, M.D., on the following files: 02-2006-885; 02-2006-886; 02-2006-887. Rodney Zeitler, M.D. recused.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted unanimously to **accept** the Settlement Agreement for Jeffrey L. Piccirillo, M.D., on the following files: 03-2006-430; 03-2006-596; 03-2006-635; 03-2006-636; 03-2006-654; 03-2006-674.

On a motion by Paul Thurlow, seconded by Siroos Shirazi, M.D., the Board voted unanimously to **accept** the combined Statement of Charges and Settlement Agreement for John E. Reinertson, M.D., on file 02-2007-636.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** the following files: 03-2006-811; 03-2007-415; 03-2007-485; 03-2007-601. Rodney Zeitler, M.D. recused.

On a motion by Siroos Shirazi, M.D., seconded by Rodney Zeitler, M.D., the Board voted unanimously to **accept** the Settlement Agreement for Stephani J. Amstadter, M.D., on file 02-2008-113.

On a motion by Janice Galli, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **file Statement of Charges** against Paul J. Samo, M.D., on file 02-2008-220.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **file Statement of Charges** against Thomas J. Getta, M.D., on the following files: 02-2007-801; 02-2008-364.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **accept** the combined Statement of Charges and Settlement Agreement for Sally M. Pinnick, M.D., on file 02-2008-309. Carole Frier, D.O. recused.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** the following files: 02-2008-484; 02-2008-485; 02-2008-486. Carole Frier, D.O. recused.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **file Statement of Charges** against Wayne L. Robinson, M.D., on file 02-2007-752.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted to **leave open** the following files: 02-2007-507; 02-2007-545; 02-2007-611; 02-2007-806. Rodney Zeitler, M.D. recused.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2008-342. Carole Frier, D.O. recused.

On a motion by Paul Thurlow, seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 03-2008-356.

On a motion by Carole Frier, D.O., seconded by Janece Valentine, the Board voted to **leave open** file 02-2007-314. Siroos Shirazi, M.D. recused.

On a motion by Siroos Shirazi, M.D., seconded by Tom Drew, the Board voted to **leave open** the following files: 03-2004-425; 03-2007-189. Carole Frier, D.O. recused.

On a motion by Janice Galli, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2008-256.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **file Statement of Charges** against Kenneth P. Schultheis, D.O., on the following files: 03-2006-452; 03-2007-781. Carole Frier, D.O. recused.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2007-060 with **no formal action**.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2007-061 with **no formal action**.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2007-062 with **no formal action**.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2007-349 with **no formal action**.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2007-128 with **no formal action**.

On a motion by Tom Drew, seconded by Paul Thurlow, the Board voted to close file 03-2003-649 with **no formal action**. Carole Frier, D.O. and Siroos Shirazi, M.D. recused.

On a motion by Paul Thurlow, seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 01-2007-103 with **no formal action**.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-390 with **no formal action**.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2007-468 with **no formal action**.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2005-744.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2002-270 with **no formal action**.

On a motion by Siroos Shirazi, M.D., seconded by Carole Frier, D.O., the Board voted to **leave open** file 02-2008-163. Colleen Kennedy, M.D. and Rodney Zeitler, M.D. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 03-2008-231. Tom Drew recused.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-062 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 03-2008-349 with **no formal action**.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2007-653 with **no formal action**.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-350 with **no formal action**.

On a motion by Paul Thurlow, seconded by Janece Valentine, the Board voted to close file 02-2008-196 with **no formal action**. Janice Galli, D.O. recused.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-492 with **no formal action**. Janice Galli, D.O. recused.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-493 with **no formal action**. Janice Galli, D.O. recused.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-494 with **no formal action**. Janice Galli, D.O. recused.

On a motion by Siroos Shirazi, M.D., seconded by Colleen Kennedy, M.D., the Board voted unanimously to **leave open** file 02-2008-393.

On a motion by Janice Galli, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-487 with **no formal action**.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2008-225. Janece Valentine recused.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 03-2008-158 with **no formal action**.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-317 with **no formal action**.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted to issued a **Cease and Desist Letter** to American Laser Center, on file 01-2008-286. Rodney Zeitler, M.D. recused.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 01-2008-499 with **no formal action**.

On a motion by Paul Thurlow, seconded by Siroos Shirazi, M.D., the Board voted unanimously to **accept** the Proposed Decision of the Panel for Carmen A. Foster, M.D., on file 02-2003-708.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 03-2007-175 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 03-2007-174 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 03-2007-214 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 03-2008-392 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 03-2007-522 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2007-523 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2007-773 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-513 with **no formal action**. Tom Drew and Carole Frier, D.O. recused.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2007-260.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-440 with **no formal action**. Tom Drew and Carole Frier, D.O. recused.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2007-153 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2007-514.

On a motion by Paul Thurlow, seconded by Siroos Shirazi, M.D., the Board voted to close file 03-2007-274 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2007-163 with **no formal action**.

On a motion by Siroos Shirazi, M.D., seconded by Rodney Zeitler, M.D., the Board voted unanimously to **leave open** file 02-2008-399.

On a motion by Janice Galli, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2007-776 with **no formal action**.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-604 with **no formal action**.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-605 with **no formal action**.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 03-2008-257 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-524 with **no formal action**.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2008-622.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-335 with **no formal action**.

On a motion by Paul Thurlow, seconded by Janece Valentine, the Board voted to **leave open** file 02-2008-373. Siroos Shirazi, M.D. recused.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2008-011. Yasyn Lee, M.D. recused.

On a motion by Siroos Shirazi, M.D., seconded by Tom Drew, the Board voted unanimously to close file 02-2008-229 with **no formal action**.

On a motion by Janice Galli, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-481 with **no formal action**.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2008-333. Tom Drew recused.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2007-559.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-517 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2008-593. Janice Galli, D.O. recused.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 03-2008-443.

On a motion by Paul Thurlow, seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2008-451. Carole Frier, D.O. recused.

On a motion by Carole Frier, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2008-371.

On a motion by Siroos Shirazi, M.D., seconded by Paul Thurlow, the Board voted to close file 02-2008-483 with **no formal action**. Janice Galli, D.O. recused.

On a motion by Janice Galli, D.O., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-533 with **no formal action**.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-518 with **no formal action**. Janece Valentine recused.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-523 with **no formal action**.

The meeting adjourned at 4:40 p.m.

December 18, 2008

MEMBERS PRESENT: Yasyn Lee, M.D., Chair
Rodney Zeitler, M.D., Vice-Chair
Carole Frier, D.O., Secretary
Tom Drew
Janice Galli, D.O.
Colleen Kennedy, M.D.
Siroos Shirazi, M.D.
Paul Thurlow
Janece Valentine

MEMBERS ABSENT: Jeff Snyder, M.D.

STAFF PRESENT: Mark Bowden, Executive Director
Theresa Weeg, AAG
Kent M. Nebel, J.D., Director of Legal Affairs
Russell Bardin, Chief Investigator
John Olds, M.D., Medical Advisor
Deb Anglin, Coordinator of IPHP
Mary Knapp, IPHP Case Manager
Shantel Billington, Compliance Monitor
Bernard Jennisch, Investigator
Cathy McCullough, Investigator
Ed Knapp, Investigator
Teena Roush, Investigator
Kari Rolls, Administrative Assistant

Yasyn Lee, M.D. called the meeting to order at 8:00 a.m.

On a motion by Janece Valentine, seconded by Colleen Kennedy, M.D., the meeting moved into closed session, pursuant to Iowa Code Section 21.5(1)(a). Tom Drew, Carole Frier, D.O., Janice Galli, D.O., Colleen Kennedy, M.D., Yasyn Lee, M.D., Siroos Shirazi, M.D., Paul Thurlow, Janece Valentine, Rodney Zeitler, M.D. all voted aye in a roll call vote.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2008-333. Carole Frier, D.O. recused.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2007-108. Carole Frier, D.O. recused.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2007-655. Carole Frier, D.O. recused.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2007-656. Carole Frier, D.O. recused.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2007-657. Carole Frier, D.O. recused.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2007-710 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-543 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Janece Valentine, seconded by Colleen Kennedy, M.D., the Board voted to close file 02-2008-544 with **no formal action**. Carole Frier, D.O. and Siroos Shirazi, M.D. recused.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted to close file 02-2008-545 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted to close file 03-2008-344 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted to close file 03-2008-389 with **no formal action**. Carole Frier, D.O. recused.

On a motion by Paul Thurlow, seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-431 with **no formal action**.

On a motion by Siroos Shirazi, M.D., seconded by Rodney Zeitler, M.D., the Board voted to **leave open** file 02-2008-326. Carole Frier, D.O. recused.

On a motion by Siroos Shirazi, M.D., seconded by Janece Valentine, the Board voted to **leave open** file 02-2006-308. Carole Frier, D.O. and Colleen Kennedy, M.D. recused.

On a motion by Siroos Shirazi, M.D., seconded by Tom Drew, the Board voted unanimously to close file 02-2008-339 with **no formal action**.

On a motion by Siroos Shirazi, M.D., seconded by Paul Thurlow, the Board voted unanimously to close file 02-2008-351 with **no formal action**.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 01-2008-514.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 01-2008-534.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 01-2008-535.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 01-2008-536.

On a motion by Colleen Kennedy, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-391 with **no formal action**.

On a motion by Rodney Zeitler, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **leave open** file 02-2008-341. Yasyn Lee, M.D. recused.

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2008-557.

On a motion by Tom Drew, seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2007-693.

On a motion by Yasyn Lee, M.D., seconded by Carole Frier, D.O., the Board voted to **leave open** file 02-2007-314. Siroos Shirazi, M.D. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** the following files:

02-2007-801 02-2008-364

On a motion by Janece Valentine, seconded by Siroos Shirazi, M.D., the meeting moved into closed session, pursuant to Iowa Code Section 21.5(1)(a). Tom Drew, Carole Frier, D.O., Janice Galli, D.O., Colleen Kennedy, M.D., Yasyn Lee, M.D., Siroos Shirazi, M.D., Paul Thurlow, Janece Valentine, Rodney Zeitler, M.D. all voted aye in a roll call vote.

On a motion by Colleen Kennedy, M.D., seconded by Rodney Zeitler, M.D., the Board voted unanimously to **accept** the Licensure Committee Report and its recommendations.

On a motion by Janece Valentine, seconded by Tom Drew, the meeting moved into closed session, pursuant to Iowa Code Section 21.5(1)(a). Tom Drew, Carole Frier, D.O., Janice Galli, D.O., Colleen Kennedy, M.D., Yasyn Lee, M.D., Siroos Shirazi, M.D., Paul Thurlow, Janece Valentine, Rodney Zeitler, M.D. all voted aye in a roll call vote.

II. Public Session

Those present for the Public Session:

MEMBERS PRESENT: **Yasyn Lee, M.D., Chair**
 Rodney Zeitler, M.D., Vice Chair
 Carole Frier, D.O., Secretary
 Tom Drew
 Janice Galli, D.O.
 Colleen Kennedy, M.D.
 Siroos Shirazi, M.D.
 Paul Thurlow
 Janice Valentine

MEMBERS ABSENT: **Jeff Snyder, M.D.**

STAFF PRESENT: **Mark Bowden, Executive Director**
 Theresa Weeg, AAG
 Kent M. Nebel, Director of Legal Affairs
 John Olds, M.D., Medical Advisor
 Russell Bardin, Chief Investigator
 Amy VanMaanen, Director of Licensure

Shantel Billington, Compliance Monitor
Deb Anglin, Coordinator of IPHP
Sylvia Crook, License Specialist, Licensure
LaDee Piner, Coordinator of Licensure
Teena Turnbaugh, Secretary

GUESTS PRESENT:

Jeanine Freeman, IA Medical Society
Eric Nemmers, IA Medical Society
Heidi Goodman, IA Medical Society
Mary O'Brien, IA Association of Nurse Anesthetists
C. McNair, IA Association of Nurse Anesthesiologists
Mark Odden, IA Association of Nurse Anesthesiologists
Jenny Tyler, IA Association of Nurse Anesthesiologists
Kathy Weinberg, IA Board of Nursing
Kate Puetz, IA Pharmacy Association
Ann Ungerman, IA Pharmacy Association
Kelly O'Keefe, IA Pharmacy Association
Richard W. Rosenquist, M.D., IA Society of Anesthesiologist, U of I
Kevin Kruse, IA Society of Anesthesiologists
Leah McWilliams, IA Osteopathic Medical Association
Melanie Rasmusson, IA Department of Public Health
Melissa Peterson, IA Physical Therapy Association
Nick Mauro, Crawford Law Firm

Yasyn Lee, M.D., Chair, called the public session of the meeting to order at 10:08 a.m.

Guest introductions were made and meeting procedures were discussed.

A. Minutes

On a motion by Siroos Shirazi, M.D., and seconded by Paul Thurlow, the Board voted to **approve** the open and closed minutes for the Board meeting held on October 22-23, 2008 and the teleconference meeting held on December 1, 2008.

B. Opportunity for Public Comment

No public comments were made.

C. Chairperson's Report

Dr. Lee stated that the main budget impact for the board was out of state travel and personnel issues due to retirements.

D. Executive Committee Report

1) Executive Director's Report

Mark Bowden elaborated on the budget issues. In December, the Governor ordered 1.5% cut in expenditures and put a freeze on hiring, overtime, additional pay for reassignments, etc. Also includes restrictions on other expenditures, memberships, office equipment, etc. Purchases for routine operation items have to be approved by the Department of Public Health and the Department of Management. The Department of Public Health has not asked the Board to account the 1.5% reduction which would amount to \$40,000. However, we are looking at ways to cover the amount should it ever come about. The Governor has proposed a new budget beginning July 1 which would include a 6.5% reduction in the current budget. There could be additional cuts between now and when the new budget occurs. The Board is concerned about the hiring freeze and the impact on licensure and compliance functions. This agency has an incredibly talented and dedicated staff in licensure, compliance, and monitoring and consistently put the interest of the public first.

The Boards of Medicine, Nursing and Dental are co-facilitating the new database project which will collect information regarding licensure, compliance, peer review and other materials. The purchase approval status of the database remains in the hands of the Department of Management. The Iowa Access Council has agreed to cover a portion of the funding and boards will cover the remainder. The company selected for the project, CSDC, met with the three board's staff last week. It is hopeful the project will be able to move forward in March.

2) Policy Statements

a. Final Joint Pain Policy Statement

The Joint Pain Policy Statement has received final approved by the Boards of Medicine, Physical Assistants, and Pharmacy. It will be available on the Board of Medicine website once the Nursing Board approves it in June.

b. Conflict of Interest Policy Statement

The Executive Committee reviewed the Conflict of Interest Policy Statement. A new draft will be shared at the April Board meeting.

c. Intervention Pain Management

Letters from certified registered nurse anesthetists (CRNA), hospitals administrators, physicians, and associations were received. Several people spoke for and against the use of CRNA's and Intervention Pain Management. Dr. Lee asked for the distinction between acute pain management and chronic pain management. Dr.

Rosenquist addressed the question. Acute pain management is pain occurring from post-operative medical procedures, surgery, or medical conditions that are associated with pain, i.e., fractured ribs, short term treatment, falling down and breaking an arm and received something for the pain is acute pain management. Chronic pain management persists beyond the duration of acute pain management, i.e., chronic cancer, spinal cord pain. Acute pain management is provided by a lot of people. A nurse on the floor could provide acute pain management after certain procedures, he said. Chronic pain provides multidisciplinary treatments and a more interventional approach. It includes psychologists, nurses, physical therapists, a numbers of types of people that assist people dealing with chronic pain. It also deals with psychological pain. Rosenquist stated, interventional pain is highly technical dangerous procedures to try to treat people with chronic pain once you make an accurate diagnosis. Interventions are things that you do, i.e., intervention can be anything like starting an IV. Interventional Chronic Pain management is evasive procedures, i.e., place pumps for catheters, spinal cord affectation for drugs, etc. More training is needed for people providing Interventional Chronic Pain management.

The Board in addressing this issue from the standpoint of the public safety and the care for citizens is our main concerns.

Several public guests left the meeting.

3) Administrative Rules
a. Notice of Intended Action, Chapter 9, Permanent Physician Licensure, 9.15(1) Preliminary Notice of Denial

On a motion by Siroos Shirazi, M.D., and seconded by Paul Thurlow, the Board voted to **file the rules of** the Notice of Intended Action, Chapter 9, Permanent Physician Licensure, 9.15(1) Preliminary Notice of Denial.

4) Legislative Watch

Mark Bowden is reviewing the legislative action daily to check on any laws that would specifically pertain to the Board. Thus far, few bills have direct impact on the Board's authority.

5) Other Boards
a. Board of Pharmacy Request to Amend Joint Immunization Rules

The Pharmacy Board is planning to request changes to the joint immunization rules that would allow pharmacies to give more types of immunizations to a broader range of age, 14 and older. It appears children between the ages of 14 and 18 are falling through the cracks when it comes to receiving immunizations. Allowing this age group to receive immunizations at the pharmacy will promote public health and at least minimum immunization coverage. Amendments are being written that states any immunization administered to an individual in a pharmacy type setting would be

added to the statewide immunization registry. Under the current rules, it is not required that the immunizations are placed on the statewide immunization registry.

Courses are being required for pharmacists who administer immunizations.

Discussion was held regarding who is covering the cost of the immunizations. How is the pharmacist receiving lab test results, exchange of information with the provider, or don't know they shouldn't be getting the vaccine. Concerns were taken back to the pharmacy board for response.

The Board is concerned about public safety, whether patients information is being sent to the appropriate person, the physician may miss the opportunity of providing more care to the patient than just giving a flu vaccine.

b. Board of Pharmacy Internet Prescriptions

IBM has been working closely with the Pharmacy Board and suggested some changes in the language but has not seen the final proposal.

c. Board of Pharmacy Iowa Prescription Monitoring Program

This program will allow physicians and pharmacists to access people's prescription records and the Board for prescription violations. The Board's right of access was discussed. A warrant or subpoena must be issued for the Board to have access only to a specific physician.

d. Board of Pharmacy Expanding Collaborative Practice to Include Advanced Registered Nurse Practitioner's (ARNP) and Physician Assistant's (PA)

No new information provided.

e. Board of Physical and Occupational Therapy – Prohibited Agreements and Undue Influence

Discussion was held as to whether Physical and Occupational Therapist should be allowed to perform spinal manipulation. Materials regarding this and rules regarding the practice of physical therapist were distributed to Board member prior to the meeting.

6) AIM/Federation of State Medical Boards/AMA

a. IMS – AMA Letter Regarding “Good Medical Practice”

IMS sent a letter to the Iowa Board of Medicine regarding “Good Medical Practice.” It was shared with the Board. No discussion was held.

b. Dana Shaffer, D.O., Nominated to FSMB

On a motion by Rod Zeitler, M.D. and seconded by Carole Frier, D.O., the Board **voted to nominate Dana Shaffer, D.O. to the FSMB Board of Directors nominating committee.**

Guests left the meeting.

Dr. Shirazi left the meeting.

7) FYI

- a. Iowa Medical Malpractice Annual Report for Calendar Year 2007, Iowa Insurance Commission, December 2008
- b. Sunshine Advisory – January 2009
- c. American Board of Physician Specialists
- d. FSMB Adds CME Accredited Courses
- e. AIM 25th Anniversary Annual Meeting, April 29, 2009
- f. FSMB 97th Annual Meeting, April 30-May 2, 2009
- g. Going High Profile: Medical Board Transparency, Professional Issues, American Medical News, December 2008
- h. Letter from Iowa Physical Therapy Association and Foundation

The above materials and reminders were shared with the Board.

III. IPHP Report

The Iowa Physician Health Committee (IPHC) met on January 9, 2009. The committee met with 13 program participants (five initial appearance and eight annual appearances) and discussed cases of twelve other participants.

The current status of the IPHP and its participants is as follows:

IPHP – currently working with 95 physicians

Active participants with contracts: 88

Substance abuse: 26

Dual Diagnosis: 23

Mental Health: 27

Physical: 12

Self reports in 2009: 0

Individuals with contracts pending: 1

Current Self Reports in initial stage: 6

Participants successfully discharged: 1/1/089 – 12/31/09: 0

Contracts nullified in 1/1/09 – 12/31/09: 0

Offered contract, didn't follow through with licensure 1/1/09 – 12/31/09: 0

Surrendered licenses since 1/1/09: 0

Licenses made inactive and IPHP participation discontinued 1/1/09 – 12/31/09: 3
Cases without contracts referred to IBM for further action 1/1/09 – 12/31/09: 0
Self reports, no impairments since 1/1/09: 0
Withdrew application: 0
Referred by licensure or compliance-declined to self report in 1/1/09 – 12/31/09: 1

VI. Legal Advisor's Report

A. District Court of Appeals Decision on Frederick W. Strickland, Jr., D.O.

Dr. Strickland appealed his evaluation. He argued that the Board didn't file timely. The request for appeal was denied.

B. Update on Cases

Theresa Weeg, Assistant Attorney General, provided updates on pending cases.

V. Licensure Committee Report

A. Committee Report

The Licensure Committee granted three permanent licenses and one temporary license. The committee met with one applicant for reinstatement of permanent licensure. They also met with one public member. They reinstated two permanent licenses, left one application open for more information, and reviewed one renewal of permanent license.

The public session of the meeting adjourned at 12:23 p.m.

Janece Valentine left the meeting at 12:00 p.m.

On a motion by Siroos Shirazi, M.D., and seconded by Paul Thurlow, the Board voted to approve the minutes of the Licensure Committee.

On a motion by Siroos Shirazi, M.D., seconded by Rodney Zeitler, M.D., the meeting moved into closed session, pursuant to Iowa Code Section 21.5(1)(a). Tom Drew, Carole Frier, D.O., Janice Galli, D.O., Colleen Kennedy, M.D., Yasyn Lee, M.D., Siroos Shirazi, M.D., Paul Thurlow, Rodney Zeitler, M.D. all voted aye in a roll call vote.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 03-2005-496.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2008-436.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted to **file Statement of Charges** against Norman J. Prevo, D.O., on file 03-2009-017. Tom Drew and Carole Frier, D.O. recused.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2008-347.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to close file 02-2008-299 with **no formal action**.

On a motion by Yasyn Lee, M.D., seconded by Siroos Shirazi, M.D., the Board voted unanimously to **leave open** file 02-2008-319. Carole Frier, D.O. recused.

The meeting adjourned at 2:52 p.m.

Respectfully Submitted:

Kari Rolls and Teena Turnbaugh