



## OPEN MINUTES JULY 22-23, 2021 BOARD MEETING

### THURSDAY, JULY 22, 2021:

#### MEMBERS PRESENT:

Warren Gall, M.D., Chair  
Ronald Kolegraff, M.D., Vice-Chair  
Nikhil Wagle, M.D., Secretary  
Trudy Caviness  
Diane Cortese  
Patricia Fasbender, D.O.  
Mary Jo Romanco  
Joyce Vista-Wayne, M.D.

MEMBERS ABSENT: None

#### STAFF PRESENT:

Kent M. Nebel, J.D., Executive Director  
Joseph A. Fraioli, J.D., Legal Director  
Don J. Woodhouse, M.D., Medical Director  
Anne Schleppehorst, Chief Investigator  
Brandi Allen, Investigator  
Dave McGlaughlin, Investigator  
Jennifer Huisman, Investigator  
Jerome Hill, Investigator  
Laura Wood, Investigator  
Michelle DeLong, Investigator  
Emily Zalasky, Monitoring Coordinator  
Annie Hoffman, Licensure Director  
Amanda Lockwood, Licensing Specialist  
Cheryl Gravett, Licensing Specialist  
Jaime Dunbar, Licensing Specialist  
Melissa Nelsen, Licensing Specialist  
Kari Rolls, Administrative Assistant  
Kitty Moore, Enforcement Support  
Anagha Dixit, Assistant Attorney General  
Steven Ervin, Information Technology Support

At 11:24 a.m., Warren Gall, M.D., Chair, called the meeting to order.

At 11:24 a.m., on a motion by Mary Jo Romanco, seconded by Ronald Kolegraff, M.D., all members present voted to meet in closed session, pursuant to Iowa Code Sections 21.5(1)(a), 21.5(1)(d) and 21.5(1)(f), to review or discuss records which are required or authorized by state or federal law to be kept confidential, discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings, and discuss the decision to be rendered in a contested case. Trudy Caviness, Diane Cortese, Patricia Fasbender, D.O., Warren Gall, M.D., Ronald Kolegraff, M.D., Mary Jo Romanco, Joyce Vista-Wayne, M.D., and Nikhil Wagle, M.D., all voted aye in a roll call vote to approve the motion.

Nikhil Wagle, M.D., left the meeting at 4:06 p.m.

Mary Jo Romanco left the meeting at 4:12 p.m.

At 4:35 p.m., Closed Session went to recess. The Closed Session resumed on Friday, July 23, 2021, at 8:28 a.m.

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**FRIDAY, JUNE 23, 2021:**

**MEMBERS PRESENT:**

Warren Gall, M.D., Chair  
Ronald Kolegraff, M.D., Vice-Chair  
Nikhil Wagle, M.D., Secretary  
Trudy Caviness  
Diane Cortese  
Patricia Fasbender, D.O.  
Joyce Vista-Wayne, M.D.

**MEMBERS ABSENT:**

Mary Jo Romanco

**STAFF PRESENT:**

Kent M. Nebel, J.D., Executive Director  
Joseph A. Fraioli, J.D., Legal Director  
Don J. Woodhouse, M.D., Medical Director  
Emily Zalasky, Monitoring Coordinator  
Natalie Lyons, Iowa Physician Health Program Case Manager  
Kari Rolls, Administrative Assistant  
Kitty Moore, Enforcement Support  
Anagha Dixit, Assistant Attorney General  
Chrissy Greco, Assistant to Executive Director  
Shantel Billington, Office Manager / Financial Manager  
Closed Session resumed at 0:00 a.m.

At 8:29 a.m., all members present voted in favor of a motion by Warren Gall, M.D., seconded by Joyce Vista-Wayne, M.D., to meet in an open session.

**At 8:30 a.m., on a motion by Ronald Kolegraff, M.D., seconded by Joyce Vista-Wayne, M.D., all members present voted to meet in closed session, pursuant to Iowa Code Sections 21.5(1)(a), 21.5(1)(d) and 21.5(1)(f), to review or discuss records which are required or authorized by state or federal law to be kept confidential, discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings, and discuss the decision to be rendered in a contested case. Trudy Caviness, Diane Cortese, Patricia Fasbender, D.O., Warren Gall, M.D., Ronald Kolegraff, M.D., Joyce Vista-Wayne, M.D., and Nikhil Wagle, M.D., all voted aye in a roll call vote to approve the motion.**

**At 8:43 a.m., on a motion by Ronald Kolegraff, M.D., seconded by Joyce Vista-Wayne, M.D., all members present voted to meet in open session for the hearing of Dennis E. Colby, D.O.**

**PUBLIC SESSION:**

**At 12:32 p.m., Warren Gall, M.D., called the public session to order.**

**Roll call was taken. Mary Jo Romanco was absent.**

**Public in attendance:**

Sherry Miller Marceau was in attendance, representing herself.

She recapped her concerns with the physician who is still practicing after being convicted of sexually assaulting her as a child. She reiterated that he lied on his application and was investigated by previous Medical Board members, from 1990-1994.

She said she is trying to follow the protocol for filing a complaint with the Board, but is getting frustrated since she hasn't heard anything over the past year and pleaded with the Board to investigate her complaint. She told the Board that she is not going away and is begging the Board to take action on her complaint.

**On a motion by Joyce Vista-Wayne, M.D., seconded by Patricia Fasbender, D.O., all members present voted to approve the agenda.**

**On a motion by Ronald Kolegraff, M.D., seconded by Trudy Caviness, all members present voted to approve the minutes for the June 3-4, 2021 Board Meeting and the June 24, 2021 Teleconference.**

**On a motion by Joyce Vista-Wayne, M.D., seconded by Warren Gall, M.D., all members present voted to approve the 2022 Fiscal Year Budget.**

**On a motion by Trudy Caviness, seconded by Ronald Kolegraff, M.D., all members present voted to approve the 2022 Fee Schedule.**

**On a motion by Ronald Kolegraff, M.D., seconded by Joyce Vista-Wayne, M.D., all members present voted to Adopt - HF 2589 Chronic Pain, PTSD Standards of Practice for CBD.**

**At 12:55 p.m., on a motion by Warren Gall, M.D., seconded by Ronald Kolegraff, M.D., all members present voted to meet in closed session, pursuant to Iowa Code Sections 21.5(1)(a), 21.5(1)(d) and 21.5(1)(f), to review or discuss records which are required or authorized by state or federal law to be kept confidential, discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings, and discuss the decision to be rendered in a contested case. Trudy Caviness, Diane Cortese, Patricia Fasbender, D.O., Warren Gall, M.D., Ronald Kolegraff, M.D., Joyce Vista-Wayne, M.D., and Nikhil Wagle, M.D., all voted aye in a roll call vote to approve the motion.**

**At 1:10 p.m., while still in closed session, all members present voted in favor of a motion by Joyce Vista-Wayne, M.D., seconded by Ronald Kolegraff, M.D., to meet in an open session. In open session, the Board took the following actions:**

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

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **accept** the Screening Committee Report and its recommendations.

On a motion by Ronald Kolegraff, M.D., seconded by Joyce Vista-Wayne, M.D., all Board members present voted to **accept** the Monitoring Committee Report and its recommendations.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **file Statement of Charges** against Lynette I. Iles, M.D., files 02-2016-352 and 02-2019-554. Joyce Vista-Wayne, M.D., recused.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Christopher F. Stalvey, D.O., file 03-2019-435.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **leave open** file 02-2020-490.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **affirm** its original decision to **close** file 02-2014-631, **with no formal disciplinary action**.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **affirm** its original decision to **close** file 02-2017-067, **with no formal disciplinary action**.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2019-325, with **no formal action**.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2014-318, with **no formal action**.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2016-307, with **no formal action**.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **leave open** file 02-2019-454.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2019-276, with **no formal action**.

On a motion by Trudy Caviness, seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2019-051, with **no formal action**. Anagha Dixit, Assistant Attorney General, recused.

On a motion by Joyce Vista-Wayne, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2021-090, with **no formal action**.

On a motion by Joyce Vista-Wayne, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2021-135, with **no formal action**.

On a motion by Joyce Vista-Wayne, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2021-151, with **no formal action**.

On a motion by Joyce Vista-Wayne, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **affirm** its original decision to **close** file 02-2021-098, **with no formal disciplinary action**. Nikhil Wagle, M.D., recused.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **affirm** its original decision to **close** file 02-2021-141, **with no formal disciplinary action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2018-431, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2018-380, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-393, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2021-234, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2021-177, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2017-236, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2019-618, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 03-2019-619, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-103, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-104, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-050, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2019-449, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2021-137, with **no formal action**.

On a motion by Ronald Kolegraff, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 03-2021-158, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 03-2021-159, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2021-142, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2021-023, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-487, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-400, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **leave open** file 03-2020-530.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-416, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-346, with **no formal action**. Ronald Kolegraff, M.D., recused.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-528, with **no formal action**. Ronald Kolegraff, M.D., recused.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 03-2020-507, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-440, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-494, with **no formal action**.

On a motion by Warren Gall, M.D., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 03-2021-035, with **no formal action**.

On a motion by Diane Cortese, seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2021-065, with **no formal action**.

On a motion by Diane Cortese, seconded by Nikhil Wagle, M.D., all Board members present voted to **close** file 03-2018-516, with **no formal action**. Patricia Fasbender, D.O., recused.

On a motion by Diane Cortese, seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-215, with **no formal action**.

On a motion by Diane Cortese, seconded by Patricia Fasbender, D.O., all Board members present voted to **leave open** file 03-2019-566.

On a motion by Diane Cortese, seconded by Patricia Fasbender, D.O., all Board members present voted to **leave open** file 03-2020-299.

On a motion by Diane Cortese, seconded by Patricia Fasbender, D.O., all Board members present voted to **leave open** file 02-2020-113.

On a motion by Diane Cortese, seconded by Patricia Fasbender, D.O., all Board members present voted to **leave open** file 02-2021-276.

On a motion by Diane Cortese, seconded by Patricia Fasbender, D.O., all Board members present voted to **leave open** file 02-2020-385.

Joseph A. Fraioli, J.D., Legal Director, advised the Board about the scheduling of upcoming hearings: The Olson hearing is scheduled for September 29, 2021 – October 1, 2021; the Wassef hearing is scheduled for February 9, 2022 – February 11, 2022; and the Isaac hearing he would like to schedule for April 14, 2022 – April 15, 2022. Mr. Fraioli asked the Board members to check their schedules and let him know their availability for the April 2022 hearing dates.

**At 1:33 p.m., all members present voted in favor of a motion by Ronald Kolegraff, M.D., seconded by Joyce Vista-Wayne, M.D., to adjourn the meeting.**