

**MEDICAL EXAMINING BOARD
MINUTES
MAY 18, 2011**

PRESENT: Carolyn Bronston; LaMarr Franklin; Jude Genereaux; Azita Hamedani, MD; Sujatha Kailas, MD; Suresh Misra, MD (arrived 8:24 a.m.); Ian Munro, MD; Gene Musser, MD; Sandra Osborn, MD; Kenneth Simons, MD; Sheldon Wasserman, MD

EXCUSED: James Conterato, MD; Raymond Mager, DO

STAFF: Tom Ryan, Bureau Director; Michael Berndt, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DRL staff

GUESTS: Mark Grapentine, Wisconsin Medical Society; Judy Warmuth, WHA. Anne Hletko, Wisconsin Council on Physician Assistants; Eric Jensen, WAPA, WPA, WACEP, WSA

CALL TO ORDER

Dr. Sujatha Kailas, Chair, called the meeting to order at 8:04 a.m. A quorum of ten (10) members was confirmed.

APPROVAL OF AGENDA

Amendments:

- Presentation of Interim Order in the Matter of Evan Saunders – 08 MED 315 and 11 MED 124 – Attorney Jack Zwieg
- Under PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS, insert:
 - Donald J. Hennessey, Jr., MD – 10 MED 133
 - Attorney Pamela Stach
 - Case Advisor – James Conterato
 - Megan Landauer, MD – 10 MED 149
 - Attorney Pamela Stach
 - Case Advisor Sheldon Wasserman
- Item CS-4 – In the Matter of Narendar K. Jain, MD - Additional materials to be inserted after page 156
- Item CS-5 – Deliberation of Administrative Warning 10 MED 219 – is removed from the agenda
- Consideration of Complaint(s) – 08 MED 315 and 11 MED 134- insert after page 160
- Petition for Extension of Time – 10 MED 121 – Attorney Pamela Stach – insert after page 160
- Review Motion Made During the February 16, 2011 Board Meeting – insert after page 160
- Case Closing Report – insert at the end of the agenda after page 160

MOTION: Kenneth Simons moved, seconded by Sandra Osborn, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 20, 2011

MOTION: Jude Genereaux moved, seconded by LaMarr Franklin, to approve the minutes of March 16, 2011 as written. Motion carried unanimously.

INTRODUCTION OF NEW BOARD MEMBERS

Sujatha Kailas welcomed the newest Board member, Azita Hamedani. Dr. Hamedani gave a brief history of her background.

PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

DOE Attorneys presented Proposed Stipulations, Final Decisions and Orders in the following disciplinary proceedings:

Franklin M. Graziano, MD	10 MED 057
Dennis D. Glawe, DO	11 MED 010
Naeem Ullah Khan, MD	10 MED 301
Marvin D. Klingler, MD	08 MED 253
Roman Berezovski, MD	10 MED 280
Thomas P. Wentland, MD	10 MED 285
Donald J. Hennessey, MD	10 MED 133
Megan Landauer, MD	10 MED 149

These cases will be deliberated in closed session.

PRESENTATION OF STIPULATION TO INTERIM ORDER

DOE Attorney Jack Zweig presented a Stipulation to Interim Order in the following disciplinary proceeding:

Evan K. Saunders, MD	08 MED 315 and 11 MED 124
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This case will be deliberated in closed session.

ITEMS FOR BOARD DISCUSSION

ARRA update and appearance by Chad Zadrazil and Ari Oliver

Chad Zadrazil and Ari Oliver reported on the progress of the ARRA grant projects. They attended the recent FSMB meeting in Seattle and had positive feedback from representatives from several states.

Sujatha Kailas stated a letter was received from the FSMB confirming that Wisconsin is one of the pilot states for the maintenance of licensure (MOL). The FSMB will be providing guidance to assist setting up the MOL program. Dr. Kailas appointed herself, Raymond Mager, LaMarr Franklin and Kenneth Simons to the MOL Subcommittee to work with DRL Staff.

Outreach Reports

Carolyn Bronston gave a presentation on April 25 to the Golden Kiwanis. Sheldon Wasserman spoke to the graduating senior class at the Medical College of Wisconsin.

Newsletter/Digest – Appearance by David Carlson, Communications Officer

David Carlson addressed the Board regarding the Regulatory Digest and handed out a draft of a new Digest format for the Board's review.

Sujatha Kailas appointed Jude Genereaux as the Regulatory Digest liaison to the Department, with Suresh Misra and Sheldon Wasserman assisting as needed.

FSMB Business

Tom Ryan reported on the FSMB 2011 Annual Meeting held April 28 – May1, 2011 in Seattle, WA. Sujatha Kailas, Chad Zadrazil and Ari Oliver also attended the meeting.

ADMINISTRATIVE MATTERS

Reporting of Expenses – Update

Receipts are no longer required for in-state travel expenses. There are reimbursement guidelines for meals which include non-alcoholic beverages.

Case Advisor Training

Case Advisor Training is scheduled for May 19, 2011.

Medical Board Appointments

There are several councils that report to the Medical Examining Board and appointments will need to be made at the July 20, 2011 meeting. Tom Ryan asked the Board members to consult with their colleagues for interest in serving on the Council on Physician Assistants, the Respiratory Care Practitioners Examining Council and the Perfusionists Examining Council. Resumes should be submitted to Mr. Ryan. The public members are appointed by the Governor.

LEGISLATIVE REPORT

There was no report at this time.

SCREENING PANEL REPORT

Carolyn Bronston reported twenty eight (28) cases were screened. Seven (7) cases were opened and one (1) ten-day letter was sent.

PUBLIC COMMENTS

No public comments.

OTHER BUSINESS

None.

RECESS TO CLOSED SESSION

MOTION: Sandra Osborn moved, seconded by Gene Musser, , to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b), and Wis. Stat. § 440.205); consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Roll call: Carolyn Bronston-yes; LaMarr Franklin-yes; Jude Genereaux yes; Azita Hamedani-yes; Sujatha Kailas-yes; Suresh Misra-yes; Ian Munro-yes; Gene Musser-yes; Sandra Osborn-yes; Kenneth Simons-yes; Sheldon Wasserman-yes. Motion carried unanimously.

Open session recessed at 10:04 a.m.

RECONVENE IN OPEN SESSION

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:33 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

MOTION: Carolyn Bronston moved, seconded by Sandra Osborn, to reaffirm all motions made in closed session. Motion carried unanimously.

FULL BOARD ORAL EXAMINATION

JAMES R HAMMES, MD

MOTION: Jude Genereaux moved, seconded by Sandra Osborn, to grant a license to James R. Hammes, MD, when all requirements have been met. Motion carried unanimously.

REQUEST FOR 12-MONTH ACGME EQUIVALENCY

MOHAMED A AHMED, MD

MOTION: Sheldon Wasserman moved, seconded by LaMarr Franklin, to deny the request for equivalency for the 12-month ACGME requirement to Mohamed A. Ahmed, MD. Motion carried. Kenneth Simons abstained.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

FRANKLIN M GRAZIANO, MD

10 MED 057

MOTION: Sheldon Wasserman moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Franklin M. Graziano, MD. Motion carried. Gene Musser and Azita Hamedani abstained.

DENNIS D GLAWE, DO

10 MED 010

MOTION: Suresh Misra moved, seconded by Kenneth Simons, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Dennis D. Glawe, DO. Motion carried unanimously.

NAEEM ULLAH KHAN, MD

10 MED 301

MOTION: Kenneth Simons moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Naeem Ullah Khan, MD. Motion carried unanimously.

MARVIN D KLINGLER, MD

08 MED 253

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Marvin D. Klingler, MD. Motion carried unanimously.

**ROMAN BEREZOVSKI, MD
10 MED 280**

MOTION: Gene Musser moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Roman Berezovski, MD. Motion carried unanimously.

**THOMAS P WENTLAND, MD
10 MED 285**

MOTION: Kenneth Simons moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Thomas P. Wentland, MD. Motion carried unanimously.

**DONALD J HENNESSEY, JR, MD
10 MED 133**

MOTION: Suresh Misra moved, seconded by Ian Munro, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Donald J. Hennessey, Jr, MD. Motion carried unanimously.

**MEGAN LANDAUER, MD
10 MED 149**

MOTION: Carolyn Bronston moved, seconded by Kenneth Simons, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Megan Landauer, MD. Motion carried unanimously.

**ORAL ARGUMENTS OF THE PROPOSED DECISION AND ORDER, OBJECTIONS
AND RESPONSES IN THE MATTER OF NARENDAR K JAIN, MD
DHA CASE DRL 10-0054**

The Board will continue deliberation on this matter at the next meeting. Ian Munro was excused during deliberation.

PROPOSED STIPULATION TO INTERIM ORDER

**EVAN K SAUNDERS, MD
08 MED 315 AND 11 MED 124**

MOTION: Ian Munro moved, seconded by Kenneth Simons, to adopt the Findings of Fact, Conclusions of Law and Interim Order in the disciplinary

proceedings against Evan K. Saunders, MD. Motion carried. Sheldon Wasserman abstained.

CONSIDERATION OF COMPLAINTS

08 MED 315 AND 11 MED 124

MOTION: Ian Munro moved, seconded by LaMarr Franklin, to find probable cause to issue a complaint in the matter of **08 MED 315 and 11 MED 124**. Motion carried. Sheldon Wasserman abstained.

REVIEW OF MOTION FROM FEBRUARY 16, 2011

The Board reviewed the motion from February 16, 2011 regarding the full board oral examination of Todd R. Nelson, MD.

MOTION: Gene Musser moved, seconded by Sandra Osborn, to correct the motion from the February 16, 2011 meeting to: “grant the TEP to Todd R. Nelson, MD.” Motion carried. Ian Munro and Azita Hamedani abstained.

MOTION: Gene Musser moved, seconded by LaMarr Franklin, to adopt the minutes of February 16, 2011 as amended. Motion carried unanimously.

PETITION FOR EXTENSION OF TIME

10 MED 121

MOTION: Carolyn Bronston moved, seconded by Kenneth Simons, to grant the request for the Petition for Extension of Time regarding 10 MED 121. Motion carried unanimously.

CASE CLOSINGS

10 MED 208

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to close case **10 MED 208** for prosecutorial discretion (P2). Motion carried. Azita Hamedani abstained.

10 MED 219

MOTION: Kenneth Simons moved, seconded by Suresh Misra, to close case **10 MED 219** for no violation. Motion carried unanimously.

10 MED 231

MOTION: Carolyn Bronston moved, seconded by LaMarr Franklin, to close case **10 MED 231** for no violation. Motion carried unanimously.

10 MED 161

MOTION: Sandra Osborn moved, seconded by Suresh Misra, to close case **10 MED 161** for no violation. Motion carried. Ian Munro abstained.

11 MED 023

MOTION: Sheldon Wasserman moved, seconded by Jude Genereaux, to close case **11 MED 023** for no violation. Motion carried. Ian Munro abstained.

10 MED 355

MOTION: Kenneth Simons moved, seconded by Gene Musser, to close case **10 MED 355** for no violation. Motion carried. Ian Munro abstained.

11 MED 011

MOTION: LaMarr Franklin moved, seconded by Kenneth Simons, to close case **11 MED 011** for no violation. Motion carried. Suresh Misra abstained.

10 MED 031, T.H.

MOTION: Carolyn Bronston moved, seconded by Kenneth Simons, to close case **10 MED 031** for no violation against respondent T.H. Motion carried unanimously.

10 MED 194

MOTION: Ian Munro moved, seconded by Sheldon Wasserman, to close case **10 MED 194** for insufficient evidence. Motion carried unanimously.

10 MED 309

MOTION: Ian Munro moved, seconded by Sheldon Wasserman, to close case **10 MED 309** for prosecutorial discretion. Motion carried unanimously.

10 MED 327

MOTION: Jude Genereaux moved, seconded by Kenneth Simons, to close case **10 MED 327** for no violation. Motion carried unanimously.

10 MED 356

MOTION: Ian Munro moved, seconded by Carolyn Bronston, to close case **10 MED 356** for prosecutorial discretion. Motion carried unanimously.

RATIFYING LICENSES AND CERTIFICATES

MOTION: Suresh Misra moved, seconded by Carolyn Bronston, to ratify all licenses and certificates presented. Motion carried unanimously.

ADJOURNMENT

MOTION: LaMarr Franklin moved, seconded by Carolyn Bronston, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:35 p.m.

THE NEXT BOARD MEETING IS JUNE 15, 2011