

**MEDICAL EXAMINING BOARD
MINUTES
JUNE 15, 2011**

PRESENT: Carolyn Bronston; James Conterato, MD; LaMarr Franklin; Azita Hamedani, MD (arrived 8:10); Sujatha Kailas, MD; Raymond Mager, DO; Suresh Misra, MD; Ian Munro, MD; Gene Musser, MD; Sandra Osborn, MD; Kenneth Simons, MD; Sheldon Wasserman, MD

EXCUSED: Jude Genereaux

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 8:01 a.m. A quorum of eleven (11) members was confirmed.

ADOPTION OF AGENDA

Amendments:

- Under PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS, insert:
 - Robert J. Wetzler., MD – 08 MED 381
 - Attorney Jack Zwieg
 - Case Advisor – Jack Lockhart
 - David M. Israelstam, MD – 08 MED 089
 - Attorney Jack Zwieg
 - Case Advisor - Carolyn Bronston
 - David S. Almasy, MD – 10 MED 137
 - Attorney Jack Zwieg
 - Case Advisor – Sheldon Wasserman
 - Stefan J. Konasiewicz, MD – 10 MED 354
 - Attorney Jack Zwieg
 - Case Advisor – Jude Genereaux
- Item CS-1 – insert after page 110:
 - Saturo Osaki, MD – Requesting 12 Month ACGME Equivalency

- Item CS-2 – DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS, insert after page 126:
 - Robert J. Wetzler., MD – 08 MED 381
 - Case Advisor – Jack Lockhart
 - David M. Israelstam, MD – 08 MED 089
 - Case Advisor - Carolyn Bronston
 - David S. Almasy, MD – 10 MED 137
 - Case Advisor – Sheldon Wasserman
 - Stefan J. Konasiewicz, MD – 10 MED 354
 - Case Advisor – Jude Genereaux
- Item CS-3, DELIBERATION OF COMPLAINTS, insert after page 130:
 - 08 MED 172 – R.H.
- Item CS-4 – DELIBERATION OF PROPOSED FINAL DECISION AND ORDER, OBJECTIONS AND RESPONSES IN THE MATTER OF NARENDAR K. JAIN, MD - insert after page 130:
 - 07 MED 208 – Narendar K. Jain, MD – Final Decision and Order
- Item CS-5 – DELIBERATION OF ADMINISTRATIVE WARNINGS, insert after page 132:
 - 08 MED 172 – R.H.
 - 09 MED 370 – J.P.
- Case Closing Report – insert at the end of the agenda after page 205

MOTION: Suresh Misra moved, seconded by Kenneth Simons, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MAY 18, 2011

MOTION: Sandra Osborn moved, seconded by LaMarr Franklin, to approve the minutes of May 18, 2011 as written. Motion carried unanimously.

THANK YOU TO DR. IAN MUNRO

Sujatha Kailas acknowledged Ian Munro for his service to the Board and presented him with a plaque from the Governor’s Office. This is Dr. Munro’s last Board meeting.

PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

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

Rudy V. Byron, Jr., MD	09 MED 144
Farhat A. Khan, MD	07 MED 326
Robert J. Wetzler, MD	08 MED 381
David M. Israelstam, MD	08 MED 089
David S. Almasy, MD	10 MED 137

Stefan J. Konasiewicz, MD **10 MED 354**

These cases 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. The Board reviewed the proposed attestation questions and made some changes.

Report from Coalition for Physician Enhancement Spring 2011 Meeting – Exploring Physician Reentry: Policies and Processes and Other States Comparison, June 2-3, 2011 by Sandra Osborn and Tom Ryan

Sandra Osborn and Tom Ryan reported the meeting focused on the most common reasons for absences from practice and various options for re-entry to practice.

Review and Discuss Office of National Drug Control Policy's 2011 Prescription Drug Abuse Prevention Plan

This item was informational

Newsletter/Digest – Summer 2011 Digest Planning

Tom Ryan asked for submission of articles for the Digest.

FSMB Business

Sandra Osborn is on the Editorial Committee and Gene Musser is on the Education Committee.

ADMINISTRATIVE MATTERS

DRL Criminal Background Check and Rule

The July 20, 2011 Medical Examining Board meeting will start at 8:30. There will be a public hearing at 8:00 regarding the criminal background checks.

LEGISLATIVE REPORT

The Legislature is focusing on the budget bill at this time.

SCREENING PANEL REPORT

Sandra Osborn reported twenty two (22) cases were screened. Two (2) cases were opened and one (1) ten-day letter was sent. One case was deferred.

INFORMATIONAL ITEMS

Informational items were noted.

PUBLIC COMMENTS

No public comments.

OTHER BUSINESS

Board members were asked to keep materials they wish to retain separate from the materials to be destroyed after the meeting.

RECESS TO CLOSED SESSION

MOTION: Sheldon Wasserman moved, seconded by LaMarr Franklin, , 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; James Conterato-yes; LaMarr Franklin-yes; Azita Hamedani-yes; Sujatha Kailas-yes; Raymond Mager-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 9:51 a.m.

RECONVENE IN OPEN SESSION

MOTION: Sandra Osborn moved, seconded by Gene Musser, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:15 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

MOTION: Kenneth Simons moved, seconded by Ian Munro, to reaffirm all motions made in closed session. Motion carried unanimously.

REQUEST FOR 12-MONTH ACGME EQUIVALENCY

NITINRAI N PANDYA, MD

MOTION: Suresh Misra moved, seconded by Sandra Osborn, to deny the request for equivalency for the 12-month ACGME requirement to Nitinrai N. Pandya, MD. Motion carried. Kenneth Simons abstained.

SATURO OSAKI, MD

MOTION: Raymond Mager moved, seconded by LaMarr Franklin, to grant the request for equivalency for the 12-month ACGME requirement to Saturo Osaki, MD. Motion carried. Gene Musser and Kenneth Simons abstained.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

**RUDY V BYRON, JR, MD
09 MED 144**

MOTION: Raymond Mager moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Rudy V. Byron, Jr., MD. Motion carried unanimously.

**FARHAT A KHAN, MD
07 MED 326**

MOTION: James Conterato moved, seconded by Kenneth Simons, to dismiss the disciplinary case against Farhat A. Khan, MD. Motion carried unanimously.

**ROBERT J WETZLER, MD
08 MED 381**

MOTION: Sandra Osborn moved, seconded by Gene Musser, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Robert J. Wetzler, MD. Motion carried unanimously.

**DAVID M ISRAELSTRAM, MD
08 MED 089**

MOTION: Raymond Mager moved, seconded by Kenneth Simons, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against David M. Israelstram, MD. Motion carried unanimously.

**DAVID S ALMASY, MD
10 MED 137**

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 David S. Almasy, MD. Motion carried unanimously.

**STEFAN J KONASIEWICZ, MD
10 MED 354**

MOTION: Sheldon Wasserman moved, seconded by Ian Munro, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Stefan J. Konasiewicz, MD. Motion carried unanimously.

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

MOTION: Sheldon Wasserman moved, seconded by LaMarr Franklin, to adopt the Variance to the Proposed Final Decision and Order in the disciplinary proceedings against Narendar K. Jain, MD. Motion carried. Ian Munro abstained.

ADMINISTRATIVE WARNINGS

10 MED 318 – A.M.

MOTION: Suresh Misra moved, seconded by Sheldon Wasserman, issue an administrative warning to respondent A.M. in case 10 MED 318. Motion carried. Kenneth Simons was recused during deliberation and abstained from voting.

08 MED 172 – R.H.

MOTION: Kenneth Simons moved, seconded by James Conterato, to issue an administrative warning to respondent R.H. in case 08 MED 172. Motion carried. Ian Munro was recused during deliberation and abstained from voting.

09 MED 370 – J.P.

MOTION: Suresh Misra moved, seconded by Gene Musser, to issue an administrative warning to respondent J.P. in case 09 MED 370. Motion carried. Ian Munro abstained.

MONITORING

STEVEN A ERLEMEIER, MD

Steven Erelemeier, MD, made an appearance before the Board.

MOTION: Carolyn Bronston moved, seconded by Kenneth Simons, to grant a full and unrestricted license to Steven A. Erelemeier, MD. Motion carried 6 to 3. Azita Hamedani and Sheldon Wasserman abstained.

JENNIFER A NOLDEN, PA

Jennifer Nolden, PA, made an appearance before the Board.

MOTION: Carolyn Bronston moved, seconded by Ian Munro, to grant a stay of suspension to Jennifer A. Nolden, PA. Motion carried. Kenneth Simons, Suresh Misra and Azita Hamedani abstained.

RONALD R SOMMERFELDT, MD

MOTION: Raymond Mager moved, seconded by Sandra Osborn, to grant a full and unrestricted license to Ronald R. Sommerfeldt, MD. Motion carried. Sheldon Wasserman and Kenneth Simons abstained.

CASE CLOSINGS

08 MED 364

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to close case **08 MED 364** against respondent R.W. for no jurisdiction and against respondent D.B. for insufficient evidence. Motion carried unanimously.

10 MED 387

MOTION: Gene Musser moved, seconded by Carolyn Bronston, to close case **10 MED 387** for insufficient evidence. Motion carried unanimously.

10 MED 407

MOTION: Kenneth Simons moved, seconded by Suresh Misra, to close case **10 MED 407** for no violation. Motion carried unanimously.

10 MED 031

MOTION: Ian Munro moved, seconded by Suresh Misra, to close case **10 MED 031** against respondents R.S. and J.T. for no violation. Motion carried unanimously.

10 MED 180

MOTION: Kenneth Simons moved, seconded by James Conterato, to close case **10 MED 180** for no violation. Motion carried unanimously.

RATIFYING LICENSES AND CERTIFICATES

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

ADJOURNMENT

MOTION: Ian Munro moved, seconded by Suresh Misra, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:16 p.m.

THE NEXT BOARD MEETING IS JULY 20, 2011