

**MEDICAL EXAMINING BOARD  
MINUTES  
AUGUST 17, 2011**

**PRESENT:** Carolyn Bronston; James Conterato, MD; LaMarr Franklin; Jude Genereaux; Azita Hamedani, MD; Sujatha Kailas, MD; Raymond Mager, DO; Christopher Magiera, MD; Suresh Misra, MD; Gene Musser, MD; Sandra Osborn, MD; Kenneth Simons, MD; Sheldon Wasserman, MD

**STAFF:** Dan Williams, Bureau Director; Sandy Nowack, 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; Jeremy Levin, RWHC; Rita Black-Radloff, Tom Walsh and Dennis Winters, DWD; Nancy Sugden, UWSMPH

**CALL TO ORDER**

Dr. Sujatha Kailas, Chair, called the meeting to order at 8:05 a.m. A quorum of thirteen (13) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments:**

- Under PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS, insert:
  - Avery D. Alexander, MD – 09 MED 383
    - Attorney Pamela Stach
    - Case Advisor – Kenneth Simons
  - John W. Ingalls, MD – 08 MED 358
    - Attorney Arthur Thexton
    - Case Advisor - James Conterato
- Item 7a – WISCONSIN HEALTH WORKFORCE..., insert after page 16:
  - Response to MEB concerns regarding the survey
  - 2011 Wisconsin Physician Survey Draft
- Item 7b – PHYSICIAN:PA SUPERVISION RATIO VARIANCE REQUEST, insert after page 18:
  - Alternative PA Schedule
  - PA Teaching Schedule
  - Autoimmunity Lecture
- Item 11 - INFORMATIONAL ITEMS, insert after page 38:
  - *National Licensure Legislation Being Contemplated in U.S. Senate*

- Item CS-2 – REQUEST FOR POST GRADUATE TRAINING EQUIVALENCY DECISION, insert after page 90:
  - Jennifer M. Knight, MD
- Item CS-3 – DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS, insert after page 96:
  - Avery D. Alexander, MD – 09 MED 383
    - Case Advisor – Kenneth Simons
  - John W. Ingalls, MD – 08 MED 358
    - Case Advisor - James Conterato
- After Item CS-4 - under Items Received after Preparation of the Agenda, insert after page 108:
  - CONSIDERATION OF COMPLAINTS
    - 08 MED 323
    - 10 MED 031
    - 10 MED 121
  - ADMINISTRATIVE WARNINGS
    - 10 MED 031 – I.H.B.
    - 10 MED 031 – P.J.B.
- Case Closing Report – insert at the end of the agenda after page 182

**MOTION:** Sandra Osborn moved, seconded by Suresh Misra, to adopt the agenda as amended. Motion carried unanimously.

### **APPROVAL OF MINUTES OF JULY 20, 2011**

#### **Correction:**

- On page 8, under MOHAMMED R SETHI, in the second sentence delete “Final Decision and” and insert “and Interim”

**MOTION:** James Conterato moved, seconded by LaMarr Franklin, to approve the minutes of July 20, 2011 as corrected. Motion carried unanimously.

### **PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

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

<b>Jan Rosnow, MD</b>	<b>10 MED 296</b>
<b>Avery D. Alexander, MD</b>	<b>09 MED 383</b>
<b>John W. Ingalls, MD</b>	<b>08 MED 358</b>

These items will be deliberated in closed session.

## ITEMS FOR BOARD DISCUSSION

### **Review and Discussion of the Request from Wisconsin Health Workforce Data Collaborative for Voluntary Renewal Survey, November 2011 – Nancy A. Sugden**

The Board reviewed the draft survey with Nancy Sugden, UW School of Medicine and Public Health, and Dennis Winters and Tom Walsh, Department of Workforce Development. Carolann Puster and TJ Cobb from the Renewal Section at DSPS also addressed the Board regarding the integration of the survey into the renewal process. The Board asked to have all references to “women’s health” changed to “OB/GYN” and to clarify “hospitalist.”

**MOTION:** Gene Musser moved, seconded by Sandra Osborn, to adopt the survey with the language changes and to have it added to the renewal process. Motion carried 8 to 4.

### **Physician:PA Supervision Ratio Variance Request –Rheumatology and Immunotherapy Center**

Alvin F. Wells, MD, addressed the Board via teleconference regarding his request for a variance to the physician: physician assistant supervision ratio at the Rheumatology and Immunotherapy Center. Additional handouts were provided to the Board.

**MOTION:** Suresh Misra moved, seconded by Sheldon Wasserman, to approve the request from Alvin F. Wells, MD, for an increase in the physician to physician assistant supervision ratio at the Rheumatology and Immunotherapy Center. Motion carried unanimously.

### **Newsletter/Digest – Summer/Fall 2011 Digest Planning**

The Board reviewed and revised articles submitted for the Digest. Sandy Nowack will write an article regarding administrative warnings. The name of the publication will now be The Medical Examining Board Newsletter. David Carlson stated the Newsletter could be ready for publication approximately 2 weeks after final board approval.

**MOTION:** Suresh Misra moved, seconded by LaMarr Franklin, to approve the articles as revised and to authorize Jude Genereaux to review the draft and give final approval of the MEB Newsletter. Motion carried unanimously.

### **Report from the Meeting of the State Board Advisory Panel to the USMLE – August 1-2, 2011, Eules, TX – Sandra Osborn**

Sandra Osborn reported on the Meeting of the State Board Advisory Panel to the USMLE.

## **ADMINISTRATIVE MATTERS**

The physician assistant supervision ratio is under further review.

The Board continues its outreach efforts to the community. Columbia/St. Mary's has contacted Sheldon Wasserman to present at Grand Rounds, however no date has been set at this time.

**MOTION:** Sandra Osborn moved, seconded by LaMarr Franklin, to authorize Sheldon Wasserman to present at Grand Rounds at Columbia/St. Mary's. Motion carried unanimously.

Board elections will be held in October.

## **LEGISLATIVE REPORT**

Sandy Nowack reported the U.W. Physician Assessment Program has closed due to lack of funding. She and DOE attorney Aaron Konkol will be traveling to Colorado to review and discuss the Colorado assessment program. Ms. Nowack will report back to the Board at the next meeting.

## **SCREENING PANEL REPORT**

LaMarr Franklin reported twenty six (26) cases were screened. Nine (9) cases were opened, fifteen (15) cases were closed, one (1) is being screened by a supervisor and one (1) ten-day letter was sent.

## **INFORMATIONAL ITEMS**

The informational items were noted.

## **PUBLIC COMMENTS**

There were no public comments.

## **OTHER BUSINESS**

There was no other Board business.

## **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; James Conterato-yes; LaMarr Franklin-yes; Jude Genereaux-yes; Azita Hamedani-yes; Sujatha Kailas-yes; Raymond Mager-yes; Christopher Magiera-yes; Suresh Misra-yes; Gene Musser-yes; Sandra Osborn-yes; Kenneth Simons-yes; Sheldon Wasserman-yes. Motion carried unanimously.

Open session recessed at 10:03 a.m.

### **RECONVENE IN OPEN SESSION**

**MOTION:** Kenneth Simons moved, seconded by James Conterato, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:49 p.m.

### **VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION**

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

**MOTION:** Jude Genereaux moved, seconded by LaMarr Franklin, to adopt the complaint in case **10 MED 031 against respondent P.J.B.** and to authorize Gene Musser to review and give final approval. Motion carried. Gene Musser abstained.

### **FULL BOARD ORAL EXAMINATION**

#### **PAUL C O'CONNOR, MD**

**MOTION:** Kenneth Simons moved, seconded by James Conterato, to defer the decision regarding licensure of Paul C. O'Connor, MD, and suggest he attend a full, comprehensive assessment or re-entry program approved by the FSMB. Motion carried unanimously.

### **REQUESTS FOR EQUIVALENCY OF 12-MONTH ACGME POST GRADUATE TRAINING**

#### **HEATHER HUANG, MD**

**MOTION:** Gene Musser moved, seconded by Suresh Misra, to approve the request for equivalency of 12-month ACGME post-graduate training to Heather Huang, MD. Motion carried. Kenneth Simons abstained.

**JEFFIFER M KNIGHT, MD**

**MOTION:** Raymond Mager moved, seconded by James Conterato, to approve the request for equivalency of 12-month ACGME post-graduate training to Jennifer M. Knight, MD. Motion carried. Kenneth Simons abstained.

**PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

**JAN M ROSNOW, MD  
10 MED 296**

**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 Jan M. Rosnow, MD. Motion carried unanimously.

**AVERY D ALEXANDER, MD  
09 MED 383**

**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 Avery D. Alexander, MD. Motion carried unanimously.

**JOHN W INGALLS, MD  
08 MED 358**

**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 John W. Ingalls, MD. Motion carried unanimously.

**CONSIDERATION OF COMPLAINTS**

**08 MED 323**

**MOTION:** Carolyn Bronston moved, seconded by Raymond Mager, to find probable cause to issue a complaint in the matter of **08 MED 323**. Motion carried unanimously.

**10 MED 031**

**MOTION:** Carolyn Bronston moved, seconded by Suresh Misra, to find probable cause to issue a complaint in the matter of **10 MED 031**. Motion carried. Gene Musser abstained.

**10 MED 121**

**MOTION:** James Conterato moved, seconded by Raymond Mager, to find probable cause to issue a complaint in the matter of **10 MED 121**. Motion carried. Gene Musser abstained.

**PROPOSED ADMINISTRATIVE WARNINGS**

**10 MED 031, I.H.B.**

**MOTION:** Suresh Misra moved, seconded by James Conterato, to reject the Administrative Warning in case **10 MED 031** against respondent I.H.B.. Motion carried. Sandra Osborn voted no. Gene Musser and Sheldon Wasserman abstained.

**10 MED 031, P.J.B.**

**MOTION:** Suresh Misra moved, seconded by James Conterato, to reject the administrative warning in case **10 MED 031** against respondent P.J.B. Motion carried. Gene Musser abstained.

**MOTION:** Jude Genereaux moved, seconded by Kenneth Simons, to find probable cause to issue a complaint in the matter of **10 MED 031** against respondent P.J.B. Motion carried. Gene Musser abstained.

**PROPOSED FINAL DECISION AND ORDER**

**CHRISTOPHER S WILSON, MD**

Raymond Mager was excused during deliberation and abstained from voting.

**MOTION:** Christopher Magiera moved, seconded by LaMarr Franklin, to adopt the Proposed Final Decision and Order in the disciplinary proceedings against Christopher S. Wilson, MD. Motion failed three to eight.

This item was tabled and no board action was taken.

**MONITORING**

**DONALD J HENNESSY, MD**

**MOTION:** Suresh Misra moved, seconded by Kenneth Simons, to deny the request for full licensure to Donald J. Hennessy, MD. Motion carried. James Conterato abstained.

**CURTIS D ONGSTAD, MD**

**MOTION:** Sandra Osborn moved, seconded by LaMarr Franklin, to grant the request for full licensure to Curtis D. Ongstad, MD. Motion carried. Kenneth Simons voted no. Sheldon Wasserman abstained.

**PRASAD YALAVARTHI, MD**

**MOTION:** Carolyn Bronston moved, seconded by Sheldon Wasserman, to deny the request for reinstatement of license to Prasad Yalavarthi, MD, as he has not met all requirements of the Order. Motion carried unanimously.

**DAVID C HENES, DO**

**MOTION:** Sandra Osborn moved, seconded by Carolyn Bronston, to grant the request from David C. Henes, DO, for a reduction in drug screens to twenty eight (28) per year plus one (1) hair test. Motion carried unanimously.

**CASE CLOSINGS**

**09 MED 248**

**MOTION:** Suresh Misra moved, seconded by James Conterato, to close case **09 MED 248** for no violation. Motion carried. Gene Musser abstained.

**11 MED 112**

**MOTION:** Christopher Magiera moved, seconded by Suresh Misra, to close case **11 MED 112** for no violation. Motion carried. Gene Musser abstained.

**11 MED 118**

**MOTION:** James Conterato moved, seconded Suresh Misra, to close case **11 MED 118** for no violation. Motion carried unanimously.

**11 MED 020**

**MOTION:** Kenneth Simons moved, seconded by Christopher Magiera, to close case **11 MED 020** for no violation. Motion carried unanimously.

**RATIFYING LICENSES AND CERTIFICATES**

**MOTION:** Suresh Misra moved, seconded by Sheldon Wasserman, to ratify all licenses and certificates presented. Motion carried unanimously.

**OTHER BUSINESS**

There was no other business.

**ADJOURNMENT**

**MOTION:** Suresh Misra moved, seconded by Kenneth Simons, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:53 p.m.