

**MEDICAL EXAMINING BOARD
MEETING MINUTES
June 18, 2014**

PRESENT: Mary Jo Capodice, D.O; Greg Collins; Rodney Erickson, M.D.; Jude Genereaux; Suresh Misra, M.D.; Carolyn Ogland, M.D.; Michael Phillips, M.D.; Kenneth Simons, M.D.; Timothy Swan, M.D.; Sridhar Vasudevan, M.D.; Timothy Westlake, M.D.; and Russell Yale, M.D.

EXCUSED: James Barr

STAFF: Tom Ryan, Executive Director; Pam Stach, Legal Counsel; Daniel Agne, Bureau Assistant; and other Department staff

CALL TO ORDER

Kenneth Simons, Chair, called the meeting to order at 8:14 A.M. A quorum of twelve (12) members was confirmed.

ADOPTION OF AGENDA

Amendments:

- **REMOVE:** Item Q.1 – Full Board Oral Examination of Christian Maduoma, M.D.

MOTION: Greg Collins moved, seconded by Sridhar Vasudevan, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

Corrections:

- **CORRECT:** In the Motion in the matter of case number 12 MED 445 (pg. 8), change the word “hold” to “flag.”
- **CORRECT:** Remove “M.D.” from James Barr in the Roll Call

MOTION: Greg Collins moved, seconded by Jude Genereaux, to approve the minutes of May 21, 2014 as corrected. Motion carried unanimously.

**APPEARANCES REQUESTED IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST ZULFIQAR ALI, M.D.,
DHA CASE NUMBER SPS-12-0064; DLSC CASE NUMBER 11 MED 299**

Pam Stach, Legal Counsel, recused herself and left the room for the above appearances.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS:

**REVIEW OF LEGISLATIVE REPORT CR 14-033,
RELATING TO CONTINUING EDUCATION AUDITS**

MOTION: Sridhar Vasudevan moved, seconded by Mary Jo Capodice, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 14-033, revising MED 13.06, for submission to the Governor’s Office and Legislature. Motion carried unanimously.

**REVIEW AND DISCUSSION OF REQUIREMENTS FOR DOCUMENTING AND RETAINING
RECORDS OF PHYSICIAN ASSISTANTS' SUPERVISING PHYSICIAN**

MOTION: Timothy Swan moved, seconded by Sridhar Vasudevan, to table this matter to the July Board meeting. Motion carried unanimously.

**REVIEW AND DISCUSSION OF SCOPE STATEMENT FOR 165-MED 3 AND 5,
RELATING TO PHYSICIAN LICENSURE**

MOTION: Timothy Westlake moved, seconded by Suresh Misra, to approve as amended the Scope Statement on 165-MED 3 and 5, relating to Physician Licensure, for submission to the Governor's Office and publication in the administrative register, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

SCREENING PANEL REPORT

Greg Collins reported that 43 cases were reviewed and 19 cases were opened.

**BOARD CONSIDERATION OF A MOTION TO INVITE FEDERATION OF STATE
MEDICAL BOARDS (FSMB) EXECUTIVE STAFF INTO CLOSED SESSION**

MOTION: Timothy Swan moved, seconded by Michael Phillips, to invite Federation of State Medical Boards (FSMB) Executive Staff Gregory Snyder and Lisa Robin into Closed Session. Motion carried unanimously.

CLOSED SESSION

MOTION: Sridhar Vasudevan moved, seconded by Russell Yale, to convene to Closed Session to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 448.02 (8), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). The Chair read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Mary Jo Capodice – yes; Greg Collins – yes; Rodney Erickson – yes; Jude Genereaux – yes; Suresh Misra – yes; Carolyn Oglan – yes; Michael Phillips – yes; Kenneth Simons – yes; Timothy Swan – yes; Sridhar Vasudevan – yes; Timothy Westlake – yes; and Russell Yale – yes. Motion carried unanimously.

The Board convened into Closed Session at 10:50 A.M.

RECONVENE TO OPEN SESSION

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to reconvene in Open Session at 12:15 P.M. Motion carried unanimously.

MONITORING MATTERS

ROBERT C. TURNER, M.D.

REQUESTING REMOVAL OF LIMITATIONS AND RETURN TO FULL LICENSURE

MOTION: Greg Collins moved, seconded by Sridhar Vasudevan, to grant the request of Robert C. Turner, M.D., for removal of limitations and return to full licensure. Motion carried unanimously.

CAROL T. HAUGHEY, P.A.

REQUESTING INITIAL STAY OF SUSPENSION

MOTION: Sridhar Vasudevan moved, seconded by Michael Phillips, to grant the request of Carol T. Haughey, P.A., for a stay of her suspension. Motion carried.

JESSE VAN BOMMEL, M.D.

REQUESTING REINSTATEMENT OF STAY OF SUSPENSION

MOTION: Sridhar Vasudevan moved, seconded by Jude Genereaux, to grant the request of Jesse Van Bommel, M.D., for reinstatement of the stay of his suspension. Motion carried unanimously.

Kenneth Simons recused himself and left the room for deliberations and voting in the above matter.

DELIBERATION ON PROPOSED DECISION AND ORDER OF THE ADMINISTRATIVE LAW JUDGE IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST ZULFIQAR ALI, M.D., DHA CASE NUMBER SPS-12-0064; DLSC CASE NUMBER 11 MED 299

MOTION: Michael Phillips moved, seconded by Rodney Erickson, to request Counsel draft a variance to the proposed Findings of Fact, Conclusions of Law, and Order of the Administrative Law Judge as the Board's Final Decision and Order in the matter of disciplinary proceedings against Zulfiqar Ali, M.D., Respondent – DHA Case # SPS-12-0064 / DLSC Case # 11 MED 299, to designate Kenneth Simons to approve the Final Decision and Order with the Variance on behalf of the Board, and to authorize Department personnel to sign the Final Decision and Order with the Variance on his behalf. Motion carried.

Pam Stach, Legal Counsel, recused herself and left the room for deliberations and voting in the above matter.

Timothy Westlake recused himself and left the room for deliberations and voting in the above matter.

Sridhar Vasudevan abstained from voting in the above matter.

PRESENTATION AND DELIBERATION ON PROPOSED DECISION AND ORDER OF THE ADMINISTRATIVE LAW JUDGE IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST GUIDITTA ANGELINI, M.D., DHA CASE NUMBER SPS-14-0027; DLSC CASE NUMBER 11 MED 315

MOTION: Greg Collins moved, seconded by Suresh Misra, to adopt the proposed Findings of Fact, Conclusions of Law, and Order of the Administrative Law Judge as the Board's Final Decision and Order in the matter of disciplinary proceedings against Guiditta Angelini, M.D., Respondent – DHA Case # SPS-14-0027 / DLSC Case # 11 MED 315, but to vary the decision to have the Procedural History conform with the Complaint. Motion carried unanimously.

*Jude Genereaux recused herself and left the room for deliberations and voting in the above matter.
Timothy Westlake was not present for deliberations and voting in the above matter.*

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Greg Collins moved, seconded by Carolyn Ogland, to adopt the Findings of Fact, Conclusions of Law, Stipulations and Orders, in the matter of case numbers:
1) 12 MED 327 – Vallie M. Kaprelian, M.D.
2) 13 MED 006 – Nader I. Salti, M.D.
3) 13 MED 190 – Barry I. Spiegel, D.O.
Motion carried unanimously.

**13 MED 059
PAUL A. KORNAUS, M.D.**

MOTION: Suresh Misra moved, seconded by Greg Collins, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 13 MED 059 – Paul A. Kornaus, M.D. Motion carried unanimously.

Rodney Erickson abstained from voting in the above matter.

**PRESENTATION AND DELIBERATION ON
COMPLAINTS FOR DETERMINATION OF PROBABLE CAUSE:**

**11 MED 219 AND 12 MED 039
STEVEN G. MERESS, M.D.**

MOTION: Timothy Swan moved, seconded by Greg Collins, to find probable cause to believe that Steven G. Meress, M.D., Case Number 11 MED 219 and 12 MED 039, is guilty of unprofessional conduct and therefore issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3) (b). Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Suresh Misra moved, seconded by Timothy Westlake, to issue administrative warnings and to close the cases in the matter of case numbers:
 1) 12 MED 433 (D.L.)
 2) 12 MED 446 (T.M.P.)
 3) 13 MED 012 (R.J.D.)
 Motion carried unanimously.

MOTION: Timothy Westlake moved, seconded by Michael Phillips, to issue an administrative warning and to close the case in the matter of case number 13 MED 241 (C.L.K.). Motion carried unanimously.

MOTION: Sridhar Vasudevan moved, seconded by Michael Phillips, to table the matter of case number 13 MED 226 (K.J.B.). Motion carried unanimously.

Russell Yale recused himself and left the room for deliberations and voting in the above matter.

CASE CLOSINGS

MOTION: Greg Collins moved, seconded by Michael Phillips, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:
 1) 12 MED 434 (D.J.D) for prosecutorial discretion (P1)
 2) 12 MED 443 (M.A.) for prosecutorial discretion (P6)
 3) 13 MED 257 (R.L.) for no violation (NV)
 4) 13 MED 392 (J.K.) for no violation (NV)
 5) 13 MED 442 (R.R.E.) for no violation (NV)
 6) 13 MED 455 (G.C.B.) for no violation (NV)
 7) 13 MED 462 (V.K.M.; Y.S.P.) for no violation (NV)
 8) 13 MED 475 (R.E.) for no violation (NV)
 9) 13 MED 476 (S.A.A.) for no violation (NV)
 10) 14 MED 061 (A.P.B.) for no violation (NV)
 Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,
IF VOTING IS APPROPRIATE**

MOTION: Greg Collins moved, seconded by Carolyn Ogland, to affirm all Motions made and Votes taken in Closed Session. Motion carried unanimously.

**DELEGATION OF RATIFICATION OF EXAMINATION RESULTS
AND RATIFICATION OF LICENSES AND CERTIFICATES**

MOTION: Mary Jo Capodice moved, seconded by Timothy Westlake, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Michael Phillips moved, seconded by Rodney Erickson, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 12:16 P.M.