

**MEDICAL EXAMINING BOARD
MEETING MINUTES
May 20, 2015**

PRESENT: Mary Jo Capodice, D.O; Greg Collins; Rodney Erickson, M.D.; Suresh Misra, M.D.; Michael Phillips, M.D. (*via GoToMeeting*); Kenneth Simons, M.D.; Sridhar Vasudevan, M.D.; Carolyn Ogland Vukich, M.D; Timothy Westlake, M.D.; Russell Yale, M.D.; Robert Zondag (*via GoToMeeting*)

STAFF: Tom Ryan, Executive Director; Nilajah Madison-Head, Bureau Assistant; and other Department staff

CALL TO ORDER

Kenneth Simons, Chair, called the meeting to order at 8:00 a.m. A quorum of eleven (11) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Remove Item “8:00 A.M. – APPEARANCE – DSPS Attorney Yolanda McGowan – Presentation on Petition for Summary Suspension and Designation of Hearing Official
1) 15 MED 004 – James B. Lisowski, M.D.”*
- *Under Review of Administrative Warnings: Move items 2-5 to a separate heading titled: Deliberation on Administrative Warnings
1) 14 MED 268 – J.N.G.
2) 14 MED 370 – P.V.K.
3) 14 MED 446 – C.L.*
- *Remove Item “Deliberation on Petition for Summary Suspension and Designation of Hearing Official
1) 15 MED 004 – James B. Lisowski, M.D.”*
- *Under Complaint (s) for Determination of Probable Cause: Remove Item “15 MED 004 – James B. Lisowski, M.D.”*

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

APPROVAL OF MINUTES

MOTION: Suresh Misra moved, seconded by Mary Jo Capodice, to approve the minutes of April 15, 2015 as published. Motion carried unanimously.

ADMINISTRATIVE UPDATES

Election Of Officers

Vice Chair

NOMINATION: Sridhar Vasudevan nominated Timothy Westlake for the Office of Vice Chair.

Thomas Ryan called for nominations three (3) times.

Timothy Westlake was elected as Vice Chair by unanimous consent.

2015 ELECTION RESULTS	
Vice Chair	Timothy Westlake

Liaison Appointments

The Chair appoints the following members:

2015 LIAISON APPOINTMENTS	
Office of Education and Exams Liaison	Timothy Westlake <i>Alternate: Greg Collins</i>
Website Liaison	Robert Zondag <i>Alternate: Greg Collins</i>
Legislative Liaison	Timothy Westlake, Kenneth Simons, Sridhar Vasudevan
Newsletter Liaison	Kenneth Simons <i>Alternate: Timothy Westlake</i>
Rules Liaison	Russell Yale <i>Alternate: Greg Collins</i>

MOTION: Sridhar Vasudevan moved, seconded by Mary Jo Capodice, to acknowledge the Chair's appointment of the liaisons. Motion carried unanimously.

NC DENTAL BOARD V. FTC DECISION

The Board consulted with Board Legal Counsel regarding this matter.

CLOSED SESSION

MOTION: Sridhar Vasudevan moved, seconded by Mary Jo Capodice, 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; Suresh Misra – yes; Carolyn Ogland Vukich – yes; Michael Phillips – yes; Kenneth Simons – yes; Sridhar Vasudevan – yes; Timothy Westlake – yes; Russell Yale – yes; and Robert Zondag – yes. Motion carried unanimously.

The Board convened into Closed Session at 9:16 a.m.

RECONVENE TO OPEN SESSION

MOTION: Suresh Misra moved, seconded by Timothy Westlake, to reconvene in Open Session at 11:56 a.m. Motion carried unanimously.

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

MOTION: Sridhar Vasudevan moved, seconded by Russell Yale, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

REVIEW OF ADMINISTRATIVE WARNINGS

APPEARANCE - C.T.(WARN00000302)(DLSC case number 14 MED 138)

MOTION: Mary Jo Capodice moved, seconded by Greg Collins, to affirm the Administrative Warning in the matter of DLSC case number 14 MED 138 (C.T.). Motion carried.

APPEARANCE - D.R.T. (WARN00000256)(DLSC case number 14 MED 279)

MOTION: Rodney Erickson moved, seconded by Greg Collins, to affirm the Administrative Warning in the matter of DLSC case number 14 MED 279 (D.R.T.). Motion carried unanimously.

DELIBERATION ON ADMINISTRATIVE WARNINGS

14 MED 268 – J.N.G.

MOTION: Mary Jo Capodice moved, seconded by Suresh Misra, to issue an Administrative Warning in the matter of DLSC case number 14 MED 268 (J.N.G.). Motion carried unanimously.

14 MED 370 – P.V.K.

MOTION: Greg Collins moved, seconded by Timothy Westlake, to issue an Administrative Warning in the matter of DLSC case number 14 MED 370 (P.V.K.). Motion carried unanimously.

14 MED 446 – C.L.

MOTION: Suresh Misra moved, seconded by Mary Jo Capodice, to issue an Administrative Warning in the matter of DLSC case number 14 MED 446 (C.L.). Motion carried unanimously.

MONITORING MATTERS

APPEARANCE – Stephen A. Haughey, M. D. – Requesting Access to Controlled Substances

MOTION: Sridhar Vasudevan moved, seconded by Greg Collins, to grant the request of Stephen A. Haughey, M.D. to be allowed to work in a setting where he has access to controlled substances. Motion failed.

MOTION: Suresh Misra moved, seconded by Rodney Erickson, to deny the request of Stephen A. Haughey, M.D. to be allowed to work in a setting where he has access to controlled substances. **Reason for Denial:** Due to the seriousness of the facts underlying the issuance of the Order, the Respondent's request is denied due to insufficient time of full compliance under the terms of the Order. The Board will not consider further petitions prior to May 20, 2016, as the Respondent must demonstrate further full compliance under the terms of the Order. Motion carried. (*Sridhar Vasudevan opposed*)

Ronald Rubin, M.D. – Requesting Authorization to Provide Patient Care

MOTION: Timothy Westlake moved, seconded by Carolyn Ogland Vukich, to deny the request of Ronald Rubin, M.D. to be allowed to provide patient care. **Reason for Denial:** Failure to comply with the Order. Motion carried unanimously.

COMPLAINT(S) FOR DETERMINATION OF PROBABLE CAUSE

14 MED 212 – Scott A. Schildt, M.D.

MOTION: Mary Jo Capodice moved, seconded by Suresh Misra, to find probable cause to believe that Scott A. Schildt, M.D., DLSC case number 14 MED 212, has committed unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried unanimously.

DELIBERATION ON PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS BY THE DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC)

MOTION: Greg Collins moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. Edison P. McDaniels, M.D. – 14 MED 280
2. Sarah E. Ahrens, M.D. – 14 MED 390
3. Chandralekha Bommakanti, M.D. – 14 MED 393
4. Alfred J. Coron, M.D. – 14 MED 404
5. Robert F. Douglas, M.D. – 14 MED 410
6. John S. Harris, M.D. – 14 MED 418
7. Graciela Hernandez, M.D. – 14 MED 422
8. Timothy A. Johnson, M.D. – 14 MED 432
9. Sidney H. Kohler, M.D. – 14 MED 442

10. Luz S. Moreno, M.D. – 14 MED 451
11. George A. Munkwitz, M.D. – 14 MED 452
12. David R. Nahin, M.D. – 14 MED 453
13. Robert K. Ortwien – 14 MED 456
14. Andrew M. Owsiak, M.D. – 14 MED 458
15. Steven J. Price, M.D. – 14 MED 463
16. Tracy S. Reichmuth, M.D. – 14 MED 467
17. Marcia J. Richards, M.D. – 14 MED 469
18. David E. Shapiro, M.D. – 14 MED 481
19. Bedriye Y. Tombuloglu, M.D. – 14 MED 489
20. Jeffrey W. Wilson, M.D. – 14 MED 493
21. Robert Kolb, D.O. – 14 MED 498
22. Gary T. Prohaska, M.D. – 14 Med 593
23. Amit Agarwal, M.D. – 15 MED 003
24. Mitchell R. Weisberg, M.D. – 15 MED 017
25. Jon E. Kelly, M.D. – 15 MED 116

Motion carried unanimously.

Malik S. Ali, M.D. – 14 MED 377

MOTION: Mary Jo Capodice moved, seconded by Timothy Westlake, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of the license of Malik S. Ali, M.D., DLSC case number 14 MED 377. Motion carried unanimously.

Christopher M. Huiras, M.D. – 14 MED 430

MOTION: Mary Jo Capodice moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Christopher M. Huiras, M.D., DLSC case number 14 MED 430. Motion carried.

(Rodney Erickson recused himself for the deliberation and voting in the matter of Christopher M. Huiras, M.D. – 14 MED 430.)

ORDER FIXING COSTS

MOTION: Sridhar Vasudevan moved, seconded by Misra, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against:

1. Zulfiqar Ali, M.D., Respondent - (ORDER0003813)(DLSC case number 14 MED 298)
2. Nanette Liegeois, M.D., Respondent - (ORDER0003604)(DLSC case number 14 MED 581)
3. Angelina Montemurro, M.D., Respondent - (ORDER0002139)(DLSC case number 12 MED 288).
4. Linda Rogow, M.D., Respondent - (ORDER0003411)(DLSC case number 14 MED 033)

Motion carried unanimously.

**WAIVER OF THE 12 MONTHS OF ACGME APPROVED POST-GRADUATE TRAINING
BASED ON EDUCATION AND TRAINING**

Bronwen Shaw, M.D.

MOTION: Mary Jo Capodice moved, seconded by Westlake, to find that the training and education of Bronwen Shaw, M.D. is substantially equivalent to the requirements set forth in Wis. Stat. § 448.05(2). Motion carried unanimously.

**WAIVER OF THE 24 MONTHS OF ACGME APPROVED POST-GRADUATE TRAINING
BASED ON EDUCATION AND TRAINING**

Jean Kuriakose, M.D.

MOTION: Vasudevan moved, seconded by Westlake, to find that the training and education of Jean Kuriakose, M.D. is substantially equivalent to the requirements set forth in Wis. Stat. § 448.05(2). Motion carried unanimously.

CASE CLOSING(S)

MOTION: Greg Collins moved, seconded by Timothy Westlake, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 13 MED 154 (C.D.N.) – No Violation (NV)
2. 14 MED 424 (P.A.H.) – No Violation (NV)
3. 14 MED 443 (J.K.L.) – No Violation (NV)
4. 14 MED 455 (R.B.F.) – Prosecutorial Discretion (P2)
5. 14 MED 531 (M.B.) – Prosecutorial Discretion (P7)
6. 14 MED 546 (J.T.J.) – No Violation (NV)
7. 14 MED 567 (A.S.H.) – No Violation (NV)
8. 14 MED 591 (C.E.F.) – Lack of Jurisdiction (L1)
9. 14 MED 609 (D.P.D.) – Prosecutorial Discretion (P1)
10. 15 MED 077 (R.L.P.) – Lack of Jurisdiction (L1)
11. 15 MED 085 (D.M.) – No Violation (NV)

Motion carried unanimously.

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

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

ADJOURNMENT

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

The meeting adjourned at 11:57 a.m.