

**MEDICAL EXAMINING BOARD  
MEETING MINUTES  
July 15, 2015**

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

**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**

**MOTION:** Carolyn Ogland Vukich moved, seconded by Sridhar Vasudevan, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** Sridhar Vasudevan moved, seconded by Suresh Misra, to approve the minutes of June 17, 2015 as published. Motion carried unanimously.

**LEGISLATIVE/ADMINISTRATIVE RULE MATTERS**

**Iowa Telemedicine Rules**

**MOTION:** Sridhar Vasudevan moved, seconded by Robert Zondag, to request DSPS staff draft a Scope Statement relating to the practice of telemedicine and designate Kenneth Simons to advise DSPS staff. Motion carried unanimously.

**Legislative Review for CR15-021 Relating to Entrance Exams**

**MOTION:** Sridhar Vasudevan moved, seconded by Carolyn Ogland Vukich, to designate the Chair to review and approve the Adoption Order for Clearinghouse Rule 15-021. Motion carried unanimously.

**Review of Scope Statement Relating to General Update and Cleanup of Rules**

**MOTION:** Sridhar Vasudevan moved, seconded by Russell Yale, to approve the Scope Statement on Med 1 and Med 14 relating to general update and cleanup of rules for submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

**PDMP UPDATE**

*The Chair Appointed Timothy Westlake as the Medical Examining Board's designated member to serve on the Controlled Substances Board*

**MOTION:** Greg Collins moved, seconded by Russell Yale, to affirm the designation of Timothy Westlake as the Medical Examining Board member of the Controlled Substances Board. Motion carried unanimously.

**SPEAKING ENGAGEMENT(S), TRAVEL, OR PUBLIC RELATION REQUEST(S)****Speaking Request - Wisconsin Association of Osteopathic Physicians and Surgeons (WAOPS) Fall Meeting – September 25-26, 2015**

**MOTION:** Suresh Misra moved, seconded by Sridhar Vasudevan, to designate Mary Jo Capodice to speak on the Board's behalf at the WAOPS Fall Meeting on September 25-26, 2015 in Madison, WI. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Robert Zondag moved, seconded by Suresh Misra, 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:** Sridhar Vasudevan moved, seconded by Suresh Misra, to reconvene in Open Session at 11:15 a.m. Motion carried unanimously.

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

**MOTION:** Suresh Misra moved, seconded by Carolyn Ogland Vukich, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

**FULL BOARD ORAL INTERVIEW****APPEARANCE – My-My Huynh, M.D.**

**MOTION:** Rodney Erickson moved, seconded by Carolyn Ogland Vukich, to table the matter of My-My Huynh, M.D., pending further consultations. Motion carried unanimously.

**REVIEW OF ADMINISTRATIVE WARNING(S)****APPEARANCE – T.J.O.(WARN00000318)(DLSC case number 14 MED 077)**

**MOTION:** Greg Collins moved, seconded by Rodney Erickson, to affirm the Administrative Warning in the matter of DLSC case number 14 MED 077 (T.J.O.). Motion carried.  
Recused: Mary Jo Capodice and Sridhar Vasudevan

*(Mary Jo Capodice and Sridhar Vasudevan recused themselves for the deliberation and voting in the matter of T.J.O.(WARN00000318)(DLSC case number 14 MED 077).)*

**COMPLAINT(S) FOR DETERMINATION OF PROBABLE CAUSE****13 MED 355 – Rajesh Malhotra, M.D.**

**MOTION:** Mary Jo Capodice moved, seconded by Robert Zondag, to find probable cause to believe that Rajesh Malhotra, M.D., DLSC case number 13 MED 355, 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. Recused: Greg Collins

*(Greg Collins recused himself and left the room for deliberation, and voting in the matter concerning Rajesh Malhotra, M.D., Respondent – DLSC case number 13 MED 355.)*

**DELIBERATION ON ADMINISTRATIVE WARNINGS****12 MED 410 and 13 MED 071 – L.C.E.**

**MOTION:** Sridhar Vasudevan moved, seconded by Russell Yale, to issue an Administrative Warning in the matter of DLSC case number 12 MED 410 and 13 MED 071 (L.C.E.). Motion carried unanimously.

**14 MED 413 – M.J.E.**

**MOTION:** Robert Zondag moved, seconded by Suresh Misra, to issue an Administrative Warning in the matter of DLSC case number 14 MED 413 (M.J.E.). Motion carried unanimously.

**DELIBERATION ON PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS BY THE DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC)****14 MED 012 – Michelle M. Miller, M.D.**

**MOTION:** Mary Jo Capodice moved, seconded by Robert Zondag, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Michelle M. Miller, M.D., DLSC case number 14 MED 012. Motion carried unanimously.

**14 MED 297 – Chady Abboud Leon, M.D.**

**MOTION:** Carolyn Ogland Vukich moved, seconded by Russell Yale, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Chady Abboud Leon, M.D., DLSC case number 14 MED 297. Motion carried unanimously.

**14 MED 477 – Saad Sabbagh, M.D.**

**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 Saad Sabbagh, M.D., DLSC case number 14 MED 477. Motion carried unanimously.

**15 MED 097 – Craig S. Michelsen, M.D.**

**MOTION:** Greg Collins moved, seconded by Robert Zondag, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Craig S. Michelsen, M.D., DLSC case number 15 MED 097. Motion carried unanimously.

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

**Marwan Abdulaal, M.D.**

**MOTION:** Sridhar Vasudevan moved, seconded by Robert Zondag, to deny a waiver of the 24-month post-graduate training program accredited by the ACGME, to Marwan Abdulaal, M.D., per Wis. Stat. § 448.05(2)(c). Motion carried unanimously.

**CASE CLOSING(S)**

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

1. 12 MED 288 (A.M.M.) – Prosecutorial Discretion (P7)
2. 12 MED 337 (L.L.) – Prosecutorial Discretion (P3)
3. 13 MED 152 (J.W.I.) – Insufficient Evidence (IE)
4. 13 MED 155 (N.H.R.) – Insufficient Evidence (IE)
5. 13 MED 416 (G.W.) – No Violation (NV)
6. 13 MED 481 (L.J.A.) – Prosecutorial Discretion (P5-flag)
7. 14 MED 052 (M.W.M.) – No Violation (NV)
8. 14 MED 322 (A.A.) – No Violation (NV)
9. 14 MED 359 (T.G.S.) – No Violation (NV)
10. 14 MED 417 (C.G.) – No Violation (NV)
11. 14 MED 571 (W.B.L. and J.A.G.) – No Violation (NV)
12. 15 MED 004 (J.B.L.) – Prosecutorial Discretion (P7)
13. 15 MED 006 (S.W.S.) – No Violation (NV)
14. 15 MED 056 (J.L.D.) – No Violation (NV)
15. 15 MED 061 (Unknown) – No Violation (NV)
16. 15 MED 103 (D.D.B.) – No Violation (NV)

Motion carried unanimously.

**13 MED 350 – M.G.B., R.S., M.P.C., and D.S.M.**

**MOTION:** Suresh Misra moved, seconded by Russell Yale, to close DLSC case number 13 MED 350, against M.G.B., R.S., M.P.C., and D.S.M., for no violation (NV). Motion carried. Recused: Kenneth Simons

*(Kenneth Simons recused himself and left the room for deliberation, and voting in the matter concerning 13 MED 350 (M.G.B., R.S., M.P.C., and D.S.M.).)*

**14 MED 213 – N.S.G.**

**MOTION:** Greg Collins moved, seconded by Carolyn Ogland Vukich, to close DLSC case number 14 MED 213, against N.S.G., for prosecutorial discretion (P2). Motion carried. Recused: Kenneth Simons

*(Kenneth Simons recused himself and left the room for deliberation, and voting in the matter concerning 14 MED 213 (N.S.G.).)*

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

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

**ADJOURNMENT**

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

The meeting adjourned at 11:17 a.m.