

**MEDICAL EXAMINING BOARD  
MEETING MINUTES  
February 15, 2017**

**PRESENT:** Mary Jo Capodice, D.O.; Padmaja Doniparthi, M.D., Rodney Erickson, M.D.; Bradley Kudick; Lee Ann Lau, M.D.; Carolyn Ogland Vukich, M.D.; David Roelke, M.D.; Kenneth Simons, M.D. (*via GoToMeeting*); Timothy Westlake, M.D.; Robert Zoeller, M.D.; Robert Zondag

**ABSENT:** Michael Carton

**STAFF:** Tom Ryan, Executive Director; Nifty Lynn Dio, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Timothy Westlake, Vice Chair, called the meeting to order at 8:01 a.m. A quorum of eleven (11) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- *Changed Case Closing reason in 16 MED 180 from No Violation to Insufficient Evidence*
- *Replaced Administrative Warning 16 MED 437*

**MOTION:** Carolyn Ogland Vukich moved, seconded by Bradley Kudick, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES OF JANUARY 18, 2017 – REVIEW AND APPROVAL**

**MOTION:** Kenneth Simons moved, seconded by David Roelke, to approve the minutes of January 18, 2017 as published. Motion carried unanimously.

**ADMINISTRATIVE UPDATES**

**Delegation of Authority to the Monitoring Liaison and Department Monitor**

**MOTION:** Lee Ann Lau moved, seconded by Robert Zoeller, to affirm the Chair's appointment of Mary Jo Capodice as the Monitoring Liaison, and Padmaja Doniparthi as the alternate, to adopt the 'Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor' document as presented. Motion carried unanimously.

**APPOINTMENTS, REAPPOINTMENTS, CONFIRMATIONS, AND COMMITTEE, PANEL,  
LIAISON AND MENTOR APPOINTMENTS**

**Consideration of Lois A. Connolly, M.D. for Appointment to the Council on Anesthesiologist Assistants**

**MOTION:** David Roelke moved, seconded by Padmaja Doniparthi, to appoint Lois A. Connolly to the Council on Anesthesiologist Assistants as an Anesthesiologist member to a term to expiring on July 1, 2018. Motion carried unanimously.

*(Kenneth Simons recused himself and disconnected from the meeting for deliberation regarding the appointment of Lois A. Connolly.)*

## LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

### **Review of Proposed Changes to Pod 1 Relating to Licensure Requirements and Pod 4 Relating to Biennial Registration**

**MOTION:** David Roelke moved, seconded by Lee Ann Lau, to affirm that the Board has reviewed the proposed changes to Pod 1 and Pod 4 and has no comments. Motion carried unanimously.

### CLOSED SESSION

**MOTION:** Carolyn Ogland Vukich moved, seconded by David Roelke, 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.). Timothy Westlake, Vice 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; Padmaja Doniparthi – yes; Rodney Erickson – yes; Bradley Kudick – yes; Lee Ann Lau – yes; Carolyn Ogland Vukich – yes; David Roelke – yes; Kenneth Simons – yes; Timothy Westlake – yes; and Robert Zoeller – yes; Robert Zondag – yes. Motion carried unanimously.

The Board convened into Closed Session at 8:57 a.m.

### RECONVENE TO OPEN SESSION

**MOTION:** Bradley Kudick moved, seconded by Robert Zoeller, to reconvene in Open Session at 10:32 a.m. Motion carried unanimously.

### VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

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

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

### APPEARANCE: SOMNATH ROY, M.D. – FULL BOARD ORAL EXAMINATION

**MOTION:** Robert Zondag moved, seconded by Mary Jo Capodice, to find that Somnath Roy, M.D. failed to achieve a passing score on the Full Board Oral Examination **Reason for Failure:** Lack of evidence of current competence due to unprofessional conduct, convictions which substantially relate to the practice of medicine, and prior adverse actions against any credential pertaining to the practice of medicine and surgery. Motion carried unanimously.

**MOTION:** Robert Zoeller moved, seconded by Bradley Kudick, to deny the application for Somnath Roy, M.D. **Reason for Denial:** Failure to achieve a passing grade in the required examinations pursuant to Wis. Stat. §§448.06(2) and 448.05(1)(c). Additionally, the Board has determined Applicant engaged in unprofessional conduct in violation of Wis. Stat. §§ 448.06(2) and 448.05(1)(a) and Wis. Admin. Code §§ Med 10.03(2), Med 10.03(3)(c), Med 10.03(3)(i) and Med 10.036(3)(j) Motion carried unanimously.

## **REQUEST FOR WAIVER OF 24 MONTH OF ACGME/AOA APPROVED POST GRADUATE TRAINING**

### **Badi Rawashdeh, M.D.**

**MOTION:** Lee Ann Lau moved, seconded by Robert Zoeller, to table the request for a waiver of the 24 month of ACGME/AOA approved post-graduate training to Badi Rawashdeh, per Wis. Stat. §448.05(2)(c). Motion carried unanimously.

*(Kenneth Simons recused himself and disconnected from the meeting for deliberation and voting in the matter concerning Badi Rawashdeh.)*

## **DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

### **Administrative Warnings**

#### ***15 MED 369 – M.P.K.***

**MOTION:** Padmaja Doniparthi moved, seconded by Lee Ann Lau, to issue an Administrative Warning in the matter of DLSC Case No. 15 MED 369 against M.P.K. Motion carried unanimously.

*(Timothy Westlake recused himself and left the room for deliberation and voting in the matter concerning M.P.K., DLSC Case No 15 MED 369.)*

#### ***16 MED 437 – R.K.M.***

**MOTION:** Padmaja Doniparthi moved, seconded by Carolyn Ogland Vukich, to issue an Administrative Warning in the matter of DLSC Case No. 16 MED 437 against R.K.M. Motion carried unanimously.

### **Proposed Stipulations, Final Decisions and Orders**

#### ***16 MED 142 – Kirsten Larson, M.D.***

**MOTION:** David Roelke moved, seconded by Lee Ann Lau, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Kirsten Larson, M.D., DLSC Case No. 16 MED 142. Motion carried unanimously.

#### ***16 MED 244 – David Rex, M.D.***

**MOTION:** Robert Zondag moved, seconded by Padmaja Doniparthi, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against David Rex, DLSC Case No. 16 MED 244. Motion carried unanimously.

**Case Closings**

***15 MED 338 (P.C.H.)***

**MOTION:** David Roelke moved, seconded by Lee Ann Lau, to close DLSC Case No. 15 MED 338 for No Violation. Motion carried unanimously.

*(Kenneth Simons recused himself and disconnected for deliberation and voting in the matter concerning P.C.H., DLSC Case No. 15 MED 338.)*

***16 MED 071 (K.L.E.)***

**MOTION:** David Roelke moved, seconded by Mary Jo Capodice, to close DLSC Case No. 16 MED 071 for No Violation. Motion carried unanimously.

***16 MED 180 (M.Y.M.)***

**MOTION:** David Roelke moved, seconded by Robert Zondag, to not close DLSC Case No. 16 MED 180 for Insufficient Evidence. Motion carried unanimously.

*(Lee Ann Lau recused herself and left the room for deliberation and voting in the matter concerning M.Y.M., DLSC Case No. 16 MED 180.)*

***16 MED 237 (S.A.G.)***

**MOTION:** Lee Ann Lau moved, seconded by Bradley Kudick, to close DLSC Case No. 16 MED 237 for no violation. Motion carried unanimously.

***16 MED 381 (P.M.M.)***

**MOTION:** Robert Zondag moved, seconded by Padmaja Doniparthi, to close DLSC Case No. 16 MED 381 for Prosecutorial Discretion (P7). Motion carried unanimously.

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

**MOTION:** Lee Ann Lau moved, seconded by David Roelke, 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 Bradley Kudick, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:33 a.m.