

**MEDICAL EXAMINING BOARD  
MEETING MINUTES  
April 19, 2017**

**PRESENT:** Alaa Abd-Elsayed, M.D.; Mary Jo Capodice, D.O.; Michael Carton (*via GoToMeeting*;) Padmaja Doniparthi, M.D.; Rodney Erickson, M.D.; Bradley Kudick; Lee Ann Lau, M.D.; Carolyn Ogland Vukich, M.D. (*via GoToMeeting*;) David Roelke, M.D.; Kenneth Simons, M.D.

**EXCUSED:** Timothy Westlake, M.D.; Robert Zoeller, M.D.; Robert Zondag

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

**CALL TO ORDER**

Kenneth Simons, Chair, called the meeting to order at 8:01 a.m. A quorum of ten (10) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- *Added: Additional Material to F.3: Correspondence from Chris Taylor*
- *Correction: Mr. Stupi to Mr. Stout in item E.1*
- *Remove item S.5.a: Monitoring – Bradley Bourkland*

**MOTION:** David Roelke moved, seconded by Lee Ann Lau, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES OF MARCH 15, 2017 – REVIEW AND APPROVAL**

**Amendments to the Minutes:**

- *Correct: Roekle to Roelke in Closed Session motion*

**MOTION:** David Roelke moved, seconded by Lee Ann Lau, to approve the minutes of March 15, 2017 as amended. Motion carried unanimously.

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

**MOTION:** David Roelke moved, seconded by Bradley Kudick, to appoint Michael Stout to the Council on Anesthesiologist Assistants as an Anesthesiologist Assistant member with a term expiring on July 1, 2018. Motion carried unanimously.

*(Kenneth Simons recused himself and left the room for deliberation and voting in the matter of Michael Stout.)*

**LEGISLATIVE/ADMINISTRATIVE RULE MATTERS**

**Adoption Orders of Clearinghouse Rules CR 15-087 Relating to Telemedicine, CR 16-047 Relating to General Update and Cleanup of Rules, and CR 16-070 Relating to Continuing Medical Education**

**MOTION:** Mary Jo Capodice moved, seconded by Rodney Erickson, to approve the Adoption Orders for Clearinghouse Rules 15-087, 16-047 and 16-070. Motion carried unanimously.

**Correspondence from State Representative Chris Taylor – Board Review and Discussion**

**MOTION:** Lee Ann Lau moved, seconded by Padmaja Doniparthi, to delegate Kenneth Simons to work with Al Rohmeyer on responding to Representative Taylor's request. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Alaa Abd-Elsayed moved, seconded by Rodney Erickson, 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: Alaa Abd-Elsayed – yes; Mary Jo Capodice – yes; Michael Carton – yes; Padmaja Doniparthi – yes; Rodney Erickson – yes; Bradley Kudick – yes; Lee Ann Lau – yes; Carolyn Ogland Vukich – yes; David Roelke – yes; Kenneth Simons – yes. Motion carried unanimously.

The Board convened into Closed Session at 8:23 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** David Roelke moved, seconded by Lee Ann Lau, to reconvene in Open Session at 9:42 a.m. Motion carried unanimously.

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

**MOTION:** Alaa Abd-Elsayed moved, seconded by Rodney Erickson, 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.)*

**PETITION FOR AUTHORIZATION TO REQUEST EXTENSION OF TIME IN THE MATTER OF CASE NO. 14 MED 209 – JUSTIN WOODS, M.D.**

**MOTION:** Mary Jo Capodice moved, seconded by Lee Ann Lau, to grant the Petition for Authorization to Request for Extension of Time in the matter of DLSC Case No. 14 MED 209 (Justin Woods.) Motion carried unanimously.

**PETITION FOR AUTHORIZATION TO REQUEST EXTENSION OF TIME IN THE MATTER OF CASE NO. 14 MED 210 – DAVID ROSS, M.D.**

**MOTION:** Mary Jo Capodice moved, seconded by David Roelke, to grant the Petition for Authorization to Request for Extension of Time in the matter of DLSC Case No. 14 MED 209 (David Ross.) 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 David Roelke, to grant 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 left the room for deliberation and voting in the matter of Badi Rawashdeh.)*

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

**Complaint**

**MOTION:** Mary Jo Capodice moved, seconded by David Roelke, to find probable cause to believe that Elmer Lehmann III, DLSC Case No. 16 MED 124 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.

*(Lee Ann Lau recused herself and left the room for deliberation and voting in the matter concerning Elmer Lehmann III, DLSC Case No. 16 MED 124.)*

**Proposed Stipulations, Final Decisions and Orders**

***16 MED 180 – Melissa Macias***

**MOTION:** Padmaja Doniparthi moved, seconded by David Roelke, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Melissa Macias, M.D., DLSC Case No. 16 MED 180. Motion carried unanimously.

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

***16 MED 319 – Paul Dupont***

**MOTION:** Mary Jo Capodice moved, seconded by Rodney Erickson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Paul Dupont, M.D. DLSC Case No. 16 MED 319. Motion carried unanimously.

***16 MED 400 – James Gierahn***

**MOTION:** Mary Jo Capodice moved, seconded by David Roelke, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against James Gierahn, M.D. DLSC Case No. 16 MED 400. Motion carried unanimously.

### Case Closings

**MOTION:** Alaa Abd-Elseyed moved, seconded by Lee Ann Lau, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 14 MED 211 (A.Z.K.) Insufficient Evidence
2. 14 MED 219 (R.S.C.) Insufficient Evidence
3. 15 MED 176 (J.M.N.) Prosecutorial Discretion (P5-Flag)
4. 15 MED 291 (K.L.C.) No Violation
5. 16 MED 119 (G.T.S. Jr.) No Violation
6. 16 MED 181 (A.J.P.) Insufficient Evidence
7. 16 MED 428 (J.K. and J.J.) No Violation

Motion carried unanimously.

#### *15 MED 331 (N.G.)*

**MOTION:** Rodney Erickson moved, seconded by Alaa Abd-Elseyed, to close DLSC Case No. 15 MED 331 for No Violation. Motion carried. Opposed: 1

#### *16 MED 398 (H.M.K.)*

**MOTION:** Mary Jo Capodice moved, seconded by Padmaja Doniparthi, to close DLSC Case No. 15 MED 398 for Insufficient Evidence. Motion carried unanimously.

*(Lee Ann Lau recused herself and left the room for deliberation and voting in the matter concerning H.M.K., DLSC Case No. 16 MED 398.)*

### Monitoring

#### *Jesse Van Bommel, M.D.*

*(Kenneth Simons recused himself and left the room for deliberation and voting in the matter of Jesse Van Bommel.)*

**MOTION:** Rodney Erickson moved, seconded by David Roelke, to deny the request of Jesse Van Bommel for elimination of drug and alcohol screenings and general supervision. The Board continues to require general supervision. **Reason for Denial:** Applicant needs to practice medicine under the current conditions of the Board Order (03/24/2013) before the Board will consider amending other requirements. Motion carried unanimously.

### **PROPOSED FINAL DECISION AND ORDER**

**MOTION:** David Roelke moved, seconded by Padmaja Doniparthi, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Adegboyega Lawal, Respondent, DHA Case No. SPS-15-0041/DLSC Case No. 13 MED 310. Motion carried unanimously.

*(Lee Ann Lau recused herself and left the room for deliberation and voting in the matter of disciplinary proceedings against Adegboyega Lawal, DLSC Case No. 13 MED 310.)*

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

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

The meeting adjourned at 9:45 a.m.