

**MEDICAL EXAMINING BOARD  
MEETING MINUTES  
JUNE 21, 2017**

**PRESENT:** Alaa Abd-Elsayed, M.D. (*arrived at 8:06 a.m.*); Mary Jo Capodice, D.O.; Michael Carton (*arrived via GoToMeeting at 8:02 a.m.*); Padmaja Doniparthi, M.D. Rodney Erickson, M.D.; Bradley Kudick (*via GoToMeeting*); Lee Ann Lau, M.D.; Carolyn Ogland Vukich, M.D.; David Roelke, M.D.; Kenneth Simons, M.D.; 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 8:00 a.m. A quorum of eleven (11) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- *Correct Bourklakd to Bourkland in item R.5.a*
- *Added item R.4.f*
- *Added item S*

**MOTION:** David Roelke moved, seconded by Timothy Westlake, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES OF MAY 17, 2017 – REVIEW AND APPROVAL**

**MOTION:** Robert Zondag moved, seconded by David Roelke, to approve the minutes of May 17, 2017 as published. Motion carried unanimously.

*(Michael Carton joined via GoToMeeting at 8:02 a.m.)*

**WIS. STAT. § 448.02(5) VOLUNTARY SURRENDER – BOARD DISCUSSION AND POSSIBLE ACTION**

*(Alaa Abd-Elsayed joined the meeting at 8:06 a.m.)*

**MOTION:** Carolyn Ogland Vukich moved, seconded by Rodney Erickson, to delegate the Legislative Liaison to work with the Legislature to change the language of Wis. Stat. § 448.02(5). Motion carried unanimously.

**SPEAKING ENGAGEMENTS, TRAVEL, AND PUBLIC RELATIONS REQUESTS**

**American Association of Osteopathic Examiners (AAOE) Business Meeting**

**MOTION:** Robert Zoeller moved, seconded by Alaa Abd-Elsayed, to authorize Mary Jo Capodice to attend the American Association of Osteopathic Examiners (AAOE) Business meeting on July 20, 2017 in Chicago, IL and to authorize travel. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Timothy Westlake 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.). 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-Elseyed – 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; Timothy Westlake-yes; Robert Zoeller-yes; Robert Zondag-yes. Motion carried unanimously.

The Board convened into Closed Session at 8:18 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Mary Jo Capodice moved, seconded by Lee Ann Lau, to reconvene in Open Session at 9:39 a.m. Motion carried unanimously.

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

**MOTION:** Padmaja Doniparthi 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.)*

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

**MOTION:** Mary Jo Capodice moved, seconded by Carolyn Ogland Vukich, to find probable cause to believe that Sanjay Chopra, DLSC Case No. 15 MED 398 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.

*(Timothy Westlake recused himself and left the room for deliberation and voting in the matter concerning Sanjay Chopra, DLSC Case No. 15 MED 398.)*

**Administrative Warning*****15 MED 373 (A.T.H.)***

**MOTION:** Lee Ann Lau moved, seconded by Alaa Abd-Elseyed, to issue an Administrative Warning in the matter of DLSC Case No. 15 MED 373 against A.T.H. Motion carried unanimously.

(Carolyn Ogland Vukich recused herself and left the room for deliberation and voting in the matter concerning A.T.C., DLSC Case No. 15 MED 373.)

**Case Closings**

***15 MED 378 (M.F.J.) No Violation***

**MOTION:** David Roelke moved, seconded by Padmaja Doniparthi, to close DLSC Case No. 15 MED 378 for No Violation. Motion carried unanimously.

***15 MED 398 (C.P.W.) No Violation***

**MOTION:** Robert Zoeller moved, seconded by David Roelke, to close DLSC Case No. 15 MED 398 for No Violation. Motion carried. Opposed: 4

***15 MED 408 (R.R.W.) No Violation***

**MOTION:** Timothy Westlake moved, seconded by Padmaja Doniparthi, to close DLSC Case No. 15 MED 408 for No Violation. Motion carried unanimously.

***16 MED 214 (J.K.K.) No Violation***

**MOTION:** David Roelke moved, seconded by Alaa Abd-Elsayed, to close DLSC Case No. 15 MED 214 for No Violation. Motion carried unanimously.

***16 MED 337 (J.C.B.) Prosecutorial Discretion (P2)***

**MOTION:** Carolyn Ogland Vukich moved, seconded by David Roelke, to table the matter of DLSC Case No. 16 MED 337 against J.C.B. Motion carried unanimously.

***16 MED 337 (D.C.) No Violation***

**MOTION:** Timothy Westlake moved, seconded by Padmaja Doniparthi, to close DLSC Case No. 16 MED 337 against D.C. for No Violation. Motion carried unanimously.

***16 MED 184 (C.C. and X.Y.) No Violation***

**MOTION:** Mary Jo Capodice moved, seconded by Robert Zoeller, to close DLSC Case No. 16 MED 184 for No Violation. Motion carried unanimously.

**Monitoring**

***Bradley Bourkland***

**MOTION:** Robert Zondag moved, seconded by Timothy Westlake, to accept the Iowa IPHP as being compliant with the Wisconsin Order. Motion carried unanimously.

***Paul Ginkel***

**MOTION:** David Roelke moved, seconded by Alaa Abd-Elsayed, to grant the request of Paul Ginkel for an interruption in drug testing for travel to Israel for the period of Monday, August 14, 2017 to Friday, August 25, 2017. Motion carried unanimously.

*Stephen Haughey*

**MOTION:** David Roelke moved, seconded by Robert Zondag, to deny the request of Stephen Haughey for access to controlled substances. **Reason for Denial:** Due to Insufficient time of full compliance under the Board Order and due to the seriousness of the facts underlying the issuance of the Board Order. Respondent may not petition the Board for further modification of the original Order until 6/21/2018. Motion carried unanimously.

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

**MOTION:** Michael Carton moved, seconded by Bradley Kudick, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Alaa Abd-Elsayed moved, seconded by Robert Zoeller, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:40 a.m.