

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

**PRESENT:** Alaa Abd-Elsayed, M.D.; Mary Jo Capodice, D.O.; Rodney Erickson, M.D. (*via GoToMeeting;*) Padmaja Doniparthi, M.D.; Bradley Kudick (*via GoToMeeting;*) Lee Ann Lau, M.D. (*via GoToMeeting;*) David Roelke, M.D.; Kenneth Simons, Timothy Westlake, M.D. (*via GoToMeeting;*) M.D.; Robert Zoeller, M.D.; Robert Zondag (*arrived at 8:02 a.m.*)

**EXCUSED:** Michael Carton; Carolyn Ogland Vukich, M.D.

**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 ten (10) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- *Added Item G.2) Department of Veterans Affairs Request for Feedback Regarding a Forthcoming Rule Pertaining to the VA Telehealth Program*
- *Removed item U) Order Fixing Costs - Lawal*

**MOTION:** David Roelke moved, seconded by Alaa Abd-Elsayed, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES OF JUNE 21, 2017 – REVIEW AND APPROVAL**

**MOTION:** Mary Jo Capodice moved, seconded by Robert Zoeller, to approve the minutes of June 21, 2017 as published. Motion carried unanimously.

*(Robert Zondag joined the meeting at 8:02 a.m.)*

**FEDERATION OF STATE MEDICAL BOARDS (FSMB) MATTERS**

**Department of Veterans Affairs Request for Feedback Regarding a Forthcoming Rule Pertaining to the VA Telehealth Program**

**MOTION:** Padmaja Doniparthi moved, seconded by Robert Zondag, that the Board is supportive of the U.S. Department of Veterans Affairs (VA) position on telehealth as stated in the July 12, 2017 letter. Motion carried unanimously.

*Note: the letter was sent by Dr. Poonam Alaigh of the VA to the Federation of State Medical Boards. The letter is included in the agenda.*

**CLOSED SESSION**

**MOTION:** Robert Zoeller moved, seconded by Alaa Abd-Elsayed, 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; Padmaja Doniparthi – yes; Rodney Erickson – yes; Bradley Kudick – yes; Lee Ann Lau – 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 8:37 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** David Roelke moved, seconded by Lau, to reconvene in Open Session at 9:37 a.m. Motion carried unanimously.

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

**MOTION:** Robert Zoeller moved, seconded by Alaa Abd-Elsayed, 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**

#### **14 MED 288 – Anthony G. Conrardy, 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 288 (Anthony G. Conrardy.) Motion carried unanimously.

#### **16 MED 255 – Karen S. Caldemeyer, M.D.**

**MOTION:** Lee Ann Lau moved, seconded by Padmaja Doniparthi, to grant the Petition for Authorization to Request for Extension of Time in the matter of DLSC Case No. 16 MED 255 (Karen S. Caldemeyer.) Motion carried unanimously.

### **WAIVER OF 24 MONTHS OF ACGME/AOA APPROVED POST-GRADUATE TRAINING**

#### **Muhammad Abid, M.D.**

**MOTION:** David Roelke moved, seconded by Padmaja Doniparthi, to grant a waiver of the 24 month of ACGME/AOA approved post-graduate training to Muhammad Abid, per Wis. Stat. §448.05(2)(c). Motion carried unanimously.

**MOTION:** Robert Zoeller moved, seconded by David Roelke, to grant the license to practice medicine and surgery to Muhammad Abid, once all requirements are met. Motion carried unanimously.

*(Kenneth Simons recused himself and left the room for deliberation and voting in the matter of Muhammad Abid)*

**Ameya Asarkar, M.D.**

**MOTION:** Rodney Erickson moved, seconded by Bradley Kudick, to deny a waiver of the 24 month of ACGME/AOA approved post-graduate training to Ameya Asarkar, per Wis. Stat. §448.05(2)(c). Motion carried unanimously.

**Michael Toth, D.O.**

**MOTION:** David Roelke moved, seconded by Alaa Abd-Elsayed, to grant a waiver of the 24 month of ACGME/AOA approved post-graduate training to Michael Toth, per Wis. Stat. §448.05(2)(c). Motion carried unanimously.

**MOTION:** Padmaja Doniparthi moved, seconded by Robert Zondag, to grant the license to practice medicine and surgery to Michael Toth, once all requirements are met. Motion carried unanimously.

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

**Complaint**

**MOTION:** Robert Zondag moved, seconded by Robert Zoeller, to find probable cause to believe that James Stoll Jr., M.D., DLSC Case No. 16 MED 169 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.

*(David Roelke recused himself and left the room for deliberation and voting in the matter concerning James Stoll, DLSC Case No. 16 MED 169.)*

**Administrative Warning**

***16 MED 280 (J.W.F.)***

**MOTION:** Robert Zoeller moved, seconded by Lee Ann Lau, to issue an Administrative Warning in the matter of DLSC Case No. 16 MED 280 against J.W.F. Motion carried unanimously.

***16 MED 337 (J.C.B.)***

**MOTION:** Robert Zondag moved, seconded by Padmaja Doniparthi, to issue an Administrative Warning in the matter of DLSC Case No. 16 MED 337 against J.C.B. Motion carried unanimously.

***17 MED 007 (B.U.K.L.)***

**MOTION:** David Roelke moved, seconded by Alaa Abd-Elsayed, to issue an Administrative Warning in the matter of DLSC Case No. 17 MED 007 against B.U.K.L. Motion carried unanimously.

**Proposed Stipulations, Final Decisions and Orders*****15 MED 239– Jose G. Araujo, M.D.***

**MOTION:** Robert Zondag moved, seconded by David Roelke, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jose G. Araujo, M.D., DLSC Case No. 15 MED 239. Motion carried unanimously.

***15 MED 346 – Frank M. Wittmaack, M.D.***

**MOTION:** David Roelke moved, seconded by Robert Zondag, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Frank M. Wittmaack, M.D., DLSC Case No. 15 MED 346. Motion carried unanimously.

***16 MED 296 and 16 MED 360 – Richard K. McNutt, M.D.***

**MOTION:** David Roelke moved, seconded by Padmaja Doniparthi, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Richard K. McNutt, M.D., DLSC Case Nos. 16 MED 296 and 16 MED 360. Motion carried unanimously.

***16 MED 300 – Kan Ying, M.D.***

**MOTION:** Robert Zoeller moved, seconded by Mary Jo Capodice, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Kan Ying, M.D., DLSC Case No. 16 MED 300. Motion carried unanimously.

**Case Closings*****14 MED 569 – Insufficient Evidence***

**MOTION:** Alaa Abd-Elsayed moved, seconded by Padmaja Doniparthi, to close DLSC Case No. 14 MED 569 for Insufficient Evidence. Motion carried unanimously.

***15 MED 312 – No Violation***

**MOTION:** David Roelke moved, seconded by Robert Zoeller, not to close DLSC Case No. 15 MED 312 and to reassign the case to a physician as advisor. Motion carried unanimously.

***15 MED 337 — Insufficient Evidence***

**MOTION:** David Roelke moved, seconded by Mary Jo Capodice, to close DLSC Case No. 15 MED 337 for Insufficient Evidence. Motion carried unanimously.

***16 MED 098 – No Violation***

**MOTION:** Lee Ann Lau moved, seconded by Alaa Abd-Elsayed, to close DLSC Case No. 16 MED 098 for No Violation. Motion carried unanimously.

***16 MED 204 – Prosecutorial Discretion***

**MOTION:** Alaa Abd-Elsayed moved, seconded by Robert Zondag, to close DLSC Case No. 16 MED 204 for Prosecutorial Discretion (P2.) Motion carried unanimously.

*(Kenneth Simons recused himself and left the room for deliberation and voting in the matter concerning J.Q., DLSC Case No. 16 MED 204.)*

***16 MED 296 (M.A.) – No Violation***

**MOTION:** Mary Jo Capodice moved, seconded by Alaa Abd-Elsayed, to close DLSC Case No. 16 MED 296 against M.A. for No Violation. Motion carried unanimously.

***17 MED 002 – No Violation***

**MOTION:** Timothy Westlake moved, seconded by Alaa Abd-Elsayed, to close DLSC Case No. 17 MED 002 for No Violation. Motion carried unanimously.

***17 MED 122 – No Violation***

**MOTION:** Mary Jo Capodice moved, seconded by Padmaja Doniparthi, to close DLSC Case No. 17 MED 122 for No Violation. Motion carried unanimously.

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

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

The meeting adjourned at 9:38 a.m.