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**MEDICAL EXAMINING BOARD**  
**Room N208, 4822 Madison Yards Way, Madison**  
**Contact: Yolanda Y. McGowan (608) 266-2112**  
**April 17, 2019**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**8:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of March 20, 2019 (5-8)**
- C. Conflicts of Interest**
- D. Administrative Matters**
  - 1. Board, Department, and Staff Updates
  - 2. Board Members – Term Expiration Dates
    - a. Alaa Abd-Elsayed – 07/01/2020
    - b. David Bryce – 07/01/2021
    - c. Mary Jo Capodice – 07/01/2018
    - d. Michael Carton – 07/01/2020
    - e. Padmaja Doniparthi – 07/01/2021
    - f. Rodney Erickson – 07/01/2019
    - g. Bradley Kudick – 07/01/2020
    - h. Lee Ann Lau – 07/01/2020
    - i. David Roelke – 07/01/2021
    - j. Kenneth Simons – 07/01/2018
    - k. Timothy Westlake – 07/01/2020
    - l. Robert Zoeller – 07/01/2019
    - m. Vacant Public Member
  - 3. Screening Panel and Examination Panel Appointments
  - 4. Wis. Stat. § 15.085 (3)(b) – Affiliated Credentialing Boards’ Biannual Meeting with the Medical Examining Board to Consider Matters of Joint Interest
- E. Legislation and Rule Matters – Discussion and Consideration**
  - 1. Legislation and Pending or Possible Rulemaking Projects
- F. Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports (9)**

1. Speaking Engagement Request from Advanced Pain Management for May 18, 2019 in Waukesha, WI

**G. Disaster Response – Discussion (10-22)**

**H. Elections, Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments (23-26)**

I. Federation of State Medical Boards (FSMB) Matters

J. Controlled Substances Board Report – Timothy Westlake

K. Interstate Medical Licensure Compact Commission (IMLCC) – Report from Wisconsin’s Commissioners

L. Newsletter Matters

M. Screening Panel Report

N. Informational Items

**O. Discussion and Consideration of Items Added After Preparation of Agenda**

1. Introductions, Announcements and Recognition
2. Administrative Updates
3. Elections, Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments
4. Council Appointment Matters
5. Education and Examination Matters
6. Credentialing Matters
7. Practice Matters
8. Future Agenda Items
9. Legislation/Administrative Rule Matters
10. Liaison Report(s)
11. Newsletter Matters
12. Annual Report Matters
13. Informational Item(s)
14. Division of Legal Services and Compliance (DLSC) Matters
15. Presentations of Petition(s) for Summary Suspension
16. Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
17. Presentation of Proposed Decisions
18. Presentation of Interim Order(s)
19. Petitions for Re-Hearing
20. Petitions for Assessments
21. Petitions to Vacate Order(s)
22. Petitions for Designation of Hearing Examiner
23. Requests for Disciplinary Proceeding Presentations
24. Motions
25. Petitions
26. Appearances from Requests Received or Renewed
27. Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports

P. Future Agenda Items

Q. Public Comments

**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.).**

**R. Consideration of Waiver of 24 Months of ACGME/AOA Approved Post-Graduate Training**

1. Nishant Saran, M.D. **(27-307)**

**S. Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

**1. Recusal of Board from 18 MED 147 and 19 MED 026 (308)**

**2. Administrative Warnings**

- a. 17 MED 537 – R.E.S. **(309-310)**
- b. 18 MED 094 – C.E.L. **(311-312)**
- c. 18 MED 186 – W.G.D. **(313-314)**
- d. 18 MED 210 – R.A.H. **(315-316)**
- e. 18 MED 213 – E.C.R. **(317-318)**
- f. 18 MED 235 – L.L.T. **(319-320)**

**3. Stipulations, Final Decisions and Orders**

- a. 15 MED 374 – Thomas E. Goodrich, M.D. **(321-326)**
- b. 16 MED 139 – John D. Whelan, M.D. **(327-332)**
- c. 17 MED 146 – Roderick D. Koehler, M.D. **(333-338)**
- d. 17 MED 266 – Thomas M. Naughton, M.D. **(339-346)**
- e. 17 MED 372 – Sobia Kirmani-Moe, M.D. **(347-353)**
- f. 18 MED 001 – Barbara J. Gonzales, M.D. **(354-361)**
- g. 18 MED 224 – Brandon J. Rebholz, M.D. **(362-367)**

**4. Case Closing(s)**

- a. 14 MED 251 – W.S.N. **(368-379)**
- b. 15 MED 424 – M.T. **(380-381)**
- c. 16 MED 478 – K.B. **(382-384)**
- d. 17 MED 061 – D.S. & L.D. **(385-395)**
- e. 17 MED 176 – M.P. **(393-412)**
- f. 17 MED 185 – N.H. **(413-419)**
- g. 17 MED 379 – L.S. **(420-422)**
- h. 17 MED 418 – V.I. **(423-427)**
- i. 18 MED 012 – C.L. **(428-447)**
- j. 18 MED 197 – Unknown **(448-450)**
- k. 18 MED 198 – Unknown **(451-453)**
- l. 18 MED 241 – J.O. **(454-456)**
- m. 18 MED 499 – A.B. **(457-466)**
- n. 18 MED 625 – E.R. **(467-469)**
- o. 18 MED 630 – B.S. **(470-474)**
- p. 19 MED 008 – Unknown **(475-477)**

**5. Monitoring (478-493)**

a. Jong Kim, M.D. – Violation of Board Order

T. Open Cases

U. Consulting with Legal Counsel

V. Deliberation of Items Added After Preparation of the Agenda

1. Education and Examination Matters
2. Credentialing Matters
3. DLSC Matters
4. Monitoring Matters
5. Professional Assistance Procedure (PAP) Matters
6. Petition(s) for Summary Suspensions
7. Proposed Stipulations, Final Decisions and Orders
8. Administrative Warnings
9. Proposed Decisions
10. Matters Relating to Costs
11. Complaints
12. Case Closings
13. Case Status Report
14. Petition(s) for Extension of Time
15. Proposed Interim Orders
16. Petitions for Assessments and Evaluations
17. Petitions to Vacate Orders
18. Remedial Education Cases
19. Motions
20. Petitions for Re-Hearing
21. Appearances from Requests Received or Renewed

**W. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**X. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate**

Y. Open Session Items Noticed Above Not Completed in the Initial Open Session

**Z. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates**

**ADJOURNMENT**

**ORAL EXAMINATION OF CANDIDATES FOR LICENSURE**

**ROOM N207**

**10:00 A.M., OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING**

**CLOSED SESSION** – Reviewing Applications and Conducting Oral Examination of Two (2) (at time of agenda publication) Candidates for Licensure – Dr. Mary Jo Capodice and Dr. Kenneth Simons

**NEXT MEETING DATE: MAY 15, 2019**

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

**MEDICAL EXAMINING BOARD  
MEETING MINUTES  
MARCH 20, 2019**

**PRESENT:** Alaa Abd-Elsayed, M.D.; David Bryce, M.D.; Mary Jo Capodice, D.O.; Michael Carton (*via teleconference*); Rodney Erickson, M.D. (*via teleconference*); Lee Ann Lau, M.D.; Bradley Kudick; Kenneth Simons, M.D.; Robert Zoeller, M.D.

**EXCUSED:** David Roelke, M.D.; Timothy Westlake, M.D.; Padmaja Doniparthi, M.D.

**STAFF:** Yolanda McGowan, DPD Division Administrator; Dale Kleven, Rule Coordinator; Kate Stolarzyk, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Kenneth Simons, Chair, called the meeting to order at 8:06 a.m. A quorum of nine (9) members was confirmed.

**ADOPTION OF AGENDA**

**Amendment to the Agenda**

- *After item H. “Uniform Emergency Volunteer Health Practitioners Act”*
  - **ADD:** *Additional Materials for item I. “Elections, Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments”*
- *After item I. “Elections, Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments”*
  - **ADD:** *item J. “Division of Legal Services and Compliance Annual Report January 1, 2017 – December 31, 2018”*

**MOTION:** Mary Jo Capodice moved, seconded by David Bryce, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF FEBRUARY 20, 2019**

**MOTION:** Robert Zoeller moved, seconded by Bradley Kudick, to approve the minutes of February 20, 2019 published. Motion carried unanimously.

**SPEAKING ENGAGEMENT(S), TRAVEL, OR PUBLIC RELATION REQUEST(S), AND REPORTS**

**MOTION:** Bradley Kudick moved, seconded by Lee Ann Lau, to designate Mary Jo Capodice to speak on the Board’s behalf at the WAOPS Conference on June 27<sup>th</sup>, 2019 in Wausau, WI. Motion carried unanimously.

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

**MOTION:** Bradley Kudick moved, seconded by Lee Ann Lau, to appoint Chris R. Becker to the Respiratory Care Practitioners Examining Council as a Respiratory Care Practitioner Member as of 7/1/2019 for a term to expire on July 1, 2022. Motion carried unanimously.

## PUBLIC COMMENTS

**MOTION:** Lee Ann Lau moved, seconded by Alaa Abd-Elseyed, to recognize and thank Tom Ryan for his many years of dedicated service to the Medical Examining Board. Motion carried unanimously.

## CLOSED SESSION

**MOTION:** Robert Zoeller moved, seconded by Bradley Kudick, 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.). Kenneth Simons, 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; David Bryce-yes; Mary Jo Capodice-yes; Michael Carton-yes; Rodney Erickson-yes; Bradley Kudick – yes; Lee Ann Lau – yes; Kenneth Simons-yes; Robert Zoeller-yes. Motion carried unanimously.

The Board convened into Closed Session at 8:33 a.m.

## RECONVENE TO OPEN SESSION

**MOTION:** Mary Jo Capodice moved, seconded by Alaa Abd-Elseyed, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 9:03 a.m.

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

**MOTION:** David Bryce moved, seconded by Lee Ann Lau, 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.)*

## CREDENTIALING MATTERS

### Full Board Review

#### *Siamak Karimian, M.D.*

**MOTION:** Alaa Abd-Elseyed moved, seconded by David Bryce, to approve the application of Siamak Karimian, M.D., once all requirements are met. Motion carried unanimously.

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

**Stipulations, Final Decisions and Orders**

***15 MED 093 – Arvind Ahuja, M.D.***

**MOTION:** Robert Zoeller moved, seconded by Alaa Abd-Elsayed, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Arvind Ahuja, M.D., DLSC Case Number 15 MED 093. Motion carried unanimously.

***17 MED 426 – Larry R. Myers, M.D.***

**MOTION:** Lee Ann Lau moved, seconded by Robert Zoeller, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Larry R. Myers, M.D., DLSC Case Number 17 MED 426. Motion carried unanimously.

*(Yolanda McGowan recused herself and left the room for deliberation and voting in the matter concerning Larry R. Myers, M.D., DLSC Case Number 17 MED 426.)*

***17 MED 542 & 18 MED 032 – Bennett S. Walstatter, M.D.***

**MOTION:** Lee Ann Lau moved, seconded by David Bryce, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Bennett S. Walstatter, M.D., DLSC Case Number 17 MED 542 & 18 MED 032. Motion carried unanimously.

***18 MED 026 – Robert C. Buss, M.D.***

**MOTION:** Robert Zoeller moved, seconded by Bradley Kudick, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Robert C. Buss, M.D., DLSC Case Number 18 MED 026. Motion carried unanimously.

***18 MED 061 – James J. Yurcek, M.D.***

**MOTION:** Alaa Abd-Elsayed moved, seconded by Bradley Kudick, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against James J. Yurcek, M.D., DLSC Case Number 18 MED 061. Motion carried unanimously.

*(Yolanda McGowan recused herself and left the room for deliberation and voting in the matter concerning James J. Yurcek, M.D., DLSC Case Number 18 MED 061.)*

## Case Closings

**MOTION:** Rodney Erickson moved, seconded by Mary Jo Capodice, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 16 MED 422 – C.A. – No Violation
2. 17 MED 300 – E.W. – No Violation
3. 17 MED 490 – L.S. – No Violation
4. 18 MED 077 – J.G. – Prosecutorial Discretion (P7)
5. 18 MED 133 – D.R.S. – No Violation
6. 18 MED 218 – A.D. – Insufficient Evidence
7. 18 MED 223 – J.A.S. – No Violation
8. 18 MED 270 – K.S. & S.L. – No Violation
9. 18 MED 290 – F.C. – No Violation

Motion carried unanimously.

### ***17 MED 537 – R.E.S. – No Violation***

**MOTION:** Lee Ann Lau moved, seconded by Bradley Kudick, to refer DLSC Case Number 17 MED 537, against R.E.S., back to DLSC. Motion carried unanimously.

*(Yolanda McGowan recused herself and left the room for deliberation and voting in the matter concerning DLSC Case Number 17 MED 537.)*

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

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

## **ADJOURNMENT**

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

The meeting adjourned at 9:04 a.m.



**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  Rod Erickson		2) Date When Request Submitted:  2/2019	
		Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
3) Name of Board, Committee, Council, Sections:  Medical Examining Board			
4) Meeting Date:  4/17/2019	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  Disaster Response - Discussion	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing?  No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:  Background Material: <ol style="list-style-type: none"> <li>1) Uniform Emergency Volunteer Health Practitioners Act (Attachment)</li> <li>2) FSMB Resolution Proposal – Emergency Licensure Following a National Disaster (Attachment)</li> <li>3) North Carolina Rule – Physician Practice and Limited License for Disasters and Emergencies (Attachment)</li> </ol>			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Bureau Director signature (indicates approval to add post agenda deadline item to agenda)		Date	

## Uniform Emergency Volunteer Health Practitioners Act

### Situation

In the event of a natural or manmade catastrophe with a large number of casualties and loss of infrastructure disruption, many states including Wisconsin have limited ability to respond.

- No mechanism to bring in practitioners not licensed in Wisconsin
- Available resources very limited
  - National Guard limited (federal oversight)
  - Medical Reserve Corps limited (state oversight)
  - Disaster Medical Assistance Team (DMAT) limited (federal oversight)

### Background

In the aftermath of Hurricane Katrina, it became apparent existing organizations and infrastructures were inadequate to provide prompt, effective emergency medical care. Multiple barriers existed.

- Volunteers were willing to come to the aid of communities
  - Not clear what roles they could fulfill
  - No licensing mechanism
  - No license, no liability protection
- Lack of infrastructure
  - Volunteer practitioners may have no place to provide services
- No easy expedient way to license
  - No oversight or jurisdiction
  - No limits: time, place, practice

### Assessment

To address these deficiencies something was needed to provide states with the ability to access health manpower, especially licensed practitioners from outside jurisdictions rapidly, safely, and efficiently. One response has been the Uniform Emergency Volunteer Health Practitioners Act.

In 2006, the National Conference of Commissioners on Uniform State Laws adopted a model bill to address the issue of health care practitioners providing care **during a declared emergency** in states where they may not be licensed to practice. The UEVHPA was developed in response to the significant legal and licensing barriers to volunteer physicians and health care practitioners who would like to provide care in times of a declared emergency.

- Defines who may practice: professionals have registered with a public or private registration system
- Provides licensure: permits those professionals to enter the state and provide services without having to seek a license in the state
- Provides access to services: increasing access to care during a critically difficult situation where licensure boards may be swamped with requests
- Helps define liability
- May be integrated into larger emergency response system including medical reserve corps

### The Purpose of the UEVHPA

The UEVHPA establishes legal guidelines to allow volunteers to provide assistance during a time of declared emergency by recognizing other states' licenses for physicians and health care

practitioners. Whereas federal provisions for interstate cooperation do not extend to most private practitioners, the UEVHPA calls for the creation of a registration system that out-of-state practitioners may use either before or during a disaster. Upon successful registration, practitioners are expressly permitted to contribute their professional skills to existing organized disaster efforts. In addition, the Act addresses issues of workers' compensation coverage and civil liability protections for physicians and other licensed health care practitioners.

### Why the UEVHPA Is Important to Physicians

Physicians are uniquely qualified to assist during disasters. Physicians with training in trauma and critical care, play a major role in the health care community's response to most disaster situations. Properly trained volunteers are critical in such circumstances.

By enacting the UEVHPA, state legislatures can have a positive impact on disaster response effectiveness. Removing barriers that prohibit licensed surgeons and other qualified responders from traveling across state lines to voluntarily administer medically necessary care during disasters will ensure the citizens of their state have access to high-quality surgical services in the event of a crisis.

### Recommendation

Propose legislation for an Emergency Volunteer Health Practitioners Act

Establishes the Uniform Emergency Volunteer Health Practitioners Act which

- Applies to volunteer health practitioners (out of state/in-state) registered with the volunteer health practitioner registration system defined in the bill and who provide health or veterinary services in this state for a host entity while an emergency declaration is in effect.

### Purpose

Authorizes the Department of Health or Department of Safety and Professional Services to regulate the use of in-state/out-of-state licensed volunteer health & veterinary practitioners **during a Governor's declared emergency.**

- Authorizes registered volunteer health & veterinary practitioners licensed in other states to practice in the state during a declared emergency.
- Establishes standards for volunteer health practitioner registration.

### Key points

- Requires: Volunteer Health Professionals to register with DHS/DSPP before or during an emergency
- Deployment Trigger: Requires Governor (*state, regional or national*) to issue State of Emergency Proclamation.
- Out-of-State: Volunteer Health Professionals licensed in good standing and registered by DHS/DSPP may practice in WI during a declared emergency.

DHS/DSPP may:

- Limit, restrict, or otherwise regulate
- Duration of Practice
- Geographical areas
- Types of Practitioners

Licensing Boards may:

- Sanction out-of-state practitioners for conduct occurring in WI during the emergency

- A Volunteer Health Practitioner that is injured or dies during deployment is deemed an employee of the state – L&I coverage \*
- Liability protection for acts or omission while providing services \*

Benefits \*\*

- Provides a pathway for in-state/out-of-state providers.
- Provides authorities for DHS/DSPS to manage & deploy state-level volunteer programs.
- Complements MRCs – Local volunteer program
- Allows local MRC members to register with DHS/DSPS for in-state deployment.
- Provides worker compensation liability protection.
- Provides authorities to deploy in-state DHS/DSPS registered volunteers as state employees for purposes of supporting an EMAC/PNEMA request.

[uniform emergency volunteer healthcare practitioners act uniform ...  
www.ifrc.org/docs/idrl/367EN.pdf](http://www.ifrc.org/docs/idrl/367EN.pdf)

States that have enacted UEVHPA model legislation include:

- Arkansas (2009)
- Colorado (2007)
- District of Columbia (2010)
- Georgia (2016)
- Illinois (2010)
- Indiana (2008)
- Kentucky (2007)
- Louisiana (2009)
- Maine (2018)
- Nevada (2011)
- New Mexico (2008)
- North Dakota (2009)
- Oklahoma (2009)
- Oregon (2009)
- Tennessee (2007)
- Texas (2013)
- Utah (2008)
- Washington (2018)
- West Virginia (2017)

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- Maine (2018)
- Nevada (2011)
- New Mexico (2008)
- North Dakota (2009)
- Oklahoma (2009)
- Oregon (2009)
- Tennessee (2007)
- Texas (2013)
- Utah (2008)
- Washington (2018)
- West Virginia (2017)

**Federation of State Medical Boards  
House of Delegates Meeting  
April 27, 2019**

Subject: Emergency Licensure Following a Natural Disaster

Introduced by: North Carolina Medical Board

Approved: January 2019

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Whereas, hurricanes and other natural disasters can cause mass injuries that are beyond a state's ability to manage with currently licensed physicians, and

Whereas, in those situations, state medical and osteopathic boards ("boards") must be able to quickly process emergency license applications in a way that does not compromise public safety, and

Whereas, FSMB Policy 240.4 "License Portability During a Public Health Emergency" (April 2006) states ". . . the FSMB [will] study issues relative to license portability during an emergency including, but not limited to, joining with other organizations or entities to determine the best manner to provide necessary medical care and maintain licensure autonomy for the individual states", and

Whereas, FSMB Policy 240.6 "Disaster Preparedness and Licensing" (April 2002) states "The FSMB will cooperate with federal and state legislators, agencies, and organizations in facilitating the movement of properly licensed physicians among FSMB member licensing jurisdictions in support of necessary emergency medical response", and

Whereas, although good policies, they did not result in model emergency licensure laws and rules, and

Whereas, many boards, particularly those in hurricane-prone states, would benefit from model emergency licensure laws and rules.

Therefore, be it hereby

Resolved, that the Federation of State Medical Boards convene a workgroup to develop model emergency licensure laws and rules and submit its recommendations to the House of Delegates at the 2020 FSMB Annual Meeting.

1 21 NCAC 32B .1706 is proposed for adoption under temporary procedures as follows:

2  
3 **21 NCAC 32B .1706 PHYSICIAN PRACTICE AND LIMITED LICENSE FOR DISASTERS AND**  
4 **EMERGENCIES**

5  
6 (a) The Board shall, pursuant to G.S. 90-12.5, waive requirements for licensure except to the extent set  
7 forth below and after the Governor of the State of North Carolina has declared a disaster or state of  
8 emergency, or in the event of an occurrence for which a county or municipality has declared a state of  
9 emergency, or to protect the public health, safety or welfare of its citizens under Article 22 of Chapter  
10 130A of the General Statutes. There are two ways for physicians to practice under this rule:

11 (1) Hospital to Hospital Credentialing: A physician who holds a full, unlimited and  
12 unrestricted license to practice medicine in another U.S. state, territory or district and has  
13 unrestricted hospital credentials and privileges in any U.S. state, territory or district may  
14 come to North Carolina and practice medicine at a hospital that is licensed by the North  
15 Carolina Department of Health and Human Services upon the following terms and  
16 conditions:

17 (A) the licensed North Carolina hospital shall verify all physician credentials and  
18 privileges;

19 (B) the licensed North Carolina hospital shall keep a list of all physicians coming to  
20 practice and shall provide this list to the Board within ten (10) days of each  
21 physician practicing at the licensed North Carolina hospital. The licensed North  
22 Carolina hospital shall also provide the Board a list of when each physician has  
23 stopped practicing medicine in North Carolina under this section within ten (10)  
24 days after each physician has stopped practicing medicine under this section;

25 (C) all physicians practicing under this section shall be authorized to practice  
26 medicine in North Carolina and shall be deemed to be licensed to practice  
27 medicine in the State of North Carolina and the Board shall have jurisdiction over  
28 all physicians practicing under this section for all purposes set forth in or related  
29 to Article 1 of Chapter 90 of the North Carolina General Statutes, and such  
30 jurisdiction shall continue in effect even after any and all physicians have stopped  
31 practicing medicine under this section;

32 (D) a physician may practice under this section for the shorter of (a) thirty (30) days  
33 from the date the physician has started practicing under this section or (b) a  
34 statement by an appropriate authority is made that the emergency or disaster  
35 declaration has been withdrawn or ended and, at such time, the license deemed  
36 to be issued shall become inactive, and

1 (E) physicians practicing under this section shall not receive any compensation  
2 outside of their usual compensation for the provision of medical services during a  
3 disaster or emergency.

4 (2) Limited Emergency License: A physician who holds a full, unlimited and unrestricted  
5 license to practice medicine in another U.S. state, territory or district may apply for a  
6 limited emergency license on the following conditions:

7 (A) the applicant must complete a limited emergency license application;

8 (B) the Board shall verify that the physician holds a full, unlimited and unrestricted  
9 license to practice medicine in another U.S. state, territory or district;

10 (C) in response to the specific circumstances presented by a declared disaster or  
11 state of emergency and in order to best serve the public interest, the Board may  
12 limit the physician's scope of practice;

13 (D) the Board shall have jurisdiction over all physicians practicing under this section  
14 for all purposes set forth in or related to Article 1 of Chapter 90 of the North  
15 Carolina General Statutes, and such jurisdiction shall continue in effect even  
16 after such physician has stopped practicing medicine under this section or the  
17 Limited Emergency License has expired;

18 (E) this license shall be in effect for the shorter of (a) thirty (30) days from the date it  
19 is issued or (b) a statement by an appropriate authority is made that the  
20 emergency or disaster declaration has been withdrawn or ended and, at such  
21 time, the license issued shall become inactive; and

22 (F) physicians holding limited emergency licenses shall not receive any  
23 compensation outside of their usual compensation for the provision of medical  
24 services during a disaster or emergency.

25  
26 History Note: Authority G.S. 90-12.5; G.S. 90-13.2(e); G.S. 90-14(a); GS 166A-45  
27

**From:** [McGowan, Yolanda - DSPS](#)  
**To:** [Stolarzyk, Kate - DSPS](#)  
**Subject:** FW: UEVHPA  
**Date:** Wednesday, April 10, 2019 4:18:15 PM

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**From:** Erickson, Rodney A., M.D. <Erickson.Rodney@mayo.edu>  
**Sent:** Wednesday, April 10, 2019 4:02 PM  
**To:** McGowan, Yolanda - DSPS <Yolanda.McGowan@wisconsin.gov>  
**Subject:** RE: UEVHPA

Thanks

It was tabled last month to discuss this month as I was unable to attend in person in March. For the summary and FAQ, could we include the attachments, each is 2 pages. Jaclyn or someone could do that.

R

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**From:** McGowan, Yolanda - DSPS [<mailto:Yolanda.McGowan@wisconsin.gov>]  
**Sent:** Wednesday, April 10, 2019 1:38 PM  
**To:** Erickson, Rodney A., M.D.  
**Subject:** [EXTERNAL] RE: UEVHPA

Hi Dr. Erickson. For now, yes. I can have Kim add it to the agenda for discussion under legislative updates.

Yolanda

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**From:** Erickson, Rodney A., M.D. <[Erickson.Rodney@mayo.edu](mailto:Erickson.Rodney@mayo.edu)>  
**Sent:** Monday, April 08, 2019 6:39 PM  
**To:** McGowan, Yolanda - DSPS <[Yolanda.McGowan@wisconsin.gov](mailto:Yolanda.McGowan@wisconsin.gov)>  
**Subject:** UEVHPA

Yolanda,  
You are now our POC for MEB issues, correct?

As you may or may not be aware I'm introducing the **Universal Emergency Volunteer Health Practitioners Act** for discussion and I hope to eventually move forward for legislative support.

There are volumes available, but I'd like to include at a minimum the summary, and the FAQ is helpful.

Not sure MEB members want the model bill as of yet.

FAQ 2 pages

<https://www.facs.org/~media/files/advocacy/state/uevhpa%20fact%20sheet.ashx>

Summary 2 pages

<https://www.facs.org/~media/files/advocacy/state/uevhpa%20summary.ashx>

Model bill, 16 pages

<https://www.facs.org/~media/files/advocacy/state/uevhpa%20model%20bill.ashx>

Thanks

Rod

The 2 minute elevator speech:

The UEVHPA was developed in 2006 after existing programs were found to be extremely inadequate during the response to hurricanes Katrina and Rita in 2005. Wide adoption of the UEVHPA along with central organization could provide a more effective response to national or regional crisis, especially when local infrastructure is incapacitated.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  Kimberly Wood, Program Assistant Supervisor-Advanced		2) Date When Request Submitted:  3/14/2019  <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections:  <b>Medical Examining Board</b>			
4) Meeting Date:  4/17/19	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  Medical Examining Board – Council Member Appointment Matters 1) Respiratory Care Practitioners Examining Council a. Reappointments i. Lynn Waldera	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:  N/A	
10) Describe the issue and action that should be addressed:  The Board should determine how best to proceed with reappointments to the Respiratory Care Practitioners Examining Council.  Consider Reappointment to the Respiratory Care Practitioners Examining Council ii. Lynn Waldera – Applicant (Replace William Rosandick) Resume, Cover Letters and Application Attached  If the Board choose to reappoint Lynn Waldera, consider the following motion. <ul style="list-style-type: none"> <li>• Motion Language: to reappoint Lynn Waldera to the Respiratory Care Practitioners Examining Council as a Respiratory Care Practitioner Member for a term to expire on July 1, 2020.</li> </ul>			
11) <span style="float: right;">Authorization</span>  <b>Kimberly Wood</b> <hr/> Signature of person making this request <span style="float: right;">Date</span>  <hr/> Supervisor (if required) <span style="float: right;">Date</span>  <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) <span style="float: right;">Date</span>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



## APPLICATION FOR A SECRETARIAL APPOINTMENT

### INSTRUCTIONS

Thank you for expressing an interest in serving Wisconsin. The advisory councils and committees attached to the Department of Safety and Professional Services advise the department on issues and rules relating to various professions and programs. To be considered, please complete the application below.

### PART I

Name (First, Middle Initial, Last):		Lynn R. Waldera	
Home Address 1:		[REDACTED]	
Address Line 2:		[REDACTED]	
City:	De Forest	ZIP Code:	53532
Home Phone:	[REDACTED]	Cell Phone:	[REDACTED]
E-mail Address:	[REDACTED]	Date of Birth:	[REDACTED]
State Senator:	Scott Fitzgerald	State Representative:	John Jagler
Job Title, Company:	Director of Preventative Health and Wellness		
Work Address 1:	Divine Savior Healthcare		
Address Line 2:	[REDACTED]		
City:	Portage	ZIP Code:	53901
Work Phone:	[REDACTED]	Fax Number:	[REDACTED]
Preferred Mailing Address (please check one):	<input checked="" type="checkbox"/> Home <input type="checkbox"/> Work		
What is your state of residence?	Wisconsin		
Are you a state employee?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, list your Department and Division.	[REDACTED]		
Are you an elected official?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, what is your position?	[REDACTED]		

Are you a licensed/certified professional? If so, please specify.
RCP - State of WI 437
Do you belong to any professional groups? If so, please specify.
NBRC, AARC, WSRC, AASM, AAST, BRPT

*Demographic Information is Optional			
Disability:	No	Veteran:	No

Gender:	<input checked="" type="checkbox"/> Female <input type="checkbox"/> Male	Ethnicity:	Caucasian
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**Part II**

Councils or Committees Sought (Please list in order of preference and specify member type, if known.):

1.	Respiratory Care Examiners Board
2.	
3.	
4.	

In the space provided below, please list the names of three people who are willing to serve as references. Please also include phone numbers and their relationship to you.

Name	Phone Number	Relationship to You
1. Scott Whiting	608-206-4470	Friend
2. Cody Doucette	920-296-0272	Friend
3. Dottie Love	608-516-2752	Friend/Co-worker

Did anyone refer you to this board? If so, who?

1.	Mike Lindner
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**RESUME**

Please attach a copy of your resume to this application. Please include relevant work experience, education, community involvement, government or military service, honors, awards, and other talents.

- By submitting this application you are affirming that all the statements you have made in this document are true and that you understand that a background check may be conducted if you are considered for appointment.
- Under Wisconsin Statutes 19.36(7)(b), as an applicant for this position, you have the limited right to request that your identity be kept in confidence. If you wish to prefer this right, you must attach to our application a letter requesting confidentiality of your identity with respect to this application.
- This right prevents your identity from being released in response to a public records request unless; you are appointed to the position or you are a finalist for the position as defined by Wisconsin Statute 19.36(7)(a).

Applications should be faxed to:	Applications should be emailed to:	Applications should be mailed to:
608-267-0644	<a href="mailto:DSPSAppointments@wisconsin.gov">DSPSAppointments@wisconsin.gov</a>	Department of Safety & Professional Services Office of the Secretary P.O. Box 8935 Madison, WI 53708-8935

LYNN R. WALDERA

DEFOREST, WI 53532

### **Education**

Upper Iowa University- Fayette, Iowa

Master of Business Administration- Organizational Development, May 2017.

Concordia University- Wisconsin, Madison, Wisconsin.

Bachelor of Arts Degree Health Care Administration, July 1997.

Madison Area Technical College, Madison, Wisconsin

Associate of Science Respiratory Care Practitioner, December 1988.

### **Work Experience**

Divine Savior Healthcare, Portage, Wisconsin.

Director of Preventative Health and Wellness, August 2014 to present.

Divine Savior Healthcare, Portage, Wisconsin.

Director of Cardiopulmonary Services, November 2001 to August 2014.

St. Mary's Hospital, Madison, Wisconsin.

Registered Polysomnography Technologist, June 2000 to October, 2014.

Edgerton Hospital and Health Services, Edgerton, Wisconsin.

Registered Polysomnography Technologist, June 2010 to present.

Madison Area Technical College, Madison, Wisconsin.

Polysomnography Program Instructor, August 2010 to September 2014.

Stoughton Hospital, Stoughton, Wisconsin

Registered Polysomnography Technologist, August 2012 to present.

### **Volunteer**

Respiratory Care Practitioner Examining Board for State of Wisconsin- 2011 to present

### **Licenses/Certifications/Memberships**

State of Wisconsin Respiratory Care Practitioner # 473

NBRC Registered Respiratory Therapist # 40777

BRPT RSPGT # 12146

AAST # 226084

WSRC

Wisconsin Sleep Society

State of Wisconsin Certified Fire Fighter I

### **Honors**

Graduated Summa Cum Laude, Concordia University 1997.

### **References**

Available upon request