



**VIRTUAL/TELECONFERENCE
MEDICAL EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Valerie Payne (608) 266-2112
November 18, 2020**

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 (1-5)

B. Approval of Minutes of October 21, 2020 (6-13)

C. Introductions, Announcements and Recognition

D. Conflicts of Interest

E. Administrative Matters

- 1) Board, Department and Staff Updates
- 2) Board Members – Term Expiration Dates
 - a. Milton Bond, Jr. – 7/1/2023
 - b. David A. Bryce – 7/1/2021
 - c. Clarence Chou – 7/1/2023
 - d. Padmaja Doniparthi – 7/1/2021
 - e. Diane Gerlach – 7/1/2024
 - f. Sumeet Goel – 7/1/2023
 - g. Michael Parish – 7/1/2023
 - h. David Roelke – 7/1/2021
 - i. Rachel Sattler – 7/1/2024
 - j. Sheldon Wasserman – 7/1/2023
 - k. Lemuel Yerby – 7/1/2024
 - l. Emily Yu – 7/1/2024
- 3) Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments
- 4) Assignment of Screening Panel and Examination Panel Liaisons
- 5) Wis. Stat. § 15.085 (3)(b) – Affiliated Credentialing Boards’ Biannual Meeting with the Medical Examining Board to Consider Matters of Joint Interest
 - a. Occupational Therapists Affiliated Credentialing Board

F. Legislative and Policy Matters – Discussion and Consideration

- G. Administrative Rule Matters – Discussion and Consideration**
 - 1) Pending or Possible Rulemaking Projects
- H. CE Broker – Discussion and Consideration**
- I. COVID-19 – Discussion and Consideration**
- J. Federation of State Medical Boards (FSMB) Matters – Discussion and Consideration**
 - 1) Invitation to USMLE Orientation for State Board Members
- K. Controlled Substances Board Report
- L. Interstate Medical Licensure Compact Commission (IMLCC) – Report from Wisconsin’s Commissioners
- M. Newsletter Matters – Discussion and Consideration**
- N. Screening Panel Report**
- O. Future Agenda Items
- P. Discussion and Consideration of Items Added After Preparation of Agenda:
 - 1) Introductions, Announcements and Recognition
 - 2) Elections, Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments
 - 3) Administrative Matters
 - 4) Election of Officers
 - 5) Appointment of Liaisons and Alternates
 - 6) Delegation of Authorities
 - 7) Education and Examination Matters
 - 8) Credentialing Matters
 - 9) Practice Matters
 - 10) Legislative and Policy Matters
 - 11) Administrative Rule Matters
 - 12) Liaison Reports
 - 13) Board Liaison Training and Appointment of Mentors
 - 14) Informational Items
 - 15) Division of Legal Services and Compliance (DLSC) Matters
 - 16) Presentations of Petitions for Summary Suspension
 - 17) Petitions for Designation of Hearing Examiner
 - 18) Presentation of Stipulations, Final Decisions and Orders
 - 19) Presentation of Proposed Final Decisions and Orders
 - 20) Presentation of Interim Orders
 - 21) Petitions for Re-Hearing
 - 22) Petitions for Assessments
 - 23) Petitions to Vacate Orders
 - 24) Requests for Disciplinary Proceeding Presentations
 - 25) Motions
 - 26) Petitions
 - 27) Appearances from Requests Received or Renewed
 - 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports
- Q. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 448.02(8), Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

R. Credentialing Matters

1) Application Reviews

- a. Michael Perez Rodriguez **(14-90)**
- b. Cully White **(91-131)**

2) Waiver of Post Graduate Training

- a. Tatjana Stevanovic **(132-246)**

S. Deliberation on DLSC Matters

1) Stipulations and Final Decisions and Orders

- a. 18 MED 313 – Cindy Wood, M.D. **(247-253)**
- b. 18 MED 510 – Deborah L. Turski, M.D. **(254-259)**
- c. 20 MED 192 – Robert J. Brodish, M.D. **(260-266)**
- d. 20 MED 243 – Kurtis D. Scheer, M.D. **(267-272)**

2) Administrative Warnings

- a. 18 MED 245 – R.A.C. **(273-275)**
- b. 18 MED 551 – A.H. **(276-277)**
- c. 20 MED 185 – E.O. **(278-279)**
- d. 20 MED 267 – G.L.Y. **(280-281)**

3) Case Closings

- a. 14 MED 581 – N.J.L. **(282-286)**
- b. 18 MED 551 – B.K.T. **(287-290)**
- c. 18 MED 373 – G.N.P. **(291-301)**
- d. 18 MED 384 – C.H. **(302-315)**
- e. 18 MED 411 – K.R.S. **(316-327)**
- f. 18 MED 699 – M.R. **(328-337)**
- g. 19 MED 038 – J.M. **(338-342)**
- h. 19 MED 076 – J.A.C. **(343-350)**
- i. 19 MED 078 – J.G. **(351-368)**
- j. 19 MED 253 – G.M.M. **(369-377)**
- k. 19 MED 386 – S.T.B. **(378-388)**
- l. 19 MED 439 – C.P.N. **(389-401)**
- m. 19 MED 445 – A.W.S. **(402-406)**
- n. 19 MED 560 – A.D.A. **(407-419)**
- o. 19 MED 583 – G.T.B. **(420-423)**
- p. 20 MED 041 – C.E.F. **(424-426)**
- q. 20 MED 106 – J.A.C. **(427-431)**
- r. 20 MED 154 – D.M.B., K.F.K. **(432-438)**
- s. 20 MED 161 – Y.S.P., S.H., T.L.G. **(439-453)**
- t. 20 MED 180 – M.J.T. **(454-457)**
- u. 20 MED 233 – U. **(458-460)**

v. 20 MED 286 – C.L.O. **(461-472)**

w. 20 MED 312 – N.H. **(473-484)**

4) Deliberation on Complaints

a. 20 MED 216 – I.G. **(485-503)**

T. 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) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Complaints
- 15) Case Closings
- 16) Board Liaison Training
- 17) Petitions for Extension of Time
- 18) Petitions for Assessments and Evaluations
- 19) Petitions to Vacate Orders
- 20) Remedial Education Cases
- 21) Motions
- 22) Petitions for Re-Hearing
- 23) Appearances from Requests Received or Renewed

U. Open Cases

V. Consulting with Legal Counsel

- 1) CME Violation Procedures
- 2) Return to Practice After Out of State Service

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

Y. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

ADJOURNMENT

ORAL EXAMINATION OF CANDIDATES FOR LICENSURE

VIRTUAL/TELECONFERENCE

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

CLOSED SESSION – Reviewing Applications and Conducting Oral Examination of **one (1)** (at time of agenda publication) Candidates for Licensure – **Dr. Roelke** and **Dr. Parish**

NEXT DATE: DECEMBER 16, 2020

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

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
MEDICAL EXAMINING BOARD
MEETING MINUTES
OCTOBER 21, 2020**

PRESENT: Milton Bond, Jr. (*arrived at 8:18 a.m.*), David Bryce, M.D; Clarence Chou, M.D.; Padmaja Doniparthi, M.D.; Diane Gerlach, M.D.; Sumeet Goel, D.O.; Michael Parish, M.D.; David Roelke, M.D.; Rachel Sattler; Sheldon Wasserman, M.D.; Lemuel Yerby, M.D.; Emily Yu, M.D.

STAFF: Valerie Payne, Executive Director; Yolanda McGowan, Legal Counsel; Megan Glaeser, Bureau Assistant; and other Department staff

CALL TO ORDER

Sheldon Wasserman, Chairperson, called the meeting to order at 8:00 a.m. A quorum was confirmed with ten (10) members present.

ADOPTION OF AGENDA

MOTION: David Roelke moved, seconded by Michael Parish, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 16, 2020

MOTION: Clarence Chou moved, seconded by Sumeet Goel, to adopt the Minutes of September 16, 2020 as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS & RECOGNITION

Recognition of Carmen Lerma, Public Member

MOTION: David Roelke moved, seconded by Padmaja Doniparthi, to recognize and thank Carmen Lerma for her commendable effort to serve on the Medical Examining Board and to the State of Wisconsin. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Review of Preliminary Draft Rules of the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board and the Occupational Therapists Affiliated Credentialing Board

MOTION: Diane Gerlach moved, seconded by Lemuel Yerby, to reflect the Board's support of the proposed rules revising Wisconsin Administrative Code Chapter MTBT 2, relating to reciprocal credentials for service members, former service members, and their spouses, and has no comments for the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board to consider. Motion carried unanimously.

MOTION: Michael Parish moved, seconded by David Roelke, to reflect the Board's support of the proposed rules revising Wisconsin Administrative Code

Chapter OT 2, relating to reciprocal credentials for service members, former service members, and their spouses, and has no comments for the Occupational Therapists Affiliated Credentialing Board to consider.
Motion carried unanimously.

(Milton Bond, Jr. arrived at 8:18 a.m.)

Administrative Rules Reporting Requirement Under 2017 Wisconsin Act 108

Proposals for 2021 Report

MOTION: Clarence Chou moved, seconded by Rachel Sattler, to designate David Roelke to serve as liaison to DSPS staff for drafting the 2021 Act 108 report, relating to administrative rules, and to authorize the Chairperson, or highest-ranking officer, or longest serving member of the board, in order of succession, to approve the report for submission to the Joint Committee for Review of Administrative Rules. Motion carried unanimously.

UNIVERSITY OF MINNESOTA REQUEST FOR EXTENSION OF RECIPROCITY

MOTION: Clarence Chou moved, seconded by Diane Gerlach, to rescind the following motion from the Boards June 17, 2009 meeting:
MOTION: Jerold Harter moved, seconded by Ian Munro, for applicants who hold a full and unrestricted Minnesota physician license, exclusive of the Minnesota Telemedicine license, the Board accepts the Minnesota license as proof of compliance with the licensing requirements set out in Wis. Adm. Code § MED 1.02(2)(3)(4) and § MED 1.06(3). This is to be effective no later than August 1, 2009.
Motion carried unanimously.

MOTION: David Roelke moved, seconded by Diane Gerlach, to require applicants for a license to practice medicine and surgery, including applicants who hold a full and unrestricted Minnesota physician license, to demonstrate proof of compliance with the licensing requirements as set out in Wis. Admin. Code s. Med 1.02(2),(3) and (4) and s. MED 1.06 (3), effective October 21, 2020. Motion carried unanimously.

FEDERATION OF STATE MEDICAL BOARDS MATTERS

FSMB Statement on Wearing Face Coverings During Patient Care

MOTION: Padmaja Doniparthi moved, seconded by Michael Parish, to affirmatively state the Board's strong support of The Federation of State Medical Boards' October 6, 2020 Statement on Wearing Face Coverings During Patient Care, which states as follows: "Wearing a face covering is a harm-reduction strategy to help limit the spread of COVID-19, especially since physical distancing is not possible in health care settings, and that when seeing patients during in-person clinical encounters, physicians and physician assistants have a professional responsibility to wear a facial

covering for their own protection, as well as that of their patients." The board extends this support to all persons credentialed by the Medical Examining Board or its affiliated boards. Motion carried unanimously.

CLOSED SESSION

MOTION: Sheldon Wasserman 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.). Sheldon Wasserman, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Milton Bond, Jr.-yes; David Bryce-yes; Clarence Chou-yes; Padmaja Doniparthi-yes; Diane Gerlach-yes; Sumeet Goel-yes; Michael Parish-yes; David Roelke-yes; Rachel Sattler-yes; Sheldon Wasserman-yes; Lemuel Yerby-yes; and Emily Yu-yes. Motion carried unanimously.

The Board convened into Closed Session at 8:59 a.m.

CREDENTIALING MATTERS

Application Review

Michael Perez Rodriguez

MOTION: Sumeet Goel moved, seconded by David Roelke, to deny applicant's request for licensure. Reason for Denial: Failure to meet the requirements for licensure as set forth in statutes and rules. Wis. Stat. 448.05 and Wis. Admin. Code Med 1.02. Motion carried unanimously.

MOTION: Rachel Sattler moved, seconded by Michael Parish, to rescind the prior motion and to table action on the application of Michael Perez Rodriguez. Motion carried unanimously.

Diana Rice

MOTION: Diane Gerlach moved, seconded by David Roelke, to find that in the course of applying for renewal of her credential to practice respiratory care, Applicant engaged in unprofessional conduct as defined by Wis. Admin. Code s. Med 10.03(1)(b) and there is further evidence of unprofessional conduct as defined by Wis. Admin. Code s. Med 10.03(3)(h), which serves as a basis to deny renewal of the credential pursuant to Wis. Stat. s. 448.06(2). However, the board exercises its authority to grant a limited credential pursuant to Wis. Stat. s. 448.06(1m). Department staff will work with the Board's credentialing liaison to determine the terms and conditions of the limited license. Motion carried unanimously.

Waiver of Post-Graduate Training

Alaa Hamada

MOTION: Padmaja Doniparthi moved, seconded by David Bryce, to find that the Applicant provided satisfactory evidence of documented education and training that is substantially equivalent to the 24 months of postgraduate training required for licensure, and to grant Applicant a waiver of the postgraduate training requirements pursuant to Wis. Admin. Code. s. Med 1.02(3)(c). Further, to approve Applicant's request for a license to practice medicine and surgery once all other licensing requirements are met. Motion carried unanimously.

Elyn Ruiz Solano

MOTION: David Roelke moved, seconded by Sumeet Goel, to find that the Applicant provided satisfactory evidence of documented education and training that is substantially equivalent to the 24 months of postgraduate training required for licensure, and to grant Applicant a waiver of the postgraduate training requirements pursuant to Wis. Admin. Code. s. Med 1.02(3)(c). Further, to approve Applicant's request for a license to practice medicine and surgery once all other licensing requirements are met. Motion carried unanimously.

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

Stipulations, Final Decisions and Orders

18 MED 029 – Kevin E. Rist, M.D.

MOTION: Michael Parish moved, seconded by David Roelke, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Kevin E. Rist, M.D., DLSC Case Number 18 MED 029. Motion carried unanimously.

18 MED 503 – Bao-Lan Raikar, M.D.

MOTION: Sumeet Goel moved, seconded by David Bryce, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Bao-Lan Raikar, M.D., DLSC Case Number 18 MED 503. Motion carried unanimously.

19 MED 274 – Andrew E. Floren, M.D.

MOTION: David Roelke moved, seconded by Diane Gerlach, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Andrew E. Floren, M.D., DLSC Case Number 19 MED 274. Motion carried unanimously.

19 MED 383 – Todd M Schleef, R.C.P.

MOTION: David Roelke moved, seconded by Clarence Chou, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Todd M Schleef, R.C.P., DLSC Case Number 19 MED 383. Motion carried unanimously.

20 MED 141 – Karen E. Reynolds, M.D.

MOTION: Michael Parish moved, seconded by Diane Gerlach, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Karen E. Reynolds, M.D., DLSC Case Number 20 MED 141. Motion carried unanimously.

20 MED 181 – Nosheen Hasan, M.D.

MOTION: David Bryce moved, seconded by Diane Gerlach, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Nosheen Hasan, M.D., DLSC Case Number 20 MED 181 and to refer the matter back to DLSC for further action. Motion carried unanimously.

20 MED 230 – David Lee, M.D.

MOTION: Clarence Chou moved, seconded by Sumeet Goel, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against David Lee, M.D., DLSC Case Number 20 MED 230. Motion carried unanimously.

Administrative Warnings

18 MED 266 – K.J.R.

MOTION: David Roelke moved, seconded by Sumeet Goel, to issue an Administrative Warning in the matter of K.J.R., DLSC Case Number 18 MED 266. Motion carried unanimously.

18 MED 286 – T.S.W.

MOTION: Diane Gerlach moved, seconded by Rachel Sattler, to issue an Administrative Warning in the matter of T.S.W., DLSC Case Number 18 MED 286. Motion carried unanimously.

19 MED 159 – K.P.K.

MOTION: Clarence Chou moved, seconded by David Roelke, to issue an Administrative Warning in the matter of K.P.K., DLSC Case Number 19 MED 159. Motion carried unanimously.

19 MED 240 – J.M.H.

MOTION: David Roelke moved, seconded by Michael Parish, to issue an Administrative Warning in the matter of J.M.H., DLSC Case Number 19 MED 240. Motion carried unanimously.

19 MED 435 – K.D.S.

MOTION: David Bryce moved, seconded by David Roelke, to issue an Administrative Warning in the matter of K.D.S., DLSC Case Number 19 MED 435. Motion carried unanimously.

19 MED 564 – K.A.H. & T.J.B.

MOTION: Clarence Chou moved, seconded by Diane Gerlach, to issue Administrative Warnings in the matter of K.A.H. and T.J.B., DLSC Case Number 19 MED 564. Motion carried unanimously.

20 MED 070 – E.S.G.

MOTION: Michael Parish moved, seconded by David Bryce, to issue an Administrative Warning in the matter of E.S.G., DLSC Case Number 20 MED 070. Motion carried unanimously.

Case Closings

MOTION: Michael Parish moved, seconded by David Roelke, to close the following DLSC Cases for the reasons outlined below:

1. 18 MED 427 – D.A.V. – Insufficient Evidence
2. 19 MED 284 – M.D.S. – Prosecutorial Discretion (P5)
3. 19 MED 451 – J.A.B. – No Violation
4. 19 MED 503 – W.L.W. – No Violation
5. 19 MED 540 – N.T. – No Violation
6. 20 MED 086 – B.M.M. & J.M.D. – No Violation
7. 20 MED 205 – T.Y.C. – Insufficient Evidence

Motion carried unanimously.

DELIBERATION ON PROPOSED FINAL DECISION AND ORDERS

Manuel J. Thomas, M.D., Respondent (DHA Case Number SPS-20-0016/DLSC Case Numbers 17 MED 338, 18 MED 053, 19 MED 016, 19 MED 142, 19 MED 212, 19 MED 533, and 19 MED 552)

MOTION: David Roelke moved, seconded by Clarence Chou, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Manuel J. Thomas, M.D., Respondent – DHA Case Number SPS-20-0016/DLSC Case Numbers 17 MED 338, 18 MED 053, 19 MED 016, 19 MED 142, 19 MED 212, 19 MED 533, and 19 MED 552. Motion carried.

(Padmaja Doniparthi recused herself and disconnected for deliberation and voting in the matter concerning Manuel J. Thomas, M.D., Respondent – DHA Case Number SPS-20-0016/DLSC Case Numbers 17 MED 338, 18 MED 053, 19 MED 016, 19 MED 142, 19 MED 212, 19 MED 533, and 19 MED 552.)

RECONVENE TO OPEN SESSION

MOTION: Michael Parish moved, seconded by David Roelke, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 11:36 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Diane Gerlach moved, seconded by Clarence Chou, 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.)

OPEN SESSION ITEMS NOTICED ABOVE NOT COMPLETED IN THE INITIAL OPEN SESSION

MOTION: David Roelke moved, seconded by Michael Parish, to appoint Sheldon Wasserman and Clarence Chou as Compact Commissioners to the Interstate Medical Licensure Compact. Motion carried unanimously.

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

MOTION: David Roelke moved, seconded by Clarence Chou, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Padmaja Doniparthi moved, seconded by Diane Gerlach, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:42 a.m.

DRAFT