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BOARD OF MEDICAL LICENSURE AND DISCIPLINE

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PUBLIC MEETING MINUTES: DELAWARE BOARD OF MEDICAL LICENSURE AND DISCIPLINE

MEETING DATE AND TIME: Tuesday, February 3, 2015 at 2:30 p.m.

PLACE: 861 Silver Lake Boulevard
Second Floor Conference Room A
Dover, Delaware

MINUTES APPROVED: March 3, 2015

MEMBERS PRESENT

Joseph Parise, D.O., Professional Member, Vice President, Presiding
Daryl Sharman, M.D., Professional Member, Secretary
Gregory Adams, M.D., Professional Member
Barry Bakst, D.O., Professional Member
Vonda Calhoun, Public Member
Garrett H. Colmorgen, M.D., Professional Member
Stephen Cooper, M.D., Professional Member
Georges A. Dahr, M.D., Professional Member
Stephen Lawless, M.D., Professional Member (2:31 p.m. – 3:50 p.m.)
Mary Lomax, Public Member
Leslie Ramsey, Public Member
Karyl Rattay, M.D., Professional Member
Malvine Richard, Ed.D., Public Member
Mary Ryan, Public Member
N.C. Vasuki, Public Member
Sharon Williams-Mayo, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Patricia Davis-Oliva, Deputy Attorney General
Gayle MacAfee, Deputy Director
David Mangler, Director
Shauna Slaughter, Executive Director
Jessica Williams, Administrative Specialist II

ALSO PRESENT

B. Brian Brittingham, Esq., Schmittinger & Rodriguez
Andy Fulton, Office of Emergency Medical Services
John McKenna, Rockford Center
Dr. Ross Megargel, D.O., Office of Emergency Medical Services
Andrew Wilson, Medical Society of Delaware

CALL TO ORDER

Dr. Parise called the meeting to order at 2:31 p.m.

REVIEW AND APPROVAL OF MINUTES

The board reviewed the January 6, 2015 executive session and regular meeting minutes for approval. Dr. Cooper moved, seconded by Dr. Bakst, to approve both sets of minutes as written. Motion unanimously carried.

UNFINISHED BUSINESS

Review Peace Officer Naloxone (Narcan) Standing Order (IM alternative) – Andy Fulton, Paramedic Administrator

The board reviewed the Peace Officer Naloxone (Narcan) standing order with IM Alternative. Mr. Fulton and Dr. Megargel addressed the board regarding the changes to the standing order. Dr. Cooper moved, seconded by Dr. Bakst, to approve the standing order. Motion unanimously carried.

Results of Executive Session Discussion

Dr. Colmorgen moved, seconded by Dr. Cooper, that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not precede further and that the following investigations be closed as noted without prosecution. Motion unanimously carried.

Closed Cases

10-212-13 10-60-14

Dr. Colmorgen moved, seconded by Dr. Adams, that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not precede further and that the following investigations be closed as noted without prosecution. Motion unanimously carried.

Closed Cases with Letters of Concern

10-15-14 10-79-14

Dr. Cooper moved, seconded by Dr. Colmorgen, that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not precede further and that the following investigations be closed as noted without prosecution and that a letter be sent to Health Facility Licensing to advise of the Board's concerns regarding robotic surgery complications. Motion unanimously carried.

Closed Cases with Letters of Concern

10-127-13

Dr. Colmorgen moved, seconded by Dr. Cooper, that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not precede further and that the following investigations be closed as noted without prosecution. Motion unanimously carried.

Closed Cases

10-226-13 10-10-14 10-54-14

Consideration of Consent Agreement Regarding David V. Martini, M.D., Case 10-190-13

Dr. Colmorgen moved, seconded by Dr. Lawless, to accept the Consent Agreement for David V. Martini, M.D. Motion carried with Dr. Cooper abstaining.

Consideration of Consent Agreement Regarding Richard P. Glunk, M.D., Case 10-64-12

Ms. Rattay moved, seconded by Dr. Colmorgen, to accept the Consent Agreement for Richard P. Glunk, M.D. Motion unanimously carried.

Review and Consider Orders for Alan Seltzer, M.D. (Cases 10-219-13, 10-02-14, and 10-65-14), Guillermo Bernal, M.D. (Case 10-88-13), and Neil LaHurd, D.O. (Case 10-05-13)

The board reviewed the Orders for Alan Seltzer, M.D., Guillermo Bernal, M.D., and Neil LaHurd, D.O. Dr. Parise affixed his signatures to the Orders.

Discussion Regarding Final Version of the Interstate Medical Licensure Compact

The board discussed the final version of the Interstate Medical Licensure Compact. Mr. Mangler and Ms. Slaughter advised the board of the Division's concerns regarding the final draft. The board questioned if the Division has enough manpower from the Division and enough support from the Legislation to enter into the compact agreement. Mr. Mangler advised the board that one legislator has already approached him regarding portability, and he believes that there would be enough support for a bill to pass. Dr. Colmorgen suggested that the board table further discussions until May, after the Federation of State Medical Boards' Annual Meeting. The board will address this issue further during its May 5, 2015 meeting.

Election of Officers and Selection of Voting Delegate for FSMB Annual Meeting Scheduled for April 22-25, 2015

Dr. Adams moved, seconded by Dr. Bakst, to accept the slate of officers from the Nominating Committee. Motion unanimously carried.

The officers are Dr. Parise as President, Dr. Sharman as Vice President, and Ms. Ramsey as Secretary.

Ms. Slaughter requested that if any board member is interested in attending the FSMB Annual Meeting in April, that they contact her directly.

Review Letter from Jim Ligouri Requesting Termination of the Chaperone Requirement for Jerome Abrams, M.D.

The board reviewed the correspondence submitted by Mr. Ligouri on behalf of Jerome Abrams, M.D. Mr. Ligouri requested that the board remove the requirement that chaperones be present during every medical examination and procedure. The current Order states that "chaperones be required during every medical examination or procedure that he may conduct for a defined time period." Mr. Ligouri is arguing that "defined time period" is vague, and has possibly run its course.

Dr. Colmorgen moved, seconded by Dr. Lawless, to define the time period in the Order as 10 years. Motion carried with Dr. Parise, Dr. Cooper, Dr. Rattay, and Ms. Ramsey abstaining, and Ms. Calhoun, Dr. Bakst, Dr. Dahr, and Ms. Williams-Mayo opposing. Ms. Davis-Oliva will prepare an amended Order clarifying the defined period of time.

NEW BUSINESS

Approve Applications for Registration and Licensure

M.D.'s for Licensure

Dr. Colmorgen moved, seconded by Dr. Richard, to approve the following medical doctors for a certificate to practice medicine, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried.

Samer Alhindi	Daniel Cohen	Rodney Dorand	Maria D'Souza
Mica Grantham	Christos Hatjis	Huankai Hu	Thomas Huebner
Alexis Jacob	Sylvie Lebel	Benjamin Lee	Susan Levy
Jean Melo	Laura McLafferty	Mustafa Mufti	Adeel Nasir
Faisal Niazi	Nira Roopnarinesingh	Corina Schoen	Ayesha Silman
Gary Silverstein	Eric Stirling	Jhapat Thapa	Lloyd Wagner
Patrick Young			

D.O.'s for Licensure

Dr. Colmorgen moved, seconded by Dr. Richard, to approve the following osteopathic doctors for a certificate to practice medicine, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried.

William Ingram, II	Michael Munro	Michael Munro	Mary Wadika
Jeffrey Weiss			

Physician Assistants for Licensure

Dr. Cooper moved, seconded by Dr. Richard, to approve the following Physician Assistants for licensure as noted below. Motion unanimously carried.

Kelly Eddinger	Charles Ellis	Lauren Engle	Kristen Iaconelli
Joshua Myers	Kirsten Opalach	John Przybylski	Meghan Vande Logt

Physician Assistants for Prescriptive Authority – Controlled and Non-Controlled

Dr. Cooper moved, seconded by Dr. Richard, to approve the following Physician Assistants for controlled and non-controlled prescriptive authority as noted below. Motion unanimously carried.

Angelique Davis-Williams	Kelly Eddinger	Charles Ellis	Lauren Engle
Joshua Myers			

Respiratory Care Practitioners

Ms. Ramsey moved, seconded by Dr. Colmorgen, to approve the following Respiratory Care Practitioners for licensure as noted below. Motion unanimously carried.

Kevin Ambrose	Melissa Brozefsky	Alfred Daley	Corilynne Farrell
Bartholomew Hartey	Dana Miller	Zygmunt Morawski	Victoria Parise
Angela Reifsnnyder	Raimie Rhoda	Leidy Sanchez	William Stamm, III
Colleen Tabasco	Natalie Young	Catherine Zeman	

Genetic Counselors

Dr. Cooper moved, seconded by Ms. Ramsey, to approve the following Genetic Counselors for licensure as noted below. Motion carried with Dr. Colmorgen recusing.

Nicholas Collins	Casey Duld
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Polysomnography Practitioners

Dr. Cooper moved, seconded by Ms. Ramsey, to approve the following Polysomnography Practitioners for licensure as noted below. Motion unanimously carried.

Cynthia Alton

Susan Austin

Odelia Coles

Jason Piernock

Advanced Practice Nurses for Prescriptive Authority

Dr. Rattay moved, seconded by Dr. Colmorgen, to approve the following Advanced Practice Nurses for Prescriptive Authority as noted below. Motion unanimously carried.

Practitioner Specialty Type

Collaborators

Family Nurse Practitioner

Tanya Robinson
Mbwidiffu Dibal
Sharon Winter

Sean Finnerty, DO
Zahid Aslam, MD
Jeffrey Cramer, MD

Adult Nurse Practitioner

Nancy Amorosi

Jason Brajer, MD

Neonatal Nurse Practitioner

Kimberly Hiland
Laura Johnson
Lori Tilghman

John Stefano, MD
Daniel Dirnberger, MD
Erin Fletcher, DO

Pediatric Nurse Practitioner

Erin Coyne

Robin Miller, MD

Certified Nurse Midwife

Michelle Drew

Matthew Hoffman, MD

Adult/Geriatric Nurse Practitioner

Meghan Schepens

James Mills, MD

Review of Physician Application for Sydney Welt, M.D. – Subject of an Investigation by St. Joseph's Hospital

The board reviewed the application of Sydney Welt, M.D., to determine whether he would meet the conditions to be granted a waiver pursuant to 24 Del. C. Section 1720(e). Dr. Adams moved, seconded by Dr. Dahr, to grant a waiver and a certificate to practice medicine. Motion unanimously carried.

Review Application for Karen McGibbon, M.D. – Termination of Contract by Mid Atlantic Permanente Medical Group

The board reviewed the application of Karen McGibbon, M.D., to determine whether she would meet the conditions to be granted a waiver pursuant to 24 Del. C. Section 1720(e). Dr. Cooper moved, seconded by Ms. Ramsey, to grant a waiver and a certificate to practice medicine. Motion unanimously carried.

Review and Consider Respiratory Care Advisory Council Order for Bernadette Nowell, R.C.P.

The Board reviewed the order from the Respiratory Care Advisory Council for Bernadette Nowell, R.C.P. Dr. Cooper moved, seconded by Ms. Ramsey, to accept the recommendations of the Respiratory Care Advisory Council. Motion unanimously carried.

Review Request from Kathleen Spreen, D.O., for CME Credit for her published medical textbook, *Compendium of Tick-Borne Disease: A Thousand Pearls*

The board reviewed the CME credit request submitted by Kathleen Spreen, D.O. Dr. Cooper moved, seconded by Ms. Ramsey, to deny the request for CME credit for authoring the textbook entitled *Compendium of Tick-Borne Disease: A Thousand Pearls*, based on the board's lack of authority. Dr. Spreen will need to contact a certifying organization to approve CME. Motion unanimously carried.

Discussion regarding acceptance of MCC Exams/LMCC Credential for Canadian Applicants

Ms. Slaughter requested clarification from the board regarding the acceptance of the MCC exam/LMCC credential for Canadian applicants. Currently, the regulations do not list the MCC exam or LMCC credential, but the board has been accepting the LMCC credential. The regulations will need to be updated to reflect the board's current practice.

Discussion Regarding April 7, 2015 Meeting Date

Ms. Slaughter requested confirmation of attendance for the scheduled April 7, 2015 meeting date, as it is the Tuesday after Easter. Dr. Rattay, Dr. Richard, and Ms. Ramsey reported that they would not be in attendance.

Review Application for Wael Hassanein, M.D. – More than six attempts to pass USMLE Step 3

The board reviewed the application for Wael Hassanein, M.D., to determine whether he would meet the conditions to be granted a waiver pursuant to 24 Del. C. Section 1720(e). Dr. Cooper moved, seconded by Dr. Sharman, to propose to deny the application. Motion unanimously carried.

Review Application for Perry Meadows, M.D. – Has not engaged in clinical practice in the last three years

The board reviewed the application for Perry Meadows, M.D. Dr. Cooper moved, seconded by Ms. Ramsey, to propose to deny the application after determining that he has not met the requirements of Rule 7.7. Motion unanimously carried.

Review of Physician Application for Kashif Malik, M.D. – Disciplined during post grad training at PCMH/Vidant Hospital

The board reviewed the application for Kasif Malik, M.D. to determine whether he would meet the conditions to be granted a waiver pursuant to 24 Del. C. Section 1720(e). Dr. Cooper moved, seconded by Dr. Richard, to grant a waiver and a certificate to practice medicine. Motion unanimously carried.

Other Business before the Board (For Discussion Only)

Ms. Davis-Oliva provided the Board with an update on the Schaller appeal case.

Mr. Vasuki asked for an update regarding proposed changes to offer multi-tier licensure for acupuncturists. Ms. Slaughter advised no progress has been made yet because the legislature is on a break. Mr. Mangler will work on finding legislative support once they are back in session.

Public Comment

There was no public comment.

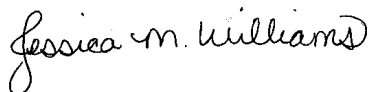
Next Meeting Date

The board will hold their next meeting on Tuesday, March 3, 2015, at 2:30 p.m., in the 2nd floor Conference Room "A" of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

There being no further business before the board, Ms. Ramsey moved, seconded by Dr. Richard, to adjourn. Motion unanimously carried. The meeting adjourned at 4:03 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jessica M. Williams".

Jessica M. Williams
Administrative Specialist II