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DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

**PUBLIC MEETING MINUTES: DELAWARE BOARD OF MEDICAL LICENSURE AND DISCIPLINE**

**MEETING DATE AND TIME: Tuesday, September 11, 2012 at 2:30 p.m.**

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

**MINUTES APPROVED (October 2, 2012)**

MEMBERS PRESENT

George Brown, Public Member, Secretary, Presiding  
Evelyn Ayala, Public Member (2:02 p.m. – 4:26 p.m.)  
Vonda Calhoun, Public Member  
Garrett H. Colmorgen, M.D., Professional Member  
Vincent Lobo, D.O., Professional Member  
Joseph Parise, D.O., Professional Member  
Anthony Policastro, M.D., Professional Member  
Leslie Ramsey, Public Member  
Malvine Richard, Public Member  
Mary Ryan, Public Member  
Daryl Sharman, M.D., Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Gayle MacAfee, Executive Director  
Allison Reardon, Deputy Attorney General  
Jessica Williams, Administrative Specialist II

MEMBERS ABSENT

Gregory Adams, M.D., Professional Member, Vice President  
Stephen Cooper, M.D., Professional Member, President  
Raymond Moore, Public Member  
Karyl Rattay, M.D., Professional Member

ALSO PRESENT

Humayan Chaudhry, D.O., Federation of State Medical Boards  
Jeanne Chiquoine, American Cancer Society  
Galicano Inguito, M.D., Federation of State Medical Boards  
Jeffrey Kerner, D.O.  
Julie LaBadia, Wilcox & Fetzer  
Lisa Schieffert, Delaware Healthcare Association  
E. F. Joseph Siebold, D.O, University of Delaware  
Robert Zabenko, D.O.

CALL TO ORDER

Mr. Brown called the meeting to order at 2:37 p.m.

### UNFINISHED BUSINESS

#### Maintenance of Licensure Discussion from the Federation of State Medical Boards – Humayan J. Chaudhry, D.O., President/Chief Executive Officer and Galicano Inquito, M.D.

The board observed the update provided by the Federation of State Medical Boards on maintenance of licensure by Dr. Chaudhry and Dr. Inquito. Dr. Chaudhry responded to questions posed by board members.

#### Proposal to Deny Hearing Scheduled for Robert T. Zabenko, D.O. (3:00 p.m.)

At 3:14 p.m., Mr. Brown called the proposal to deny hearing to order on the application submitted by Robert T. Zabenko, D.O. The board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Dr. Zabenko was present and Ms. Reardon verified that he waived his right to be represented by counsel. She also verified that he was aware that a decision could not be made today, due to the lack of 12 board members being present. Dr. Zabenko verified that he was aware that a decision would not be made today. Mr. Brown stated the purpose of the hearing. The application packet and supporting documents were marked as Board Exhibit 1 for the record. Dr. Zabenko was sworn in, presented his case, and responded to questions asked by the board members. At 3:59 p.m., Dr. Colmorgen moved, seconded by Ms. Ryan, to adjourn the proceedings at this time and reconvene at the next meeting in order to hold deliberations, once the transcript is available. Motion unanimously carried.

#### Report on Inspection of Medical Records at the Office of Jeffrey Kerner, D.O. – Dr. Parise

This item was deferred until the October 2, 2012 meeting, due to requiring the same nine (9) member composition who attended the July 24, 2012 hearing in order to vote on this matter.

### NEW BUSINESS

#### Standing Orders for Registered Nurses at the University of Delaware Student Health Service – E.F. Joseph Siebold, D.O.

Dr. Siebold addressed the board regarding the standing orders for registered nurses at the University of Delaware. The board reviewed the new changes made to the standing orders since their last review. Dr. Policastro moved, seconded by Dr. Parise, to accept the standing orders as presented. Motion unanimously carried.

### REVIEW AND APPROVAL OF MINUTES

The board reviewed the July 24, 2012 executive session and regular meeting minutes for approval. Dr. Policastro moved, seconded by Dr. Lobo, to approve both sets of minutes as written. Motion unanimously carried.

### UNFINISHED BUSINESS

#### Tabled Application from Ruhong Ma, D.O. – Probation during Residency for Clinical Competency

This item was tabled due to the lack of 12 board members being present to grant a waiver.

#### Tabled Application from Jamie Penk, M.D. – Denied Licensure in California

This item was tabled due to the lack of 12 board members being present to grant a waiver.

Tabled Application from Chetan Shah, M.D. – Requesting Waiver of Graduate Medical Education

This item was tabled due to the lack of 12 board members being present to grant a waiver.

NEW BUSINESS

Approve Applications for Registration and Licensure

M.D.'s for Licensure

Dr. Policastro moved, seconded by Ms. Ayala, 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.

Kristina Antanavicius	Patricia Baile	Kristen Bain	Auveek Basu
Niteesh Bharara	Eric Burlingame	Kristin Cam	Farhana Chowdhury
Hamid Deliri	Ron Elfenbein	Pankaj Garg	Warren Go
Alexandra Gold	Stefanie Golebiewski-Manchin		Cynthia Good
Syed Hasan	Koto Ishida	Cheryl Jackson	Susan Kelly
David Lally	James Larson	Hannah Lawry	James Lincoln IV
Nicole Marcantuono	Matthew Moon	Adam Morgan	Spencer Nabors
Tarek Nakhla	Heather Nardone	Brighid O'Donnell	Sandra Palavecino
Michelle Petrie	Heather Ragozine-Bush	Jesse Richman	Nazanin Saedi
Shobhana Sathish	Geoffrey Simon	Melissa Skibo	Emil Skobeloff
Sara Slovin	Theodore Tan	Vikas Uppal	David Vitberg
Shirley Viteri	Michael Wile	Joannie Yeh	Catherine Zorc

D.O.'s for Licensure

Dr. Policastro moved, seconded by Ms. Ayala, 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.

Jessica Apel	Jennifer Brettler	Luis Cardenas	Mary Diamond
Vanessa Durand	Stephen Ficchi	Brett Greenfield	Neil Khare
Vikram Khasat	Allison Nassif	Ndidi Obichere	Robert Quinton
Nadine Smith	Stephen Thal	Matthew Voltz	

Physician Assistants for Licensure

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

Summer Bardia	Megan Donovan	Melissa Eiseman	Michelle Evers
Erin Field	Stanislav Freydlin	Robin Gebbie	Abee Jackson
Maria Longo	Brandon McMullen	Micah Miller	Jacqueline Warner

Physician Assistants for Prescriptive Authority – Controlled and Non-Controlled

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

Christie Barnett	Amy Bolstein	Matthew Bunker	J. Stewart Constance
Heather Edmunds	Michelle Evers	Robin Gebbie	Samantha Geboff
Brad Hudson	Malcolm Hughes	Abbe Jackson	Shraddha Mahadevia
Brandon McMullen	Micah Miller	Lauren Moyer	Michelle Nally
Bernard Racey	Dennis Shaw	Alicia Stewart	Jennifer Tallis
Lauren Tavani	Lisa Valenti	Kathryn Vosbury	Jacqueline Warner

Physician Assistants for Prescriptive Authority – Non-Controlled

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

Megan Donovan                      Melissa Eiseman

Genetic Counselors

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

Tracy Gardner                      Amanda Iturriaga

Advanced Practice Nurses for Prescriptive Authority

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

Practitioner Specialty Type

Collaborator

Family Nurse Practitioner

Karen Abate	Vincenta Marquez, MD
Bernard Addogoh	Akinlawon Ayeni, MD
Krista Brazell	Jonathan Kamen, DO
Elena DuJordan	Juanita Belle Bauman, DO
Valerie Harrison	Anis Ahmed, MD
Nicole Johnson	Bruce N. Bengel, MD
Patricia Morales	Michael Kennedy, MD
Marie Renzi	Gregory Spana, MD
Brittany Rhoads	Joann Brice, MD
Tiffany Tullis	Craig Hochstein, MD
Michele Vernon	Nick Borodulia, MD

Adult Health Clinical Nurse Specialist

Teresa Panchisin                      Gerard Fulda, MD

Adult Nurse Practitioner

Michaelene Urban                      Henry Weiner, MD

Women's Health Clinical Nurse Specialist

Dina Viscount                      Matthew Hoffman, MD

Neonatal Nurse Practitioner

Cheryl Mele

Eric Gibson, MD

Pediatric Nurse Practitioner

Catherine Brailer

Deborah Davis, MD

Neonatal Nurse Practitioner

Danielle Rodgers

Eric Gibson, MD

Recommendation from the Acupuncture Advisory Council – Approval of New Council Member May Bai to Replace Lorna Lee

The board reviewed the recommendation from the Acupuncture Advisory Council to appoint May Bai as a replacement for Lorna Lee. Dr. Lobo moved, seconded by Dr. Colmorgen, to appoint May Bai to the Acupuncture Advisory Council. Motion unanimously carried.

Recommendation from the Acupuncture Advisory Council – Order Denying Application for Licensure for Heather Malatesta

The board reviewed the recommendation from the Acupuncture Advisory Council, recommending denial of licensure for Heather Malatesta. Dr. Colmorgen moved, seconded by Ms. Ayala to deny the application for licensure for Ms. Malatesta. Motion carried with Dr. Lobo abstaining. An Order was circulated for board members signatures.

Review Application from Julie Farrell, M.D. – Disciplined in Ohio and Served Five Years Probation

This item was tabled due to the lack of 12 board members being present to grant a waiver.

Review Application from Dilip Gole, M.D. – Requesting Waiver of Graduate Medical Education

This item was tabled due to the lack of 12 board members being present to grant a waiver.

Certificate of Appreciation for Thomas Desperito, M.D.

This item was tabled until the October 2, 2012 meeting.

Executive Session

At 4:27 p.m., Dr. Policastro moved, seconded by Dr. Sharman, to enter into Executive Session for the purpose of discussing the investigation of complaints and to consider the consent agreements in accordance with 29 Del. C. Sections 1002(d)(3) and 10004(b)(6). Motion unanimously carried.

At 5:13 p.m., Dr. Colmorgen moved, seconded by Dr. Lobo, to come out of Executive Session. Motion unanimously carried.

UNFINISHED BUSINESS

Results of Executive Session Discussion

Dr. Colmorgen moved, seconded by Dr. Parise 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

10-32-10	10-75-10	10-77-11	10-80-11	10-84-11	10-88-11	10-96-11
10-97-11	10-105-11	10-109-11	10-139-11	10-141-11	10-144-11	10-145-11
10-183-11	10-187-11	10-189-11	10-227-11	10-15-12	10-17-12	10-26-12
10-28-12	10-37-12	10-43-12	10-53-12	10-132-12		

Closed Case with Letter of Concern  
10-191-10

Dr. Colmorgen moved, seconded by Dr. Parise to table Cases 10-148-10, 10-201-11, 10-153-11 and 10-89-12 until the next meeting for further discussion or information. Motion unanimously carried.

Dr. Lobo moved, seconded by Dr. Parise, to accept the Consent Agreement for Case 10-44-11 (Roberto Villasenor, M.D.). Motion carried with Dr. Policastro abstaining. The board members affixed their signatures to the Order.

Dr. Parise moved, seconded by Ms. Ramsey, to accept the Consent Agreement for Case 10-115-12 (Cristian Andronic, M.D.) Motion carried with Dr. Colmorgen abstaining. The board members affixed their signatures to the Order.

Dr. Richard moved, seconded by Dr. Colmorgen, to accept the Consent Agreement for Case 10-118-11 (Scott Jensen, M.D.) Motion unanimously carried. The board members affixed their signatures to the Order.

Public Comment

There was no public comment.

Other Business before the Board (For Discussion Only)

Dr. Lobo requested that the appointment of the legislative liaison be placed on the October 2, 2012 agenda.

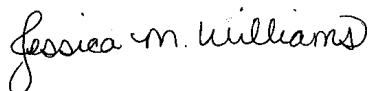
Next Meeting Date

The board will hold their next meeting on Tuesday, October 2, 2012, 2012 at 2:30 p.m., in the 2<sup>nd</sup> floor Conference Room "A" of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

There being no further business before the board, Dr. Parise moved, seconded by Dr. Sharman, to adjourn. Motion unanimously carried. The meeting adjourned at 5:17 p.m.

Respectfully submitted,



Jessica M. Williams  
Administrative Specialist II