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GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MIKE ZIMMER  
DIRECTOR

**MICHIGAN BOARD OF MEDICINE  
SEPTEMBER 16, 2015 MEETING**

***APPROVED MINUTES***

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Medicine met on September 16, 2015, at the Ottawa Building, Conference Room 3, 611 West Ottawa Street, Lansing, Michigan 48933.

**CALL TO ORDER**

Richard Burney, M.D., Chairperson, called the meeting to order at 10:05 a.m.

**ROLL CALL**

***Members Present:*** Richard Burney, M.D., Chairperson  
Peter Graham, M.D., Vice-Chairperson  
Mohammed Arsiwala, M.D.  
Luis Avila, J.D.  
Richard Bates, M.D.  
Stacey Frankovich, Public Member  
Michelle Gormas, PA  
Sandra Howell, M.D. (left at 10:40 a.m.)  
Renee Johnston, Public Member  
Kara Morley-Smolek, M.D.  
Louis Prues, Ph.D, Public Member  
James Rogers, M.D.  
Dennis Szymanski, M.D.  
Terri Tahnoose, Public Member  
Rosalie Tocco-Bradley, M.D., Ph.D  
Gail Torreano, Public Member

***Members Absent:*** Lisa Huta, Public Member  
Cynthia Pasky, Public Member  
James Sondheimer, M.D.

***Staff Present:*** Amy Schneider, Secretary, Board and Special Programs Section  
Cheryl Pezon, Manager, Board and Special Programs Section  
Michael Siracuse, Policy Analyst, Board and Special Programs

Section

Kiran Parag, Analyst, Enforcement Section (left at 10:40 a.m.)  
Michele Wagner-Gutkowski, Assistant Attorney General

## **APPROVAL OF AGENDA**

*MOTION* by Szymanski, seconded by Tahnoose, to approve the agenda as presented.

MOTION PREVAILED

## **APPROVAL OF MINUTES**

*MOTION* by Prues, seconded by Tahnoose, to approve the July 15, 2015 meeting minutes as presented.

MOTION PREVAILED

## **CHILDREN AND ADULTS WITH AUTISM SPECTRUM DISORDERS PROGRAM PRESENTATION**

Lisa Grost, Michigan Department of Community Health Administrator for the Children and Adults with Autism Spectrum Disorders, distributed packets containing information about the MDCH Autism Program. Grost explained that three (3) positions at MDHC have been allocated and funded to focus on Autism. The program objective is to help children with autism spectrum disorder under the age of six (6) years old who receive Medicaid benefits access to appropriate diagnosis and treatment.

If a child is receiving Medicaid, a referral can be made to the local Community Mental Health (CMH) to request services from a CMH Autism Coordinator.

A question and answer period followed.

## **REGULATORY CONSIDERATIONS**

None

## **COMMITTEE REPORTS**

### **Investigations and Allegations**

Rogers reported that the Investigations and Allegations (I&A) Committee reviewed 41 files in August 2015. Nineteen files were authorized for investigation, 20 files were closed, and two (2) files were returned for additional records. There were three (3) reviewers.

In September, the I&A Committee reviewed 31 files. Twelve (12) files were authorized for investigation, 19 files were closed, and zero (0) files were returned for additional records. There were eight (8) reviewers.

## **Operations Committee**

Burney reported the Operations Committee and staff members from the Department met informally with Laurann Brown, Analyst for the Enforcement Division who handles expert witnesses. The goal was to learn what Laurann does and to open communication between the Department and the Operations Committee.

## **Disciplinary Subcommittee**

Torreano reported that the Disciplinary Subcommittee (DSC) met today and considered 24 matters: two (2) Administrative Complaints, two (2) Proposals for Decision, one (1) Petition for Reclassification, two (2) Requests for Dismissal, and 17 Consent Orders and Stipulations.

## **Chairperson's Report**

Burney provided the following summary of Board of Medicine activity between July 13, 2015 and September 13, 2015. He handled 43 matters compared to 32 matters last year during the same interval, as follows:

Type	Number
• Summary suspensions	4
• Conferee assignments	10
• Advice/discuss sanction recommendations	2
• Advice regarding filing/pursuing complaint	14
• Approve CME and general supervision requests	7
• Compliance conference	1
• Review/approve monitoring plans/reports	2
• Miscellaneous matters	3

His report also contained two graphs; one showing the trend in the number of conferee assignments that have been made over time and the other showing the trend in the number of board questions and items requiring disposition.

## **OLD BUSINESS**

### **Report on Status of Telemedicine – Michael Siracuse**

Siracuse reported that he has sent Board members for their information by e-mail several documents related to the national status of Telemedicine policy and legislation, mainly published by the American Telemedicine Association, an industry trade group. He also provided Board members with a corresponding bulletin entitled, "MSA 13-34," which updates existing Michigan Department of Community Health (MDCH) telemedicine policy and provided an overview of the same. Siracuse also summarized two documents: the

*Coverage and Reimbursement Gaps Analysis* & and the *Physician Practice Standards & Licensure Gaps Analysis*. Both provide state-by-state comparisons of telemedicine regulation and are found at [www.americantelemed.org](http://www.americantelemed.org).

## **NEW BUSINESS**

### **Health Professional Recovery Program Update – Dr. Gehrke**

Charles Gehrke, MD, FACP, FASAM, a member of the Health Professional Recovery Committee (HPRC), provided the Board with an overview of the program. He also provided the following summary of Health Professional Recovery Program activity between October 1, 2013 and September 8, 2015.

#### **A. Annual Report – 10/1/2013 – 9/30/2014 (State calendar)**

1. 897 licensees participated in a Monitoring Agreement
  - a) Substance Use diagnosis: 478 (53.3% of total participants)
  - b) Dual Diagnosis: 303 (33.7% of total participants)
2. 92 (9% of total participants) Allopathic physicians
  - a) Substance Use diagnosis: 52 (56.5% of Allopathic physician participants)
  - b) Dual Diagnosis: 23 (25% of Allopathic physician participants)
3. 50 (5% of total participants) Osteopathic physicians
  - a) Substance Use diagnosis: 27 (54% of Osteopathic physician participants)
  - b) Dual Diagnosis: 15 (30% of Osteopathic physician participants)
4. 142 (14% of all participants) physicians participated in HPRP
5. 294 licensees were processed through Intake during fiscal year.  
(Monthly average 25 referrals)

#### **B. 10/1/14 – 2/28/15 (YTD)**

1. As of 2/28/15: 651 participants in the HPRP

69 licensees in the Intake process

582 licensees in a Monitoring Agreement

410 licensees (63%) had a Substance Use diagnosis

143 licensees (22%) had a Dual Diagnosis

2. Average monthly referrals (5 months): 49/month

(1 month 71 referrals -? reason)

(1 month 55 referrals -? reason)

3. As of 2/28/15 there were 80 Allopathic physicians in HPRP (10.3% of total participants)

4. As of 2/28/15 there were 49 Osteopathic physicians in HPRP (6.3% of total participants)

**C. 1/1/2015 – 9/8/2015: HPRP Board Count**

1. Allopathic Physicians: 128 had been in contact with the HPRP

a) 18 regulatory (non-confidential), 110 non-regulatory (confidential)

2. Osteopathic Physicians: 55 had been in contact with the HPRP

a) 7 regulatory (non-confidential), 48 non-regulatory (confidential)

**Health Professional Recovery Program Representative**

*MOTION* by Arsiwala, seconded by Howell, to reappoint Charles Gehrke, MD, FACP, FASAM, to representing the Board of Medicine on the Health Professional Recovery Committee (HPRC).

Discussion was held.

A voice vote followed.

MOTION PREVAILED

**Request for board approval of Post Graduate Training of Dr. Nagai**

*MOTION* by Prues, seconded by Torreano, to approve the Post Graduate Approval request from Dr. Nagai.

Discussion was held.

A voice vote followed.

**MOTION PREVAILED**

### **Department Update**

Siracuse reported that two Medicine administrative rule sets have not moved from the Office of Regulatory Reinvention (ORR).

### **PUBLIC COMMENT**

None

### **ANNOUNCEMENTS**

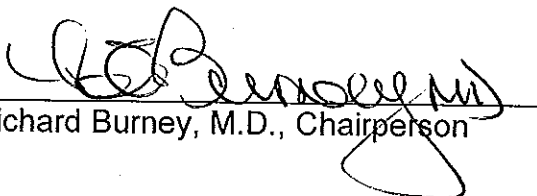
Burney announced the meeting on November 18, 2015 will be his last after four years as Chairperson, and that he has invited board members to lunch at Troppo's following the full board meeting that day as a personal thank you to them for their work during his tenure. Please RSVP with him in advance.

The next regularly scheduled meeting will be held on November 18, 2015 at 10:00 a.m., at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

### **ADJOURNMENT**

*MOTION* by Graham, seconded by Tahnoose, to adjourn the meeting at 11:30 a.m.

**MOTION PREVAILED**

  
Richard Burney, M.D., Chairperson

11/18/2015  
Date Minutes Signed

Prepared by:  
Amy Schneider, Board Secretary

September 16, 2015