



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

STEVE ARWOOD
DIRECTOR

MICHIGAN BOARD OF PHYSICAL THERAPY DISCIPLINARY SUBCOMMITTEE

MEETING OF OCTOBER 15, 2013

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Physical Therapy Disciplinary Subcommittee met in regular session on October 15, 2013 at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

CALL TO ORDER

Ginger Smietana, Chairperson, called the meeting to order at 3:48 p.m.

ROLL CALL

Members Present: David Goldenbogen, P.T.
Ajay Middha, P.T., D.P.T.
Barbara Simmons, P.T.A.
Ginger Smietana, Public Member, Chairperson

Members Absent: Mark Epolito, Public Member

Staff Present: Shellayne Grimes, Board Secretary, Policy, Rules & Board Support
Joe Campbell, Enforcement Director
Laurann Brown, Analyst, Enforcement Section
Bridget Smith, Assistant Attorney General

Others Present: Jill Marlan (left at 4:07 p.m.)
Linda Minter (left at 4:19 p.m.)

APPROVAL OF MINUTES

MOTION by Simmons, seconded by Goldenbogen, to approve the minutes of the July 9, 2013 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Simmons, seconded by Middha, to approve the agenda with the following addition and modification: Smietana added "Clarification of Fines" to be inserted after "Approval of Agenda," and Marlan requested that items C Anthony J. Kirk, P.T., D.P.M. and D Bharatkumar H. Fumakiya, P.T. under "Regulatory Considerations" be switched.

MOTION PREVAILED

CLARIFICATION OF FINES

Smietana asked Campbell to clarify the imposition of fines for Regulatory Considerations. Campbell obliged.

REGULATORY CONSIDERATIONS

Sidharth Anneboina, P.T. – Consent Order and Stipulation

MOTION by Goldenbogen, seconded by Simmons, to accept the Consent Order and Stipulation, in the matter of Sidharth Anneboina, P.T.

Discussion was held.

A roll call vote followed: Yeas – Goldenbogen, Middha, Simmons, Smietana

MOTION PREVAILED

David Robert Kramp, P.T. – Consent Order and Stipulation

MOTION by Middha, seconded by Goldenbogen, to accept the Consent Order and Stipulation, in the matter of David Robert Kramp, P.T.

Discussion was held.

A roll call vote followed: Yeas – Goldenbogen, Middha, Simmons, Smietana

MOTION PREVAILED

Bharatkumar H. Fumakiya, P.T. – Request for Dismissal

MOTION by Simmons, seconded by Goldenbogen, to accept the Order of Dismissal, in the matter of Bharatkumar H. Fumakiya, P.T.

Discussion was held.

A roll call vote followed: Yeas – Goldenbogen, Middha, Simmons, Smietana

MOTION PREVAILED

Anthony J. Kirk, P.T., D.P.M. – Consent Order and Stipulation

MOTION by Simmons, seconded by Goldenbogen, to accept the Consent Order and Stipulation, in the matter of Anthony J. Kirk, P.T., D.P.M.

Discussion was held.

A roll call vote followed: Yeas – Goldenbogen, Middha, Simmons, Smietana

MOTION PREVAILED

Hamad Ibrahim Hamad, P.T. – Petition for Reclassification

MOTION by Goldenbogen, seconded by Simmons, to deny the Petition for Reclassification, in the matter of Hamad Ibrahim Hamad, P.T.

Discussion was held.

A roll call vote followed: Yeas – Goldenbogen, Middha, Simmons, Smietana

MOTION PREVAILED

Yathish K. Kumar, P.T. – Petition for Reclassification

MOTION by Simmons, seconded by Goldenbogen, to grant the Petition for Reclassification and reclassify Respondent's license to a full and unlimited license, in the matter of Yathish K. Kumar, P.T.

Discussion was held.

A roll call vote followed: Yeas – Goldenbogen, Middha, Simmons, Smietana

MOTION PREVAILED

Ericus Thomas Derks, P.T. – Proposal for Decision

MOTION by Middha, seconded by Goldenbogen, to accept the Proposal for Decision and dissolve the Order of Summary Suspension, in the matter of Ericus Thomas Derks, P.T.

Discussion was held.

A roll call vote followed: Yeas – Goldenbogen, Middha, Simmons, Smietana

MOTION PREVAILED

MOTION by Goldenbogen, seconded by Simmons, to revoke Respondent's license and assess a fine in the amount of five thousand (\$5,000.00) Dollars, payable prior to application for reinstatement.

Discussion was held.

A roll call vote followed: Yeas – Goldenbogen, Middha, Simmons, Smietana

MOTION PREVAILED

Robert Andrew Lipsinski, P.T. – Administrative Complaint

MOTION by Simmons, seconded by Goldenbogen, to suspended Respondent's license for six (6) months and one (1) day, in the matter of Robert Andrew Lipsinski.

Discussion was held.

A roll call vote followed: Yeas – Goldenbogen, Middha, Simmons, Smietana

MOTION PREVAILED

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held on January 14, 2014, immediately following the regularly scheduled Michigan Board of Physical Therapy meeting scheduled to begin at 1:30 p.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 3, Lansing, Michigan.

ADJOURNMENT

The meeting was adjourned at 4:35 p.m.

Linda N. Mintz for
Ginger Smietana, Chairperson, Public Member

11/14/14
Date Minutes Approved

Shellayne Grimes
Shellayne Grimes, Board Secretary

10/15/2013
Date Minutes Prepared