



STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

JANET OLSZEWSKI  
DIRECTOR

## MICHIGAN BOARD OF MEDICINE JULY 21, 2010 MEETING

### APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Medicine met in regular session on July 21, 2010, at the Ottawa Building, 611 West Ottawa Street, Conference Room 3 (Upper Level Conference Center), Lansing, Michigan.

George Shade, Jr, M.D., Chairperson, called the meeting of the Board as a whole to order at 10:16 a.m.

Discussion relating to the topic of the State of Montana language as to that state's medical marijuana program was held and is detailed at page 3 of these minutes.

### **CALL TO ORDER**

George Shade, Jr, M.D., Chairperson, called the meeting to order at 10:23 a.m.

### **ROLL CALL**

**Members Present:** George Shade, Jr, M.D., Chairperson  
Abd A. Alghanem, M.D., Vice Chairperson  
Busharat Ahmad, M.D.  
Richard E. Burney, M.D.  
Peter T. Graham, M.D.  
Cheryl Graham Solomon, Public Member  
Rao V.C. Gudipati, M.D.  
Vivian Leung, Public Member  
Leticia J. San Diego, Ph.D., Public Member  
Nathaniel Smith-Tyge, Public Member

**Members Absent:** Oliver G. Cameron, M.D., Ph.D.  
David L. Dull, M.D.  
William Fenn, PA-C, Ph.D.  
Teresa L. Fraley, Public Member

Lynn Larson, Public Member  
Frank Raines, III, Public Member  
Suzanne Hugly Thomashow, M.D., Ph.D.  
David S. Weingarden, M.D.

**Staff Present:** Laurie VanBeelen, Board Secretary, Health Regulatory Division  
Rae Ramsdell, Director, Health Regulatory Division  
Amy Allen, Policy Administration Mgr, Health Regulatory Division  
Kiran Parag, Analyst, Health Regulatory Division  
Todd Cohan, Assistant Attorney General

**Others Present:** Dr. Kenneth McNamee

## **APPROVAL OF MINUTES**

*MOTION* by Ahmad, seconded by Gudipati, to approve the minutes of the May 26, 2010 meeting as presented.

*MOTION PREVAILED*

## **APPROVAL OF AGENDA**

*MOTION* by Graham, seconded by Smith-Tyge, to approve the agenda with the following addition:

Under 7. NEW BUSINESS, D. Resolution Honoring Michael Helmer.

*MOTION PREVAILED*

## **COMMITTEE REPORTS**

### **INVESTIGATIONS AND ALLEGATIONS**

Burney reported that for the month of June, 20 cases were provided to the Committee for review with 11 being authorized for investigation, 5 closed, and 4 were returned to the Department for additional information. At the July meeting of the subcommittee, 29 cases were reviewed with 15 being authorized for investigation, 11 closed, and 3 were returned to the Department for additional information.

Burney advised that some of the cases being reviewed involved a small number of claims involving administrative issues in the physician's office, one claim of abandonment by a patient, and a malpractice/improper care relating to surgery performed on the wrong area of the body.

## **OPERATIONS COMMITTEE**

No report.

## **DISCIPLINARY SUBCOMMITTEE**

Smith-Tyge advised that at the May meeting, 26 cases were decided. Those cases involved 17 consent order and stipulations, 6 requests for dismissal of the administrative complaint, 1 request for reconsideration, 1 proposal for decision, and 1 administrative complaint. Shade asked Smith-Tyge to provide an overview of the types of regulatory matters the subcommittee regularly considers.

Due to lack of quorum, today's disciplinary subcommittee meeting is being canceled.

## **CHAIRPERSON'S REPORT**

Shade commented on the important work of the Board of Medicine and stressed the importance of all members attending meetings and being actively involved. He further stressed the ramifications to licensees who are the subject of the disciplinary action when the disciplinary subcommittee does not meet on a consistent basis.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **Discussion of State of Montana Language re: Physician's Written Certification for Medical Marijuana and the Bona Fide Physician-Patient Relationship**

Ramsdell stated that since the passage of the Michigan Medical Marijuana Act, the Department is concerned that there may not always be a bona fide physician/patient relationship when physicians provide certification that an applicant for registration in the Medical Marijuana Program may benefit from its use. Discussion amongst the Board and staff was held and it was suggested that the Department create a statement similar to that of the State of Montana's for the Board's review. Ramsdell advised that the Department will work with the Attorney General's office to draft a statement and will bring the proposed statement back to the Board.

### **FSMB Round Table Update: Transparency and Probation**

San Diego referred the Board to the PowerPoint presentation slides which were reviewed at the recent FSMB round table discussion regarding the issue of boards needing to be transparent in their deliberations of disciplinary cases and other policy issues.

## DEPARTMENT UPDATE

No report.

## REGULATORY CONSIDERATIONS

None

## PUBLIC COMMENT

Dr. Kenneth McNamee, previous Chairperson for the Board of Medicine, introduced himself and thanked the Board for its service. He stated that he currently serves as president of the Monroe school board. McNamee indicated that he is coming to the Board to heighten awareness of the problem that youth in his school district have with regard to possession and use of prescription medications not prescribed to them. He commented that an alarming number of youth have been expelled in his district due to the possession and use of prescription medications actually prescribed to their parents. He stressed that physicians need to be vigilant not to overprescribe and be cognizant of the issue of what is being done with unused narcotics. He suggested that members of the Board of Medicine meet with members of the Board of Pharmacy to discuss this public policy issue.

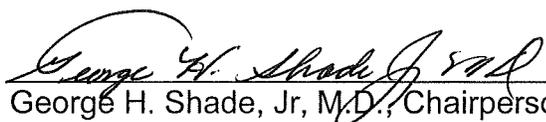
Shade indicated that at the September meeting, Dr. McNamee will return to the Board to engage in dialogue regarding this topic. Shade also recommended that students be invited to attend to hear the discussion and the potential dangers involved with possessing prescription medications not prescribed to them.

## ANNOUNCEMENTS

The next regularly scheduled meeting will be held on September 15, 2010 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 Smith-Tyge, seconded by Ahmad, to adjourn the meeting at 11:17 a.m.

  
George H. Shade, Jr, M.D., Chairperson

9-15-2010  
Date Minutes Approved

  
Laurie A. VanBeelen, Board Secretary

July 27, 2010  
Date Minutes Prepared

# STATE OF MICHIGAN

Lansing



Michigan

## Michigan Department of Community Health

### RESOLUTION HONORING MICHAEL K. HELMER

WHEREAS, Michael K. Helmer, of Naples, Florida was duly appointed by the Honorable Jennifer M. Granholm, Governor of the Great State of Michigan, and served as a Public Member on the Michigan Board of Medicine from January 29, 2002 to May 21, 2010, and

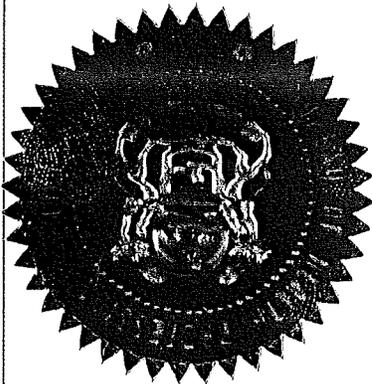
WHEREAS, Michael K. Helmer did give untiringly of his time, vigor, zeal, enthusiasm, energy and knowledge, and

WHEREAS, in recognition of his loyal, conscientious, faithful and outstanding service in fulfillment of his public office, now therefore

BE IT RESOLVED that this Board gives a statement of gratitude to Michael K. Helmer for his contribution of time, energy, and unselfish service to the people of the State of Michigan in his capacity as a member of the Michigan Board of Medicine during his years of public service.

IN WITNESS THEREOF, THE SEAL OF THE MICHIGAN BOARD OF MEDICINE AND THE SIGNATURE OF THE CHAIRPERSON IS AFFIXED HERETO.

Signed this 21<sup>st</sup> day of July, 2010.



*George W. Shade, Jr.*  
George Shade, Jr., M.D., Chairperson