



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH PROFESSIONS
RAE RAMSDELL
DIRECTOR

STEVEN H. HILFINGER
DIRECTOR

**MICHIGAN BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE
JANUARY 25, 2012 MEETING**

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Medicine Disciplinary Subcommittee met in regular session on January 25, 2012, at the Operations Center, 7285 Parsons Drive, Secondary Complex, Conference Rooms A, B and C, Dimondale, Michigan.

CALL TO ORDER

Theresa Fraley, Chairperson, called the meeting to order at 8:33 a.m.

ROLL CALL

Members Present: Theresa Fraley, Public Member, Chairperson
Oliver Cameron, M.D., Ph.D.
David Dull, MD (arrived at 8:35 a.m.)
Peter Graham, M.D.
Vivian Leung, Public Member

Members Absent: None

Staff Present: Christine Hanson, Board Secretary, Health Regulatory Division
Norene Lind, Policy Manager, Health Regulatory Division
Kiran Parag, Analyst, Health Regulatory Division
Michele Wagner-Gutkowski, Assistant Attorney General
Robert Jenkins, Assistant Attorney General

Others Present: Carolyn Harden, Appointments Division, Office of Governor Snyder
Sheila Gendich
Elizabeth Bauer
Brian Benner
Nancy Savageou
Tom Sparks

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Anita Folino
Lee Colony
Merry Rosenberg
Jamie Frain

APPROVAL OF MINUTES

MOTION by Graham, seconded by Cameron, to approve the minutes of the November 16, 2011 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Graham, seconded by Leung, to approve the agenda with the following modifications:

Board Resolution – Disciplinary Sanctions will be removed from the agenda and placed on the March agenda.

Under **Regulatory Considerations**, Item A will move to Item CC with all other items will be moved up.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Timothy J. Horrigan, M.D. – Consent Order and Stipulation

Cameron recused himself from this matter, as he served as Board Conferee.

MOTION by Graham, seconded by Leung, to accept the Consent Order and Stipulation in the matter of Timothy J. Horrigan, M.D.

A roll call vote was held: Yeas: Graham, Leng, Dull, Fraley

MOTION PREVAILED

Thomas L. Haynes, M.D. – Consent Order and Stipulation

MOTION by Dull, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Thomas L. Haynes, M.D.

Discussion was held.

A roll call vote was held: Yeas: Cameron, Leung, Graham, Dull, Fraley

MOTION PREVAILED

Tejpaul Singh Pannu, M.D. – Consent Order and Stipulation

MOTION by Leung, seconded by Dull, to accept the Consent Order and Stipulation in the matter of Tejpaul Singh Pannu, M.D.

Discussion was held.

A roll call vote was held: Yeas: Leung, Graham, Dull, Cameron, Fraley

MOTION PREVAILED

Robert C. Allen, M.D. – Consent Order and Stipulation

MOTION by Graham, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Robert C. Allen, M.D.

Discussion was held.

A roll call vote was held: Yeas: Graham, Leung, Dull, Cameron, Fraley

MOTION PREVAILED

Ruth Ann Buck, M.D. – Consent Order and Stipulation

MOTION by Graham, seconded by Leung, to accept the Consent Order and Stipulation in the matter of Ruth Ann Buck, M.D.

Discussion was held.

A roll call vote was held: Yeas: Cameron, Leung, Graham, Dull, Fraley

MOTION PREVAILED

Charles Buhse, M.D. – Consent Order and Stipulation

MOTION by Graham, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Charles Buhse, M.D.

A roll call vote was held: Yeas: Leung, Graham, Dull, Cameron, Fraley

MOTION PREVAILED

Raoul George Farhat, M.D. – Consent Order and Stipulation

MOTION by Dull, seconded by Leung, to accept the Consent Order and Stipulation in the matter of Raoul George Farhat, M.D.

A roll call vote was held: Yeas: Graham, Leung, Dull, Cameron, Fraley

MOTION PREVAILED

Robert James Hertzfeld, M.D. – Consent Order and Stipulation

MOTION by Graham, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Robert James Hertzfeld, M.D.

Discussion was held.

A roll call vote was held: Yeas: Cameron, Leung, Graham, Dull, Fraley

MOTION PREVAILED

Feraas Jabi, M.D., ED., LTD. – Consent Order and Stipulation

MOTION by Cameron, seconded by Graham, to accept the Consent Order and Stipulation in the matter of Feraas Jabi, M.D., ED, LTD.

Discussion was held. Motion was withdrawn.

MOTION by Graham, seconded by Cameron, to table the matter of Feraas Jabi, M.D., ED., LTD.

A roll call vote was held: Yeas: Leung, Graham, Dull, Cameron, Fraley

MOTION PREVAILED

Henry Coyne Woodward, M.D. – Consent Order and Stipulation

MOTION by Dull, seconded by Graham, to accept the Consent Order and Stipulation in the matter of Henry Coyne Woodward, M.D.

A roll call vote was held: Yeas: Graham, Leung, Dull, Cameron, Fraley

MOTION PREVAILED

Donn W. Ketcham, M.D. – Consent Order and Stipulation

MOTION by Leung, seconded by Graham, to accept the Consent Order and Stipulation in the matter of Donn W. Ketcham, M.D.

A roll call vote was held: Yeas: Cameron, Leung, Graham, Dull, Fraley

MOTION PREVAILED

Zvi Levran, M.D. – Order for Dismissal

MOTION by Dull, seconded by Cameron, to accept the Order for Dismissal in the matter of Zvi Levran, M.D.

A roll call vote was held: Yeas: Leung, Graham, Dull, Cameron, Fraley

MOTION PREVAILED

Charles W. Baker, M.D. – Order for Dismissal

MOTION by Graham, seconded by Cameron, to accept the Order for Dismissal in the matter of Charles W. Baker, M.D.

A roll call vote was held: Yeas: Leung, Graham, Cameron, Dull, Fraley

MOTION PREVAILED

Thulasi Swarnalatha Divi, M.D. – Order for Dismissal

MOTION by Cameron, seconded by Graham, to accept the Order for Dismissal in the matter of Thulasi Sarnalatha Divi, M.D.

Discussion was held.

A roll call vote was held: Yeas: Cameron, Leung, Dull, Fraley
Nays: Graham

MOTION PREVAILED

Daniel C. Voglewede, M.D. – Order for Dismissal

MOTION by Dull, seconded by Cameron, to accept the Order for Dismissal in the matter of Daniel C. Voglewede, M.D.

Discussion was held.

A roll call vote was held: Yeas: Cameron
Nays: Leung, Graham, Dull, Fraley

MOTION FAILED

MOTION by Dull, seconded by Graham, to reject the Order for Dismissal and submit a counter-offer in the matter of Daniel C. Voglewede, M.D.

Petitioner shall be assessed a fine of \$500.00 payable within 90 days from the effective date of the Order.

A roll call vote was held: Yeas: Leung, Graham, Dull, Cameron, Fraley

MOTION PREVAILED

Curt Juergen Wimmer, M.D. – Order for Dismissal

MOTION by Graham, seconded by Cameron, to accept the Order for Dismissal in the matter of Curt Juergen Wimmer, M.D.

A roll call vote was held: Yeas: Graham, Leung, Cameron, Fraley
Nays: Dull

MOTION PREVAILED

Kim C. Hendrick, M.D. – Petition for Reclassification

MOTION by Cameron, seconded by Dull, to accept the Petition for Reclassification and grant Petitioner a full and unlimited license in the matter of Kim C. Hendrick, M.D.

Discussion was held.

A roll call vote was held: Yeas: Leung, Graham, Dull, Cameron, Fraley

MOTION PREVAILED

Kishore Babu Kondapaneni, M.D. – Petition for Reclassification

MOTION by Dull, seconded by Graham, to accept the Petition for Reclassification and grant Petitioner a full and unlimited license in the matter of Kishore Babu Kondapaneni, M.D.

A roll call vote was held: Yeas: Cameron, Leung, Graham, Dull, Fraley

MOTION PREVAILED

Raymond Jay Weitzman, M.D. – Petition for Reclassification

MOTION by Dull, seconded by Graham, to deny the Petition for Reclassification in the matter of Raymond Jay Weitzman, M.D.

Discussion was held.

A roll call vote was held: Yeas: Graham, Leung, Dull, Cameron, Fraley

MOTION PREVAILED

Nathan Bining, M.D. – Request for Reconsideration

MOTION by Graham, seconded by Cameron, to grant the Request for Reconsideration, vacate the Final Order dated October 24, 2011, and remand back to the Department in the matter of Nathan Bining, M.D.

Discussion was held.

A roll call vote was held: Yeas: Cameron, Leung, Graham, Dull, Fraley

MOTION PREVAILED

Sheila Marie Gendich, M.D. – Request for Reconsider

MOTION by Leung, seconded by Cameron, to grant the Request for Reconsideration, vacate the Final Order dated October 24, 2011, and remand back to the Department in the matter of Sheila Marie Gendich, M.D.

Discussion was held.

A roll call vote was held: Yeas: Leung, Graham, Cameron, Fraley
Nays: Dull

MOTION PREVAILED

Lois Michelle Butler-Jackson, M.D. – Proposal for Decision

Assistant Attorney General Michele Wagner-Gutkowski recused herself from this matter and left the room, and she was replaced by Assistant Attorney General Robert Jenkins.

MOTION by Cameron, seconded by Graham, to accept the Proposal for Decision in the matter of Lois Michelle Butler-Jackson, M.D.

Discussion was held.

A roll call vote was held: Yeas: Graham, Leung, Dull, Cameron, Fraley

MOTION PREVAILED

MOTION by Cameron, seconded by Leung to suspend Petitioner's license for a period of six (6) months and one (1) day, in the matter of Lois Michelle Butler-Jackson, M.D.

Discussion was held.

A roll call vote was held: Yeas: Graham, Leung, Dull, Cameron, Fraley

MOTION PREVAILED

At 9:50 a.m. the Disciplinary Subcommittee recessed. The Disciplinary Subcommittee reconvened at 12:15 p.m.

Lee Henry Colony, M.D. – Proposal for Decision

Assistant Attorney General Michele Wagner-Gutkowski recused herself from this matter and left the room, and she was replaced by Assistant Attorney General Robert Jenkins.

Dull recused himself from this matter.

MOTION by Leung, seconded by Cameron, to accept the Proposal for Decision in the matter of Lee Henry Colony, M.D.

Discussion was held.

A roll call vote was held: Yeas: Cameron, Leung, Graham, Fraley

MOTION PREVAILED

MOTION by Cameron, seconded by Leung, to place the Respondent on probation for a period of one (1) year with the following terms and conditions, in the matter of Lee Henry Colony, M.D.

- 1) Respondent shall be required to complete ten (10) hours of continuing education in professional/ethics and accountability. These courses shall be pre-approved by the Board chairperson or designee and shall not count toward license renewal.

- 2) A Board-approved physician shall review Respondent's practice and records at Respondent's site. The Board-approved physician shall not have a financial interest and any other conflict of interest with Respondent's practice. The Board approved physician shall submit quarterly reports concerning Respondent's practice and records.

Additionally, Respondent shall be assessed a fine of \$5,000.00 payable within 60 days of the effective date of the order.

Discussion was held.

A roll call vote was held: Yeas: Cameron, Leung, Graham, Fraley

MOTION PREVAILED

Michael Baghdoian, M.D. – Administrative Complaint

MOTION by Dull, seconded by Graham, to place Respondent on probation for one (1) year with terms of probation as follows, in the matter of Michael Baghdoian, M.D.

- 1) Respondent shall complete 41.5 hours of Board-approved continuing education. These hours shall not count toward licensure renewal.
- 2) Respondent shall be reprimanded and assessed a fine in the amount of \$1,000.00, payable within sixty (60) days of the effective date of the Order.

Discussion was held.

A roll call vote was held: Yeas: Leung, Graham, Dull, Cameron, Fraley

MOTION PREVAILED

Sarfaraz Ahmed Hasni, M.D. – Administrative Complaint

MOTION by Dull, seconded by Graham, to suspend Respondent's license for a period of six (6) months and one (1) day, in the matter of Sarfaraz Ahmed Hasni, M.D.

Discussion was held.

A roll call vote was held: Yeas: Graham, Leung, Dull Cameron, Fraley

MOTION PREVAILED

Marivic D. Massand, M.D. – Administrative Complaint

MOTION by Graham, seconded by Leung, to suspend Respondent's license for a period of six (6) months and one (1) day, in the matter of Marivic D. Massand, M.D.

Additionally, Respondent shall be assessed a fine of \$5,000.00 payable prior to reinstatement.

Discussion was held.

A roll call vote was held: Yeas: Cameron, Leung, Graham, Dull, Fraley

MOTION PREVAILED

Don A. Spivak, M.D. – Administrative Complaint

MOTION by Dull, seconded by Cameron, to place Respondent on probation for a period of two (2) years with terms of probation as follows, in the matter of Don A Spivak, M.D.

- 1) Respondent shall complete 56.25 hours of Board approved continuing education. These hours shall not count toward licensure renewal.
- 2) Respondent shall be reprimanded and assessed a fine in the amount of \$1,000.00, payable within sixty (60) days of the effective date of the Order.

A roll call vote was held: Yeas: Leung, Graham, Dull, Cameron, Fraley

MOTION PREVAILED

Mehmet Akif Sungurlu, M.D. – Administrative Complaint

MOTION by Graham, seconded by Cameron to revoke Respondent's license in the matter of Mehmet Akif Sungurlu, M.D.

Discussion was held.

A roll call vote was held: Yeas: Fraley
Nays: Graham, Leung, Dull, Cameron

MOTION FAILED

MOTION by Dull, seconded by Leung, to suspend Respondent's license for a period of six (6) months and one (1) day, in the matter of Mehmet Akif Sungurlu, M.D.

Additionally, prior to Respondent filing an application for reinstatement, Respondent must provide satisfactory evidence that he holds a full and unencumbered license in the state of Ohio.

Discussion was held.

A roll call vote was held: Yeas: Graham, Leung, Dull, Cameron, Fraley

MOTION PREVAILED

Yasser M. Awaad, M.D. – Consent Order and Stipulation

MOTION by Dull, seconded by Cameron, to accept the Consent Order and Stipulation in the matter of Yasser M. Awaad, M.D.

Discussion was held.

A roll call vote followed: Yeas: Leung, Graham, Dull, Cameron, Fraley

MOTION PREVAILED

PUBLIC COMMENT

Brian Benner expressed his concerns regarding Dr. Yasser M. Awaad's ability to practice safely.

ANNOUNCEMENTS

The next regularly scheduled Disciplinary Subcommittee meeting will be held on March 21, 2012 at 8:30 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 Cameron, to adjourn the meeting at 1:27 p.m.


Theresa Fraley, Public Member, Chairperson


Christine Hanson, Board Secretary


Date Minutes Approved


Date Minutes Prepared