



RICK SNYDER
GOVERNOR

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

STEVEN H. HILFINGER
DIRECTOR

MICHIGAN BOARD OF MEDICINE SEPTEMBER 21, 2011 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 September 21, 2011, at the Ottawa Building, 611 West Ottawa Street, Conference Room 3 (Upper Level Conference Center), Lansing, Michigan.

CALL TO ORDER

George Shade, Jr., M.D., Chairperson, called the meeting to order at 10:11 a.m.

ROLL CALL

Members Present: George Shade, Jr., M.D., Chairperson
Busharat Ahmad, M.D., Vice Chairperson
Abd Alghanem, M.D.
Richard Burney, M.D.
Oliver Cameron, M.D., Ph.D.
Jamie Frain, Public Member
Peter Graham, M.D.
Rao Gudipati, M.D.
Lynn Larson, Public Member
Cynthia Pasky, Public Member
Frank Raines, III, Public Member (left at 11:00 a.m.)
Meghan Riley, PA-C
Leticia San Diego, Ph.D., Public Member
Cheryl Graham Solomon, Public Member
David Weingarden, M.D. (arrived at 10:50 a.m.) (left at 12:00 noon)

Members Absent: David Dull, M.D.
Theresa Fraley, Public Member
Vivian Leung, Public Member
Suzanne Hugly Thomashow, M.D., Ph.D.

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Staff Present: Christine Hanson, Board Secretary, Health Regulatory Division
Rae Ramsdell, Director, Health Regulatory Division
Norene Lind, Policy Manager, Health Regulatory Division
Kiran Parag, Analyst, Health Regulatory Division
Michele Wagner-Gutkowski, Assistant Attorney General
John Wright, Assistant Attorney General
Morgan Smale, Office of the Attorney General
Jordan Leaming, Office of the Attorney General
Susan Affholter, Pain Management & Palliative Care Coordinator, BHP

Others Present: Nancy Short, Appointments Division, Office of Governor Snyder
Bradley Friechon
Steven Ray
Tom Sparks

APPROVAL OF MINUTES

MOTION by Raines, seconded by Graham, to approve the minutes of the July 20, 2011 meeting.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Gudipati, seconded by Burney, to approve the agenda with the following addition:

Under NEW BUSINESS, D. 2012 Board Meeting Schedule will be added.

MOTION PREVAILED

OLD BUSINESS

None

COMMITTEE REPORTS

INVESTIGATIONS AND ALLEGATIONS

Gudipati reported that for the month of August, 45 files were reviewed; with 22 being authorized for investigation, 16 closed, and 2 returned to the Department for additional information. Discussion amongst the Board members was held regarding the types of complaints reviewed.

OPERATIONS COMMITTEE

Burney reported that the Operations Committee met briefly and will provide a report on Maintenance of Licensure under New Business.

DISCIPLINARY SUBCOMMITTEE

Frain reported that the DSC met today prior to the full Board meeting and decided 11 consent order and stipulations, 1 order for dismissal, 1 petition for reclassification, 1 proposal for decision, and 3 administrative complaints.

CHAIRPERSON'S REPORT

Shade commented on the need for Board members to assist with the review of investigations and allegations and serve as conferees for the Board of Medicine in these matters. He voiced his concern regarding the financial and emotional ramifications the licensees are forced to contend with when they are the subject of an investigation and the case review and investigations are not carried out in a timely manner. Shade provided a brief overview of the responsibilities of a conferee.

NEW BUSINESS

ACPSM UPDATE

Affholter provided the Board with an update of the work of the ACPSM. She presented to the Board four nominations for the Advisory Committee on Pain and Symptom Management. She explained that the Advisory Committee currently has two vacancies. She asked the Board to nominate two candidates to represent the Board of Medicine.

Discussion was held.

MOTION by Burney, seconded by Graham, to nominate Daniel Berland, MD, ABAM and Jeanne G. Lewandowski, MD.

A roll call vote was held: Yeas: Graham Solomon, Raines, Riley, Gudipati, Larson, Frain, Ahmad, San Diego, Burney, Alghanem, Pasky, Cameron, Graham, Shade

Daniel Berland, MD, ABAM and Jeanne G. Lewandowski, MD were appointed as the Board of Medicine's representative to the Advisory Committee on Pain and Symptom Management for a term of July 1, 2011 through June 30, 2013.

Department Update

Ramsdell advised the Senate has introduced a Bill that would remove restrictions on Physician Assistants related to prescribing controlled substances. She stated that Nurse Practitioners and Nurse Midwives are seeking licensure to practice on their own. Ramsdell informed that the scope of practice review has been delayed until January.

2012 Board of Medicine Calendar

Lind distributed a tentative schedule of the 2012 Board calendar. She informed that there is a room conflict for the January meeting. She inquired if the Board would like to meet at an off-site location. Discussion amongst the Board was held.

MOTION by Burney, seconded by Graham, to hold the Board of Medicine meeting on January 25, 2012 at the OPS Center.

Abstained: Raines

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Elizabeth Bennett Cox, M.D. – Petition for Reinstatement

MOTION by Raines, seconded by Graham Solomon, to accept the Petition for Reinstatement in the matter of Elizabeth Bennett Cox, M.D.

A roll call vote was held: Yeas: Graham Solomon, Raines, Riley, Gudipati, Larson, Frain, Ahmad, San Diego, Burney, Alghanem, Pasky, Cameron, Graham, Shade.

MOTION PREVAILED

Discussion followed.

MOTION by Burney, seconded by Cameron, to grant the Petitioner a limited license for a period of two (2) years with the following terms and conditions:

- 1) Petitioner to practice under general supervision of a Board approved supervising physician.
- 2) Petitioner shall practice in a setting such as a major hospital outpatient Department, Veterans Administration, or group setting. In addition, Petitioner is precluded from independent private practice.

Petitioner shall be placed on probation to run concurrent with the period of limitation. During the probationary period Petitioner's supervising physician shall file quarterly reports advising of Petitioner's work performance. Petitioner shall also engage in individual psychotherapy with a Board approved psychiatrist focusing on ethical issues for the duration that the psychiatrist deems appropriate. Petitioner's treating psychiatrist shall file quarterly reports advising of Petitioner's treatment compliance.

Petitioner may petition for reclassification of limited license in two (2) years from the effective date of the Order.

A roll call vote was held: Yeas: Graham Solomon, Riley, Gudipati, Larson, Frain, Ahmad, San Diego, Burney, Alghanem, Pasky, Cameron, Graham, Shade, Weingarden

MOTION PREVAILED

Maintenance of Licensure Discussion

Burney directed the Board to a power point presentation concerning the response to the Federation of State Medical Board's (FSMB) proposal regarding maintenance of licensure. The FSMB goals are to 1) Adopt the language of the American Board of Medical Specialties (ABMS) that defines the attributes of a good physician for purposes of training and certification. 2) Align maintenance of licensure (MOL) and maintenance of certification (MOC) requirements wherever possible. 3) Move away from traditional CME as the chief prerequisite for re-licensure. Discussion amongst the Board was held. Consensus of the Board is for the Board to lead in the changes relating to the FSMB proposal.

Ramsdell informed that other Health Profession Boards have adopted a professional development model encompassing other activities to show competencies. She suggested that the Board review current rules and modify to incorporate the professional development model. Ramsdell will notify FSMB of Board's proposal.

Shade thanked Burney for his report.

PUBLIC COMMENT

A public member congratulated Burney on his presentation.

ANNOUNCEMENTS

The next regularly scheduled meeting will be held on November 16, 2011 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 Burney, seconded by Graham, to adjourn the meeting at 12:26 p.m.


George Shade, Jr, M.D., Chairperson

11-16-2011
Date Minutes Approved


Christine Hanson, Board Secretary

September 28, 2011
Date Minutes Prepared