



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 Friechn  
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