



STATE OF MICHIGAN

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

MIKE ZIMMER
DIRECTOR

MICHIGAN BOARD OF MEDICINE MAY 20, 2015 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 May 20, 2015, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

CALL TO ORDER

Richard Burney, M.D., Chairperson, called the meeting to order at 10:08 a.m.

ROLL CALL

Members Present: Richard Burney, M.D., Chairperson
Peter Graham, M.D., Vice-Chairperson
Mohammed Arsiwala, M.D.
Luis Avila, J.D.
Richard Bates, M.D.
Stacey Frankovich, Public Member
Sandra Howell, M.D.
Lisa Huta, Public Member
Renee Johnston, Public Member
Kara Morley-Smolek, M.D.
Louis Prues, Ph.D, Public Member
James Rogers, M.D.
James Sondheimer, M.D.
Dennis Szymanski, M.D.
Terri Tahnoose, Public Member
Rosalie Tocco-Bradley, M.D., Ph.D
Gail Torreano, Public Member

Members Absent: Cynthia Pasky, Public Member

LARA is an equal opportunity employer.

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

611 W. OTTAWA ST. • P.O. BOX 30670 • LANSING, MICHIGAN 48909

www.michigan.gov/healthlicense • (517) 335-0918

Staff Present: Shellayne Grimes, Secretary, Policy, Rules and Board Support Section
Michael Siracuse, Analyst, Policy, Rules and Board Support Section
Norene Lind, Manager, Policy, Rules and Board Support Section
Steve Creamer, Manager, Health Care Information and Training Section (left at 10:14 a.m.)
Kiran Parag, Analyst, Enforcement Section
Virginia Abdo, Manager, Enforcement Section (left at 10:22 a.m.)
Thomas Clement, Assistant Attorney General

Others Present: Lynn Mills
Travis Lee, Midwestern
Ken Einheuser
Joy Einheuser

APPROVAL OF MINUTES

MOTION by Szymanski, seconded by Arsiwala, to approve the minutes of the March 18, 2015 Board meeting, as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Arsiwala, seconded by Howell, to approve the agenda, as presented.

MOTION PREVAILED

ADVISORY COMMITTEE ON PAIN AND SYMPTOM MANAGEMENT – NOMINATIONS

Steve Creamer asked the Board to consider re-appointment of two (2) candidates, namely: Jeanne Lewandowski, M.D. and Daniel Berland, M.D., to represent the Board of Medicine on the Advisory Committee on Pain and Symptom Management (ACPSM) for another two-year term.

MOTION by Prues, seconded by Arsiwala, to re-appoint Jeanne Lewandowski, M.D. and Daniel Berland, M.D., as Board of Medicine representatives to the Advisory Committee on Pain and Symptom Management (ACPSM) for another two-year term.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

A. Terry A. Sampson, M.D. – Proposal for Decision

MOTION by Rogers, seconded by Arsiwala, to accept the Proposal for Decision and deny relicensure, in the matter of Terry A. Sampson, M.D.

Discussion was held.

A roll call vote followed: Yeas: Arsiwala, Avila, Bates, Frankovich, Howell, Huta, Johnston, Morley-Smolek, Rogers, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley, Torreano, Graham, Burney

Nay: Prues

MOTION PREVAILED

B. Mark Samuel Weis, M.D. – Proposal for Decision

MOTION by Arsiwala, seconded by Rogers, to accept the Proposal for Decision and deny reinstatement, in the matter of Mark Samuel Weis, M.D.

Discussion was held.

A roll call vote followed: Yeas: Arsiwala, Avila, Bates, Frankovich, Howell, Huta, Johnston, Morley-Smolek, Prues, Rogers, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley, Torreano, Graham, Burney

MOTION PREVAILED

COMMITTEE REPORTS

INVESTIGATIONS AND ALLEGATIONS

Rogers reported that the Investigations and Allegations (I&A) Committee reviewed 31 files in April, 2015. Fifteen files were authorized for investigation, and 16 files were closed. There were four (4) reviewers.

For May, the I&A Committee reviewed 36 files. Twenty six files were authorized for investigation, and 10 files were closed. There were seven (7) reviewers.

OPERATIONS COMMITTEE

Burney reported that the Operations Committee did not meet.

DISCIPLINARY SUBCOMMITTEE

Torreano reported that the Disciplinary Subcommittee (DSC) met today and considered 28 matters; two (2) Requests for Reconsideration, five (5) Administrative Complaints, two (2) Petitions for Reclassification, two (2) Requests for Dismissal, tabled three (3) Consent Orders and Stipulations, and addressed 14 Consent Orders and Stipulations. The Disciplinary Subcommittee will reconvene after the adjournment of the full Board meeting to finish its agenda.

Burney expressed his appreciation for the hard work of the Disciplinary Subcommittee.

CHAIRPERSON'S REPORT

Burney provided the following summary of Board of Medicine activity between March 15, 2015 and May 17, 2015. He handled 35 matters, compared to 41 matters last year during the same interval, as follows:

Type	Number
• Summary suspensions	0*
• Conferee assignments	8
• Advice/discuss sanction recommendations	14
• Advice regarding filing/pursuing complaint	1
• Approve CME and general supervision requests	6
• Compliance conference	0
• Review/approve monitoring plans/reports	5
• Miscellaneous matters	1

*There was 1 additional automatic summary suspension based on a felony conviction.

His report also contained two graphs; one showing the trend in the number of conferee assignments that have been made over time; and the other showing the trend in the number of board questions and items he has addressed over time.

Burney informed that House Bill No. 4583 was introduced regarding the Interstate Medical Licensure Compact. The compact is slowly being introduced across the country, with Alabama becoming the 7th state to join.

OLD BUSINESS

None

NEW BUSINESS

Rogers shared his adventure hiking the Appalachian Trail.

Michigan State Medical Society (MSMS) House of Delegates Meeting Recap

Szymanski informed that the Interstate Medical Licensure Compact was discussed, and that there was an MSMS resolution opposed to it.

Szymanski stated that there was a lengthy discussion on the topic of maintenance of certification (MOC), which continues to be a matter of concern to physicians. Graham and Burney added that at the national level how to manage MOC remains a matter of debate, as it has not been proven that MOC leads to better outcomes and physician competence. The concept of linking MOC to maintenance of licensure has faded from the scene.

Finally, Szymanski shared the "2015 MSMS House of Delegates – Final Action Summary," and summarized several of the resolutions contained therein.

2015 Federation of State Medical Boards (FSMB) Annual Meeting Recap

Tahnoose provided an overview of her experience in attending the FSMB Annual Meeting in Fort Worth, Texas as a public member. She was very proud to be a representative from the Michigan Board of Medicine, and she thanked the Board for the opportunity. She noted that the overall topics were well-prepared. Providing "blended care" among doctors, physician assistants and nurses was a very passionate discussion. Telemedicine was also a hot topic, with various tele-psychiatry vendor/exhibitors.

Prues also provided an overview of his experience in attending the FSMB Annual Meeting and running for FSMB board. He offered a flash drive containing all conference presentations and materials. He stated that 50% of the breakout sessions involved opioid prescribing and the Supreme Court case regarding the matter of *North Carolina State Board of Dental Examiners v. Federal Trade Commission*. Although Prues did not win his election for the FSMB Board of Directors, he thanked board members for their support and endorsements. Prues indicated his willingness to run for the FSMB Board again in the future. Finally, he has been invited to attend an upcoming FSMB meeting in Philadelphia regarding the United States Medical Licensing Exam (USMLE).

Although Burney was not able to attend this year's meeting, he mentioned that the FSMB Annual Meeting is a great educational experience for board members and that it is unfortunate that more are not able to attend.

Tocco-Bradley questioned whether or not it would be possible to provide funding for board members to attend future FSMB meetings via a scholarship program. Lind commented that there is no money in the budget for board member travel, especially when you consider the bureau presently represents nearly 300 board members for all of the Public Health Code professions.

Lind offered her overview of her experience in attending the FSMB Annual Meeting. A highlight for her was the panel discussion on telemedicine. One panel member showed

the audience a website that appeared to be a "teledoc" website, but at closer review, was actually a tele-pharmacy.

Arsiwala won his FSMB election to the Nominating Committee to serve from 2015-2017.

Department Update

Lind updated that board regarding the bureau reorganization.

Burney noted the Memorandum dated May 20, 2015 from the Department regarding the Special Presentation to the Board of Medicine scheduled for July 15, 2015. The meeting times have been adjusted to accommodate this special presentation by the Licensing and Regulations Division of the Office of the Attorney General and members of the Enforcement Division.

PUBLIC COMMENT

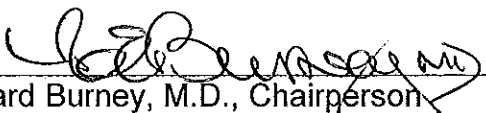
None

ANNOUNCEMENTS

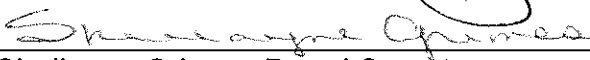
The next regularly scheduled meeting will be held on July 15, 2015 at 11:00 a.m., at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

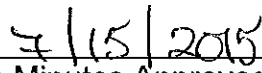
MOTION by Prues, seconded by Rogers, to adjourn the meeting at 11:15 a.m.



Richard Burney, M.D., Chairperson



Shellayne Grimes, Board Secretary



Date Minutes Approved



Date Minutes Prepared