



STATE OF MICHIGAN

RICK SNYDER  
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF HEALTH CARE SERVICES

MIKE ZIMMER  
ACTING DIRECTOR

## **MICHIGAN BOARD OF MEDICINE SEPTEMBER 17, 2014 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 17, 2014, 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 10:12 a.m.

### ***ROLL CALL***

***Members Present:*** Richard Burney, M.D., Chairperson  
Peter Graham, M.D., Vice-Chairperson  
Mohammed Arsiwala, M.D.  
Sandra Howell, M.D.  
Renee Johnston, Public Member (left at 11:40 a.m.)  
Kara Morley-Smolek, M.D.  
James Rogers, M.D.  
Carol Sheridan, Public Member  
James Sondheimer, M.D.  
Dennis Szymanski, M.D.  
Terri Tahnoose, Public Member  
Gail Torreano, Public Member  
Rosalie Tocco-Bradley, M.D., Ph.D.  
Cynthia Pasky, Public Member  
Louis Prues, Ph.D, Public Member  
Richard Bates, M.D.  
Luis Avila, J.D.

***Members Absent:*** Meghan Riley-Bisonet, PA-C  
Lisa Huta, Public Member

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**Staff Present:** Shellayne Grimes, Secretary, Policy, Rules and Board Support Section  
Karen Carpenter, Analyst, Policy, Rules and Board Support Section  
Norene Lind, Manager, Policy, Rules and Board Support Section  
Kiran Parag, Analyst, Enforcement Division  
Forrest Pasanski, Enforcement Manager (left at 10:22 a.m.)  
Michele Wagner-Gutkowski, Assistant Attorney General  
Eric St. Onge, Assistant Attorney General

**Others Present:** Tom Sparks, Attorney  
Andrew Schepers, MSMS  
Nancy Short, Governor Snyder's Appointment Office  
Garrett Smith, MD  
Lovis Sevrá, Attorney  
John Ryan  
Lynn Mills  
Genevieve Marnon  
Charles Gehrke, MD, HPRC  
Eric R., MPA  
Amy Parker, MPA  
Humayun Chaudhry, DO, MCAP, FSMB  
Gregory Snyder, MD, Minnesota Board of Medicine; FSMB

## ***INTRODUCTIONS***

Burney introduced two guests from the Federation of State Medical Boards, Humayun (Hank) Chaudhry, DO, MCAP, FSMB President and Chief Executive Officer, and Gregory Snyder, MD, FSMB Director-at-Large and member of the Minnesota board.

## ***APPROVAL OF MINUTES***

*MOTION* by Prues, seconded by Arsiwala, to approve the minutes of the July 16, 2014 Board meeting, as presented.

*MOTION PREVAILED*

## ***APPROVAL OF AGENDA***

*MOTION* by Graham, seconded by Szymanski, to approve the agenda with the following two corrections: Parag requested wording changes to Regulatory Consideration item 5A, Joseph Lawrence Britz, MD, to read, Proposal for Decision/RELICENSURE, and to item 5B, Zahid Nazir, MD to read Proposal for Decision/ LICENSURE.

*MOTION PREVAILED*

## ***REGULATORY CONSIDERATIONS***

### **Joseph Lawrence Britz, MD – Proposal for Decision/Relicensure**

*MOTION* by Arsiwala, seconded by Howell, to accept the Proposal for Decision and deny relicensure, in the matter of Joseph Lawrence Britz,, M.D.

A roll call vote was held: Yeas: Arsiwala, Avila, Bates, Howell, Johnston,  
Morley-Smolek, Pasky, Prues, Rogers, Sheridan,  
Sondheimer, Szymanski, Tahnoose, Tocco-Bradley,  
Torreano, Graham, Burney

*MOTION PREVAILED*

### **Zahid Nazir, MD – Proposal for Decision/Licensure**

*MOTION* by Graham, seconded by Rogers, to accept the Proposal for Decision and deny licensure, in the matter of Zahid Nazir, M.D.

A roll call vote was held: Yeas: Arsiwala, Avila, Bates, Howell, Johnston,  
Morley-Smolek, Pasky, Prues, Rogers, Sheridan,  
Sondheimer, Szymanski, Tahnoose, Tocco-Bradley,  
Torreano, Graham, Burney

*MOTION PREVAILED*

## ***FEDERATION OF STATE MEDICAL BOARDS (FSMB) PRESENTATION***

Humayun Chaudhry, delivered a 15-minute PowerPoint presentation providing history of the FSMB, and noting that Michigan was one of the first examining boards in 1819. He provided an overview of the FSMB's roles and how it serves as the voice and advocate for state medical boards.

Gregory Snyder, MD, also delivered a 15-minute PowerPoint presentation on the proposed Interstate Medical Licensure Compact. A handout was provided which memorializes the eight consensus principles that have been developed by the Interstate Medical Licensure Compact Taskforce over an 18 month project that was undertaken by state medical boards, the FSMB, experts from the Council of State Governments, and interested stakeholder groups that explored the formation of an interstate compact to enhance medical license portability.

A number of state boards have expressed interest in signing the compact. Beginning in 2015, their state legislatures will introduce the Interstate Medical Licensure Compact for enactment.

Dr. Chaudhry also spoke briefly about the status of the FSBM Telemedicine policy.

## ***COMMITTEE REPORTS***

### **INVESTIGATIONS AND ALLEGATIONS**

Rogers reported that the Investigations and Allegations Committee reviewed 43 files in August, 2014. Twenty files were authorized for investigation and 23 files were closed.

In September, 36 files were reviewed; 15 files were authorized for investigation and 21 files were closed.

### **OPERATIONS COMMITTEE**

No report.

### **DISCIPLINARY SUBCOMMITTEE**

Torreano reported that the Disciplinary Subcommittee (DSC) met today and considered 27 matters.

### **CHAIRPERSON'S REPORT**

Burney provided the following summary of Board of Medicine activity between July 16, 2014 and September 17, handling 32 matters, namely:

Type	Number
• Summary suspensions	2
• Conferee assignments	6
• Advice regarding sanction recommendations	7
• Advice regarding filing/pursuing complaint	5
• Approve CME and general supervision requests	7
• Miscellaneous matters	5

## ***OLD BUSINESS***

None

## ***NEW BUSINESS***

### **Health Professional Recovery Committee Report**

Charles Gehrke, MD, provided an overview of the Health Professional Recovery Committee (HPRC) Annual Report dated August 6, 2014.

Burney referenced a handout entitled, "A Message from the Michigan Board of Medicine and Michigan Board of Osteopathic Medicine and Surgery" prepared by himself and Dennis Dobritt, D.O., Chairperson of the Michigan Board of Osteopathic Medicine and Surgery, to be used as a preface for the updated 2014 handbook, *Responsible Opioid Prescribing: A Guide for Michigan Clinicians* by Scott M. Fishman, M.D.

### **Review of Draft Administrative Rules of the Board of Medicine**

Burney reviewed all pages of the Draft General Rules with the Board members. Burney noted that the Draft General Rules were being presented today for board members to review and think about. He hopes they can be voted on at the November 19, 2014 meeting. Tocco-Bradley acknowledged Carpenter for her diligence and expertise assisting with the preparation of the draft rules.

Lind informed the board that Carpenter has accepted a different position with the State and this will be her last Board of Medicine meeting.

Carpenter summarized the next steps in the rulemaking process.

### **Department Update**

Carpenter informed that effective October 6, 2014, all medications with Hydrocodone will be considered a schedule II drug and will require a written prescription. Pharmacies can no longer accept phoned in prescriptions.

## **PUBLIC COMMENT**

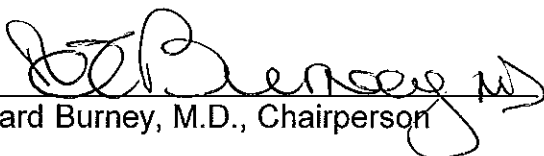
None


## **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held on November 19, 2014 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 Prues, seconded by Torreano, to adjourn the meeting at 11:50 a.m.

  
Richard Burney, M.D., Chairperson

  
Shellayne Grimes, Board Secretary

  
Date Minutes Approved

  
Date Minutes Prepared