



STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

JANET OLSZEWSKI  
DIRECTOR

## MICHIGAN BOARD OF MEDICINE SEPTEMBER 15, 2010 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 15, 2010, 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 10:06 a.m.

#### **ROLL CALL**

**Members Present:** George Shade, Jr, M.D., Chairperson  
Abd A. Alghanem, M.D., Vice Chairperson  
Busharat Ahmad, M.D.  
Richard E. Burney, M.D.  
Oliver G. Cameron, M.D., Ph.D.  
Peter T. Graham, M.D.  
Cheryl Graham Solomon, Public Member (arrived at 10:23 a.m.)  
Rao V.C. Gudipati, M.D.  
Lynn Larson, Public Member  
Vivian Leung, Public Member  
Leticia J. San Diego, Ph.D., Public Member  
Nathaniel Smith-Tyge, Public Member

**Members Absent:** David L. Dull, M.D.  
William Fenn, PA-C, Ph.D.  
Teresa L. Fraley, Public Member  
Frank Raines, III, Public Member  
Suzanne Hugly Thomashow, M.D., Ph.D.  
David S. Weingarden, M.D.

**Staff Present:** Laurie VanBeelen, Board Secretary, Health Regulatory Division  
Rae Ramsdell, Director, Health Regulatory Division  
Amy Allen, Policy Administration Mgr, Health Regulatory Division  
Kiran Parag, Analyst, Health Regulatory Division  
Michele Wagner-Gutkowski, Assistant Attorney General  
Brett Esy, Intern, Office of Attorney General

**Others Present:** None

## **APPROVAL OF MINUTES**

*MOTION* by Alghanem, seconded by Ahmad, to approve the minutes of the July 21, 2010 meeting as presented.

*MOTION PREVAILED*

## **APPROVAL OF AGENDA**

*MOTION* by Smith-Tyge, seconded by Cameron, to approve the agenda as presented.

*MOTION PREVAILED*

## **COMMITTEE REPORTS**

### **INVESTIGATIONS AND ALLEGATIONS**

Burney reported that for the month of August, 4 members reviewed 32 files with 15 being authorized for investigation, 15 closed, and 2 were returned to the Department for additional information. For the month of September, 6 members reviewed 37 files with 17 being authorized for investigation, 18 closed, and 2 were returned to the Department for additional information.

Burney advised that a significant number of the allegations received involved unrealistic patient expectations and unhappiness with the outcome of treatment, even though the treatment was appropriate. He stated that the I & A Committee strives to ensure that only those allegations that are violations of the Public Health Code and which place patients at risk are authorized for further investigation. Burney stated that each time the Committee meets, discussion is held to review the decisions that were made in an attempt to achieve uniformity in the decision making process.

### **OPERATIONS COMMITTEE**

No report.

## **DISCIPLINARY SUBCOMMITTEE**

Smith-Tyge advised that at the May meeting, 25 cases were decided. Those cases involved 17 consent order and stipulations, 5 requests for dismissal of the administrative complaint, 1 request for reconsideration, 1 proposal for decision, and 1 administrative complaint.

## **CHAIRPERSON'S REPORT**

Shade inquired if interim board appointments can be made as there has been lack of attendance by a current public member and Dr. Fenn is currently unable to serve. Ramsdell indicated that the decision rests with the Governor's office. She will contact the Governor's appointments office in this regard and report back to the Board.

## ***OLD BUSINESS***

None

## ***NEW BUSINESS***

### **Selection of Nomination Committee for January Elections**

Shade advised that in order to have fair and democratic elections in January, the Board previously decided that a nomination committee would be created. Shade requested that Burney serve as committee chairperson and that Smith-Tyge, Leung and Graham also serve on the committee for the January 2011 elections. The committee will meet following today's meeting and provide information on nomination procedures to the Board.

## **DEPARTMENT UPDATE**

Brief discussion was held regarding PA 117 which speaks to abortion reporting requirements. Ramsdell will obtain additional information and report back to the Board. Ramsdell also directed the Board to the legislative update provided at today's meeting.

## ***REGULATORY CONSIDERATIONS***

### **Raj Rao, M.D. – Petition for Reinstatement**

*MOTION* by Alghanem, seconded by Graham, to accept the Petition for Reinstatement in the matter of Raj Rao, M.D.

Discussion followed.

*AMENDED MOTION* by Alghanem, seconded by Graham, to accept the Petition for Reinstatement in the matter of Raj Rao, M.D. Additionally, Petitioner shall be granted a limited license for a minimum period of one (1) year. When examining and/or treating female patients, Petitioner shall have a female health professional chaperone present in the examination/treatment room at all times. Petitioner shall be placed on probation to run concurrent with the period of limitation. Petitioner shall provide quarterly employer reports and a satisfactory year-end report from the female health professional chaperone. Petitioner's license shall be automatically reclassified to a full and unlimited status and discharged from probation at the end of one (1) year provided he has complied with the terms of the Order and has not violated the Public Health Code.

A roll call vote was held: Yeas: Gudipati, Leung, San Diego, Smith-Tyge, Graham, Ahmad, Burney, Larson, Cameron, Alghanem, Shade

Nay: Graham Solomon

*MOTION PREVAILED*

## ***PUBLIC COMMENT***

None

## ***ANNOUNCEMENTS***

The next regularly scheduled meeting will be held on November 17, 2010 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 Leung, seconded by Cameron, to adjourn the meeting at 10:50 a.m.

  
George H. Shade, Jr, M.D., Chairperson

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Date Minutes Approved

  
Laurie A. VanBeelen, Board Secretary

  
Date Minutes Prepared