



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF HEALTH CARE SERVICES

STEVE ARWOOD  
DIRECTOR

## MICHIGAN BOARD OF MEDICINE MARCH 19, 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 March 19, 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 10:15 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.  
Sandra Howell, M.D.  
Renee Johnston, Public Member  
Kara Morley-Smolek, M.D.  
Meghan Riley-Bisonet, PA-C  
James Rogers, M.D.  
Carol Sheridan, Public Member  
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  
Lisa Huta, Public Member  
Louis Prues, Ph.D, Public Member

**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  
Joe Campbell, Enforcement Division Director (left at 10:51 a.m.; back at 11:15 a.m.)  
Kiran Parag, Analyst, Enforcement Division (left at 11:08 a.m.)  
Timothy Andrews, Manager, Program Operations Unit, Licensing Section (left at 11:09 a.m.)  
Michelle Wagner-Gutkowski, Assistant Attorney General  
Deb Gagliardi, Assistant Attorney General

**Others Present:** Andrew Schepers, MSMS  
Wanda Enid Velez-Ruiz, MD  
Spouse of Wanda Enid Velez-Ruiz, MD

## ***INTRODUCTIONS***

Burney asked all Board members and staff to introduce themselves and give a brief history. This was done.

## ***APPROVAL OF MINUTES***

*MOTION* by Torreano, seconded by Rogers, to approve the minutes of the November 20, 2013 Board meeting, as presented.

*MOTION PREVAILED*

## ***APPROVAL OF AGENDA***

*MOTION* by Arsiwala, seconded by Torreano, to approve the agenda with the following deletions: Under 10. New Business, items C. Advisory Committee on Pain and Symptom (ACPSM) Presentation and D. Michigan Automated Prescription System (MAPS) Presentation. (These items will be deferred to the May meeting.)

*MOTION PREVAILED*

## ***ELECTIONS***

Burney opened the discussion for elections, noting that nominations had been received for himself as Chairperson and Dr. Peter Graham as Vice-Chairperson.

*MOTION* by Szymanski, seconded by Arsiwala, to close the nominations and re-elect Dr. Richard Burney as Chairperson and Dr. Peter Graham as Vice-Chairperson.

A voice vote was held.

*MOTION PREVAILED*

## ***REGULATORY CONSIDERATIONS***

### **Wanda Enid Velez-Ruiz, MD – Petition for Reinstatement**

Assistant Attorney General, Michelle Wager-Gutkowski, recused herself from this case. Assistant Attorney General, Deb Gagliardi, represented the Attorney General's Office in her stead.

*MOTION* by Arsiwala, seconded by Torreano, to deny the Petition for Reinstatement, in the matter of Wanda Enid Velez-Ruiz, M.D.

Discussion was held.

A roll call vote followed:

Yeas: Arsiwala, Avila, Bates, Riley, Howell, Johnston, Morley-Smolek, Rogers, Sheridan, Sondheimer, Szymanski, Tahnoose, Tocco-Bradley, Torreano, Graham, Burney

*MOTION PREVAILED*

## ***COMMITTEE REPORTS***

### **INVESTIGATIONS AND ALLEGATIONS**

Rogers reported that the Investigations and Allegations Committee reviewed 52 files in February, 2014. Eight (8) files were authorized for investigation, and 44 files were closed. In March, 33 files were reviewed; nine (9) files were authorized for investigation, and 24 files were closed.

### **OPERATIONS COMMITTEE**

Burney noted that the Operations Committee did not meet, but it will continue to work on the administrative rules revision project.

### **DISCIPLINARY SUBCOMMITTEE**

Torreano reported that the Disciplinary Subcommittee met on January 15, 2014 and considered seven (7) matters. Further, the Disciplinary Subcommittee met today and considered 23 matters.

### **CHAIRPERSON'S REPORT**

Dr. Burney's Chairperson's Report was distributed to all Board members and staff. He provided the following summary of activity since January 1, 2012:

Board of Medicine Activity – January 1, 2012 to December 31, 2013 (2 year summary):

- Summary suspensions 22
- Advise regarding sanctions 59
- Assign conferee 112 (5-6 professional members per year)
- Cases that went to DSC 144

Board of Medicine Activity – November 19, 2013 to January 15, 2014:

- Summary suspensions 1
- Advise regarding sanctions 8
- Assign conferee 11
- Compliance conferences 0
- Authorize investigation 1
- Miscellaneous matters 5

Board of Medicine Activity – January 16, 2014 to March 14, 2014:

- Summary suspensions 2
- Advise regarding sanctions 8
- Assign conferee 10
- Compliance conferences 3
- Miscellaneous matters 11

Burney explained the role of the Conferee, and he advised that the new Board physician members will be paired with mentors to learn the work of the Conferee.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

**Continuing Education Waiver Request – Haris C. Macris, M.D.**

Lind explained statute that allows a Board to consider continuing education waiver requests.

Tim Andrews, Program Operations Manager, directed the Board members to the application for waiver of continuing education requirement submitted by Haris C. Macris, M.D.

**MOTION** by Rogers, seconded by Szymanski, to accept the continuing education waiver request, in the matter of Haris C. Macris, M.D.

Discussion was held.

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

### **Health Professional Recovery Committee (HPRC) Appointment**

*MOTION* by Torreano, seconded by Graham, to re-appoint Dr. Charles F. Gehrke, M.D., to serve as the Board of Medicine's representative on the Health Professional Recovery Committee.

Discussion was held.

*MOTION PREVAILED*

### **Committee Descriptions – Future Assignments**

Burney will make Committee assignments once he has had an opportunity to talk with each new Board member and see where their talents and interest can best be utilized.

### **Department Update**

Carpenter circulated a Summary of Senate Bills (575-578) that relate to Board member conflict of interest, allegation review, enforcement, and Board/DSC decisions. Carpenter informed that all four Bills passed the House on March 19, 2014 and will be referred back to the Senate for concurrence.

Discussion was held regarding the impact the bills could have on the investigations, disciplinary and appeal processes.

## ***PUBLIC COMMENT***

Andrew Schepers, representing the Governmental Affairs Division of Michigan State Medical Society (MSMS) welcomed new Board members and offered the services of the MSMS as a valuable resource.

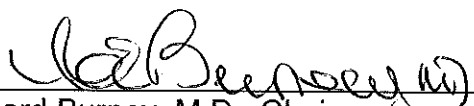
Wanda Enid Velez-Ruiz, M.D. and her husband attempted to address the Board about a pending disciplinary matter and were informed that it was improper to try to address or debate specific disciplinary matters that have or might come before the Board.

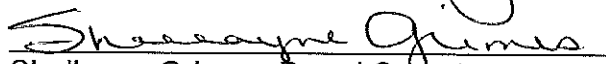
## **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held on May 21, 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 Rogers, seconded by Arsiwala, to adjourn the meeting at 11:37 a.m.

  
Richard Burney, M.D., Chairperson

  
Shellayne Grimes, Board Secretary

5/21/14  
Date Minutes Approved

3/19/2014  
Date Minutes Prepared