



Arizona Medical Board

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FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING Held on Wednesday, September 6, 2023 1740 W. Adams St., Board Room A • Phoenix, Arizona

Board Members

R. Screven Farmer, M.D., Chair
James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M., Vice-Chair
Lois E. Krahn, M.D., Secretary
Katie S. Artz, M.D., M.S.
Jodi A. Bain, M.A., J.D., LL.M.
Bruce A. Bethancourt, M.D., F.A.C.P.
David C. Beyer, M.D., F.A.C.R., F.A.S.T.R.O.
Laura Dorrell, M.S.N., R.N.
Gary R. Figge, M.D.
Pamela E. Jones
Constantine Moschonas, M.D., F.A.A.N.
Eileen M. Oswald

GENERAL BUSINESS

A. CALL TO ORDER

Chairman Farmer called the Board's meeting to order at 5:09 p.m.

B. ROLL CALL

The following Board members participated virtually: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Dr. Moschonas and Ms. Oswald.

ALSO PRESENT

The following Board staff participated in the meeting: Patricia McSorley, Executive Director; Kristina Jensen, Deputy Director; Claude Deschamps, M.D., Chief Medical Consultant; Michelle Robles, Board Operations Manager. Carrie Smith, Assistant Attorney General ("AAG") also participated in the teleconference.

C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA

Individuals that addressed the Board during the Public Statements portion of the teleconference appear beneath the matter(s) referenced.

D. EXECUTIVE DIRECTOR'S REPORT

No report was given.

E. CHAIR'S REPORT

No report was given.

F. LEGAL ADVISOR'S REPORT

No report was given.

G. DISCUSSION REGARDING DEBRIEFING ON BOARD PROCESSES

Ms. McSorley reminded the Board that the October 6th meetings will be via Zoom for committee meetings only to conduct formal interviews.

Dr. Deschamps informed the Board that Dr. Joseph Sucher has joined the Board as a new medical consultant.

Dr. Beyer requested that the 2024 Calendar be resent to the Board members.

Board members expressed appreciation for Ms. Jensen.

H. APPROVAL OF MINUTES

- July 5, 2023 Special Teleconference Meeting
- August 2, 2023 Regular Session Meeting

MOTION: Dr. Moschonas moved to approve the July 5, 2023 Special Teleconference Meeting and the August 2, 2023 Regular Session Meeting.

SECOND: Dr. Bethancourt

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Oswald and Dr. Moschonas. The following Board members abstained: Dr. Krahn, Ms. Jones.

VOTE: 10-yay, 0-nay, 2-abstain, 0-recuse, 0-absent.

MOTION PASSED.

CONSENT AGENDA

I. CASES RECOMMENDED FOR DISMISSAL

1. MD-22-0222A, SACHIN NARAIN, M.D., LIC. #51557

Dr. Narain addressed the Board during the Public Statements portion of the meeting. A.R. addressed the Board during the Public Statements portion of the meeting.

Dr. Gillard noted that the Board heard this case in April. Photos were provided showing punctures to the right side of the neck. The patient had an ablation on the right side and was supposed to have the left side done two weeks later. The patient said that there were marks on the right side and that the physician stated he does that to get to the left side. Dr. Gillard noted the first Medical Consultant (MC) concluded that the patient's allegations that the physician performed a wrong site procedure and then attempted to cover it up were likely supported. Dr. Gillard then noted the second MC's report citing the nurses' note before and after the procedure indicating the procedure was done on the correct side. Dr. Gillard explained that this was initially recommended for an advisory letter, went back for further investigation and a new recommendation for dismissal has been made. Dr. Gillard explained that you need clear and convincing evidence for the Board to issue discipline, which would require images. Dr. Farmer noted that at the previous meeting the concern was whether or not if this warranted something more severe than an advisory letter and opined that confusion remains regarding whether or not the RFA was done on the correct side. Dr. Farmer suggested interviewing the nurse who made the notes. Dr. Figge also expressed confusion regarding the recommendation and recommended returning for another review. Dr. Krahn expressed concern regarding the physician's explanation on why there are not more records or photographs. Dr. Beyer commented that given the second MC's opinion it is not likely that there will be enough evidence for discipline. Dr. Beyer inquired if the board can still issue the advisory letter.

Ms. Smith confirmed that if the Board finds the first MC's report more persuasive than the second MC's they can issue the originally recommended advisory letter.

Dr. Gillard opined that this should be sent back for another review given the complainant's statements that when she asked about the procedure being done on the wrong side the physician responded that he did that to see the other side. Dr. Gillard opined that if this was a cover up, CME for ethics would be warranted.

Board staff explained that staff requires specific direction from the Board when sending the case back for further review so that the investigator is directed on what actions to take.

Dr. Gillard opined that the SIRC report discussion did not include why this went from an advisory letter to a dismissal.

MOTION: Dr. Gillard moved to return the case for additional review by SIRC.

SECOND: Dr. Figge.

Dr. Figge opined that getting another MC review would help but SIRC should take another look given the public comments. The physician stated that he was operating the equipment without a tech and that these statements make a difference. Dr. Figge questioned why the physician would go forward with the procedure if he didn't have the appropriate staff.

Ms. Smith stated that SIRC can consider additional information but if the Board opines an advisory letter is appropriate, they may do so today. If the Board's recommendation is to send it back for further investigation, clear direction regarding the unanswered questions should be given since SIRC can only consider the record as it stands now.

Dr. Figge suggested having both MCs review the additional information and have the physician respond. Dr. Farmer spoke in favor of the motion and requested further specifics from the nurse regarding the time out and the correct cite being done. Dr. Farmer also requested clarification from the two experts comment on the approach of the right side. Dr. Farmer opined that he is not terribly concerned about a surgeon operating imaging equipment as that happens a lot and is in within the physician's purview but the documentation of the imaging would have been appropriate. Dr. Moschonas commented that anatomically using one side to reach the other side of the spine should be documented. Dr. Moschonas requested if the Board could look at similar cases to verify the physician's comments. Ms. Oswald noted that in all other instances of this case the images were maintained in the record and in this instance it was not with the explanation that the physician had to operate the equipment himself. Ms. Oswald expressed concern about the lack of retention of fluoroscopic images. Dr. Beyer spoke against the motion as there is enough ambiguity that there will not be enough evidence for discipline. Dr. Beyer spoke against dismissing the case and spoke in favor of issuing the advisory letter as originally recommended. Dr. Artz recommended that a third MC to comment on the transverse approach would be helpful. Dr. Gillard required more evaluation of the SIRC report. Dr. Krahn spoke in favor of the motion as more information is helpful to reach the appropriate end point.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald and Dr. Moschonas. The following Board members voted against: Dr. Beyer.

VOTE: 11-yay, 1-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

2. MD-22-0933A, BRADLEY J. BOWLES, M.D., LIC. #62608

Dr. Bowles addressed the Board during the Public Statements portion of the meeting.

MOTION: Dr. Beyer moved to dismiss.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald, and Dr. Moschonas.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

Dr. Krahn commented that the licensee raised the issue of retaliation and noted that it is an issue of unprofessional conduct if a complaint is being made in retaliation. Dr. Krahn inquired about how that it is handled.

Ms. Smith noted that generally, complainants to the Board have qualified immunity for reports made in good faith. She further stated that in order to initiate an investigation against an individual who may have filed a complaint in bad faith, the Board would need to tie that to a violation of the medical practice act. Ms. Smith noted that in general, making a false or misleading statement to the Board in a written correspondence would be an act of unprofessional conduct.

3. MD-22-0739A, AMNON I. KAHANE, M.D., LIC. #23948

Counsel Steven Perlmutter addressed the Board during the Public Statements on behalf of the physician. Dr. Beyer stated that he knows the physician but that it will not affect his ability to adjudicate this case.

Dr. Gillard noted that this case was opened due to another case and the MC found minor deviations in prescribing but in the face of this complicated patient, found it was within the standard of care.

MOTION: Dr. Gillard moved to dismiss.

SECOND: Dr. Figge.

Dr. Figge opined that the attorney made a compelling case during the public statements.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald and Dr. Moschonas.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

J. CASES RECOMMENDED FOR ADVISORY LETTERS

MOTION: Ms. Jones moved to issue an Advisory Letter in item numbers 1-2, 6, 9, 11-14.

SECOND: Dr. Artz.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald and Dr. Moschonas.

VOTE: 12-yay, 0-nay, 0-abstain, 0 (Dr. Figge recused from #2)-recuse, 0-absent.

MOTION PASSED.

1. MD-22-0798A, JACK DIEP, M.D., LIC. #55528

T.A. and B.R. addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Advisory Letter for inadequate documentation. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

2. MD-23-0026A, JOEL M. MCREYNOLDS, M.D., LIC. #44301

Dr. Figge recused from this case. Dr. Farmer stated that he knows the physician but that it will not affect his ability to adjudicate this case.

RESOLUTION: Advisory Letter for failing to timely report a misdemeanor charge. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for disciplinary action, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

3. MD-22-1084A, NATHAN A. THOLL, M.D., LIC. #58585

Dr. Tholl and counsel Elizabeth Petersen addressed the Board during the Public Statements portion of the meeting.

Dr. Bethancourt noted that the MC was critical about the physician not documenting right side weakness, CVA and not referring to the nephrologist, but in the medical records it was quite clear.

MOTION: Dr. Bethancourt moved to dismiss.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Dr. Moschonas and Ms. Oswald.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

4. MD-22-1047A, THOMAS S. KANG, M.D., LIC. #33713

Counsel Michele Thompson addressed the Board during the Public Statements portion of the meeting on behalf of the physician. Dr. Figge recused from this case. Dr. Farmer stated that he knows the physician but that it would not affect his ability to adjudicate the case.

Dr. Farmer stated that this is a routine procedure done in offices and can be uncomfortable. Dr. Farmer commented that he said/she said can be difficult and opined that there is no purpose served with the advisory letter. Dr. Beyer noted that the physician has made some changes to his practice since this incident, which is good but indicates that there were changes that were needed to be made and spoke in favor of the advisory letter. Ms. Oswald noted that the physician did acknowledge the template adjustment and the incomplete documentation. Ms. Oswald stated that changes were made and spoke in favor of the dismissal. Dr. Artz spoke in favor of the dismissal and commented that roughness and demeanor is not something to write a letter about.

MOTION: Dr. Farmer moved to dismiss.

SECOND: Dr. Artz.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Ms. Jones, Ms. Oswald and Dr. Moschonas. The following Board members were recused: Dr. Figge.

VOTE: 11-yay, 0-nay, 0-abstain, 1-recuse, 0-absent.

MOTION PASSED.

5. MD-22-1053B, LORI E. FANTRY, M.D., LIC. #52406

MOTION: Dr. Bethancourt moved for the Board to enter into Executive Session to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Dr. Moschonas and Ms. Oswald.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The Board entered into Executive Session at 6:51 p.m.

The Board returned to Open Session at 6:57 p.m.

No legal action was taken by the Board during Executive Session.

Dr. Bethancourt opined that the physician had the appropriate consent to perform the procedure as it was mentioned.

MOTION: Dr. Bethancourt moved to dismiss.

SECOND: Dr. Gillard.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald and Dr. Moschonas. The following Board members abstained: Ms. Bain.

VOTE: 11-yay, 0-nay, 1-abstain, 0-recuse, 0-absent.

MOTION PASSED.

6. MD-22-1121A, RON Y. MARK, M.D., LIC. #43845

RESOLUTION: Advisory Letter for failing to identify and report vertebral signal abnormalities on an MRI resulting in a delayed diagnosis of metastatic prostate cancer. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

7. MD-22-0655A, CECILE D. DUMERVE, M.D., LIC. #46655

D.W. addressed the Board during the Public Statements portion of the meeting.

Dr. Beyer expressed sympathy for the patient but noted that the physician ordered the appropriate tests and scheduled a follow-up visit, which did not happen. Dr. Beyer opined that the physician did what he was required to do, but got caught up in a bad outcome.

MOTION: Dr. Beyer moved to dismiss.

SECOND: Dr. Artz.

Dr. Gillard opined that when a physician orders a test he should review the results and therefore the advisory letter is indicated. Dr. Bethancourt agreed that the physician is obligated to report the results and that the patient needs to be notified. Dr. Artz noted that x-rays are reviewed in advance of the follow-up appointment and if the patient does not show up it is a lot of effort to track down the patient. Dr. Figge stated that this was a system error and it is unclear if this actually came to the physician's attention. The physician did mention that this would not happen again in the clinic. Dr. Figge opined that this does not rise to the level of an advisory letter. Ms. Oswald noted that the patient came back six months later and even then the MRI results were not discussed, the mother found the results using the patient portal. Ms. Oswald spoke against the motion as it was the responsibility of the physician.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Artz, Dr. Beyer, Dr. Figge, and Dr. Moschonas

The following Board members voted against: Dr. Gillard, Dr. Bethancourt, Ms. Oswald, Ms. Dorrell, Dr. Krahn, Ms. Bain, Ms. Jones

VOTE: 5-yay, 7-nay, 0-abstain, 0-recuse, 0-absent.

MOTION FAILED.

MOTION: Ms. Oswald moved to issue an Advisory Letter for failure to timely communicate MRI findings. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

SECOND: Dr. Bethancourt.

Dr. Artz noted that at the six-month appointment the daughter was having pain again and that the mother could have reviewed the patient portal right after the MRI was done. Ms. Jones commented that sometimes accessing the portal can be difficult depending on the different programming. Dr. Farmer commented that it is an interesting interplay of what the physician and patient's responsibilities are when they don't follow up. Ms. Jones noted that the patient's public statements.

VOTE: The following Board members voted in favor of the motion: Dr. Gillard, Dr. Bethancourt, Ms. Oswald, Ms. Dorrell, Dr. Krahn, Ms. Bain and Ms. Jones. The following Board members voted against: Dr. Farmer, Dr. Artz, Dr. Beyer, Dr. Figge and Dr. Moschonas.

VOTE: 7-yay, 5-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

8. MD-22-0202A, DUANE F. DYSON, M.D., LIC. #41317
Dr. Gillard summarized that the parents were unhappy that the swab was sent out of state. The physician saw this patient four times in nine days for worsening symptoms and opined that the physician was not faulted for ordering a more sophisticated test.

MOTION: Dr. Gillard moved to dismiss.

SECOND: Dr. Artz.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald, Ms. Bain and Dr. Moschonas.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

9. MD-22-1015A, JASON L. KANG, M.D., LIC. #32583

RESOLUTION: Advisory Letter for inappropriately accessing a patient's medical records without an established physician-patient relationship. While the licensee has demonstrated substantial compliance through rehabilitation or remediation that has mitigated the need for disciplinary action, the board believes that repetition of the activities that led to the investigation may result in further board action against the licensee.

10. MD-22-1156A, KAREN E. LEE, M.D., LIC. #51203

Dr. Lee addressed the Board during the Public Statements portion of the meeting.

Dr. Gillard commented that there is some degree of hindsight in this case. The MC found that Paxlovid should have been discussed. The emergency use was approved but there wasn't full FDA approval. In the past an advisory letter was issued not for the prescribing of Ivermectin but for not discussing the risks.

MOTION: Dr. Gillard moved to dismiss.

SECOND: Dr. Krahn.

Dr. Krahn opined that the physician's comments on how things transpired were very helpful.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Oswald and Dr. Moschonas. The following Board members abstained: Ms. Bain and Ms. Jones.

VOTE: 10-yay, 0-nay, 2-abstain, 0-recuse, 0-absent.

MOTION PASSED.

11. MD-22-0926A, RANDA G. JARRAR, M.D., LIC. #37672

RESOLUTION: Advisory Letter for non-compliance with CSPMP mandatory use requirements. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

12. MD-22-0939A, JAMILA I. G. SCHWARTZ, M.D., LIC. #61200

RESOLUTION: Advisory Letter for action taken by the North Carolina Board. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

13. MD-22-0927A, PARAG R. PATEL, M.D., LIC. #37468

Counsel Bruce Smith addressed the Board during the Public Statements portion of the meeting on behalf of the physician.

RESOLUTION: Advisory Letter for non-compliance with CSPMP mandatory use requirements. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

14. MD-22-0610A, PATRICIA COLON-GARCIA, M.D., LIC. #55261

RESOLUTION: Advisory Letter for action taken by the North Carolina Board. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

15. THIS CASE HAS BEEN PULLED FROM THE AGENDA.

K. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ORDERS

MOTION: Dr. Gillard to issue an Advisory Letter with Non-Disciplinary CME Order in item numbers 1 and 2.

SECOND: Dr. Bethancourt.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald and Dr. Moschonas.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

1. MD-22-0956A, SAI L. V. CHANDRAN, M.D., LIC. #33186

RESOLUTION: Advisory Letter and Order for Non-Disciplinary CME for failing to closely monitor glucose and electrolyte levels in a diabetic patient presenting with diabetic ketoacidosis. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee. Within six months, complete no less than 3 hours of Board staff pre-approved Category I CME in the care and management of diabetic ketoacidosis. The CME hours shall be in addition to the hours required for license renewal.

2. MD-22-0844A, STEPHEN A. SHILLER, M.D., LIC. #50950

RESOLUTION: Advisory Letter and Order for Non-Disciplinary CME for prescribing high dose opioids without a clinical rationale. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee. Within six months, complete no less than 15 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding controlled substance prescribing. The CME hours shall be in addition to the hours required for license renewal.

L. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

MOTION: Dr. Krahn moved to uphold the Executive Director Dismissal in item numbers 1-3.

SECOND: Dr. Berhancourt.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald and Dr. Moschonas.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

1. MD-22-0849A, CHAFEEK TOMEH, M.D., LIC. #49428

Dr. Tomeh and counsel Heather Macre addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Dismissal upheld.

2. MD-21-0950A, PETER OTT, M.D., LIC. #20268
Counsel Michele Thompson addressed the Board during the Public Statements portion of the meeting on behalf of the physician.

RESOLUTION: Dismissal upheld.

3. MD-23-0016A, ANUJ P. DAFTARI, M.D., LIC. #46176
Dr. Daftari addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Dismissal upheld.

4. MD-22-0884D, ASPEN L. B. WOLFE, M.D., LIC. #50497
R.D. addressed the Board during the Public Statements portion of the meeting.

Dr. Gillard commented that this was a sad outcome and that the patient was later diagnosed with acute myeloid leukemia. Dr. Gillard noted that this disease usually comes on very rapidly. Dr. Gillard opined that it was a stretch to take a small increase in hemoglobin to see this was coming and spoke in favor of the dismissal.

MOTION: Dr. Gillard moved to uphold the ED Dismissal.

SECOND: Dr. Bethancourt.

Dr. Gillard stated that these were not abnormal lab findings. Dr. Beyer commented that it was clear that the patient did not have MDS or MDL at the time the blood was drawn during pregnancy. Dr. Beyer stated that he would not have thought twice about those lab values in a pregnant woman.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald, and Dr. Moschonas

The following Board members abstained: Ms. Bain

VOTE: 11-yay, 0-nay, 1-abstain, 0-recuse, 0-absent.

MOTION PASSED.

M. PROPOSED CONSENT AGREEMENTS (Disciplinary)

MOTION: Dr. Beyer moved to accept the consent agreements in item numbers 1-7

SECOND: Ms. Dorrell.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald, and Dr. Moschonas

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

1. MD-23-0416A, ISABELLE M. GELL-LEVEY, M.D., LIC. #R79708

RESOLUTION: Consent Agreement for Surrender of Permit.

2. MD-22-0500A, EDWARD M. LIPAN, M.D., LIC. #21830

RESOLUTION: Consent Agreement for a Letter of Reprimand and Probation. Within six months, complete the ProBE program offered by CPEP. The licensee shall obtain an unconditional or conditionally passing grade. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate upon proof of successful completion of the CME coursework.

3. MD-23-0009A, ARIANNA B. SHOLES-DOUGLAS, M.D., LIC. #37216

Dr. Sholes-Douglas addressed the Board during the Public Statements portion of the meeting.

Dr. Figge inquired about the physician's public statements.

Ms. Smith stated that it was the physician's decision to sign the consent agreement.

Dr. Gillard inquired about the physician's ability to appeal.

Ms. Smith clarified that the physician cannot appeal when they have signed a consent.

RESOLUTION: Consent Agreement for a Letter of Reprimand.

4. MD-23-0193A, ELIZABETH V. MAHOUR-MOYER, M.D., LIC. #37282

RESOLUTION: Consent Agreement for a Letter of Reprimand and Probation. Within six months, complete no less than 5 hours of Board staff pre-approved Category I CME in fetal distress and the proper documentation of maternal/fetal monitoring. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate upon proof of successful completion of the CME coursework.

5. MD-22-0485A, CAMERON A. MEEK, M.D., LIC. #60942

RESOLUTION: Consent Agreement for a Three-Year Probation, retroactive to August 12, 2022, for PHP participation. The Probation shall not terminate except upon affirmative request of the physician and approval by the Board, and Dr. Meek's request for termination shall be accompanied by a recommendation from his PHP Contractor stating that monitoring is no longer required.

6. MD-21-0877A, JOSE H. ALVAREZ, M.D., LIC. #21702

RESOLUTION: Consent Agreement for a Letter of Reprimand and Probation with Practice Restriction. Dr. Alvarez shall be prohibited from performing cosmetic procedures until he completes a cosmetic surgery fellowship. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal. The physician shall not request termination of the Practice Restriction without providing proof of completion of the fellowship. In the event that the physician requests termination of the Practice Restriction and he has not completed the previously ordered fellowship, the Board may require any combination of examinations and/or evaluations in order to determine whether or not Dr. Alvarez is safe to perform cosmetic procedures and the Board may continue the Practice Restriction or take any other action consistent with its authority.

7. MD-20-0439A, JENNIFER J. SOSNOWSKI, M.D., LIC. #25789

K.M. addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Consent Agreement for a Letter of Reprimand and Probation. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate upon proof of successful completion of the CME coursework.

N. LICENSE APPLICATIONS

i. CONSIDERATION AND POSSIBLE ACTION TO APPROVE OR DENY LICENSE APPLICATION, OR TAKE OTHER ACTION

MOTION: Dr. Gillard moved to grant the license in item numbers 1-6.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald, and Dr. Moschonas

The following Board members were absent:

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

1. MD-23-0093A, ROBERT A. GROSS, M.D., LIC. #N/A

RESOLUTION: License granted.

2. MD-23-0288A, TAMARA S. GREENE, M.D., LIC. #N/A

Dr. Greene addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: License granted.

3. MD-23-0178A, KEVIN D. RITTGER, M.D., LIC. #N/A

RESOLUTION: License granted.

4. MD-23-0469A, DAMON A. ALAVEKIOS, M.D., LIC. #N/A

RESOLUTION: License granted.

5. MD-22-1029A, CARL J. BONNETT, M.D., LIC. #N/A

RESOLUTION: License granted.

6. MD-23-0607A, NUPUR DUA, M.D., LIC. #N/A

RESOLUTION: License granted.

ii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION

1. MD-22-0137A, JAMES J. GONZALES, M.D., LIC. #N/A

Dr. Gillard noted that the physician has been compliant with Illinois' requirements.

MOTION: Dr. Gillard moved to grant the license renewal.

SECOND: Dr. Krahn

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald, and Dr. Moschonas

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

*****END OF CONSENT AGENDA*****

OTHER BUSINESS

O. REQUEST FOR TERMINATION OF BOARD ORDER

1. MD-18-0218A, SCOT G. FECHTEL, M.D., LIC. #25410

Counsel Flynn Carey addressed the Board during the Public Statements portion of the meeting on behalf of the physician.

Dr. Gillard noted that the physician needed two favorable chart reviews, which he has, and has completed the CME.

MOTION: Dr. Gillard moved to grant the request for termination of the May 8, 2020 Board Order.

SECOND: Dr. Bethancourt.

Ms. Bain noted the August report's findings of issues in the chart review.

Ms. Smith clarified that there were some chart reviews that came back negative which resulted in a disciplinary recommendation. The case went to a formal interview and the committee issued an advisory letter. The subsequent chart reviews were positive and met the two consecutive favorable chart reviews term of the probation.

Dr. Gillard reiterated that the terms of termination have been met. Dr. Figge noted that Committee A had a robust discussion and issued an advisory letter but could not terminate the probation since it had to come to the full board. Dr. Beyer noted that the discussion was that if the Committee had the authority to terminate this it would have.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald and Dr. Moschonas. The following Board members abstained: Ms. Bain.

VOTE: 11-yay, 0-nay, 1-abstain, 0-recuse, 0-absent.

MOTION PASSED.

2. MD-19-0827A, CARLOS A. SUESCUN, M.D., LIC. #35723

Dr Figge noted that all terms were met and his psychiatrist and PHP monitor are in agreement with the termination.

MOTION: Dr. Figge moved to grant the request for termination of the August 24, 2021 Board Order.

SECOND: Dr. Gillard.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald and Dr. Moschonas.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

3. MD-18-1035A, DAVID E. NIELSON, M.D., LIC. #54814

Dr. Gillard noted that the PHP monitor and independent evaluator are in favor of the early termination and the physician has been compliant.

MOTION: Dr. Gillard moved to grant the request for termination of the February 10, 2020 Board Order.

SECOND: Dr. Figge.

Dr. Figge noted that the consent agreement had a retroactive date so it would have been five years in a few months.

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald and Dr. Moschonas.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

P. GENERAL CALL TO THE PUBLIC

Dr. Farshid Sadeghi addressed the Board regarding whether or not a medical assistant can place a catheter and what the standard of care.

Q. ADJOURNMENT

MOTION: Dr. Krahn moved to adjourn the meeting.

SECOND: Ms. Jones

VOTE: The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones, Ms. Oswald, and Dr. Mochonas
VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.
MOTION PASSED.

The meeting adjourned at 7:40 p.m.




Patricia E. McSorley, Executive Director