



## Arizona Medical Board

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### FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING

**Held virtually on Wednesday, January 8, 2025**  
**1740 W. Adams St., Board Room A • Phoenix, Arizona**

#### ***Board Members***

Gary R. Figge, M.D., Chair  
Bruce A. Bethancourt, M.D., F.A.C.P., Vice-Chair  
Lois E. Krahn, M.D., Secretary  
Katie S. Artz, M.D., M.S.  
Jodi A. Bain, M.A., J.D., LL.M.  
David C. Beyer, M.D., F.A.C.R., F.A.S.T.R.O.  
Laura Dorrell, M.S.N., R.N.  
R. Screven Farmer, M.D.  
James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M.  
Gail Guerrero-Tucker, M.D., M.P.H., F.A.A.F.P., D.A.B.F.M.  
Jessyca Leach

#### **GENERAL BUSINESS**

##### **A. CALL TO ORDER**

Chair Figge called the teleconference to order at 5:13 p.m.

##### **B. ROLL CALL**

The following Board members participated in the teleconference: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.

##### **ALSO PRESENT**

The following Board staff participated in the teleconference: Patricia McSorley, Executive Director; Raquel Rivera, Deputy Director; Claude Deschamps, M.D., Chief Medical Consultant; Nicole Samaradellis, Investigations Manager; and Heather Foster, Public Records Coordinator. Carrie Smith, Assistant Attorney General ("AAG") also participated in the teleconference.

##### **C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA**

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

## D. EXECUTIVE DIRECTOR'S REPORT

## E. CHAIR'S REPORT

- Discussion and possible action regarding attendance at Federation of State Medical Board's ("FSMB") Annual Meeting in Seattle, Washington, April 24-25, 2025

Board members discussed the benefits and takeaways from past participation in the FSMB's annual meetings by the members of the Board as well as staff. Board members were encouraged to reach out to Board staff with any interest in attending the upcoming meeting.

- Welcome new Board Member Jessyca Leach

Board members welcomed Ms. Leach to the Board and noted one vacant position remained on the Board for a public member.

## F. LEGAL ADVISOR'S REPORT

## G. DISCUSSION REGARDING DEBRIEFING ON BOARD PROCESSES

Board members discussed the late submission of case material for upcoming meetings, noting that two cases on today's Agenda were tabled for review and/or clarification of case materials and compliance with submission deadlines. Board staff reported that when the submission deadline has passed, parties are encouraged to attend the Board's meeting and address those points during the public comments portion. The Board noted its new policy regarding last-minute submission of case materials and that staff will continue to work through these challenges.

Chair Figge directed staff to work with the IT Department to develop an on-screen timer to assist with the 3-minutes allotted to public speakers during the Public Statements portion of the meeting. Chair Figge noted that there were comments made in the Zoom chat by members of the public during the meeting. He clarified that the Board does not utilize this feature or accept comments from the chat during its public meetings. Chair Figge directed staff to work with the IT Department to address this concern for upcoming virtual meetings and offered the suggestion of adding a default message to the chat that informs the public that the chat feature is not available.

The Board members recognized and expressed their gratitude for Ms. Foster and her hard work and effective management of today's teleconference to ensure that all parties were able to participate during the public comment portion of the Board's meeting.

## H. APPROVAL OF MINUTES

## CONSENT AGENDA

### I. CASES RECOMMENDED FOR DISMISSAL

1. MD-23-0136C, DAVID M. PAUL, M.D., LIC. #23254

Complainant SS, JA and LH addressed the Board during the Public Statements portion of the teleconference.

Dr. Gillard stated that based on his review of the medical consultant's report, the case should be returned for further investigation to obtain a second medical consultant review. Dr. Gillard noted that the medical consultant was critical that certain gram stains should have been obtained to determine the type of chemotherapy to be utilized for treatment.

**MOTION: Dr. Gillard moved for the Board to return this case for further investigation to obtain a second medical consultant review.**

**SECOND: Ms. Dorrell**

Dr. Beyer spoke against the motion stating that while special stains should have been done, this pertained to the pathologist's involvement in the case and not Dr. Paul. Dr. Beyer noted that Dr. Paul reviewed the pathology report and proceeded with treatment accordingly. Dr. Beyer recognized the tragic outcome; however, he stated that he did not find fault in Dr. Paul's care. Dr. Guerrero-Tucker stated that the physicians involved in this patient's care appeared to have done their part based on the information available to them at the time. She questioned where the fault lied for the breakdown in communication and commented that the system failed this patient. Dr. Guerrero-Tucker noted that the pathologist was not informed that this patient had a history of breast cancer, and she spoke in favor of returning the case for further review.

Dr. Farmer spoke in favor of the motion and suggested that the case return for further investigation to review how the communication breakdown occurred. Vice-Chair Bethancourt agreed and noted that Dr. Paul appropriately proceeded with treatment based on the information available to him at the time. He spoke in favor of the motion and stated that returning the case for further investigation was warranted. Chair Figge recognized that the Board has referred cases to the Department of Health Services in the past for concerns relating to system failures. He pointed out that the Board's investigations are related to the licensee's involvement in the patient's care.

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board members voted against the motion: Ms. Bain and Dr. Beyer. The following Board member was absent: Dr. Artz.**

**VOTE: 8-yay, 2-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

2. MD-23-0249A, BLAIR G. GILL, M.D., LIC. #59918

Dr. Beyer spoke against dismissal and stated that a non-disciplinary Advisory Letter was warranted given the significant miss of a subdural fluid collection on CT scan. The Board observed that the physician was notified of a potential deviation from the standard of care involving the failure to identify subdural fluid collection on CT scan in violation of A.R.S. § 32-1401(27)(r). AAG Smith informed the Board that the licensee was advised of the possibility that this case may result in a non-disciplinary resolution.

**MOTION: Dr. Beyer moved for the Board to issue an Advisory Letter for failure to identify subdural fluid collection on CT scan. 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. Krahn**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

3. MD-23-0542A, AARON M. SHUMWAY, M.D., LIC. #67343

**MOTION: Dr. Beyer moved for dismissal.**

**SECOND: Dr. Guerrero-Tucker**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

## J. CASES RECOMMENDED FOR ADVISORY LETTERS

**MOTION:** Dr. Beyer moved for the Board to issue an Advisory Letter in item numbers 1, 4, 5, 6 and 8.

**SECOND:** Vice-Chair Bethancourt.

**VOTE:** The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.

**VOTE:** 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

**MOTION PASSED.**

1. MD-23-0971A, ROBERT R. BROWN, M.D., LIC. #53702

**RESOLUTION:** Issue an Advisory Letter for failing to identify and report a sigmoid volvulus on a CT scan. 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-24-0077A, AURBINDERDEEP K. SIDHU, M.D., LIC. #32174

Dr. Gillard noted that the medical consultant was critical of Dr. Sidhu's evaluation and treatment of shoulder and neck pain in addition to documentation concerns. Dr. Gillard stated that he did not find fault with Dr. Sidhu in this case and spoke in favor of dismissal. He stated that based on his review of the case, he noted that the physician saw the patient on multiple occasions and provided appropriate treatment for the presenting complaint. Vice-Chair Bethancourt spoke in favor of dismissal as well and stated that the reviewer was faulting the physician for the patient's old health problems when he was addressing the matter at hand. Vice-Chair Bethancourt noted that the patient was being followed by other specialists for the other health problems.

**MOTION:** Dr. Gillard moved for dismissal.

**SECOND:** Vice-Chair Bethancourt

**VOTE:** The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.

**VOTE:** 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

**MOTION PASSED.**

3. MD-24-0120A, SARAH TARIQ, M.D., LIC. #62565

Attorney Michelle Thompson addressed the Board during the Public Statements portion of the teleconference on behalf of Dr. Tariq.

Vice-Chair Bethancourt stated that based on his review of the case, the physician responded to the January 2024 prescription refill request from the pharmacy, and that there were no subsequent prescription refill requests documented in the patient's chart. Vice-Chair Bethancourt spoke in favor of dismissal and stated that the physician's documentation appeared to be accurate. Dr. Krahn agreed with Vice-Chair Bethancourt's assessment of the case and added that the primary care physician's records also documented that refills were provided for the patient. Dr. Krahn spoke in favor of dismissal and stated that the patient had access to the needed prescription through the primary care provider.

**MOTION:** Vice-Chair Bethancourt moved for dismissal.

**SECOND:** Dr. Beyer

**VOTE:** The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.  
MOTION PASSED.**

4. MD-24-1143A, CAITLIN M. ALLEN, M.D., LIC. #59049

**RESOLUTION: Issue an Advisory Letter for failing to timely renew license and for practicing on an expired license. 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.**

5. MD-24-1088A, CHRISTLE J. LAYTON, M.D., LIC. #46349

**RESOLUTION: Issue an Advisory Letter for failing to timely renew license and for practicing on an expired license. 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.**

6. MD-23-0908A, SAI L. V. CHANDRAN, M.D., LIC. #33186

**RESOLUTION: Issue an Advisory Letter for failing to timely evaluate and treat a patient for the etiology of a febrile illness and 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.**

7. MD-24-0085A, BALDASSARRE STEA, M.D., LIC. #17065

Dr. Beyer stated that he knew Dr. Stea professionally, but it would not affect his ability to adjudicate the case.

Dr. Gillard noted that Dr. Stea accessed a family member's medical records at the hospital to obtain results from an x-ray ordered by another provider. Dr. Gillard recognized that the other physician was sent the wrong results, and Dr. Stea accessed the records to obtain the right film. Dr. Gillard stated that it appeared Dr. Stea was functioning in the capacity of a physician and had accessed the records with the patient's consent. Dr. Gillard spoke in favor of dismissal stating that there did not appear to be a statutory violation in this case and recognized that the hospital took corrective action against Dr. Stea for violating hospital policy. Dr. Farmer also spoke in favor of dismissal and stated that there did not appear to be an issue of patient consent in this case.

**MOTION: Dr. Gillard moved for dismissal.**

**SECOND: Dr. Krahn**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

8. MD-24-0525A, ANNE J. WALTER, M.D., LIC. #49128

Attorney Elizabeth Petersen and Dr. Walter addressed the Board during the Public Statements portion of the teleconference. Complainant NS also addressed the Board during Public Statements.

**RESOLUTION: Issue an Advisory Letter for inappropriate treatment of low-risk superficial basal cell carcinoma with Mohs surgery. 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.**

9. MD-22-0366A, RUPAL MOHAN, M.D., LIC. #26820

Dr. Beyer noted that this case involved a patient involved in a car-pedestrian accident days before presenting to Dr. Mohan's office. He recognized that the patient did not go to the emergency room following the accident and did not undergo a workup immediately thereafter. Dr. Beyer stated that based on his review of the case, he found that the physician's care was reasonable for a clinic setting and he spoke in support of dismissing the case. Chair Figge also spoke in favor of dismissal and stated that had the patient presented to the emergency room following the accident, there would have been a more extensive work up performed, including obtaining x-rays. He noted that the patient was ambulatory, and that conservative treatment was later continued after an MRI was obtained by the orthopedist.

**MOTION: Dr. Beyer moved for dismissal.**

**SECOND: Chair Figge**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

10. MD-23-1028A, CARLOS M. PARRA, M.D., LIC. #62011

The Board observed that this matter stemmed from a patient complaint. Dr. Farmer noted that this case involved the issue of spinal anesthetic being done in an obstetrical setting. He stated concerns regarding the review conducted by the Board's medical consultant and spoke in favor of dismissal. Dr. Farmer stated that there were a lot of hypotheticals and speculation included in the medical consultant's review that are not factual and do not support a statutory violation in this case. Dr. Farmer found it mitigating that the physician has completed courses in medical recordkeeping to mitigate the documentation concerns raised in this case.

Dr. Krahn spoke in favor of dismissal stating that there did not appear to be a long interval of time to introduce general anesthesia given how much was happening with the delivery of the child and all the steps needed to be employed in order to safely administer general anesthesia. Dr. Guerrero-Tucker stated that given her experience with performing cesarean sections, she would have had a conversation with the anesthesiologist about what was going on if the patient was expressing that much discomfort. She stated that she would have expected general anesthesia to be employed prior to the delivery given the patient's level of discomfort. Dr. Guerrero-Tucker questioned the lack of documentation to support the decision to continue with surgery despite discomfort and she recognized that the physician has obtained further education in recordkeeping. She stated for these reasons, she supported dismissing the case.

**MOTION: Dr. Farmer moved for dismissal.**

**SECOND: Dr. Krahn**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

**K. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ("CME") ORDERS**

**MOTION: Dr. Krahn moved for the Board to issue an Advisory Letter with Non-Disciplinary CME Order in item numbers 1, 2 and 4.**

**SECOND: Vice-Chair Bethancourt**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

1. MD-24-0098A, JOHN L. COUVARAS, M.D., LIC. #20957

Attorney Jim Frisbee addressed the Board during the Public Statements portion of the teleconference.

**RESOLUTION: Issue an Advisory Letter and Order for Non-Disciplinary CME for inadequate informed consent. 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 5 hours of Board staff pre-approved Category I CME in medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.**

2. MD-24-0313A, FORREST D. DEAN, M.D., LIC. #31747

**RESOLUTION: Issue an Advisory Letter and Order for Non-Disciplinary CME for prescribing medications without maintaining medical records documenting an examination and for providing misleading responses to the 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. Within six months, complete CPEP's ProBE course in ethics. The licensee shall obtain an unconditional or conditionally passing grade. The CME hours shall be in addition to the hours required for license renewal.**

3. MD-23-0763A, AGNIESZKA H. WOLYN, M.D., LIC. #45233

Dr. Beyer observed that this case involved the use of an incorrect ICD-10 code for billing, which involved a diagnosis of malignant melanoma for a patient that had not yet been diagnosed, but had a personal history of malignant melanoma. Dr. Beyer spoke in favor of issuing an Advisory Letter without the recommended CME Order.

**MOTION: Dr. Beyer moved for the Board to issue an Advisory Letter for utilizing an incorrect diagnostic code on a lab requisition and for failing to timely respond to the patient's request that her records be amended. 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. Gillard**

Dr. Guerrero-Tucker spoke against the motion stating concerns that the physician chose many billing codes that she thought might be the problem, but not based on actual symptoms with which the patient presented. Dr. Guerrero-Tucker also stated concerns that this information was documented in the patient's chart and can potentially affect the patient's care going forward. Vice-Chair Bethancourt agreed and spoke against the motion stating the importance of utilizing the appropriate billing codes in order to maintain an accurate medical record.

**VOTE: The following Board member voted in favor of the motion: Dr. Beyer. The following Board members voted against the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 1-yay, 9-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION FAILED.**

**MOTION: Vice-Chair Bethancourt moved for the Board to issue an Advisory Letter and Order for Non-Disciplinary CME for utilizing an incorrect diagnostic code on a**

lab requisition and for failing to timely respond to the patient's request that her records be amended. 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 the AHIMA ICD-10-CM Coding for Beginners course. The CME hours shall be in addition to the hours required for license renewal.

**SECOND:** Dr. Guerrero-Tucker

**VOTE:** The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.

**VOTE:** 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

**MOTION PASSED.**

4. MD-24-0124A, STEPHEN E. HANKS, M.D., LIC. #31740

**RESOLUTION:** Issue an Advisory Letter and Order for Non-Disciplinary CME 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. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, virtual course regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.

5. MD-23-1204A, MICHAEL P. ALBERTI, M.D., LIC. #24716

Dr. Krahn observed that SIRC recommended completion of CPEP's ProBE course in ethics in addition to the issuance of an Advisory Letter for action taken by the Mississippi Board and for providing false information on his renewal application and to Board staff during the investigation. The Board discussed that Dr. Alberti failed the SPEX exam twice and questioned whether there was any concern relating to the physician's medical knowledge. Dr. Beyer noted that Dr. Alberti completed the SPEX exam voluntarily and that this was not ordered by the Board. Dr. Beyer spoke in favor of SIRC's recommendation and stated that completion of the ProBE course is warranted given the concerns raised in this case. Dr. Gillard noted that the issuance of an Advisory Letter would track the concerns raised in this case going forward and can be considered if there are further concerns raised in the future. Dr. Krahn recognized Dr. Alberti's prior Board history including a recent Letter of Reprimand and Advisory Letter.

**MOTION:** Dr. Krahn moved for the Board to issue an Advisory Letter and Order for Non-Disciplinary CME for action taken by the Mississippi Board of Medical Licensure, providing false information on his renewal application and to Board staff during the investigation. 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 CPEP's ProBE course in ethics. The licensee shall obtain an unconditional or conditionally passing grade. The CME hours shall be in addition to the hours required for license renewal.

**SECOND:** Dr. Gillard

**VOTE:** The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.

**VOTE:** 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

**MOTION PASSED.**

6. MD-23-0311A, BALDASSARRE STEA, M.D., LIC. #17065

Attorney Kathleen Rogers and Dr. Stea addressed the Board during the Public Statements portion of the teleconference. Dr. Beyer stated that he knows Dr. Stea professionally, but it would not affect his ability to adjudicate the case.

Dr. Gillard noted that the medical consultant identified issues with the physician's documentation, but did not find fault in Dr. Stea's treatment of the patient. Dr. Gillard questioned whether the recommended intensive, in-person CME in medical recordkeeping was warranted in this case. Dr. Beyer spoke in favor of the motion and stated that while there was a lack of documentation relating to the reason for the change in treatment, he did not find that intensive, in-person CME was warranted. Dr. Beyer noted the physician's prior Board history and pointed out that the previous concerns are unrelated to the issues raised in this case.

**MOTION: Dr. Gillard moved for the Board to issue an Advisory Letter for failing to adequately treat an area of basal cell carcinoma with radiation therapy and 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.**

**SECOND: Dr. Beyer**

Dr. Guerrero-Tucker stated her concerns regarding electronic health records and the difficulty with navigating through these systems. She also stated concerns that this was a teaching institution and the students are learning how to document poorly. Dr. Guerrero-Tucker spoke against the motion and stated that she supported the recommendation to require completion of CME in medical recordkeeping. Dr. Gillard spoke in favor of the motion and stated that requiring completion of intensive, in-person CME seemed punitive and that the physician has been made aware of the concerns raised in this case and in the Board's discussion.

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard and Ms. Leach. The following Board member voted against the motion: Dr. Guerrero-Tucker. The following Board member was absent: Dr. Artz.**

**VOTE: 9-yay, 1-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

## **L. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS**

1. MD-23-0565A MICHAELA H. LEE, M.D., LIC. #53573

Complainant BA addressed the Board during the Public Statements portion of the teleconference. Attorney Margaret Dean and Dr. Lee also addressed the Board during Public Statements.

Board staff requested the case be tabled to the Board's next meeting to allow staff the opportunity to clarify when the correspondence was received by the complainant.

**MOTION: Dr. Krahn moved for the Board to table this matter to its next meeting.**

**SECOND: Vice-Chair Bethancourt**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

2. MD-23-0482A, JEREMY P. FELDMAN, M.D., LIC. #32825

Complainant CK addressed the Board during the Public Statements portion of the teleconference.

Dr. Gillard recognized the tragic outcome in this case and stated his concerns regarding the medical consultant's comments regarding cancer screening for a patient over 80 years

of age. Dr. Gillard suggested returning the case for further investigation to obtain a second medical consultant review. He stated concerns that a chest x-ray should have been ordered.

**MOTION: Dr. Gillard moved for the Board to return the case for further investigation to obtain a second medical consultant review.**

**SECOND: Dr. Krahn**

Dr. Beyer questioned whether it is appropriate to obtain imaging studies in a patient with COPD and other cardiac issues who is experiencing worsening symptoms. He stated concerns regarding the physician's management of a patient who was having deteriorating symptoms and spoke in favor of the motion.

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

## **M. PROPOSED CONSENT AGREEMENTS (Disciplinary)**

**MOTION: Dr. Gillard moved for the Board to accept the proposed Consent Agreement in item numbers 1 and 2.**

**SECOND: Dr. Krahn**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board members were absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

1. MD-24-1170A, JOILO C. BARBOSA, M.D., LIC. #41938

**RESOLUTION: Accept the proposed Consent Agreement for Surrender of Licensure.**

2. MD-24-0822A, NORMAN K. WEINSTEIN, M.D., LIC. #32239

The Board directed staff to replace "her" with "him" in Finding of Fact #6.

**RESOLUTION: Accept the proposed Consent Agreement for License Reactivation, Letter of Reprimand and Five Year Probation to participate in the Physician Health Program ("PHP") with terms consistent with the PHP Contractor's recommendations. The Probation shall not terminate except upon affirmative request of the physician and approval by the Board. The request for termination shall be accompanied by a recommendation from the PHP Contractor stating that monitoring is no longer required.**

## **N. LICENSE APPLICATIONS**

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

**MOTION: Dr. Krahn moved for the Board to grant licensure in item numbers 1-5.**

**SECOND: Dr. Gillard**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board members were absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

1. MD-24-24-029A, AMIT K. GUPTA, M.D., LIC. # N/A  
**RESOLUTION: Grant Licensure.**
2. MD-24-0522A, GAVIN M. DRY, M.D., LIC. # N/A  
**RESOLUTION: Grant Licensure.**
3. MD-24-0931A, TANMAY G. LAL, M.D., LIC # N/A  
**RESOLUTION: Grant Waiver and Licensure.**
4. MD-24-1207A, FRANK W. BOWEN, M.D., LIC. # N/A  
**RESOLUTION: Grant Licensure.**
5. MD-24-0702A, ANA L. GUZMAN, M.D., LIC. # N/A  
**RESOLUTION: Grant Licensure.**

**ii. CONSIDERATION AND POSSIBLE ACTION TO APPROVE OR DENY LICENSE APPLICATION WITH DETERMINATION ON EQUIVALENCY**

1. JIHAD BERAM, M.D., LIC. # N/A

Dr. Gillard observed that Dr. Beram completed a number of postgraduate training programs that were not accredited in addition to the passing of all three parts of USMLE and other postgraduate training from accredited programs. Dr. Gillard spoke in favor of finding equivalency with the physician's extensive postgraduate training and granting licensure.

**MOTION: Dr. Gillard moved for the Board to grant licensure.**

**SECOND: Vice-Chair Bethancourt**

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

**iii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICANT'S REQUEST FOR WAIVER OF DOCUMENTATION REQUIREMENT**

6. GALE L. JOSLIN, M.D., LIC. # N/A

**MOTION: Dr. Gillard moved for the Board to grant the waiver and licensure.**

**SECOND: Dr. Farmer**

Dr. Krahn stated concerns that there were no records available for review from 2008 through 2023. She recognized that the business closed and records were not available; however, she stated that while she supports the motion, it is not ideal to not have the records to review. Dr. Krahn stated that the lack of records is mitigated by the multiple state licenses held by the physician with no prior Board action.

**VOTE: The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.  
MOTION PASSED.**

## **OTHER BUSINESS**

### **P. GENERAL CALL TO THE PUBLIC**

No individuals addressed the Board during the General Call to the Public.

### **Q. ADJOURNMENT**

**MOTION:** Vice-Chair Bethancourt moved for the Board to adjourn.

**SECOND:** Dr. Beyer

**VOTE:** The following Board members voted in favor of the motion: Chair Figge, Vice-Chair Bethancourt, Dr. Krahn, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Leach. The following Board member was absent: Dr. Artz.

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

The teleconference adjourned at 7:26 p.m.



*Patricia E. McSorley*

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Patricia E. McSorley, Executive Director