

NORTH DAKOTA BOARD OF MEDICINE

November 17, 2017

Call to Order:

Robert Olson, MD chair, called the meeting to order at 8:00 a.m., at the Board office in Bismarck. The attendance was as follows:

Investigative Panel A:

Rup Nagala, MD, Chair	Present
Robert Olson, MD	Present
Thomas Carver, DO	Present
Genevieve Goven, MD	Present
Robert Sticca, MD	Present
Ann Reich	Present

Investigative Panel B:

William Haug, Jr., MD, Chair	Present
Brenda Miller, MD	Present
Catherine Houle, MD	Present
Sara Solberg, MD	Present
Kate Larson, PA-C	Present
Vaune Johnson	Present
Gopal Chemiti, MD	Absent

Staff present: Bonnie Storbakken, executive secretary; Lynette McDonald, deputy executive secretary; Marijo DeMott, recording secretary; and legal counsel Stacy Moldenhauer.

Guests present: Courtney Koeble, representing the North Dakota Medical Assn; Jay Metzger, PA-C and Cheryl Ulven, PA-C, representing the North Dakota Physician Assistants.

Minutes:

Dr. Miller moved to approve the minutes of the July 21, 2017, as distributed. Dr. Goven seconded the motion. The motion passed unanimously.

Dr. Houle was introduced as a new Board member.

Presentation on Open Records & Meeting Laws/Issue

Sandra DuPontis from the Attorney General's office provided an overview of the open records and open meetings rules.

Physician Waiver of Interview:

Dr. Haug moved to approve the waivers of interview for physician licensure applicants as presented. Dr. Sticca seconded the motion. The motion passed unanimously.

Investigative Panel A report:

Dr. Nagala, Chair, reported that Investigative Panel A reviewed 25 cases: two letters of concern were issued; one for missing lab report and one for failure to act upon patient's complaint, one dismissed with conditions stipulated; six referred for further review, one stipulation approved, two referred for action; one for delay in informing patient of results/findings of CT scan, and one for disciplinary action in another state (criminal charge with sexual assault), and 13 cases were dismissed.

Investigative Panel B report:

Dr. Haug, Chair, reported Investigative Panel B reviewed 24 cases: 12 were dismissed, two were referred for action; one for conviction of felony and inappropriate prescribing and one for a pattern of inappropriate care and disciplinary action in another state, three letters of concern were issued, one for unsafe opioid prescribing, one failure to meet standard of care, and one for failure to respond and inappropriate care, four stipulations were approved, and three cases were referred for further review.

Robert A. Bonzani, MD

Stacy provided background and stated the stipulation is to require compliance with the Illinois action. Dr. Solberg made a motion which was seconded by Dr. Haug to approve the stipulation which resulted from the complaint brought by Panel A.

Panel B voted unanimously in favor of the motion to approve the stipulation.

Vanessa V. Berg, MD

Stacy provided background information for the stipulation for Dr. Berg. This came to us from an issue which began in Wisconsin. She will be Board ordered into the PHP for five years.

A motion was made by Dr. Goven and seconded by Dr. Nagala to approve the stipulation. Panel A voted unanimously, with Dr. Houle abstaining, in support of the motion to approve the stipulation.

Grant D. Syverson, MD

Stacy provided background on the stipulation stating it would require an order to participate in the PHP for five years. A motion was made by Dr. Carver to approve the stipulation presented and seconded by Dr. Goven.

Panel A voted unanimously in support of the motion to approve the stipulation.

Gerardo S.P. Lantoria, MD

Stacy provided background information for Dr. Lantoria's stipulation which will require an order to participate in the PHP for five years.

A motion was made by Dr. Nagala and seconded by Ann Reich to approve the stipulation. Panel A voted unanimously in support of the motion to approve the stipulation.

Scharazard Gray, MD

Stacy provided background on the stipulation for Dr. Gray which will require him to complete required courses in medical records and the PROBE ethics course within six months of the signed order.

Motion was made by Dr. Sticca and seconded by Dr. Goven to approve the stipulation. Panel A voted unanimously to approve the Stipulation.

Eligibility Issue – Ahmed Alkaram, MD

Lynette provided background for the Board for to discuss whether to approve Dr. Alkaram as eligible for licensure in North Dakota.

Motion was made by Dr. Nagala and seconded by Dr. Haug to accept provided he passes the SPEX.

Motion passed unanimously.

Eligibility Issue – Sakib S. Qureshi, MD

Lynette provided the Board with the necessary background for the Board to make a decision on accepting Dr. Qureshi under the new rule that will be effective in January 2018, (Exceptions to technical requirements).

A motion was made by Dr. Haug and seconded by Dr. Goven to grant eligibility under exception of rule effective 1/1/18.

Vote was 12-0 in favor of the motion.

Pharmacy Collaborative Agreements:

Ann Reich provided the background on the current collaborative agreements being reviewed by the Board. These agreements are new in the sense that they are moving into diagnosis and treatment under waived tests. Some members of the board voiced concern regarding the possible need for treatment that the pharmacy will not be able to recognize or provide with some of the people presenting for certain tests and that the public may be unaware of the limitations of the pharmacists in this area.

The Board asked that Mark Hardy come in to ask questions regarding the new direction of these collaborative agreements. Mark came to the meeting and provided background information on the waived tests.

A motion was made by Dr. Haug and seconded by Ann Reich to investigate further and bring it back. The vote was 12-0 in favor of the motion.

ND PDMP Meeting – 12/19/2017

Dr. Goven reported she is currently the NDPDMP representative. She asked for volunteers from the board to attend the December meeting on her behalf.

Bonnie agreed to attend in Dr. Goven's place. Kate Larson, PA-C also agreed to attend.

David Allingham, MD

Dr. Allingham came for an interview to answer questions about his practice history and previous Board actions in Virginia and the concerns/deficiencies listed within his previous PACE evaluation.

A motion was made by Dr. Nagala and seconded by Dr. Miller to defer decision and have Dr. Allingham take PACE again at his expense and then appear before the Board again. The vote was 10-2 in favor of the motion.

Jack Mutnick, MD

Dr. Mutinick came for an interview to answer questions the Board had regarding the actions against his Minnesota license.

A motion was made by Dr. Solberg and seconded by Dr. Goven to approve licensure with PHP enrollment for five years. Vote was 12-0 in favor of the motion.

Rebecca Beach-Beyer, MD

Dr. Beach-Beyer came to interview with the Board to answer questions regarding her medical condition and her medical practice.

A motion to approve licensure was made by Dr. Sticca and seconded by Dr. Nagala. Vote was 12-0 in favor of the motion.

Grace Thomas, MD

Dr. Thomas came to interview with the Board to answer questions about her previous employment history as well as the extent of work she has done in North Dakota without a license.

A motion was made by Dr. Sticca and seconded by Dr. Goven to do a full investigation of events of November 7, 2017. The vote was 12-0 in favor of the motion.

NDPHP Report

Dr. Barrie March provided the report that there are 24 active participants, 15 of which are practicing in North Dakota, eight are Board referred with two having completed the program. No positive drug tests since last meeting. Total of 54 clients and 10 successful completions since the PHP started.

Tammy reported she has done some marketing at the NDMA and the FP annual meeting. She was a part of a 5-person panel at the UND Sanford residency program.

At their PHP Board meeting the previous week they increased the annual participation fees from \$250.00 to \$500.00. Cost per participant is probably about \$8000 per year.

Dr. March is retiring. Plans to be done in February or March of 2018.

NDPHP Agreement

Bonnie provided the Board with background information regarding a meeting that was held with representatives from the BOM and the PHP. She provided the Board with the contract that was provided at this meeting by the PHP. The Board has a decision to make regarding future funding of the PHP.

A motion was made by Dr. Nagala and seconded by Dr. Sticca to form a subcommittee and to fund as requested a 36K lump sum for July thru December 2017 and 26K a month from January thru June 2018. The vote was 11-0, Dr. Solberg had to leave meeting early.

Subcommittee: Dr. Sticca, Dr. Olson, and Dr. Houle.

Update on Administrative Rules

The Attorney General's office recommended we change a few non-substantial, (title, formatting and authority) items in our rules. This was done as recommended and sent for approval by the AG's office. Our rules were accepted as submitted by the AG's office. The rules are on the Administrative Rules Committee agenda in December. Bonnie will attend and provide testimony and report back.

Audit Report 2016

Bonnie and Lynette provided the board with a verbal report of how the audit went. The report was that the auditor did not feel the need to sit down and discuss any findings at the end of the audit. The audit was good.

Office Matters

The executive committee that oversees Bonnie met. The committee, which evaluates Bonnie's performance, includes the Board chair and the Panel chairs.

Dr. Haug provided information to the Board regarding the discussions they had with staff regarding Bonnie's performance as the Executive Secretary.

Proposed Budget 2018

Bonnie overviewed the budget pointing out the increase in staff salary that was included within the budget. Bonnie also mentioned some technical updates that the Board might want to consider. Bonnie will do some research to provide the board with options for technical updates at a future meeting.

A motion to approve the budget and provide further information on technical updates was made by Dr. Sticca and seconded by Dr. Miller. The vote was 11-0 in favor of the motion.

Unfinished Business

Alonna Norberg, MD

Dr. Norberg requested information from the Board to develop a plan to re-enter practice again. There was discussion about her going to PACE and showing her CME hours.

A motion was made by Dr. Haug and seconded by Kate Larson, PA-C, for Dr. Norberg to reapply for licensure and then come to the March 2018 board meeting to discuss and potentially

develop a suggested path back in to practice with no guarantees. The vote was 11-0 in favor of the motion. Dr. Olson abstained.

Questionnaire for licensing and relicensing:

Subcommittee formed: Dr. Goven, Dr. Nagala, Dr. Olson, Dr. Carver.

Adjournment:

Dr. Haug moved to adjourn the meeting. Dr. Sticca seconded the motion. The motion passed unanimously.

Dr. Olson adjourned the meeting at 1:37 p.m.