

NORTH DAKOTA BOARD OF MEDICINE

March 22, 2019

Call to Order:

Dr. Olson, 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:

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

Investigative Panel B:

Kate Larson, PA-C	Present
Brenda Miller, MD	Absent
William Haug, Jr., MD, Chair	Present
Catherine Houle, MD	Present
Sara Solberg, MD	Present
Vaune Johnson	Present
Gopal Chemit, 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 Koebele, representing the North Dakota Medical Assn.; Jay Metzger, PA-C, and Cheryl Ulven, PA-C, representing the North Dakota Physician Assistants. Melissa Henke, MD and Ann Leiseth representing the NDPHP; Nick Hopkins; Sue Wilson, Alan Wilson; Mike Schmit, MD; Gabriella Balf, MD, NDPS; Kirsten Peterson, MD; and John Ward representing Teledoc.

Minutes:

Dr. Goven moved to approve the minutes of the November 16, 2018 meeting with the amendments as discussed. Dr. Haug seconded the motion. The motion passed unanimously.

Physician Waiver of Interview:

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

Investigative Panel A report:

Dr. Sticca, Chair, reported that Investigative Panel A reviewed 20 cases: four letters of concern were issued; two for prescribing related issues, one for providing improper notice to end a patient relationship, and one regarding compounding issues. Two cases were also referred for further review, one stipulation was approved, and 13 cases were dismissed.

Investigative Panel B report:

Dr. Haug, Chair, reported Investigative Panel B reviewed 16 cases: nine were dismissed, two were referred for further review, one stipulation was approved, and four cases were referred for formal action; one based on action taken in another jurisdiction, one for violation of a PHP participation agreement, one regarding lack of proper documentation, and one regarding unethical conduct.

Investigative Panel A vs. Grace Thomas, MD:

Stacy explained the stipulation for approval by the Board. The stipulation was entered into after the Board authorized discipline for failure to keep appropriate medical records. The stipulation requires Dr. Thomas to attend a medical record keeping course within six months of the Board's order and to pay costs associated with the investigation.

Dr. Solberg made a motion to approve the stipulation which was seconded by Dr. Haug and unanimously approved by the Panel B members of the Board.

Matter of Kirsten Peterson, MD:

Dr. Peterson filed a petition seeking reinstatement of her license to practice medicine. The Board discussed the work arrangement proposed by Dr. Peterson, the NDPHP and Dr. Peterson's employer, Dr. Rabadi.

Dr. Goven made a motion to reinstate Dr. Peterson's license with conditions that Dr. Peterson participate in the NDPHP indefinitely and remain compliant with the NDPHP and that Dr. Peterson's work be limited to the terms outlined in the letter from Dr. Rabadi. The motion was seconded by Dr. Nagala and passed by a unanimous roll call vote of the Board.

Order of Completion for Ashton Hedger, PA-C:

Bonnie explained that PA-C Hedger has paid her fine and completed the required courses that were required under the Order entered at its March meeting.

Dr. Sticca made a motion to approve the Order of Completion which was seconded by Dr. Nagala and unanimously approved by a roll call vote of the Board.

Order of Completion for Julie Solberg, PA-C:

An Order was issued on July 22, 2016 against Julie Solberg, PA-C requiring a preceptor to review all controlled substance prescriptions for a period of two years.

Kate Larson, PA-C made a motion to approve the Order of Completion which was seconded by Dr. Goven and approved unanimously by a roll call vote of the Board.

Pharmacy Collaborative Agreements:

The Board reviewed a renewal of a Pharmacy Collaborative Agreement between the pharmacists and practitioners of the Anticoagulation Clinic at CHI St. Alexius Williston Medical Center noting that there were no changes to the agreement. Dr. Goven made a motion to approve the renewed agreement with Dr. Solberg seconding the motion. The motion was passed unanimously by a roll call vote of the Board.

The Board reviewed Pharmacy Collaborative Agreements between CHI St. Alexius and Central Pharmacy in Carrington and New Rockford that were carried over from the November

meeting. Dr. Goven made a motion to approve the rapid influenza and strep agreements which was seconded by Dr. Houle. The motion failed with Dr. Nagala, Dr. Carver, Ann Reich, Dr. Sticca, Kate Larson, PA-C, Dr. Haug, Dr. Solberg, Vaune Johnson and Dr. Olson all voting no. Dr. Houle and Dr. Goven voted yes and Dr. Chemiti and Dr. Miller were absent. Dr. Solberg made a motion to deny approval of the agreements regarding hypertension protocols which was seconded by Kate Larson, PA-C and passed unanimously by a roll call vote of the Board.

The Board reviewed an agreement that had been carried over from November's meeting for Thrifty White in Fargo. The Board had a question they wanted to address before entertaining a motion to approve the agreement. The agreement was presented again with clarified language. Dr. Goven made a motion to approve the agreement which was seconded by Dr. Carver and passed unanimously by a roll call vote of the Board.

NDMA Resolution 2:

Courtney Koebele from the ND Medical Association spoke to the board about a resolution the association passed regarding practice in ND for sports team physicians that are not licensed in ND. This resolution would allow them to treat their team when they are in ND. This would not include any prescriptive rights. Courtney wanted to provide the Board with the resolution as it would likely be presented at the Legislative session.

NDPHP Agreement:

The board reviewed the changes that were made to the agreement since the last meeting of the Board highlighting the portion which allows the PHP to provide services to licensees of other boards and reserves the right of the Board of Medicine to re-evaluate and possibly amend the funding provided by the Board to the PHP.

Dr. Haug made a motion to approve the agreement as amended which was seconded by Vaune Johnson and passed unanimously by a roll call vote of the Board.

NDPHP Report:

Melissa Henke and Ann Leiseth presented the report of participants to the Board. There are currently 31 participants, 12 of which are board ordered. Eleven (11) participants are being monitored out of state and 10 participants are being monitored in the state by the NDPHP.

Board Interview; Clifford Hall, MD:

The interview was led by Dr. Nagala. There were questions regarding his resignation from a residency program and his ongoing recovery from an auto accident.

Dr. Haug moved to seek a follow up neuropsychological evaluation and if cleared to practice, issuing a resident license which was seconded by Dr. Nagala and unanimously approved by the Board.

Board Interview; Warren Looney, MD:

The interview was led by Dr. Goven. Brenda Blazer was present as Dr. Looney's legal counsel. There was discussion of past problems Dr. Looney had as well as a recent Order issued against him in the state of Texas. The Board discussed the need for Dr. Looney to remain compliant with the Texas Order. A motion was made by Dr. Goven and seconded by Dr. Haug to issue a license with conditions that Dr. Looney remain compliant with the Texas Order and require him to participate with the NDPHP. The motion passed unanimously by a roll call vote of the Board.

Board Interview; Lawrence Rothenberg, MD:

The interview was led by Dr. Houle. Brenda Blazer was present as Dr. Rothenberg's legal counsel. There was discussion of Dr. Rothenberg's previous employment as well as his practice plans in North Dakota. Dr. Houle made a motion to approve licensure for Dr. Rothenberg which was seconded by Dr. Nagala and passed unanimously by a roll call vote of the Board.

Legislation Update:

Bonnie provided background on the bills she has been watching and providing testimony on. Kate Larson, PA-C provided information on the PA Bill that was being considered during the session. No action was taken.

Office Matters:

Technology Needs: Bonnie provided the board with a bid from Lyle Forderer with Premier Audio to allow us the ability to video conference. The Board discussed the added flexibility this technology would allow. The Board discussed the bid and then an additional option of two screens versus one which would allow additional flexibility but increase the price by at least \$2000.00. There was discussion of the need for flexibility as well as ease of use. The Board consensus was to move forward with the proposed upgrade with two screens.

State Investment Board Reports: The Board was given the most recent investment reports. No action was taken.

Thank you and Farewell to Dr. Haug: This was Dr. Haug's last meeting as a member of the Board. He was presented with a plaque from the Governor for his years of service to the Board.

Unfinished Business

None considered.

Adjournment:

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

Dr. Olson adjourned the meeting at 12:52 p.m.