

NORTH DAKOTA BOARD OF MEDICINE

July 24, 2020

Call to Order:

Rup Nagala, MD, chair, called the meeting to order at 8:03 a.m., through Zoom conferencing. The attendance was as follows:

Michael Quast, MD	Present (joined the meeting at 9:50 am)
Rup Nagala, MD, Chair	Present
Thomas Carver, DO	Present
Lacey Armstrong, MD	Present
Robert Sticca, MD, Vice Chair	Present
Ann Reich	Present
Jay Metzger, PA-C	Present
Brenda Miller, MD	Present
Darin Leetun, MD	Present
Catherine Houle, MD	Present
Sara Solberg, MD,	Present
Vaune Johnson	Present
Rajendra Potluri, MD	Present

Staff present Bonnie Storbakken, executive director; Lynette McDonald, deputy executive director; and legal counsel Stacy Moldenhauer.

Guests present Courtney Koebele, representing the North Dakota Medical Assn; Dr. Melissa Henke, representing the NDPHP; Cheryl Ulven, PA-C representing the NDAPA and Arthur Raymond, MD.

Minutes:

Dr. Solberg moved to approve the minutes of the March 27, 2020 minutes as written. Dr. Houle seconded the motion. The motion passed unanimously with Dr. Quast and Dr. Potluri being absent from the vote.

Physician Waiver of Interview:

Dr. Solberg moved to approve the waivers of interview for physician licensure applicants as presented. Dr. Miller seconded the motion. The motion passed unanimously by a roll call vote of the panel with Dr. Quast and Dr. Potluri absent from the vote.

Residents Waiver of Interview:

Dr. Solberg made a motion to approve the waivers of interview for the residents as presented with Dr. Leetun seconding the motion. The motion passed unanimously by a roll call vote of the panel with Dr. Quast and Dr. Potluri being absent from the vote.

Physician Assistant and Genetic Counselor Waivers of Interview:

Jay Metzger, PA-C motioned to approve the waiver of interview for the physician assistants which was seconded by Dr. Houle and passed unanimously by a roll call vote of the Board with Dr. Quast and Dr. Potluri being absent from the vote. Dr. Miller motioned to approve the waiver of interviews for the genetic counselors which was seconded by Dr. Leetun and passed unanimously by a roll call vote of the Board with Dr. Quast and Dr. Potluri being absent from the vote.

IMLC Report: The Board reviewed a report of IMLC licenses. No action was taken.

Investigative Panel A report:

Dr. Sticca reported that Investigative Panel A reviewed 28 cases: five letters of concern were issued, five were referred for further review, one stipulation was approved, and 17 cases were dismissed.

Investigative Panel B report:

Dr. Solberg, Chair, reported Investigative Panel B reviewed 19 cases: 13 were dismissed, two were referred for further review, one letter of concern was issued, one was referred for action, and two stipulations were approved.

IPA vs Julie Keller, PA-C: Stacy explained the case and the Board was presented with a signed Stipulation to resolve the case which requires her to take a psychopharmacology course. Dr. Solberg made a motion to approve the Stipulation and Order which was seconded by Dr. Miller and passed unanimously by a roll call vote of panel B.

IPB vs Susan Thompson, MD: Stacy explained the case and the Board was presented with a signed Stipulation to resolve the case which requires Dr. Thompson to take a prescribing course. Dr. Carver made a motion to approve the Stipulation and Order which was seconded by Dr. Sticca and passed unanimously by a roll call vote of panel A.

IPB vs Arthur Raymond, MD: Stacy explained the case and the Board was presented with a signed Stipulation to resolve the case which required a suspension of Dr. Raymond's license and mandatory participation with the NDPHP for a period of five years. Dr. Sticca made a motion to approve the Stipulation and Order which was seconded by Ann Reich and passed unanimously by a roll call vote of panel A.

Orders of Completion:

Richard Larson, MD: The Board was given information showing that Dr. Larson had paid his fees and completed what was required of him. Dr. Houle made a motion to approve the Order of Completion for Dr. Larson which was seconded by Dr. Leetun and unanimously approved by a roll call vote of the Board.

Paul Lifland, MD: The Board was given information showing that Dr. Lifland had paid his fees. Dr. Potluri made a motion to approve the Order of Completion for Dr. Lifland which was seconded by Dr. Houle and passed unanimously by a roll call vote of the Board.

Sherman Washington, MD: The Board was given information showing that Dr. Washington had taken his record keeping course and paid his fees. Dr. Solberg made a motion to approve the Order of Completion which was seconded by Dr. Miller and passed unanimously by a roll call vote of the Board.

Eligibility for Licensure:

Matter of Barry Diner, MD: Dr. Diner applied for licensure but did not meet the requirements on the limitation on attempts at examination passage under NDAC 50-02-11-03.1. Dr. Diner sought an exception to the limitation in his case. The Board reviewed information that showed Dr. Diner held active licenses in three other states with no disciplinary action or malpractice settlements and that he is board certified in Emergency Medicine and Hospice and Palliative Medicine. Dr. Potluri made a motion to grant his request of an exception which was seconded by Dr. Houle and passed unanimously by a roll call vote of the Board.

Matter of Hesham I. Nagi, MD: Lynette presented the Board with information regarding Dr. Nagi and his desire to become licensed in North Dakota again. His North Dakota license had expired in June 2016 and he has been practicing in Egypt since September 2013 with his last practice in the US in July 2013. The question before the Board was whether the Board would require a re-entry program to be completed. The Board stated that he should take a re-entry course in the US approved by the Board.

PA Practice Petition to the Board:

Shelley Bartow, PA-C and Brenna Hudson, PA-C: Both PA's have petitioned the Board for permission to work at a facility not outlined in statute. The Board discussed the independence of the PA's under their proposal and the desire to see a little more supervision in place. Dr. Sticca made a motion to table a decision until more information could be gathered, specifically, more specific plans to practice and a copy of a written contract with a supervising physician. Dr. Miller seconded the motion and the motion passed with Dr. Quast being absent from the vote and Jay Metzger, PA-C voting no and all other members of the board voting in favor of the motion.

Board Interviews:

Kilby P. Osborn, MD: Dr. Solberg led the interview of Dr. Osborn. Dr. Osborn answered questions about his practice history and issues he encountered in Georgia. The Board discussed Dr. Osborn's application and background and the issues he had in residency and the allegations

made against him from a patient. Dr. Solberg made a motion to table a decision on his application until we could obtain additional information from the hospital he was with for his residency and from the Albany DA regarding whether he will be formally charged which was seconded by Dr. Potluri and passed by a roll call vote of the Board with Dr. Quast abstaining.

Mark S. Ibsen, MD: Dr. Potluri led the interview of Dr. Ibsen. Dr. Ibsen answered questions about his history, the work he did previously and what he will be doing. He was asked questions about medical board action in Montana. Dr. Solberg made a motion to approve licensure for Dr. Ibsen which was seconded by Dr. Potluri and passed unanimously by a roll call vote of the Board.

NDPHP Report:

Dr. Melissa Henke provided the NDPHP report: There are currently 48 active clients; 11 of who are board ordered and 22 participants are voluntary. Ann Reich offered a thank you to the staff at the NDPHP for their work and support of those in the community as well.

Election of Officers:

Bonnie explained that the current slate of officers was willing to continue in their current roles if the Board wished. Dr. Potluri made a motion to continue with the current slate of officers which was seconded by Dr. Miller and passed by a roll call vote of the Board with Dr. Quast not voting due to technical difficulties.

Office Matters:

The Board members asked Bonnie to try to bring Dr. Osborn's application back in a special meeting and to try to address the PA petitions during that time as well.

Adjournment:

Dr. Solberg moved to adjourn the meeting. Dr. Miller seconded the motion. The motion passed unanimously.

Dr. Nagala adjourned the meeting at 11:03 a.m.