



Regular Meeting

May 2, 2025

Call to Order:

Catherine Houle, MD, chair, called the regular meeting to order at 8:02 a.m. In attendance:

Catherine Houle, MD – Chair
Lacey Armstrong, MD – Vice Chair
Misty Anderson, DO (via Zoom)
Barbara Andrist (via Zoom)
Bree Dewing, MD
Erica Hofland, MD
Justin Horner, MD
Mandi Johnson, MD
Robert Kemp, MD
Grant Lannoye, PA (via Zoom)
Jay Metzger, PA
Michael Quast, MD
Troy Pierce, MD
Lezlie Scott, ND
Stephanie Sievert

Also present:

NDBOM Office and Staff: Sandra DePountis, Executive Director; Lynette McDonald, Deputy Executive Director; Zena Homan, MD, Medical Director; Stacy Moldenhauer, Litigation Counsel; and Austin Lafferty, General Counsel.

NDPHP representatives present: Maggie Seamands, NDPHP Executive Director; Dr. Missy Henke, NDPHP Medical Director.

Courtney Koebele, NDMA.

Jerry Cattelane, Jr. DO, was, present for his interview via Zoom.

Minutes

Dr. Kemp moved to approve the January 31, 2025, regular meeting minutes, seconded by Dr. Pierce, motion passed unanimously.

Physician Approval of Licenses

Dr. Kemp moved to approve the ninety-two (92) licenses and waiver of interviews for physician applicants as presented, seconded by Dr. Johnson, motion passed unanimously by roll call vote.

Physician Assistant Approval of Licenses

PA Metzger moved to approve the twenty (20) licenses and waiver of interviews for physician assistants, as presented, seconded by Dr. Horner, motion passed unanimously by roll call vote.

Genetic Counselor Approval of Licenses

Dr. Kemp moved to approve the twelve (12) licenses and waiver of interviews for genetic counselors, as presented, seconded by Dr. Johnson, motion passed unanimously by roll call vote.

Naturopathic Doctors

Dr. Scott moved to approve the two (2) licenses and waivers of interviews for naturopathic doctors, as presented, seconded by PA Lannoye, motion passed unanimously by roll call vote.

IMLC Licenses Granted

Seventeen (17) Letters of Qualification for State of Principal Licensure and two hundred and thirty-two (232) non-principal licenses were issued under the Compact. Deputy Director McDonald provided updated statistics on North Dakota licenses issued via the IMLC with one hundred and ninety-two (192) total active SPLs and two thousand, six hundred and thirty-two (2,632) NSPLs. There are currently 43 active members in the IMLC. Preliminary statistics for

2024 revealed that 67% of licenses issued in North Dakota were through the IMLC, up from 61% in 2023.

NDPHP Presentation and Report

Director Maggie Seamands presented the PHP Report of thirty-two (32) active participants in the NDPHP – six (6) are Board ordered, twenty-six (26) are voluntary or Panel ordered, nine (9) are out of state/reciprocal monitoring, four (4) are pending, and six (6) successfully completed the program in the last quarter. Director Seamands also presented on the NDPHP’s current financial statements and outlined various referrals the NDPHP is prepared to handle on the Board’s behalf.

Interview for Licensure – Jerry Cattelane, Jr., D.O.

Dr. Cattelane was interviewed to obtain further information on previous malpractice settlements. Dr. Kemp led the interview for this applicant.

Dr. Kemp made a motion to grant the license, seconded by PA Metzger, motion passed unanimously by roll call vote.

Petitions for Eligibility, Modification, and Completion

IPB v. Arden Beachy, MD – Order of Completion

Dr. Beachy was disciplined via Board Order on 1/31/2025 and has completed all requirements of the Order. Dr. Dewing made a motion to issue an Order of Completion, seconded by Dr. Hofland, motion passed unanimously by roll call vote.

IPB v. Sheena Rippentrop, MD – Order of Completion

Dr. Rippentrop was disciplined via Board Order on 1/31/2025 and has completed all requirements of the Order. P.A. Metzger made a motion to issue an Order of Completion, seconded by Dr. Hofland, motion passed unanimously by roll call vote.

Olise Torske, PA – Petition for Unrestricted License

PA Torske was issued a Restricted License on April 3, 2021, and issued an Amended Order of Restricted License on April 5, 2024, requiring collaboration with a physician or physician assistant for her first 4,000 hours of return to practice. PA Torske has completed the requirements. Dr. Pierce made a motion to issue an unrestricted license to PA Torske, seconded by Dr. Dewing, motion passed unanimously by roll call vote.

Ali Novin, MD

Dr. Novin is requesting an exception to the exam limit attempt under N.D.A.C. 50-02-11-03.1(2) which, in part, requires five years of practice. Dr. Novin is licensed in MN, has practiced for 5 years without discipline, and is ABMS Board Certified in Physical Medicine and Rehabilitation. Dr. Anderson made a motion to approve granting an exception to the three-attempt limit rule, seconded by P.A. Lannoye, motion passed unanimously by roll call vote.

NDBOM v. Iwan Nyotowidjojo, MD – Suspension of Licensure

Dr. Nyotowidjojo's state of principal licensure, Colorado, issued an Order suspending Dr. Nyotowidjojo's license due to diversion of controlled substances. Dr. Nyotowidjojo's North Dakota license is therefore immediately suspended under North Dakota and IMLC law – N.D.C.C. chapter 43-17.4 - § X(2). Dr. Hofland made a motion to ratify the suspension of the license, seconded by Dr. Johnson, motion passed unanimously by roll call vote.

COMMITTEE REPORTS

LRL Committee (Dr. Anderson [chair], Drs. Horner, Scott, and Quast; PA Metzger; and Ms. Andrist)

Dr. Anderson made a motion to approve the LRL Committee's March 6, 2025, meeting minutes, seconded by Ms. Andrist, motion passed by LRL Committee members.

Information and updates were provided to the Board on the 2025 legislative session. The NDBOM submitted four bills, three of those bills (1039 – PHP Bill, 2040 – Genetic Counselor Bill, 2042 – Background Check Bill) all been signed into law and will take effect August 1, 2025.

Additional bills that were reviewed by the LRL Committee were presented to the Board of Medicine. The following bills have been passed and unless otherwise designated, signed into law:

- HB 1511 – amended bill that will have a physician with 25+ year experience, along with final approval by the Office of Attorney General, to create an “instructional course” on North Dakota abortion laws. The course will be available on the Board’s website.
- SB 2395 - creating “Universal Licensure” for professions that do not offer licensure through a compact. The bill also creates uniform Board expectations – requirements that are already being implemented by the Board of Medicine.
- HB 1442 creating a Legislative Committee on Government Efficiencies and SB 2308 creating a Board Review Task Force. The Committee reviewed the bills and directed Ms. DePountis to monitor but decided not to take a position at this time. The Board did not take any other action.
- SB 2308 – section 10 of the bill creates a “Board Review Task Force” that will review all boards, commissions, task forces, and councils for inefficiencies and duplication of responsibilities and make recommendations to the legislature consolidating or eliminating a listed entity. The bill is awaiting the Governor’s signature.

Other Bills the Board opposed that were defeated include:

- SB 2285 – taking away judicial deference of the Board. Administrative Law Judges who provide recommended findings of fact, conclusions of law, and orders are not licensed medical practitioners and therefore may lack the ability to issue opinions on certain nuanced areas of standards of care. It is therefore necessary for the Board to retain such ability to issue final determinations.
- HB 1220 – would require the Board of Medicine to “accredit” an accelerated degree program for medical education or physician assistant studies, versus the appropriate nationally recognized accrediting agency, in which such a degree could not be used for licensure. Neutral testimony was provided outlining information on the pathway to licensure in North Dakota and in order to qualify for the necessary examinations, residency programs, and national accreditation, the individual must graduate from a

program accredited by the appropriate national entities. As such, an accelerated degree, unless accredited by the appropriate national entities, could not be used for licensure, even if the Board accepted the education.

- SB 2041 – would have implemented the PA Compact into North Dakota. Due to the early nature of the compact, the fact it will not be up and running for years, and the several “unknown” repercussions, the Board opposed the bill.
- SB 2270 – the bill would have provided an alternative pathway for licensure of international medical physicians – but put the onus on the Board of Medicine to be able to determine that international post graduate training was sufficient for licensure. The Board asked for additional time to bring this pathway forward in North Dakota in order for additional resources to be implemented to aid in this determination. The Board discussed the need to convene a task force to review this issue the next biennium in the hopes of coming back with a workable solution for North Dakota. PA Metzger made a motion to grant authority to Dr. Anderson to work with Director DePountis to seek members willing to serve on the task force, seconded by Dr. Kemp, motion passed unanimously by roll call vote.

Investigative Panel A report

Dr. Quast, Chair, reported that Investigative Panel A reviewed a total of twenty-nine (29) cases, which included five (5) summary matter cases and eight (8) malpractice cases. Of the twenty-nine (29) cases: disciplinary action was authorized in two (2) cases, an automatic suspension under IMLC law was referred to the Board in one (1) case, three (3) cases were tabled for further review, and one (1) Letter of Concern was issued; all other cases dismissed, or no action taken.

Investigative Panel B report

PA Metzger, Chair, reported that Investigative Panel B reviewed a total of thirty (30) cases which included six (6) summary matter cases and eight (8) malpractice cases. Of the thirty (30) cases: three (3) cases were tabled for further review, and three (3) Letters of Concern were issued; all other cases dismissed, or no action taken.

Policies and Procedures Review

PA Practice. The office is seeing an influx of PAs who have the authority to practice independently in their state to now want a telemedicine license in North Dakota. This is not authorized practice in North Dakota. When put on notice, the PAs then “change” their answer that they will practice accordingly in North Dakota. The Board discussed whether the appropriate practice is actually being followed in such cases and requested the Board office to follow up with such applicants after three months of licensure – and to bring any unauthorized practice to the attention of the Investigatory Panels for potential discipline.

Board Papers Addendum to Participating Agreement. At the last meeting, the Board approved new software for board meeting documents and executed a Participation Agreement to the State Contract. The terms of the contract run concurrently with the State Terms which were just updated. Dr. Kemp therefore made a motion to approve Addendum 1 to the Participating Addendum for the new contract terms, seconded by Dr. Horner, motion passed unanimously by roll call vote.

Office Policy and Procedure Update. House Bill 1170 made updates to the state’s leave policies. The Board has adopted the state’s policies as its own internal office policies and procedures – which were updated to reflect HB 1170. Dr. Dewing made a motion to approve the updated Office Policies and Procedures, seconded by Ms. Sievert, motion passed unanimously by roll call vote.

Office Update.

- API Integration with the IMLC – Phase 1 is in the testing phase. The Board also received a grant from the IMLC to pay for this implementation of this phase.
- IAMRA Conference – the Board is pleased to announce that PA Metzger will be speaking at the conference on the Regulation of Physician Assistants Before and After the Implementation of Expanded Autonomy.
- FSMB and AIM conference updates – attended by 3 Board office members and 2 Board members. Attendees provided information on what they learned at the conference.

- The Board discussed the implementation of Board Papers and how it is not compatible with all devices – especially work devices. The office will purchase tablets for those in need.
- This was the last in-person meeting for Board Chair Dr. Houle- whose term will end July 31, 2025, after 8 years of devoted service. Dr. Houle was presented with a plaque and letter from the Governor. The entire Board thanks Dr. Houle for her service!

Dr. Kemp made a motion to elect PA Metzger as Board Chair with a starting term of August 1, 2025, seconded by Dr. Quast, motion passed unanimously by roll call vote.

Dr. Quast made a motion to elect Dr. Anderson as Board Vice-Chair with a starting term of August 1, 2025, seconded by Dr. Armstrong, motion passed unanimously by roll call vote.

The meeting was adjourned at 9:38 a.m.

Sandra DePountis

Sandra DePountis
Executive Director