

M I N U T E S
Committee on Professional Discipline
Friday, September 5, 2014

PARTICIPATING:

The Committee on Professional Discipline (Committee) meeting was called to order by Chairman William Cone, MD, Moscow, at 8:02 a.m. on Friday, September 5, 2014, at the Holiday Inn Express, Boise, Idaho. Present were Committee on Professional Discipline members; David A. McClusky, II, M.D., Twin Falls; Stephen Marano, M.D., Idaho Falls, and Laura McGeorge, MD, Boise. Frances Symms, Public Member, Boise, arrived later. Staff attending were Nancy Kerr, Executive Director, Mary Leonard, Associate Director; Cathleen Morgan, Board Counsel; Connie Pyles, Quality Assurance Specialist; Cynthia Michalik, Quality Assurance Specialist; Darlene Parrott, Compliance Monitor and Jean Uranga, Attorney for the Board.

At 9:15 a.m. Board of Medicine (Board) members joined the meeting: Barry Bennett, M.D., Idaho Falls, Robert Ward, M.D., Twin Falls; Joseph Williams, M.D., Meridian; William Ganz, M.D., Coeur d'Alene; Kathleen Sutherland, M.D., Boise; Christopher Peine, DO, Eagle; Ralph Powell, ISP, Boise and Joyce McRoberts, public member, Meridian.

MINUTES:

The minutes of the Friday, June 6, 2014, meeting were approved as written. (Marano/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:

Motion to go into Executive Session at 8:04 a.m. in accordance with Idaho Code §67-2345 (1)(d) to consider records exempt from public disclosure. (Motion McClusky /Affirmed Cone, McGeorge and Marano.)

In Executive Session, the Committee met with two Respondents each accompanied by attorneys, pursuant to scheduled appearances. Upon their departure, the Committee also considered the results of investigations and information presented in each discipline case.

At 11:48 a.m. the Committee acted to leave Executive Session and go into Open Session. (McClusky/Unanimous)

In Open Session, the Committee voted on the matters considered during Executive Session and made recommendations to the Board of Medicine as follows:

Case No. BOM-2013-634 - The Committee acted to recommend no change to the previous Board action. (McClusky/Unanimous)

Case No. BOM-2012-590 - The Committee acted to recommend proceeding with formal action. (McGeorge/Unanimous)

Case No. 7405 - The Committee acted to recommend closure with a Confidential Letter of Concern. (Marano/Unanimous)

Case No. 7544 - The Committee acted to recommend offering a rehabilitation Stipulation and Order for an evaluation with follow up as needed. (McGeorge/Unanimous)

Case No. 7493 - The Committee acted to recommend closure. (McGeorge/Unanimous)

Case No. 7396 - The Committee acted to recommend denial of a request for reconsideration of a previously offered Stipulation and Order and public reprimand. (McClusky/Unanimous)

Case No. 7404 - The Committee acted to recommend denial of a request for reconsideration of a previously offered public Letter of Reprimand. (McGeorge/Unanimous)

Case Nos. 7450, 7451 and 7452- The Committee acted to recommend closure with a confidential Letter of Concern. (McGeorge/Unanimous)

Case No. 7479 - The Committee acted to recommend closure. (Marano/Unanimous)

Case No. 7474 - The Committee acted to recommend closure. (Marano/Unanimous)

Case No. 7523 - The Committee acted to recommend a public Reprimand with a Stipulation and Order for ethics and prescribing courses, with a follow up record review. (McGeorge/Unanimous)

Case No. 7511 - The Committee acted to recommend closure. (McGeorge/Unanimous)

Case No. 7512 - The Committee acted to recommend closure. (McGeorge/Unanimous)

Case No. 7208 - The Committee acted to recommend a Stipulation and Order to restrict practice and completion of an ethics course. (McClusky/Unanimous)

Case No. 7427 - The Committee acted to recommend denial of a request for reconsideration of a previously offered Stipulation and Order and public reprimand. (McClusky/Unanimous)

Case No. 7566 - The Committee acted to recommend closure with a confidential Letter of Concern. (McGeorge/Unanimous)

Case No. 7480 - The Committee acted to recommend closure. (Marano/Unanimous)

Case No. 7550 - The Committee acted to recommend further investigation. (McGeorge/Unanimous, Cone recused)

Case No. 7488 - The Committee acted to recommend closure.
(Marano/Unanimous)

Case No. 7489 - The Committee acted to recommend offering a rehabilitation Stipulation and Order for an evaluation with follow up as needed. (McGeorge/Unanimous)

Case No. BOM-2014-673 - The Committee acted to recommend denial of a request for reconsideration of a prior Board action.
(Marano/Unanimous)

Case No. 7547 - The Committee acted to recommend further investigation. (McGeorge/Unanimous)

Case No. 7514 - The Committee acted to recommend closure.
(Marano/Unanimous)

Case No. 7529 - The Committee acted to recommend closure.
(McGeorge/Unanimous)

Case No. 7456 - The Committee acted to recommend closure.
(McGeorge/Unanimous)

Case No. 7499 - The Committee acted to recommend further investigation and a consultant review of medical records.
(McGeorge/Unanimous)

In contested Case No. BOM-2013-615 - The Committee acted to recommend revocation of license, with a stay, and compliance with the terms and conditions of probation and monitoring.
(McClusky/Unanimous)

The Committee acted to recommend that the following cases be closed by consent motion: 7028, 7340, 7458, 7464, 7465, 7469, 7472, 7475, 7476, 7481, 7482, 7484, 7485, 7490, 7491, 7492, 7494, 7495, 7496, 7503, 7504, 7513, 7519, 7530, 7531, 7534, 7536, 7537, 7540, 7541, 7542, 7543, 7545, 7546, 7548, 7560 and 7561.
(McClusky/Unanimous)

The Committee reviewed a report of non-compliance with the Patient Freedom of Information Act and recommended institution of the fine as required by Idaho Code §54-4603 (6) (a).
(Marano/Unanimous)

The Committee reviewed follow-up information presented in Case Nos. 6777, BOM-2014-653, BOM-2014-657, MON-186, BOM-2012-566, MON-127, 7413, BOM-2013-642, BOM-2014-678, BOM-2014-677, BOM-2014-672, BOM-2009-408, 7410, BOM-2014-671 and BOM-2014-633.

The Committee reviewed the Stipulation and Order Compliance Report, and record reviews in Monitor cases 201 and 171. No further action was recommended.

The Committee reviewed the reports of matters that were determined to be outside of the Board's jurisdiction. No further action was recommended.

ADJOURNMENT:

Committee Chairman William Cone, M.D., adjourned the meeting at 11:48 a.m. on Friday, September 5, 2014.