

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

PARTICIPATING:

The Committee on Professional Discipline (Committee) meeting was called to order by Chairman William Cone, MD, Moscow, at 7:59 a.m. on Friday, December 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; Connie Pyles, Quality Assurance Specialist; Cynthia Michalik, Quality Assurance Specialist; Anne Lawler, Quality Assurance Specialist; Darlene Parrott, Compliance Monitor, and Jean Uranga, Attorney for the Board.

At 10:00 a.m. Board of Medicine (Board) members joined the meeting: Barry Bennett, M.D., Idaho Falls; Robert Ward, M.D., Twin Falls; William Ganz, M.D., Coeur d'Alene; John Brown, MD, Moscow; Kathleen Sutherland, M.D., Boise; Christopher Peine, DO, Eagle; and Joyce McRoberts, public member, Meridian.

MINUTES:

The minutes of the Friday, September 5, 2014, meeting were approved as written. (Marano/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:

Motion to go into Executive Session at 8:00 a.m. in accordance with Idaho Code §67-2345 (1)(d) to consider records exempt from public disclosure. (Motion Marano /Affirmed Cone, McGeorge and McClusky.)

In Executive Session, the Committee met with three 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.

The Committee acted to leave executive session at 11:08 a.m. for a presentation from representatives of the Federation of State Medical Boards. The Committee went back into executive session at 12:37 p.m.

At 1:52 p.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-2013-640 - The Committee acted to recommend offering a Stipulation and Order to limit practice and prescription

authority, and to follow up with a medical record review.  
(Cone/Unanimous)

Case No. BOM-2014-666 - The Committee acted to recommend offering a Stipulation and Order to restrict controlled substance prescriptions, and to require pain management and medical record keeping courses. (McGeorge/Unanimous)

Case No. PAC-2014-661 - The Committee acted to recommend offering a Stipulation and Order to limit practice and prescription authority, and to require documented supervision.  
(McGeorge/Unanimous)

Case No. 7582 - The Committee acted to recommend offering a Stipulation and Order for an evaluation of boundaries issues with follow-up as indicated, and to require documentation of chaperones. (McGeorge/Unanimous)

Case No. 7579 - The Committee acted to recommend closure with a confidential Letter of Concern. (Marano/Unanimous)

Case No. 7574 - The Committee acted to recommend closure.  
(Marano/Unanimous)

Case No. 7499 - The Committee acted to recommend closure.  
(Marano/Unanimous)

Case No. 7587 - The Committee acted to recommend closure with a confidential Letter of Concern. (McGeorge/Unanimous)

Case No. 7390 - The Committee acted to recommend offering a Stipulation and Order to restrict prescriptions of some controlled substances, and to follow up with a medical record review. (McGeorge/Unanimous)

Case No. 7510 - The Committee acted to recommend closure.  
(Marano/Unanimous)

Case No. MON-219 - The Committee acted to recommend approval of a request for modification of a Stipulation and Order, with a limitation on prescription quantities. (McGeorge/Unanimous)

Case No. BOM-2013-617 - The Committee acted to recommend closure.  
(Marano/Unanimous)

Case No. 7535 - The Committee acted to recommend closure.  
(Marano/Unanimous)

Case No. 7516 - The Committee acted to recommend offering a Stipulation and Order to require a physician proctor for surgical cases for one year. (McClusky/Unanimous)

Case No. MON-234 - The Committee acted to recommend denial of a request for modification of a Stipulation and Order.  
(McGeorge/Unanimous)

Case No. 7515 - The Committee acted to recommend offering a Stipulation and Order prohibiting prescription of any controlled substances. (Cone/Unanimous)

Case No. 7518 - The Committee acted to recommend offering a Stipulation and Order revoking supervising physician privileges, restricting practice and prescribing, and requiring a medical record review. (McClusky/Unanimous)

Case No. 7509 - The Committee acted to recommend offering a Stipulation and Order prohibiting practice with individuals not licensed to practice medicine. (Marano/Unanimous)

Case No. 7552 - The Committee acted to recommend closure with a confidential Letter of Concern for behavior. (McGeorge/Unanimous)

Case No. MON-140 - The Committee acted to recommend approval of a request for termination of a Stipulation and Order. (Marano/Unanimous)

Case No. 7595 - The Committee acted to recommend closure with a confidential Letter of Concern with a recommendation for completion of an ethics course. (Cone/Unanimous)

Case No. 7517 - The Committee acted to recommend further investigation and review of medical records. (McGeorge/Unanimous)

Case No. 7550 - The Committee acted to recommend offering a Stipulation and Order for completion of a chemical dependency evaluation or surrender of licensure. (McGeorge/Unanimous)

Case No. BOM-2014-680 - The Committee acted to recommend denial of a request for alternative compliance with the terms and conditions of a Stipulation and Order. (McGeorge/Unanimous)

Case No. 7588 - The Committee acted to recommend closure. (McGeorge/Unanimous)

Case No. BOM-2014-650 - The Committee acted to recommend closure. (Marano/Unanimous)

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

Case No. 7571 - The Committee acted to recommend further investigation. (McGeorge/Unanimous)

Case No. 7576 - The Committee acted to recommend closure with a confidential Letter of Concern. (McGeorge/Unanimous)

Case No. MON-152 - The Committee acted to recommend proceeding with a Motion for Violations and Enforcement of the Second Stipulation and Order. (McGeorge/Unanimous)

The Committee acted to recommend that the following cases be closed by consent motion: 7501, 7526, 7528, 7538, 7539, 7549,

7551, 7553, 7554, 7555, 7556, 7557, 7558, 7563, 7564, 7565, 7567, 7568, 7570, 7573, 7577, 7578, 7580, 7586, 7590, 7593, 7596, 7598, 7600, 7603, 7604, 7606, 7609 and 7619. (McGeorge/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. 7530, 7490, MON-225, BOM-2014-678, BOM-2014-684 and BOM-2012-588.

The Committee reviewed the Stipulation and Order Compliance Report and recommended a Motion for Violations and Enforcement of the Stipulation and Order in Monitor Case No. 195, following a review of medical records.

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 1:52 p.m. on Friday, December 5, 2014.