

M I N U T E S
Committee on Professional Discipline
Friday, June 5, 2015

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, June 5, 2015, 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; Laura McGeorge, MD, Boise; and Frances Symms, Public Member, Boise. Staff attending were Nancy Kerr, Executive Director; Mary Leonard, Associate Director; Connie Pyles, Quality Assurance Specialist; Frutoso Gonzalez, Quality Assurance Specialist; Anne Lawler, Quality Assurance Specialist; Darlene Parrott, Compliance Monitor; and Jean Uranga, Attorney for the Board.

At 9:16 a.m. Board of Medicine (Board) members joined the meeting: Robert Ward, M.D., Twin Falls; Steven Malek, M.D., Coeur d'Alene; John Brown, MD, Moscow; Kathleen Sutherland, M.D., Boise; Joseph Williams, M.D., Meridian; Christopher Peine, DO, Eagle; Col. Ralph Powell, Meridian; and Michele Chadwick, public member, Emmett.

MINUTES:

The minutes of the Friday, March 6, 2015, meeting were approved as written. (McClusky/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 McClusky /Affirmed Cone, McGeorge, Marano and Symms)

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

At 12:34 p.m. the Committee acted to leave Executive Session and go into Open Session. (Marano/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-2014-690 - The Committee acted to recommend modification of the previously offered Stipulation and Order to require chaperones and a boundaries course. (McClusky/Unanimous)

Case No. BOM-2014-687 - The Committee acted to recommend closure with a confidential reprimand. (McGeorge/Unanimous)

Case No. BOM-2014-688 - The Committee acted to recommend closure with a confidential reprimand. (McGeorge/Unanimous)

Case No. BOM-2014-679 - The Committee acted to recommend closure with an agreement to voluntarily enter into a monitoring program for one year. (McGeorge/Unanimous)

Case No. MON-242 - The Committee acted to recommend closure with no action on a request for reconsideration of a previously entered Board Order. (Cone/Unanimous)

Case No. 7620 - The Committee acted to recommend closure with no action on a request for reconsideration of a previously entered Board action. (McGeorge/Unanimous)

Case No. 7693 - The Committee acted to recommend closure with a Stipulation and Order for completion of a pain management course with a follow up medical record review. (McGeorge/Unanimous)

Case No. 7689 - The Committee acted to recommend closure. (McGeorge/Unanimous)

Case No. 7685 - The Committee acted to recommend closure. (McGeorge/Unanimous)

Case No. 7687 - The Committee acted to recommend further investigation and review of records. (Marano/Unanimous)

Case No. MON-222 - The Committee acted to recommend approval of a request for modification of a Board Order. (McClusky/Unanimous)

Case No. MON-152 - The Committee acted to recommend acceptance of a request for modification of a Stipulation and Order. (McGeorge/Unanimous)

Case No. 7686 - The Committee acted to recommend closure. (Marano/Unanimous)

Case No. 7713 - The Committee acted to recommend a Public Reprimand and Stipulation and Order for completion of a medical record keeping course. (Marano/Unanimous)

Case No. 7707 - The Committee acted to recommend closure. (Marano/Unanimous)

Case No. 7680 - The Committee acted to recommend offering a Stipulation and Order prohibiting the corporate practice of medicine. (McGeorge/Unanimous) In further action the Committee acted to recommend closure of the case (Case No. 7679) against the physician assistant. (McGeorge/Unanimous)

Case No. 7676 - The Committee acted to recommend closure. (McGeorge/Unanimous)

Case No. MON.137 - The Committee acted to recommend approval of a request for termination of a Stipulation and Order. (Marano/Unanimous)

Case No. 7650 - The Committee acted to recommend offering a Stipulation and Order for completion of pain management and medical record keeping courses with a follow up medical record review. (McGeorge/Unanimous)

Case No. 7659 - The Committee acted to recommend offering a Stipulation and Order prohibiting the corporate practice of medicine. (McGeorge/Unanimous)

Case No. 7694 - The Committee acted to recommend offering a Stipulation and Order for completion of an ethics/boundaries course with a follow up medical record review. (McGeorge/Unanimous)

Case No. 7674 - The Committee acted to recommend closure with a confidential Letter of Concern and a \$500 fine for failure to report an adverse action on license renewal. (McGeorge/Unanimous)

Case No. 7627 - The Committee acted to recommend closure with a confidential Letter of Concern and a recommendation for completion of a medical record keeping course. (McGeorge/Unanimous)

Case No. 7690 - The Committee acted to recommend closure. (McClusky/Unanimous)

Case No. 7704 - The Committee acted to recommend offering a Stipulation and Order for maintaining the minimum standard of care before treating or prescribing for patients, with a follow up medical record review. (McGeorge/Unanimous)

Case No. 7634 - The Committee acted to recommend offering a Stipulation and Order for completion of a record keeping course with a follow up medical record review. (Cone/Unanimous)

Case No. 7517 - The Committee acted to recommend closure with a confidential Letter of Concern and a recommendation for completion of a medical record keeping course with a follow up record review. (McGeorge/Unanimous)

Case No. 7714 - The Committee acted to recommend closure. (McGeorge/Unanimous)

Case No. BOM-2014-699 - The Committee acted to recommend allowing licensee to request cancellation of license in lieu of action. (Cone/Unanimous)

Case No. 2013-BOM-7331 - The Committee acted to recommend further investigation and consultant review of medical records. (McGeorge/Unanimous)

Case No. BOM-2003-343 - The Committee acted to recommend approval of a request for termination of a Stipulation and Order provided

licensee agrees not to apply for license renewal.
(McGeorge/Unanimous)

Case No. 7695 - The Committee acted to recommend closure.
(McGeorge/Unanimous)

Case No. 7706 - The Committee acted to recommend closure with a confidential Letter of Concern. (McClusky/Unanimous)

Case No. BOM-2014-671 - The Committee acted to recommend closure with no action on a request for reconsideration of a previously entered Board Order. (McGeorge/Unanimous)

Case No. 7571 - The Committee acted to recommend closure with a confidential Letter of Concern. (Cone/Unanimous) (McGeorge recused)

Case No. BOM-2014-701 - The Committee acted to recommend closure with no action on a request for reconsideration of a previously entered Board Order, and to assess a \$500 fine for falsification of a license application. (McGeorge/Unanimous)

Case No. 7677 - The Committee acted to recommend further investigation and review of medical records. (McGeorge/Unanimous)

The Committee acted to recommend that the following cases be closed by consent motion: 7573, 7592, 7637, 7643, 7651, 7664, 7665, 7666, 7667, 7669, 7670, 7671, 7672, 7682, 7683, 7684, 7688, 7691, 7696, 7697, 7702, 7703, 7705, 7708, 7711, 7715, 7716, 7717, 7720 and 7723. (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).
(Cone/Unanimous)

The Committee reviewed follow-up information presented in Case Nos. BOM-2014-667, BOM-2015-706, MON-202, BOM-2015-705, BOM-2015-717, BOM-2014-646, BOM-2013-615, BOM-2013-621, 7549, MON-187, BOM-2015-712, BOM-2015-713, BOM-2015-703, BOM-2012-565, 7648, 7104, BOM-2015-718, MON-238, MON-220, 7655, BOM-2014-659, and BOM-2015-714.

The Committee reviewed the Stipulation and Order Compliance Report for information only. 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 12:34 p.m. on Friday, June 5, 2015.