

M I N U T E S  
Committee on Professional Discipline  
Friday, September 11, 2015

PARTICIPATING:

The Committee on Professional Discipline (Committee) meeting was called to order by Chairman Laura McGeorge, MD, Boise, at 8:05 a.m. on Friday, September 11, 2015, at the Holiday Inn Express, Boise, Idaho. Present were Committee on Professional Discipline members; William Cone, MD, Moscow; Barry Bennett, MD, Idaho Falls. Staff attending were Anne Lawler, Interim Executive Director; Mary Leonard, Associate Director; Connie Pyles, Quality Assurance Specialist; Frutoso Gonzalez, Quality Assurance Specialist; Darlene Parrott, Compliance Monitor; and Jean Uranga, Attorney for the Board.

At 9:12 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, M.D., Moscow; Kathleen Sutherland, M.D., Boise; Joseph Williams, M.D., Meridian; Christopher Peine, D.O., Eagle; Col. Ralph Powell, Meridian; Erich Garland, M.D., Idaho Falls; Michele Chadwick, public member, Emmett; and Erwin Sonnenberg, public member, Boise.

MINUTES:

The minutes of the Friday, June 5, 2015, meeting were approved as written.  
(Cone/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:

Motion to go into Executive Session at 8:06 a.m. in accordance with Idaho Code §74-206 (1)(d) to consider records exempt from public disclosure. (Motion Bennett/Affirmed Cone and McGeorge)

In Executive Session, the Committee met with two Respondents and their attorneys pursuant to scheduled appearances.

At 9:01 a.m. the committee left executive session to go into a joint, open session with the Board of Medicine members to consider a Supreme Court remand. (Bennett/Unanimous). Following an appearance by respondent and attorney, the committee acted to go back into executive session at 9:42 a.m. for discussion. (Motion Garland, Board of Medicine) (Jean Uranga left the room). At 10:41 a.m. the Board of Medicine portion was recessed (Motion Peine, Board of Medicine) to resume the Committee on Professional Discipline meeting in consideration of the results of investigations and information presented in each discipline case. Jean Uranga rejoined the committee.

At 11:43 a.m. the Committee acted to leave Executive Session and go into Open Session for a scheduled presentation by the PRN committee. (McGeorge/Unanimous)

At 12:36 p.m. the Committee went back into executive session to complete the regular meeting.  
At 1:30 p.m. the committee acted to leave executive session. (Cone/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-2011-537 - The Committee acted to recommend completion of a formal evaluation with possible amendment of a Final Order pending the results of that evaluation. The committee also acted to recommend a permanent restriction on the reinstated license (if approved) (Bennett/Majority). The Committee further acted to recommend assessment of 50% of the attorneys' fees and costs of the formal proceedings. (Cone/Unanimous)

Case No. BOM-2015-704 - The Committee acted to recommend further investigation and documentation as well as a follow up record review in 6 months. (Cone/Unanimous)

Case No. BOM-2015-724 - The Committee acted to recommend closure with a confidential Letter of Concern with a recommendation for a record keeping course. (Bennett/Unanimous)

Case No. 7724 - The Committee acted to recommend further investigation and review of medical records. (McGeorge/Unanimous)

Case No. MON-149 - The Committee acted to recommend approval of a request for termination of a Stipulation and Order. (Cone/Unanimous)

Case No. BOM-2014-679 - The Committee acted to recommend closure with a confidential Letter of Concern. (Bennett/Unanimous)

Case No. 7782 - The Committee acted to recommend a Stipulation and Order for completion of a formal evaluation, with follow up as indicated. (Bennett/Unanimous)

Case No. BOM-2015-705 - The Committee acted to recommend keeping this case open pending an evaluation free of factual errors. (Bennett/Unanimous)

Case No. 7771 - The Committee acted to recommend closure with a Confidential Letter of Concern. (Bennett/Unanimous)

Case No. 7687 - The Committee acted to recommend closure. (Bennett/Unanimous)

Case No. 7744 - The Committee acted to recommend closure with a Confidential Letter of Concern. (Cone/Unanimous) (Bennett recused)

Case No. 7730 - The Committee acted to recommend closure with a Confidential Letter of Concern. (McGeorge/Unanimous)

Case No. 7701 and 7721 - The Committee acted to recommend closure with a flag on the license in case licensee attempts reinstatement. (McGeorge/Unanimous)

Case No. 7677 - The Committee acted to recommend a Stipulation and Order for completion of a medical record keeping course. (Bennett/Unanimous) (Garland recused)

Case No. 7773 - The Committee acted to recommend a fine for incorrect answers provided on a renewal application. (Bennett/Unanimous) (Garland recused)

Case No. 7753 - The Committee acted to recommend closure with a confidential Letter of Concern and a recommendation for completion of a pain management course. (McGeorge/Unanimous)

Case No. BOM-2014-692 - The Committee acted to recommend closure with a confidential Letter of Concern. (Bennett/Unanimous) (Sonnenberg recused)

Case No. BOM-2015-728 - The Committee acted to recommend keeping this case open until completion of an ethics course and reimbursement of costs. (Bennett/Unanimous)

Case No. 7727 - The Committee acted to recommend closure. (Bennett/Unanimous)

Case No. BOM-2014-694 - The Committee acted to recommend reiterating its offer of the previous Stipulation and Order. (McGeorge/Unanimous)

Case No. 7710 - The Committee acted to recommend closure with a flag on the license in case licensee attempts reinstatement. (McGeorge/Unanimous)

Case No. 7719 - The Committee acted to recommend closure with a confidential Letter of Concern. (Bennett/Unanimous)

Case No. 7734 - The Committee acted to recommend closure. (Bennett/Unanimous)

Case No. 7772 - The Committee acted to recommend closure with a confidential Letter of Concern. (Bennett/Unanimous)

Case No. 7736 - The Committee acted to recommend offering a Stipulation and Order for completion of a pain management course with a follow up medical record review in 6 months. (Bennett/Unanimous)

Case No. 7747 - The Committee acted to recommend a consultant review of records. (Bennett/Unanimous)

Case No. 7767 - The Committee acted to recommend closure. (Cone/Unanimous)

Case No. 7737 - The Committee acted to recommend closure. (Bennett/Unanimous)

Case No. MON-108 - The Committee acted to recommend approval of a request for termination of a Stipulation and Order. (Cone/Unanimous)

The Committee acted to recommend that the following cases be closed by consent motion: 7581, 7675, 7722, 7725, 7726, 7728, 7729, 7731, 7732, 7733, 7735, 7738, 7741, 7742, 7743, 7746, 7754, 7755, 7756, 7763, 7768, 7769, 7777, and PAC-2014-682 (Cone/Unanimous)

The Committee reviewed follow-up information presented in Case Nos. BOM-2013-640, MON-152, BOM-2015-711, BOM-2015-707, BOM-2013-641, MON-137, BOM-2014-693, 7436, 7627, 7549, MON-176, MON-250, BOM-2014-684, BOM-2014-699, BOM-2015-731, 7571, and 7751.

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 Laura McGeorge, M.D., adjourned the meeting at 1:30 p.m. on Friday, September 11, 2015.