

M I N U T E S  
Committee on Professional Discipline  
Friday, December 4, 2015

PARTICIPATING:

The Committee on Professional Discipline (Committee) meeting was called to order by Chairman Laura McGeorge, MD, Boise, at 8:02 a.m. on Friday, December 4, 2015, at the Holiday Inn Express, Boise, Idaho. Present were Committee on Professional Discipline members, William Cone, MD, Moscow; Barry Bennett, MD, Idaho Falls; and William Ganz, MD, Coeur d'Alene. Public member Fran Symms arrived later. Staff attending were Anne Lawler, Executive Director; Mary Leonard, Associate Director; Connie Pyles, Quality Assurance Specialist; Frutoso Gonzalez, Quality Assurance Specialist; Amber Oatman, Quality Assurance Specialist; Darlene Parrott, Compliance Monitor; and Jean Uranga, Attorney for the Board.

At 9:59 a.m. Board of Medicine (Board) members joined the meeting: Robert Ward, M.D., Twin Falls; Kathleen Sutherland, M.D., Boise; John Brown, M.D., Moscow; Joseph Williams, M.D., Meridian; Erich Garland, M.D., Idaho Falls and Erwin Sonnenberg, public member, Boise.

MINUTES:

The minutes of the Friday, September 11, 2015, meeting were approved as written.  
(Bennett/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:

Motion to go into Executive Session at 8:02 a.m. in accordance with Idaho Code §74-206 (1)(d) to consider records exempt from public disclosure. (Motion Bennett/Affirmed Ganz, Cone and McGeorge)

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

At 1:01 p.m. the Committee acted to leave Executive Session and go into Open Session.  
(Bennett/Unanimous)

In Open Session, the Committee voted on the matters considered during Executive Session.  
(Cone/Unanimous) The recommendations made to the Board of Medicine were as follows:

Case No. BOM-2014-721 - The Committee acted to recommend keeping this case open pending voluntary completion of medical record and pain management courses, with a follow up record review 6 months later. In addition, the Committee recommended Respondent consider dictating medical records. (Bennett/Unanimous). The Committee further acted to recommend Respondent voluntarily reimburse the Board's costs and attorneys' fees. (Bennett/Unanimous)

Case No. BOM-2014-694 - The Committee acted to recommend closure with a confidential Letter of Concern with a recommendation for completion of a pain management course and a

voluntary agreement not to supervise physician assistants. (Ganz/Unanimous) The Committee further acted to recommend Respondent voluntarily reimburse the Board's costs and attorneys' fees. (Bennett/Unanimous)

Case No. BOM-2015-720 - The Committee acted to recommend keeping this case open pending voluntary completion of a medical record course with a follow up record review 6 months later, and reimbursement of the Board's costs and attorney's fees. (Bennett/Unanimous)

Case No. BOM-2015-730 - The Committee acted to recommend keeping this case open pending voluntary completion of an ethics course and reimbursement of the Board's costs and attorney's fees. (Bennett/Unanimous) (Ganz recused and left the room)

Case No. 7784 - The Committee acted to recommend completion of a chemical dependency evaluation at a Board approved facility, with follow up as indicated. (Bennett/Unanimous)

Case No. 7811 - The Committee acted to recommend keeping this case open for further investigation. (Bennett/Unanimous)

Case No. BOM-2015-705 - The Committee acted to recommend closure with a confidential Stipulation and Order for one year of monitoring and counseling. (Cone/Unanimous)

Case No. 7776 - The Committee acted to recommend closure with a Public Reprimand. (Bennett/Unanimous)

Case No. 7770 - The Committee acted to recommend closure. (Bennett/Unanimous)

Case No. 7750 - The Committee acted to recommend closure with a Stipulation and Order for completion of an ethics course. (McGeorge/Unanimous)

Case No. 7779 - The Committee acted to recommend closure with a Stipulation and Order requiring a chemical dependency evaluation at a Board approved facility and a \$500 fine for falsification of license renewal, or accept license surrender in lieu of formal proceedings. (Ganz/Unanimous)

Case No. 7781 - The Committee acted to recommend a stipulation to a revocation of license. (Cone/Unanimous)

Case No. 7778 - The Committee acted to recommend a Stipulation and Order for a confidential reprimand and \$500 fine for falsification of license renewal application. (Bennett/Unanimous)

Case No. 7791 - The Committee acted to recommend closure with a confidential Letter of Concern and a warning regarding the number of recent complaints related to professional demeanor. (Ganz/Unanimous)

Case No. 7819 - The Committee acted to recommend further investigation and record reviews. (McGeorge/Unanimous)

Case No. 7832 - The Committee acted to recommend closure. (McGeorge/Unanimous)

Case No. 7840 - The Committee acted to recommend voluntary license surrender. (McGeorge/Unanimous)

Case No. 7775 - The Committee acted to recommend closure with a letter notifying Respondent of the possible consequences of violating the Medical Practice Act. (Cone/Unanimous)

Case No. 7752 - The Committee acted to recommend further investigation. (Bennett/Unanimous)

Case No. 7792 - The Committee acted to recommend closure. (Bennett/Unanimous)

Case No. 7802 - The Committee acted to recommend closure. (Bennett/Unanimous)

Case No. 7805 - The Committee acted to recommend voluntary license surrender. (McGeorge/Unanimous)

Case No. 7788 - The Committee acted to recommend closure. (Bennett/Unanimous)

Case No. 7809 - The Committee acted to recommend closure with a confidential Letter of Concern. (Bennett/Unanimous)

Case No. 7739 - The Committee acted to recommend closure with a confidential Letter of Concern. (Ganz/Unanimous) (Bennett recused)

Case No. 7823 - The Committee acted to recommend closure with a confidential Letter of Concern with a recommendation to review Board of Pharmacy rules regarding controlled substance prescribing. (Ganz/Unanimous) (McGeorge recused)

Case No. 7810 - The Committee acted to recommend closure with a Stipulation and Order for adherence to the recommendations from a CPEP evaluation and prohibiting supervision of physician assistants. (McGeorge/Unanimous)

Case No. BOM-2015-733 and 7747 - The Committee acted to recommend closure with a Stipulation and Order for completion of a CPEP evaluation with follow up as indicated. (McGeorge/Unanimous)

Case No. BOM-2003-343 - The Committee acted to recommend approval of a request for termination of a Stipulation and Order. (Bennett/Unanimous)

Case No. 7774 - The Committee acted to recommend further investigation. (McGeorge/Unanimous)

Case No. 7799 - The Committee acted to recommend closure with a confidential Letter of

Concern. (McGeorge/Unanimous)

Case No. 7765 - The Committee acted to recommend further investigation and consultant review of medical records. (Cone/Unanimous)

Case No. 7820 - The Committee acted to recommend consultant review of medical records. (Cone/Unanimous)

Case No. 7740 - The Committee acted to recommend closure with a Stipulation and Order to cease practice with non-medical practitioners. (Bennett/Unanimous)

Case No. 7796 - The Committee acted to recommend closure with a confidential Letter of Concern. (Bennett/Unanimous)

Case No. BOM-2015-714 - The Committee acted to recommend reduction by half of the fine imposed for Idacare non-compliance. (Ganz/Unanimous)

The Committee acted to recommend that the following cases be closed by consent motion: 7724, 7757, 7759, 7760, 7762, 7764, 7785, 7786, 7793, 7794, 7795, 7797, 7798, 7800, 7801, 7803, 7804, 7806, 7807, 7808, 7812, 7815, 7816, 7817, 7824, 7825, 7827, 7833 and BOM-2015-736. (Ganz/Unanimous)

The Committee reviewed follow-up information presented in Case Nos. BOM-2012-562, BOM-2012-582, BOM-2014-691, BOM-2015-735, BOM-2015-728, BOM-2013-681, BOM-2015-729, BOM-2015-727, 7627, BOM-2015-708, 7542, BOM-2015-713 and MON-108.

The Committee reviewed two reports 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) in each case. (Bennett/Unanimous)

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 1:02 p.m. on Friday, December 4, 2015.