

M I N U T E S
Committee on Professional Discipline
March 2, 2012

PARTICIPATING:

Committee on Professional Discipline meeting was called to order by Chairman Stephen Marano, M.D., Idaho Falls, at 7:58 a.m. on Friday, March 2, 2012 in the ParkCenter Room of the Doubletree Club Hotel in Boise, Idaho. Present were Committee on Professional Discipline members: Wendell Wells, M.D., Burley, Arthur C. Jones, III, M.D., Boise; Julia Bouchard, M.D., Boise; and Michael Johnson, Public Member, Boise. Also attending were Nancy Kerr, Executive Director, Mary Leonard, Associate Director; Cathleen Morgan, Board Counsel; Cynthia Michalik, Quality Assurance Specialist; Janet Whelan, Quality Assurance Specialist; Darlene Parrott, Compliance Monitor and Jean Uranga, Attorney for the Board.

At 9:24 a.m. Board of Medicine members arrived: Leo Harf, M.D., Chairman, Nampa; Barry Bennett, M.D., Vice-Chairman, Idaho Falls; William A. Cone, M.D., Lewiston; William Ganz, M.D., Coeur d'Alene; Joseph Williams, M.D., Meridian; Ralph Sutherlin, D.O., Boise; Robert Ward, M.D., Twin Falls; Trudy Jackson, Public Member, Emmett, B. Joyce McRoberts, Public Member, Meridian and Col. Jerry Russell, Meridian.

MINUTES:

The minutes of the December 2, 2011 meeting were approved as written. (Jones/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:

Motion to go into Executive Session at 7:58 a.m. in accordance with Idaho Code §67-2345(b), (d) and (f) to discuss confidential current and potential litigation issues and discuss personal matters relating to the character, professional competence or physical or mental health of an applicant. (Motion/Jones. Affirmed Bouchard, Marano, Wells, and Johnson)

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

At 10:40 a.m. the Committee acted to leave Executive Session and go into Open Session. (Wells/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. 6809 - The Committee acted to defer consideration pending a complete response from licensee. (Consensus)

Case No. 6918 - The Committee acted to recommend closure with a

confidential Letter of Reprimand. (Jones/Unanimous)

Case No. BOM-2011-537 - The Committee acted to recommend initiation of formal proceedings. (Jones/Unanimous)

Case Nos. BOM-2008-124, BOM-2009-173 and BOM-2009-179 - The Committee acted to recommend closure. (Jones/Unanimous)

Case No. 6816 - The Committee acted to recommend closure with a public Letter of Reprimand. (Wells/Motion Passed)

Case No. 6897 - The Committee acted to recommend closure with a public Letter of Reprimand. (Jones/Unanimous)

Case No. 6932 - The Committee acted to recommend closure with a confidential Letter of Concern. (Jones/Unanimous)

Case No. 6914 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6935 - The Committee acted to recommend closure with a confidential Letter of Concern. (Wells/Unanimous) (Bouchard recused)

Case No. 6912 - The Committee acted to recommend closure with a public Letter of Reprimand and requirement for a record keeping course. (Bouchard/Unanimous)

Case No. 6948 - The Committee acted to recommend further investigation. (Wells/Unanimous)

Case No. 6923 - The Committee acted to recommend closure with a Stipulation and Order to restrict possession and prescription of controlled substances. (Wells/Unanimous)

Case No. 6961 - The Committee acted to recommend closure with a confidential Letter of Concern. (Bouchard/Unanimous)

Monitor Case No. 29 - The Committee acted to recommend approval of the request for modification of a Stipulation and Order. (Wells/Unanimous)

Case No. 6801 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6952 - The Committee acted to recommend closure with a confidential Letter of Reprimand. (Jones/Unanimous)

Case No. 6891 - The Committee acted to recommend a full psychiatric evaluation. (Jones/Unanimous)

Case No. 6945 - The Committee acted to recommend further investigation. (Jones/Unanimous)

Case No. 6944 - The Committee acted to recommend a Stipulation and Order for a full drug and alcohol evaluation with standard Physician Recovery Network follow up as indicated.

(Jones/Unanimous)

Case No. 6941 - The Committee acted to recommend closure with a confidential Letter of Concern. (Bouchard/Unanimous)

Monitor Case No. 38 - The Committee acted to recommend denial of a request for termination of a Stipulation and Order. (Johnson/Unanimous) (Jones recused)

The Committee acted to recommend that the following cases be closed by consent motion: 6854, 6859, 6870, 6871, 6886, 6887, 6888, 6892, 6893, 6896, 6898, 6899, 6900, 6901, 6902, 6906, 6916, 6917, 6919, 6920, 6921, 6922, 6924, 6928, 6929, 6936, 6940, 6942, 6943, 6946, 6950, 6951, 6953, 6955, 6957, 6958, 6959, 6960, 6964, 6966, 6970, 6971, 6972, 6980 (Johnson recused), MON-124, MON-138, BOM-2011-527.

The Committee reviewed compliance with the Patient Freedom of Information Act and acted to impose fines for the 5 non-compliant licensees listed.

The Committee reviewed follow-up information presented in Case Nos. 4369, 6693, 6744, 6817, MON-45, MON-63, MON-134, MON-157, BOM-2011-464, BOM-2011-487, BOM-2011-488, BOM-2011-524, and BOM-2011-535.

The Committee reviewed a compliance report in monitor Case No. MON-170 for information only.

The Committee reviewed the Stipulation and Order Compliance Report. 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 Stephen Marano, M.D., adjourned the meeting at 10:59 a.m. on Friday, March 2, 2012.