

# MINUTES

March 1, 2017

## STATE OF NEW HAMPSHIRE BOARD OF MEDICINE

The regularly scheduled meeting of the New Hampshire Board of Medicine was held at 121 South Fruit Street, Concord, New Hampshire on the above date, beginning at 8:00 A.M. Unless otherwise indicated, the members present and participating were: Michael Barr, M.D., President of the Board; Emily R. Baker, M.D., Vice President of the Board; John H. Wheeler, D.O.; Frank B. Dibble, Jr., M.D., DHHS Commissioner's Designee; Daniel P. Potenza, M.D.; David C. Conway, M.D.; Gilbert J. Fanciullo, M.D.; Gail Barba, Public Member and Daniel Morrissey, OP., Public Member. Absent was: Mark Sullivan, P.A.

### **Motion to commence 1<sup>st</sup> non-public session:**

On motion of Ms. Barba, seconded by Dr. Baker, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct, physician applications with irregularities and other confidential Board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

### **1<sup>st</sup> NON-PUBLIC SESSION:**

[Minutes kept separately]

### **Motion to keep minutes of 1<sup>st</sup> non-public session confidential:**

Upon the motion of Ms. Barba and the second of Dr. Baker, the Board voted to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member and/or to render the proposed action ineffective and/or is not subject to public disclosure pursuant to RSA 329:18, I, RSA 329:18-a, IV or RSA 329:29. However, forty-eight hours after the mailing of any order, its respective vote shall automatically become public in accordance with RSA 329:18-a. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

**On motion of Ms. Barba, seconded by Dr. Baker, the Board voted to go into public session.**

**MINUTES  
PUBLIC SESSION  
BOARD OF MEDICINE  
March 1, 2017**

**MEETINGS/INTERVIEWS/HEARINGS WITH THE BOARD:**

Interview with Sanders Burstein, M.D. regarding the open family practice position on the Medical Review Subcommittee. Board Action: 3/1/17 – On motion of Dr. Baker, seconded by Dr. Barr, recommend Dr. Burstein to Governor and Council for appointment to the Medical Review Subcommittee. Unanimous.

Interview with Mark A. Hadley, M.D., Ph.D. regarding the open radiology position on the Medical Review Subcommittee. Board Action: 3/1/17 – On motion of Dr. Baker, seconded by Dr. Barr, inform Dr. Hadley that the Board chose another candidate for the position. Unanimous.

Interview with David Hou, M.D. regarding the open radiology position on the Medical Review Subcommittee. Board Action: 3/1/17 – On motion of Dr. Baker, seconded by Dr. Barr, inform Dr. Hou that the Board chose another candidate for the position. Unanimous.

Nick Perencevich, M.D., Physician Investigator. Board Action: 3/1/17 – Dr. Perencevich discussed the following with the Board:

1. Dinner for outgoing members to be held on May 3, 2017 after the regularly scheduled Board of Medicine meeting.
2. Meeting with the Executive Director of the Board of Nursing to discuss cases went well.
3. The Board discussed with Dr. Perencevich the possibility of him speaking with the public members of the MRSC to see if any of them are willing to be a public member on the Board and be the “swing” person between the Board and the MRSC.

Meeting with John MacEachran, M.D. regarding physician providing consulting services to NHDDS – are those physicians practicing medicine as described in RSA 329:1. Board Action: 3/1/17 – Board informed Dr. MacEachran that it could not give him legal advice regarding this issue.

Meeting with John Warren, M.D. to discuss his request of the Board to reconsider its decision to revoke his New Hampshire license. Board Action: 3/1/17 – On motion of Dr. Barr, seconded by Ms. Barba, Board considers Dr. Warren’s request an oral motion for reconsideration and voted to deliberate again. Unanimous. On motion of Ms. Barba, seconded by Dr. Barr, grant motion for reconsideration. 5-3 motion carries. On motion of Dr. Barr, seconded by Dr. Potenza, remove revocation and restore license with a reprimand and assess a fine of \$300/day from November 17, 2016, the date the Order to Show Cause and Notice of Hearing was issued, to February 8, 2017, the date Dr. Warren came into compliance with his CME requirements for the cycle 2013-2014 (83 days x \$300/day = \$24,900). The fine will be in the amount of \$24,900 of which \$19,900 shall be waived if the remaining \$5,000 is paid in full within thirty (30) days of the effective date of the Order.

**Actions authorized during 1<sup>st</sup> non-public session:**

**I. NEW APPLICATIONS:**

**PHYSICIAN TEMPORARY**

**LICENSES:** Board Action: 3/1/17 – On motion of Dr. Wheeler, seconded by Ms. Barba, approve for temporary license. Unanimous.

ABLAN, Danilo N., M.D. – Internal Medicine (Board Certified) - University of Santo Tomas in Philippines, 1978.

**PHYSICIAN LICENSES:** Board Action: 3/1/17 – On motion of Dr. Wheeler, seconded by Ms. Barba, approve for full license. Unanimous.

ANNICHIARICO, Joseph N., D.O.- Physical Medicine & Rehabilitation (Board Certified) – Kirksville College of Osteopathic Medicine, 1989.

BJERKE, Henry S., M.D. – General Surgery – John A. Burns School of Medicine University of Hawaii, 1983.

CARON, Robin K., D.O. – Psychiatry (Board Certified) – University of New England College of Osteopathic Medicine, 2012.

DiGIANVITTORIO, Michael D., D.O. – Diagnostic Radiology (Board Certified) – University of New England College of Osteopathic Medicine, 2010.

FARRELL, Terrance G., D.O. – Emergency Medicine (Board Certified) – University of New England College of Osteopathic Medicine, 1985.

GALUSHA, Andrew D., M.D. – General Surgery (Board Certified) – University of Toledo College of Medicine, 2010.

HUNDAL, Mandeep, M.D. – Internal Medicine (Board Certified) – All-India Institute of Medical Sciences in India, 2002.

IACOB, Codrin E., M.D. – Pathology (Board Certified) – Universitatea De Medicina Si Farmacie Luliu Hatieganu in Romania, 1990.

KAPUR, Lucy H., M.D. – Pathology (Board Certified) – University of California San Diego School of Medicine, 2008.

KHATOD, Elaine G., M.D. – Diagnostic Radiology (Board Certified) – Wake Forest School of Medicine, 2001.

KITTS, Robert U., M.D. – Child and Adult Psychiatry (Board Certified) – State University of New York Upstate Medical University, 2004.

MALANEY, Roshini S., D.O. – Internal Medicine – Edward Via Virginia College of Osteopathic Medicine, 2011.

MILHAUSER, Robert C. S., M.D. – Internal Medicine (Board Certified) – University of The Philippines, 2003.

MILLER, Joseph M., M.D. – Ophthalmology (Board Certified) – Northeast Ohio Medical University, 1985.

SIEGEL, Noah S., M.D. – Otolaryngology (Board Certified) – University of Michigan Medical School, 1995.

WILLIAMS, Cleopas M., M.D. – Emergency Medicine (Board Certified) – Howard University College of Medicine, 1993.

**PHYSICIAN LICENSES:** Board Action: 3/1/17 – On motion of Dr. Wheeler, seconded by Ms. Barba, tabled waiting for additional information from Dr. Cassano. Unanimous.

CASSANO, Charvi A., M.D. – Pathology (Board Certified) – St George’s University in Grenada, 2007.

#### **LOCUM TENENS**

**LICENSES:** Board Action: 3/1/17 – On motion of Dr. Wheeler, seconded by Ms. Barba, approve for locum tenens license. Unanimous.

SMITH, Ripp A., M.D.

#### **CONSENT PHYSICIAN**

**TEMPORARY LICENSES:** Board Action: 3/1/17 – On motion of Dr. Wheeler, seconded by Ms. Barba, approve for temporary license. Unanimous.

GREENE, Candyce H., M.D. – Pediatrics (Board Certified) – Virginia Commonwealth University School of Medicine, 2005.

#### **CONSENT**

**PHYSICIAN LICENSES:** Board Action: 3/1/17 – On motion of Dr. Wheeler, seconded by Ms. Barba, approve for full license. Unanimous.

BOBB, Wendel T., M.D. – Neurophysiology (Board Certified) – Florida State University College of Medicine, 2009.

BROWN, Nathaniel J., M.D. – Anesthesiology – Saint Louis University School of Medicine, 2012.

BYRD, Beverly A., M.D. – OB/GYN (Board Certified) – Georgia Regents University, 1986.

COOMBS, Peter G., M.D. – Ophthalmology- Cornell University Medical College, 2011.

HILL, Paul A., M.D. – Diagnostic Radiology – Jefferson Medical College of Thomas Jefferson University, 2012.

HORNER, Cynthia P., M.D. – Family Practice (Board Certified) – Virginia Commonwealth University School of Medicine, 1994.

JOHNSTON, Janice G., M.D. – Family Practice – University of Toronto Faculty of Medicine in Canada, 1993. **(Pending Cleared Background Check).**

LIN, William M., M.D. – Dermatology (Board Certified) – Yale University School of Medicine, 2011.

LOGIE, Chikaodili I., M.D. – Diagnostic Radiology (Board Certified) – University of Maryland School of Medicine, 2006.

MARTINELLO, Domenic M., M.D. – Emergency Medicine (Board Certified) – University of Nevada School of Medicine, 2005.

MCGILL, Thomas W. III, D.O. – Internal Medicine – University of New England College of Osteopathic Medicine, 2014.

MEERANI, Saleem, M.D. – Internal Medicine – Chandka Medical College University of Sindh in Pakistan, 2005.

MENDOZA, Vinia M. C., M.D. – Internal Medicine (Board Certified) – University of the Philippines, 2003.

RAMOS, Lina T., M.D. – Psychiatry (Board Certified) – Universidad Central Del Caribe School of Medicine in Puerto Rico, 2004.

ROSENBERG, Keith M., M.D. – Emergency Medicine – Ohio State University College of Medicine, 2013.

SCHNEIDER, Brett E., M.D. – Diagnostic Radiology (Board Certified) – University of Vermont College of Medicine, 2008.

SHAO, Charles Y., M.D. – Pathology (Board Certified) – Capital University of Medical Sciences in China, 1983.

SHOUKEIR, Hatem T., M.D. – Gastroenterology (Board Certified) – American University of Beirut in Lebanon, 1998.

STUCKE, Ryland S., M.D. – General Surgery – Oregon Health & Science University School of Medicine, 2014.

TORRES, Ruth L., M.D. – Anesthesiology (Board Certified) – University of Puerto Rico School of Medicine, 1992.

WALKER, Barbara A., M.D. – Family Practice (Board Certified) – University of Maryland School of Medicine, 1997.

### **CONSENT REINSTATEMENT**

**PHYSICIAN LICENSES:** Board Action: 3/1/17 – On motion of Dr. Wheeler, seconded by Ms. Barba, approve for reinstatement of license. Unanimous.

TOLSTAD, Jeffrey I., M.D. – Anesthesiology (Board Certified) – George Washington University, 1981.

### **CONSENT PHYSICIAN**

**ASSISTANT LICENSES:** Board Action: 3/1/17 – On motion of Dr. Wheeler, seconded by Ms. Barba, approve for full license. Unanimous.

DENNEHY, Ellen M., P.A. (**Pending RSP/ARSP**)  
MESSINA, Lindsay M., P.A. (**Pending RSP/ARSP**)  
PAEY, Jessica L., P.A.  
ROMANO, David, P.A.  
TUELL, Daniel S., P.A. (**Pending RSP/ARSP**)

### **CONSENT PHYSICIAN ASSISTANT**

**REINSTATEMENT LICENSES:** Board Action: 3/1/17 – On motion of Dr. Wheeler, seconded by Ms. Barba, approve for reinstatement of license. Unanimous.

BARKLEY, Oliver R., P.A.  
PAQUETTE, Maurice G., P.A.

**II. Draft Minutes from the January 30, 2017 Emergency Board meeting.** Board Action: 3/1/17 – On motion of Dr. Barr, seconded by Dr. Fanciullo, approved. Unanimous.

**Draft Minutes from the January 31, 2017 Emergency Board meeting.** Board Action: 3/1/17 – On motion of Dr. Barr, seconded by Dr. Fanciullo, approved. Unanimous.

**Draft Minutes from the February 1, 2017 Board meeting.** Board Action: 3/1/17 – On motion of Dr. Barr, seconded by Dr. Fanciullo, approved. Unanimous.

### III. PUBLIC – PRESIDENT'S REPORT

None.

### V. PUBLIC - TABLED:

- T1.** Pursuant to SB 523-FN, new section RSA 318-B:41, the Board **must appoint three licensed physicians** to a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation. Thomas M. Sherman, M.D., NH State Representative, is recommending Dr. George Lantz, who is board certified in pain and anesthesia. **Board Action: 7/6/16** – On motion of Dr. Dibble, seconded by Ms. Barba, send request to the NH Medical Society for recommendations for appointments. Ms. Taylor to request Dr. Lantz write to the Board for consideration of appointment. Also, Ms. Taylor will ask Dr. Ralph Beasley if he is interested. Unanimous. **Board Action: 8/3/16** – On motion of Dr. Dibble, seconded by Dr. Potenza, **appoint Dr. Lantz to the commission.** Ms. Taylor will put a request up on the Board's website requesting volunteers for this commission and send the same "blurb" to Janet Monahan at the NH Medical Society asking her to put it in their newsletter. Tabled. Unanimous. **Board Action: 9/7/16** – Tabled. **Board Action: 10/5/16** – **Board still needs to appoint two licensed physicians to this commission.** Tabled. **Board Action: 11/2/16** – Tabled. **Board Action: 12/7/16** – Tabled. **Board Action: 1/4/17** – Tabled. **Board Action: 2/1/17** – Tabled. **Board Action: 3/1/17** – Tabled.
- T2.** Pursuant to SB 530-FN, new subdivision RSA 126-A:72, the Board **must appoint a physician assistant to a commission** to study volunteer health care services. **Board Action: 8/3/16** - Ms. Taylor will put a request up on the Board's website requesting volunteers for this commission and send the same "blurb" to Janet Monahan at the NH Medical Society asking her to put it in their newsletter. Unanimous. **Board Action: 9/7/16** – Tabled. **Board Action: 10/5/16** – Tabled. **Board Action: 11/2/16** – Tabled. **Board Action: 12/7/16** – Tabled. **Board Action: 1/4/17** – Tabled. **Board Action: 2/1/17** – Tabled. **Board Action: 3/1/17** – Tabled.
- T3.** DRAFT amended rules for review by the Board. **Board Action: 11/2/16** – On motion of Dr. Andelman, seconded by Mr. Waters, tabled. Unanimous. **Board Action: 12/7/16** – Tabled. **Board Action: 1/4/17** – Ms. Taylor will make changes and bring back to the Board in February. **Board Action: 2/1/17** – Tabled. **Board Action: 3/1/17** – Ms. Taylor to make changes and bring back to Board next month. Tabled.

- T4.** Board needs to appoint a member to the Childhood Lead Poisoning Screening Subcommittee Meeting as Sarah Blodgett was attending these meetings and will be leaving on June 30, 2016. **Board Action: 7/6/16** – Tabled. **Board Action: 8/3/16** – Tabled. Ms. Taylor will put a request up on the Board’s website requesting volunteers for this commission and send the same “blurb” to Janet Monahan at the NH Medical Society asking her to put it in their newsletter. Unanimous. **Board Action: 9/7/16** – Tabled. **Board Action: 10/5/16** – Tabled. **10/11/16** – Request from Catrina Watson, NH Medical Society, to appoint David Fredenburg, MD to this Subcommittee. **Board Action: 11/2/16** – On motion of Dr. Andelman, seconded by Dr. Barr, appoint David Fredenburg, M.D. to the Childhood Lead Poisoning Screening Subcommittee. Unanimous. Board still needs to appoint a pediatric health care provider. **Board Action: 12/7/16** – Tabled. **Board Action: 1/4/17** – Tabled. **Board Action: 2/1/17** – Tabled. **Board Action: 3/1/17** – Tabled.
- T5.** Discussion regarding “Collaborative rules with pharmacists” based on e-mail from Daniel Potenza, M.D. dated November 7, 2016. **Board Action: 1/4/17** – Dr. Potenza will send the draft rules to Ms. Taylor, who will forward them to the Board. **Board Action: 2/1/17** – Tabled. Dr. Potenza will provide updates monthly, if applicable.
- T6.** December 23, 2016 request from Joseph J. McGurrin, InforMed Continuing Medical Education for an interpretation of RSA 318-B:40, particularly the language “free appropriate prescriber’s regulatory board-approved online continuing education OR pass an online examination.” **Board Action: 1/4/17** – Ms. Taylor to put this on the agenda for February 1, 2017. **Board Action: 2/1/17** – On motion of Mr. Sullivan, seconded by Dr. Barr, Ms. Taylor to request access to the material for Dr. Fanciullo to review and report back to the Board in March. Unanimous. **Board Action: 3/1/17** – On motion of Dr. Fanciullo, seconded by Dr. Barr, approved. Unanimous.
- T7.** January 12, 2017 e-mail from John MacEachran, M.D. requesting an opinion from the Board as to whether physicians providing consulting services to NHDDS are practicing medicine as described in RSA 329:1 or meet the criteria of having a physician-patient relationship as defined in RSA 329:1-c with respect to their duties with NHDDS. **Board Action: 2/1/17** – Tabled. Invite Dr. MacEachran to the March 1, 2017 meeting. **Board Action: 3/1/17** – File.
- T8.** Interview with Jo Ann Hertford, M.D. regarding the open family practice position on the Medical Review Subcommittee.  
**Board Action: 2/1/17** – Tabled until March 1, 2017 meeting.  
**Board Action: 3/1/17** - On motion of Dr. Baker, seconded by Dr. Barr, inform Dr. Hertford that the Board chose another candidate for the position. Unanimous.
- T9.** Interview with Mark Goldshein, M.D. regarding the open radiology position on the Medical Review Subcommittee.  
**Board Action: 2/1/17** – Tabled until March 1, 2017 meeting.  
**Board Action: 3/1/17** – On motion of Dr. Barr, seconded by Dr. Fanciullo, recommend Dr. Goldshein to Governor and Council for appointment to the Medical Review Subcommittee. Unanimous.



## **VI. PUBLIC - NEW BUSINESS:**

### **A. Informational:**

### **B. Action Items:**

1. January 30, 2017 request from Robert R. Sprague, M.D. for a recommendation to Governor and Council for the open radiology position on the Medical Review Subcommittee. Dr. Sprague can meet with the Board on April 5, 2017 if the Board has not yet chosen a candidate for this position. Board Action: 3/1/17 - On motion of Dr. Baker, seconded by Dr. Barr, inform Dr. Sprague that the Board chose another candidate for the position. Unanimous.
2. January 27, 2017 e-mail from James Potter, NH Medical Society, requesting Board approval of the DAST-10 Risk Assessment Tool for Opioid Prescription Rules. Board Action: 3/1/17 – On motion of Dr. Dibble, seconded by Dr. Barr, approve. Unanimous.
3. January 30, 2017 e-mail from Mitchell A. Stotland, M.D. requesting an extension to complete his CMEs for the cycle January 1, 2015 through December 31, 2016. Board Action: 3/1/17 – On motion of Ms. Barba, seconded by Dr. Fanciullo, approve extension to March 31, 2017. Unanimous.
4. February 7, 2017 request from John F. Warren, M.D. for the Board to reconsider its decision to revoke his New Hampshire license. Board Action: 3/1/17 – On motion of Dr. Barr, seconded by Ms. Barba, Board considers Dr. Warren’s request an oral motion for reconsideration and voted to deliberate again. Unanimous. On motion of Ms. Barba, seconded by Dr. Barr, grant motion for reconsideration. 5-3 motion carries. On motion of Dr. Barr, seconded by Dr. Potenza, remove revocation and restore license with a reprimand and assess a fine of \$300/day from November 17, 2016, the date the Order to Show Cause and Notice of Hearing was issued, to February 8, 2017, the date Dr. Warren came into compliance with his CME requirements for the cycle 2013-2014 (83 days x \$300/day = \$24,900). The fine will be in the amount of \$24,900 of which \$19,900 shall be waived if the remaining \$5,000 is paid in full within thirty (30) days of the effective date of the Order.
5. February 2, 2017 memorandum from Emily Baker, M.D. regarding opioid courses that are listed on the Board’s website which include a fee. Board Action: 3/1/17 – File.
6. February 8, 2017 e-mail from Mary West, NH Medical Society, regarding expired opioid courses listed on the Board’s website and also links that are difficult to navigate to. Board Action: 3/1/17 – On motion of Dr. Fanciullo, seconded by Dr. Barr, inform the NH Medical Society that the Board is working on fixing the issues regarding the opioid courses and will update its list and process in the next 30-90 days. Unanimous.

7. February 8, 2017 e-mail from Marsha Snyder, M.D. regarding expired opioid courses and links to opioid courses that are confusing on the Board's website. Board Action: 3/1/17 – On motion of Dr. Fanciullo, seconded by Dr. Barr, inform Dr. Snyder that the Board is working on fixing the issues regarding the opioid courses and will update its list and process in the next 30-90 days. Unanimous.
8. February 8, 2017 e-mail from Lou Nackman, M.D. requesting approval of the CURRENT SBIRT course for compliance with the 3-hour opioid requirement. Board Action: 3/1/17 – On motion of Dr. Fanciullo, seconded by Dr. Barr, inform Dr. Nackman that the Board does not approve the expired SBIRT course and that the Board is working on fixing the issues regarding the opioid courses and will update its list and process in the next 30-90 days. Unanimous.
9. February 5, 2017 letter from Bienvenido L. Manzanero, M.D. requesting an extension to complete his CMEs for the cycle January 1, 2015 through December 31, 2016. Board Action: 3/1/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, approve extension to June 30, 2017. Unanimous.
10. NH Professionals Health Program (“PHP”) needs a Board member appointed to its Board of Directors as Bruce Friedman, M.D. has resigned. Board Action: 3/1/17 – Ms. Taylor to find out how often the NH PHP Board of Directors meets and report back to the Board next month.
11. Krista N. Morris, Legislative Liaison/Policy Administrator, Division of Public Health Services, Department of Health and Human Services, sent SB222 to the Board requesting a Board member attend the hearing on March 7, 2017 at 1:30 P.M. Board Action: 3/1/17 – On motion of Dr. Dibble, seconded by Ms. Barba, Board President will write to the Chair and Committee members. Also, any Board member who can attend will attend and indicate the Board is in favor of SB222. Unanimous.

## **VII. PUBLIC – LATE AGENDA ITEMS:**

None.

## **VIII. PUBLIC ORDERS ISSUED:**

**SALERNI, Anthony A., M.D.** – Settlement Agreement.

Board Action: 03/1/17 – On motion of Dr. Dibble, seconded by Dr. Wheeler, approve Settlement Agreement. *Dr. Potenza absent.* All others concurred.

## IX. DISCIPLINARY PROCEEDINGS:

### HEARINGS SCHEDULED:

**KHAN, Adnan S., M.D.** – Hearing scheduled for April 5, 2017 at 1:00 P.M.

~~**CALL, Kenneth D., M.D.**~~

Case #: 2015-226

*Dr. Rosenthal and Dr. Dibble recused.*

*Dr. Barr is the Presiding Officer.*

*Michelle Heaton, Esq. is Hearing Counsel from APU.*

**Board Action: 05/4/16** – On motion of Dr. Andelman, seconded by Mr. Waters, issue Notice of Hearing. Dr. Barr will be the Presiding Officer. The hearing will be held January 4, 2017. 8-1 abstained. Motion carries.

**Board Action: 09/7/16** - On motion of Ms. Barba, seconded by Mr. Waters, approved Settlement Agreement regarding Adnan S. Khan, M.D. Unanimous.

**12/14/16** – Presiding Officer cancelled hearing scheduled for January 4, 2017.

**Board Action: 01/4/17** – On motion of Mr. Sullivan, seconded by Dr. Baker, approve Settlement Agreement for Dr. Call. Unanimous.

#### **The following is in regards to Dr. Khan only:**

**11/22/16** - *Joint Petition For a Hearing Before the Board of Medicine Regarding Respondent Adnan Khan, M.D.'s Request for Approval of an Amended Settlement Agreement* dated November 22, 2016. *Dr. Rosenthal and Dr. Dibble recused.*

**Board Action: 12/7/16** – On motion of Mr. Sullivan, seconded by Mr. Waters, deny Petition indicating that Dr. Khan has not told the Board that the requirements in his current Settlement Agreement cannot be carried out at another hospital. If there are conditions that Dr. Khan cannot meet, this would void the current Settlement Agreement and the Board will proceed with the hearing on January 4, 2017. Dr. Rosenthal and Dr. Dibble recused. All others concurred.

**01/04/17** – The parties showed up at the Board meeting requesting the Board to approve a Stay of sections 8E(c-g) in Dr. Khan's Settlement Agreement.

**Board Action: 1/4/17** – On motion of Dr. Barr, seconded by Mr. Sullivan, Board verbally notified the parties to put their Motion to Stay in writing and Dr. Barr will review and rule on the Motion and it will be ratified at the Board's next meeting. Board has already rejected the amended Settlement Agreement and the hearing will be scheduled for April 5, 2017 at 1:00 P.M. Dr. Dibble recused. All others concurred. Dr. Wheeler was present for this vote.

**01/05/17** – *Order Denying Joint Petition For a Hearing Before the Board of Medicine Regarding Respondent Adnan Khan, M.D.'s Request for Approval of an Amended Settlement Agreement.*

**01/06/17** – *Joint Petition For a Stay of Certain Provisions of the September 14, 2016 Settlement Agreement.*

**01/27/17** – *Joint Petition For Clarification/Reconsideration of Board's January 5, 2017 Order.*

**Board Action: 2/1/17** – On motion of Mr. Sullivan, seconded by Dr. Potenza, deny reconsideration and explain to the parties that as indicated in the January 5, 2017 Order Denying Joint Petition for a Hearing Before the Board of Medicine Regarding Respondent Adnan Khan, M.D.'s Request for Approval of an Amended Settlement Agreement, because the current Settlement Agreement cannot be followed, it is void and the original Notice of Hearing stands and the hearing will be held on April 5, 2017 at 1:00 P.M. Dr. Dibble recused. 6 in favor, 1 against. Motion carries.

**02/08/17** – *Order Denying Joint Petition For Clarification/Reconsideration of Board's January 5, 2017 Order.*

**02/10/17** – *Procedural Order* issued scheduling a prehearing conference for February 15, 2017 at 10:00 A.M.

**02/15/17** – Prehearing held.

**03/10/17** – *Joint Petition for a Continuance of the April 5, 2017 Hearing in Light of Filed Proposed Settlement Agreement.*

**CAMERON, Carol L., M.D.** – Hearing scheduled for April 5, 2017 at 3:00 P.M.

Case #: 2014-383

*Dr. Barr is the Presiding Officer.*

*No Hearing Counsel from APU.*

**11/22/16** – *Procedural Order on Licensee's Requests and Notice of Hearing to Show Cause* approved by Presiding Officer and issued – to be ratified at Board's December 7, 2016 meeting.

**Board Action: 12/7/16** – On motion of Dr. Baker, seconded by Mr. Sullivan, Board ratified the Procedural Order on Licensee's Requests and Notice of Hearing to Show Cause. Unanimous.

**WILLIAMS, Edward J., M.D.** – Hearing scheduled for May 3, 2017 at 1:00 P.M.

**DILLON, Kasey L., P.A.**

Case #: 2014-43

*Dr. Rosenthal recused.*

*Dr. Dibble is the Presiding Officer.*

*Michelle Heaton is Hearing Counsel from APU.*

Board Action: 08/3/16 – On motion of Dr. Andelman, seconded by Dr. Dibble, issue Notice of Hearing as amended. Schedule the hearing for March 1, 2017 at 1:00 P.M. Dr. Barr, or someone else appointed by the Board, will act as the Presiding Officer. Unanimous.

**09/14/16** – *Notice of Appearance* submitted by John D. Cassidy, Esq. and Christopher M. Bracci, Esq., Ficksman & Conley, LLP.

**12/12/16** – Letter from Attorney Cassidy indicating that if the hearing goes forward, he is requesting that it be scheduled to a date other than March 1, 2017, as he is expected to be out of the country at the time.

**Board Action: 01/4/17** – On motion of Mr. Sullivan, seconded by Dr. Barr, the Board grants Attorney Cassidy's request to reschedule the hearing and has rescheduled the hearing to May 3, 2017 at 1:00 P.M.

**01/11/17** – *Procedural Order* issued rescheduling the hearing to May 3, 2017 at 1:00 P.M.

**02/22/17** – Request from Attorney Cassidy for a prehearing conference. Attorney Cassidy also indicates he is scheduled to begin a trial on May 1, 2017, which is expected to take 6 or 7 business days, therefore he will not be available for this hearing on May 3, 2017.

**Board Action: 03/1/17** – On motion of Dr. Barr, seconded by Dr. Wheeler, Dr. Dibble will send Ms. Taylor a couple of dates he is available and Ms. Taylor will schedule a prehearing conference. Unanimous.

## **HEARINGS HELD PENDING FINAL DISPOSITION:**

**GELLER, Aaron S., M.D.** – Hearing scheduled for December 7, 2016 from 1:00 P.M. to 5:30 P.M. and January 30, 2017, January 31, 2017 from 8:00 A.M. to 4:00 P.M. each day.

**Docket #: 15-08**

Cases included: 2012-490, 2013-17 and 2013-250.

*Louis Rosenthal, M.D. recused.*

*Mr. Waters is the Presiding Officer.*

*Michelle Heaton is Hearing Counsel from APU.*

**Board Action: 11/4/15** – On motion of Dr. Andelman, seconded by Mr. Waters, issue Notice of Hearing. Schedule hearing for January 6, 2016 at 2:00 P.M. Mr. Waters will be the Presiding Officer. 9-1 abstained.

**11/25/15** – *Motion to Request a Prehearing Conference* submitted by Michelle Heaton, Esq., APU.

**12/04/15** – *Appearance* filed by Daniel J. Corley, Esq.

**12/04/15** – *Assented to Motion to Continue Hearing Date and Extend Deadline to File Witness Lists and Proposed Exhibits* filed by Attorney Corley.

**12/10/15** – *Order of Continuance* rescheduling the hearing to May 4, 2016 at 1:00 P.M.

**02/12/16** – *Motion For Clarification of Procedural Order* submitted by Michelle Heaton, Esq., APU.

**02/12/16** – *Motion to Request a Prehearing Conference* submitted by Michelle Heaton, Esq., APU.

**Board Action: 03/02/16** – On motion of Mr. Waters, seconded by Ms. Barba, schedule prehearing conference. Unanimous.

**03/18/16** – Prehearing conference held.

**03/18/16** – *Hearing Counsel's List of Witnesses and Exhibits*

**03/28/16** – *Procedural Order* issued pursuant to the prehearing conference held on March 18, 2016.

Hearing continued. Date to be determined.

**06/14/16** – *Joint Motion to Extend Procedural Order Schedule*

**06/20/16** – *Amended Procedural Order*

**09/01/16** – Request from Michelle Heaton, Esq. for hearing dates.

**Board Action: 09/7/16** – Tabled. Board will discuss at its October 5, 2016 meeting.

**Board Action: 10/5/16** – On motion of Mr. Waters, seconded by Dr. Potenza, send out a Scheduling Order for a prehearing on November 18, 2016 at 10:00 A.M. and the adjudicatory hearing on December 7, 2016 from 1:00 P.M. to 5:30 P.M. Unanimous.

**10/13/16** – *Scheduling Order* scheduling a prehearing conference on November 18, 2016 and a hearing on December 7, 2016 from 1:00 P.M. to 5:30 P.M.

**10/17/16** – *Assented to Motion to Continue Hearing* submitted by Attorney Heaton.

**11/01/16** – *Prehearing Brief* submitted by Attorney Heaton.

**11/01/16** – *Hearing Counsel's Amended List of Witnesses and Exhibits*

**Board Action: 11/2/16** – On motion of Mr. Waters, seconded by Mr. Sullivan, deny Motion to Continue. Unanimous.

**11/04/16** – *Order Denying Continuance.*

**11/16/16** – *Aaron Geller, M.D.'s List of Witnesses and Exhibits* (marked incorrectly).

**11/18/16** – *Aaron Geller, M.D.'s List of Witnesses and Exhibits* (marked correctly).

**12/01/16** – *Procedural Order*

**Board Action: 12/7/16** – Hearing commenced. The parties scheduled the next dates for the hearing for January 30, 2017, January 31, 2017 and tentatively March 13, 2017 and March 14, 2017 from 8:00 A.M. to 4:00 P.M. each day.

**12/12/16** – *Scheduling Order* scheduling the continuance of the hearing for January 30-31, 2017 from 8:00 A.M. to 4:00 P.M. each day and tentatively scheduled for March 13-14, 2017 from 8:00 A.M. to 4:00 P.M. each day.

**01/11/17** – *Amended Procedural Order* indicating that the two full days scheduled in January shall be sufficient for the presentation of all evidence and no further dates will be scheduled.

**01/31/17** – Hearing completed.

**HEARINGS WITH DATE TO BE DETERMINED:**

**KONOPKA, Anna, M.D.** – Hearing not scheduled.

Case #: 2014-424

*Dr. Rosenthal and Dr. Dibble recused.*

*Dr. Baker is the Presiding Officer.*

*Michelle Heaton is Hearing Counsel from APU.*

**Board Action: 04/6/16** – On motion of Dr. Andelman, seconded by Mr. Morrissey, approve Notice of Hearing. Unanimous. The hearing will be held September 7, 2016 at 1:00 P.M. Dr. Baker will be the Presiding Officer.

**06/29/16** – *Motion to Postpone Hearing* submitted by James D. Gleason, Esq.

**Board Action: 08/3/16** – On motion of Mr. Morrissey, seconded by Dr. Potenza, continue hearing to February 1, 2017 at 1:00 P.M. *Dr. Baker absent.* All others concurred.

**08/12/16** – *Order of Continuance* rescheduling hearing to February 1, 2017 at 1:00 P.M.

**01/11/17** – *Appearance* filed by Michael A. Pignatelli, Esq., Rath, Young and Pignatelli, PC.

**01/11/17** – *Joint Motion to Continue Hearing* filed by Attorney Pignatelli.

**01/11/17** – *Order of Continuance* rescheduling the hearing to a date to be determined in the future.

**MASEWIC, Matthew J., M.D.** – Hearing continued. Date to be determined.

**Docket #: 16-04**

Cases included: 2015-276, 2015-366, 2015-424, 2016-65 and 2016-222.

*Dr. Rosenthal recused.*

*Mr. Waters is the Presiding Officer*

*Matthew Mavrogeorge, Esq. and Michelle Heaton, Esq. are Hearing Counsel from APU*

**Board Action: 04/27/16** - On motion of Mr. Waters, seconded by Dr. Wheeler, the Board voted to approve the Order of Emergency Conditional License Suspension and Notice of Hearing in regards to Dr. Matthew J. Masewic. The hearing is scheduled for May 4, 2016 at 1:00 P.M. Mr. Waters will be the Presiding Officer. Approved by a roll call vote of members present:

Dr. Barr	Yes
Dr. Baker	Yes
Dr. Wheeler	Yes
Mr. Sullivan	Yes
Mr. Waters	Yes

**04/29/16** – *Appearance* from Attorneys Sarah Murdough and Peter Meyer.

**04/29/16** – *Hearing Counsel's Assented to Motion to Approve Preliminary Agreement for Practice Restrictions and Continue Hearing.*

**05/02/16** – *Order Granting Continuance.*

**05/02/16** – *Procedural Order* scheduling a prehearing conference for Wednesday, May 4, 2016 at 1:00 P.M.

**05/02/16** – *Preliminary Agreement for Practice Restrictions* issued.

**Board Action: 5/4/16** – On motion of Dr. Barr, seconded by Dr. Andelman, Board ratifies the *Preliminary Agreement for Practice Restrictions*, the continuance of the hearing and the scheduling of a prehearing conference. Unanimous.

**06/08/16** – Renewal Application dated June 7, 2016 received from Dr. Masewic.

**09/06/16** – *Notice of Hearing to Show Cause ("NOH to Show Cause")* was issued regarding the license renewal application of Dr. Masewic to show cause to the Board why Dr. Masewic's application to renew his license should be approved. This *NOH to Show Cause* states that this is consolidated with the *Order of Emergency Conditional License Suspension and Notice of Hearing*, Docket No. 16-04, and that the Applicant shall appear before the Board at the date and time established by the Presiding Officer for the hearing on the *Order of Emergency Conditional License Suspension* and will be taken up following the hearing on Docket No. 16-04.

**VIDAVER, Robert C., M.D.** – Hearing not scheduled.

**Docket #: 15-04**

*Dr. Rosenthal and Dr. Vidaver recused.*

*Mr. Waters is the Presiding Officer.*

*Hearing Counsel is Matthew Mavrogeorge, Esq.*

06/03/15 - Discussion on Report of Investigation regarding Robert C. Vidaver, M.D. ***Dr. Rosenthal and Dr. Vidaver recused.***

Board Action: 6/3/15 – On motion of Mr. Waters, seconded by Dr. Barr, request response from Dr. Vidaver with a deadline of June 15, 2015. Also, issue Notice of Hearing. Presiding Officer, Edmund Waters, Jr., is authorized to review and issue the Notice of Hearing. Hearing to be held on July 1, 2015. Unanimous.

**06/19/15** – *Assented-To Motion to Continue Hearing* submitted by Sean R. List, Esq., Attorney for Dr. Vidaver.

**06/22/15** – Presiding Officer granted a continuance. *Order of Continuance* issued. Board to reschedule hearing for a future date.