

**MEDICAL EXAMINING BOARD  
MEETING MINUTES  
December 17, 2014**

**PRESENT:** Mary Jo Capodice, D.O; Greg Collins; Rodney Erickson, M.D.; Suresh Misra, M.D. (*arrived at 8:04 a.m.*); Carolyn Ogland Vukich, M.D.; Michael Phillips, M.D. (*arrived at 8:12 via GoToMeeting*); Kenneth Simons, M.D.; Timothy Swan, M.D.; Sridhar Vasudevan, M.D.; Timothy Westlake, M.D.; Russell Yale, M.D.; Robert Zondag

**EXCUSED:** James Barr

**STAFF:** Tom Ryan, Executive Director; Taylor Thompson, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Kenneth Simons, Chair, called the meeting to order at 8:01 a.m. A quorum of ten (10) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Greg Collins moved, seconded by Sridhar Vasudevan, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** Sridhar Vasudevan moved, seconded by Mary Jo Capodice, to approve the minutes of November 19, 2014 as published. Motion carried unanimously.

**PRESENTATION OF PETITIONS FOR SUMMARY SUSPENSION AND DESIGNATION OF HEARING OFFICIAL**

*Joost Kap, DLSC Attorney, appeared before the Board to present the Petitions for Summary Suspension.*

**FEDERATION OF STATE MEDICAL BOARDS MATTERS**

**FINAL CALL FOR APPOINTMENTS AND AWARD NOMINATIONS**

**MOTION:** Timothy Swan moved, seconded by Greg Collins, to recommend Dr. Simons for consideration as a recipient for Federation of State Medical Board's Award of Merit. Motion carried unanimously.

**MOTION:** Sridhar Vasudevan moved, seconded by Robert Zondag, to recommend Tom Ryan for consideration to serve on the FSMB's Committee on Ethics and Professionalism. Motion carried unanimously.

## **LEGISLATIVE/ADMINISTRATIVE RULE MATTERS**

### **REVIEW EMERGENCY RULE FOR MED 1, 3, AND 5 PHYSICIAN LICENSURE**

**MOTION:** Sridhar Vasudevan moved, seconded by Suresh Misra, to approve the draft of the Emergency Rule as amended for forwarding to the Governor's Office. Motion carried unanimously.

**MOTION:** Robert Zondag moved, seconded by Suresh Misra, to approve the Public Hearing Draft as the Proposed Permanent Rule. Motion carried unanimously.

**MOTION:** Mary Jo Capodice moved, seconded by Robert Zondag, to appoint the Board Chair to adopt the final Emergency Rule before forwarding for publication. Motion carried unanimously.

**MOTION:** Sridhar Vasudevan moved, seconded by Suresh Misra, to disband the Disciplinary Guidelines Committee. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Robert Zondag moved, seconded by Suresh Misra, to convene to Closed Session to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 448.02 (8), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). The Chair read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Mary Jo Capodice – yes; Greg Collins – yes; Rodney Erickson – yes; Suresh Misra – yes; Carolyn Ogland Vukich – Yes; Michael Phillips – Yes; Kenneth Simons – yes; Timothy Swan – yes; Sridhar Vasudevan – yes; Timothy Westlake – yes; Russell Yale – yes; and Robert Zondag – yes. Motion carried unanimously.

The Board convened into Closed Session at 8:45 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Sridhar Vasudevan moved, seconded by Robert Zondag , to reconvene in Open Session at 10:57 a.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

**MOTION:** Suresh Misra moved, seconded by Timothy Westlake, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

## **FULL BOARD ORAL EXAMINATION OF CANDIDATES FOR LICENSURE**

### **JOHN LITTLEFIELD, PA-C**

**MOTION:** Sridhar Vasudevan moved, seconded by Greg Collins, to find that John Littlefield, PA-C, passed the MEB Full Board Oral Examination. Motion carried unanimously.

**MOTION:** Sridhar Vasudevan moved, seconded by Greg Collins, to grant the application of John Littlefield, PA-C, for licensure as a Physician Assistant, once all requirements are met. Motion carried unanimously.

### **MONITORING MATTERS**

#### **FARID A. AHMAD – REQUESTING RETURN OF FULL UNRESTRICTED LICENSE**

**MOTION:** Sridhar Vasudevan moved, seconded by Timothy Westlake, to table this matter until a future meeting. Motion carried unanimously.

#### **FULL BOARD REVIEW – PETITION TO RETAKE USMLE STEP 2**

##### **FIDELIS IKEGWUONU**

**MOTION:** Timothy Westlake moved, seconded by Carolyn Ogland Vukich, to deny Fidelis Ikegwonu's request to retake USMLE Step 2. **Reason for Denial:** Failed to comply with the Board's prior order. Motion carried unanimously.

#### **DELIBERATION OF PETITIONS FOR SUMMARY SUSPENSION AND DESIGNATION OF HEARING OFFICIAL**

##### **ANGELINA M. MONTEMURRO, M.D.**

##### **12 MED 288**

*Robert Zondag recused himself for deliberation and voting in the matter of Angelina M. Montemurro, 12 MED 288.*

**MOTION:** Carolyn Ogland Vukich moved, seconded by Rodney Erickson, that notice was given to Angelina M. Montemurro, of the Summary Suspension proceedings pursuant to Wis. Admin. Code § SPS 6.05. Motion carried.

**MOTION:** Timothy Westlake moved, seconded by Suresh Misra, that pursuant to Wis. Stat. § 448.02(4), there is probable cause to believe that Angelina M. Montemurro, M.D., engaged in unprofessional conduct in violation of Wis. Stat. § 448.02(3). Motion carried.

**MOTION:** Carolyn Ogland Vukich moved, seconded by Timothy Westlake, that, pursuant to Wis. Stat. § 448.02(4), there is probable cause to believe that it is necessary to suspend the license of Angelina M. Montemurro, M.D., to practice medicine and surgery in the State of Wisconsin immediately to protect the public's health, safety, and welfare. Motion carried.

**MOTION:** Greg Collins moved, seconded by Rodney Erickson, that pursuant to Wis. Admin. Code § SPS 6.11, to issue an order allowing the Department to designate a Hearing Official for an Order to Show Cause Hearing in the matter of the Summary Suspension of the license of Angelina M. Montemurro. Motion carried.

**LINDA R. ROGOW, M.D.**  
**14 MED 033**

*Sridhar Vasudevan recused himself for deliberation and voting in the matter of Linda R. Rogow, 14 MED 033.*

**MOTION:** Robert Zondag moved, seconded by Greg Collins, that notice was given to Linda R. Rogow, of the Summary Suspension proceedings pursuant to Wis. Admin. Code § SPS 6.05. Motion carried.

**MOTION:** Suresh Misra moved, seconded by Robert Zondag, that pursuant to Wis. Stat. § 448.02(4), there is probable cause to believe that Linda R. Rogow, M.D., engaged in unprofessional conduct in violation of Wis. Stat. § 448.02(3). Motion carried.

**MOTION:** Carolyn Ogland Vukich moved, seconded by Timothy Swan, that, pursuant to Wis. Stat. § 448.02(4), there is probable cause to believe that it is necessary to suspend the license of Linda R. Rogow, M.D., to practice medicine and surgery in the State of Wisconsin immediately to protect the public's health, safety, and welfare. Motion carried.

**MOTION:** Timothy Westlake moved, seconded by Mary Jo Capodice, that pursuant to Wis. Admin. Code § SPS 6.11, to issue an order allowing the Department to designate a Hearing Official for an Order to Show Cause Hearing in the matter of the Summary Suspension of the license of Linda R. Rogow. Motion carried.

**NANETTE J. LIEGEOIS**  
**14 MED 581**

*Although listed as Case Advisor, Timothy Westlake has not been consulted in the matter of Nanette J. Liegeois, 14 MED 581.*

**MOTION:** Robert Zondag moved, seconded by Sridhar Vasudevan, that notice was given to Nanette J. Liegeois, of the Summary Suspension proceedings pursuant to Wis. Admin. Code § SPS 6.05. Motion carried unanimously.

**MOTION:** Suresh Misra moved, seconded by Russell Yale, that pursuant to Wis. Stat. § 448.02(4), there is probable cause to believe that Nanette J. Liegeois, M.D., engaged in unprofessional conduct in violation of Wis. Stat. § 448.02(3). Motion carried unanimously.

**MOTION:** Greg Collins moved, seconded by Russell Yale, that, pursuant to Wis. Stat. § 448.02(4), there is probable cause to believe that it is necessary to suspend the license of Nanette J. Liegeois, M.D., to practice medicine and surgery in the State of Wisconsin immediately to protect the public's health, safety, and welfare. Motion carried unanimously.

**MOTION:** Suresh Misra moved, seconded by Robert Zondag, that pursuant to Wis. Admin. Code § SPS 6.11, to issue an order allowing the Department to designate a Hearing Official for an Order to Show Cause Hearing in the matter of the Summary Suspension of the license of Nanette J. Liegeois. Motion carried unanimously.

**PROPOSED FINAL DECISION AND ORDER: IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST ROBERT A. CAVANAUGH, M.D., RESPONDENT (DHA CASE SPS-14-0002)(DLSC CASE 12 MED 351)**

**MOTION:** Michael Phillips moved, seconded by Carolyn Ogland Vukich, to adopt the Proposed Findings of Fact, Conclusions of Law, and Order of the Administrative Law Judge as the Board's Final Decision and Order in the matter of disciplinary proceedings against Robert A. Cavanaugh, M.D., Respondent – DHA Case # SPS-14-0002 / DLSC Case # 12 MED 351. Motion carried unanimously.

**DELIBERATION ON PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS BY THE DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC)**

**SUL CHUNG, M.D. – 13 MED 390**

**MOTION:** Sridhar Vasudevan moved, seconded by Robert Zondag, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Sul Chung, M.D., DLSC case number 13 MED 390. Motion carried unanimously.

**KENNETH J. KELLNER, M.D. – 14 MED 068**

**MOTION:** Sridhar Vasudevan moved, seconded by Timothy Westlake, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Kenneth J. Kellner, M.D., DLSC case number 14 MED 068. Motion carried unanimously.

**RESCIND PRIOR MOTION AND ADOPT CORRECT PROPOSED FINAL DECISION AND ORDER IN CASE NUMBER 14 MED 020, REGARDING MARK PETROVANI, M.D.**

**MOTION:** Greg Collins moved, seconded by Suresh Misra, to rescind the November 19, 2014 motion to adopt the Findings of Fact, Conclusions of Law and Order, Final Decision and Order for the matter concerning Mark Petrovani, M.D., case number 14 MED 020, and corresponding Final Decision and Order #3126. Motion carried unanimously.

**MOTION:** Robert Zondag moved, seconded by Timothy Westlake, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Mark Petrovani, M.D., DLSC case number 14 MED 020, retroactively effective November 19, 2014. Motion carried unanimously.

**PRESENTATION AND DELIBERATION ON COMPLAINTS FOR DETERMINATION OF PROBABLE CAUSE**

**SIAMAK B. ARASSI, M.D. – 12 MED 224**

*Rodney Erickson recused himself for deliberation and voting in the matter of Siamak B. Arassi, 12 MED 224.*

**MOTION:** Timothy Swan moved, seconded by Carolyn Ogland Vukich, to find probable cause to believe that Siamak B. Arassi, M.D., DLSC case number 12 MED 224, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried.

**ANGELINA M. MONTEMURRO, M.D. – 12 MED 288**

*Robert Zondag recused himself for deliberation and voting in the matter of Angelina M. Montemurro, 12 MED 288.*

**MOTION:** Suresh Misra moved, seconded by Timothy Westlake, to find probable cause to believe that Angelina M. Montemurro, M.D., DLSC case number 12 MED 288, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried.

**LINDA R. ROGOW, M.D. – 14 MED 033**

*Sridhar Vasudevan recused himself for deliberation and voting in the matter of Linda R. Rogow, 14 MED 033.*

**MOTION:** Mary Jo Capodice moved, seconded by Timothy Westlake, to find probable cause to believe that Linda R. Rogow, M.D., DLSC case number 14 MED 033, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried.

**JUAN PRECIADO-RIESTRA, M.D. – 14 MED 549**

*Greg Collins recused himself for deliberation and voting in the matter of Juan Preciado-Riestra, 14 MED 549.*

**MOTION:** Mary Jo Capodice moved, seconded by Suresh Misra, to find probable cause to believe that Juan Preciado-Riestra, M.D., DLSC case number 14 MED 549, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried.

**NANETTE J. LIEGEOIS, M.D. – 14 MED 581**

**MOTION:** Suresh Misra moved, seconded by Rodney Erickson, to find probable cause to believe that Nanette J. Liegeois, M.D., DLSC case number 14 MED 581, is guilty of unprofessional conduct, and therefore to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried unanimously.

**PRESENTATION AND DELIBERATION ON ADMINISTRATIVE WARNING(S)**

**13 MED 272 – T.G.M.**

*Timothy Westlake recused himself for deliberation and voting in the matter of 13 MED 272.*

**MOTION:** Greg Collins moved, seconded by Mary Jo Capodice, to issue an Administrative Warning in the matter of DLSC case number 13 MED 272 (T.G.M.). Motion carried.

**13 MED 358 – S.R.J.**

**MOTION:** Mary Jo Capodice moved, seconded by Robert Zondag, to issue an Administrative Warning in the matter of DLSC case number 13 MED 358 (S.R.J.). Motion carried unanimously.

**14 MED 329 – V.K.N.**

**MOTION:** Timothy Westlake moved, seconded by Mary Jo Capodice, to issue an Administrative Warning in the matter of DLSC case number 14 MED 329 (V.K.N.). Motion carried unanimously.

**14 MED 073 – E.A.S.**

*Timothy Swan recused himself for deliberation and voting in the matter of 14 MED 073.*

**MOTION:** Sridhar Vasudevan moved, seconded by Timothy Westlake, to reject the administrative warning and instead to close DLSC case number 14 MED 073, against E.A.S., for no violation (NV). Motion carried.

**CASE CLOSING(S)**

**13 MED 411 – M.S.J.**

**MOTION:** Greg Collins moved, seconded by Timothy Swan, to close DLSC case number 13 MED 411, against M.S.J., for no violation (NV). Motion carried unanimously.

**13 MED 451 – J.R.W.**

**MOTION:** Sridhar Vasudevan moved, seconded by Robert Zondag, to close DLSC case number 13 MED 451, against J.R.W., for no violation (NV). Motion carried unanimously.

**13 MED 517 – B.D.H.**

*Mary Jo Capodice recused herself for deliberation and voting in the matter of 13 MED 517.*

**MOTION:** Greg Collins moved, seconded by Carolyn Ogland Vukich, to close DLSC case number 13 MED 517, against B.D.H., for insufficient evidence (IE). Motion carried.

**14 MED 003 – X.W.**

**MOTION:** Suresh Misra moved, seconded by Robert Zondag, to close DLSC case number 14 MED 003, against X.W., for no violation (NV). Motion carried unanimously.

**14 MED 095 – Y.S.P.**

**MOTION:** Suresh Misra moved, seconded by Robert Zondag, to close DLSC case number 14 MED 095, against Y.S.P., for no violation (NV). Motion carried unanimously.

**14 MED 118 – W.W.D.**

*Kenneth Simons recused himself for deliberation and voting in the matter of 14 MED 118.*

**MOTION:** Sridhar Vasudevan moved, seconded by Robert Zondag, to close DLSC case number 14 MED 118, against W.W.D., for no violation (NV). Motion carried.

**14 MED 126 – R.L.G.**

**MOTION:** Carolyn Ogland moved, seconded by Russell Yale, to close DLSC case number 14 MED 126, against R.L.G., for insufficient evidence (IE). Motion carried unanimously.

**14 MED 137 – G.A.C.**

**MOTION:** Robert Zondag moved, seconded by Timothy Westlake, to close DLSC case number 14 MED 137, against G.A.C., for no violation (NV). Motion carried unanimously.

**14 MED 237 – J.C.L.**

**MOTION:** Timothy Westlake moved, seconded by Sridhar Vasudevan, to close DLSC case number 14 MED 237, against J.C.L., for no violation (NV). Motion carried unanimously.

## 14 MED 044 – S.I.C.

*Timothy Westlake recused himself for deliberation and voting in the matter of 14 MED 044.*

**MOTION:** Greg Collins moved, seconded by Robert Zondag, to reject the closing of DLSC case number 14 MED 044, against S.I.C., for no violation (NV). Motion carried.

### **DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES**

**MOTION:** Mary Jo Capodice moved, seconded by Timothy Swan, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Suresh Misra moved, seconded by Robert Zondag, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:07 a.m.