

**MEDICAL EXAMINING BOARD
MEETING MINUTES
MARCH 16, 2016**

PRESENT: Mary Jo Capodice, D.O. (*arrived at 8:12 a.m.;*) Greg Collins (*Joined the meeting via phone to deliberate and vote on Applications and Summary Suspension and to affirm votes made in Closed Session;*) Rodney Erickson, M.D. (*arrived at 8:26 a.m. via GoToMeeting;*) Suresh Misra, M.D.; Carolyn Ogland Vukich, M.D. (*via GoToMeeting;*) Michael Phillips, M.D. (*via GoToMeeting;*) David Roelke, M.D.; Kenneth Simons, M.D.; Sridhar Vasudevan, M.D.; Timothy Westlake, M.D.; Russell Yale, M.D.; Robert Zondag

STAFF: Tom Ryan, Executive Director; Nifty Lynn Dio, Bureau Assistant; and other Department staff

CALL TO ORDER

Kenneth Simons, Chair, called the meeting to order at 8:00 a.m. A quorum of nine (9) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Remove (Optional) from Item D: Attorney Frank Doherty Appearance*
- *Item Q.1: Added additional material*
- *Correction: Assembly Bill 715 to Assembly Bill 712*

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to adopt the agenda as amended. Motion carried unanimously.

(Mary Jo Capodice joined the meeting at 8:12 a.m.)

MINUTES OF FEBRUARY 17, 2016 – REVIEW AND APPROVAL

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to approve the minutes of February 17, 2016 as published. Motion carried unanimously.

ELECTIONS, APPOINTMENTS, REAPPOINTMENTS, CONFIRMATIONS, AND COMMITTEE, PANEL AND LIAISON APPOINTMENTS

Continuing Education Liaison

MOTION: Sridhar Vasudevan moved, seconded by Robert Zondag, to affirm the Chair's appointment of Russell Yale as the Continuing Education Liaison. Motion carried unanimously.

Reappointment – Council of Physicians Assistants – Jeremiah Barrett

MOTION: Sridhar Vasudevan moved, seconded by David Roelke, to reappoint Jeremiah Barrett to the Council on Physicians Assistants for a term to expire 07/01/2020. Motion carried unanimously.

(Correction from 02/17/16 motion to reappoint Jeremiah Barrett for a term to expire 07/01/2016.)

Appointment – Council of Physicians Assistants – Nadine Miller, PA-C

MOTION: Timothy Westlake moved, seconded by Mary Jo Capodice, to appoint Nadine Miller, PA-C to the Council on Physicians Assistants for a term to start 07/01/2016 and expire 07/01/2020. Motion carried unanimously.

(Rodney Erickson joined the meeting at 8:26 a.m.)

INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION – REPORT FROM WISCONSIN’S COMMISSIONERS

MOTION: Sridhar Vasudevan moved, seconded by David Roelke, to authorize the Commissioners to attend the Interstate Medical Licensure Compact Commission meetings and events. Motion carried unanimously.

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS, AND REPORTS**Request to Speak with Atty. Patrick Koenen, Hinshaw & Culbertson, L.L.P. Regarding Telemedicine**

MOTION: Robert Zondag moved, seconded by Sridhar Vasudevan, to decline the invitation for Kenneth Simons to speak with Attorney Patrick Koenen of Hinshaw & Culbertson, L.L.P. on behalf of the Board regarding Telemedicine, as the Board has appointed a committee to review Telemedicine. Motion carried unanimously.

Wisconsin Coalition for Prescription Drug Abuse

MOTION: Suresh Misra moved, seconded by David Roelke, to authorize Timothy Westlake to speak at the Wisconsin State Coalition for Prescription Drug Abuse Reduction meeting on April 15, 2016. Motion carried unanimously.

CLOSED SESSION

MOTION: Timothy Westlake moved, seconded by David Roelke, 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; Rodney Erickson – yes; Suresh Misra – yes; Carolyn Ogland Vukich – yes; Michael Phillips – yes; David Roelke – yes; Kenneth Simons – yes; Sridhar Vasudevan – yes; Timothy Westlake – yes; Russell Yale – yes; and Robert Zondag – yes. Motion carried unanimously.

The Board convened into Closed Session at 8:51 a.m.

RECONVENE TO OPEN SESSION

MOTION: Suresh Misra moved, seconded by Sridhar Vasudevan, to reconvene in Open Session at 10:52 a.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

(Greg Collins joined the meeting via phone to vote on items considered or deliberated upon in closed session.)

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

FULL BOARD ORAL INTERVIEW OF CANDIDATES FOR LICENSURE

APPEARANCE – Adnan Qureshi, M.D.

MOTION: Sridhar Vasudevan moved, seconded by Robert Zondag, to table the application of Adnan Qureshi, M.D., to gather additional information. Motion carried.

(Russell Yale and Mary Jo Capodice recused themselves and left the room for deliberation and voting in the matter of Adnan Qureshi, M.D.)

(Greg Collins joined the meeting via phone for deliberation and voting in the matter of Adnan Qureshi, M.D.)

Henry Bikhazi, M.D.

MOTION: Sridhar Vasudevan moved, seconded by Timothy Westlake, to request Henry Bikhazi, M.D. appear before the Board for a Full Board Oral Interview. Motion carried unanimously.

(Greg Collins joined the meeting via phone for deliberation and voting in the matter of Henry Bikhazi, M.D.)

REQUEST FOR WAIVER OF 24 MONTHS OF ACGME/AOA APPROVED POST GRADUATE TRAINING

Toshio Takayama, M.D.

MOTION: Suresh Misra moved, seconded by Mary Jo Capodice, to grant a waiver of the 24 months of ACGME/AOA approved post graduate training per Wis. Stat. § 448.05(2)(c). Motion carried. Abstained: 1

MOTION: Mary Jo Capodice moved, seconded by Suresh Misra, to grant the license to practice medicine and surgery to Toshio Takayama, M.D., once all requirements are met. Motion carried. Abstained: 1

VOLUNTARY SURRENDER REQUEST – APPROVAL NEEDED

Cameron F. Parsa, M.D.

MOTION: David Roelke moved, seconded by Sridhar Vasudevan, to approve the voluntary surrender request of Cameron F. Parsa, M.D. Motion carried unanimously.

**PETITION FOR SUMMARY SUSPENSION AND PETITION FOR DESIGNATION OF
HEARING OFFICIAL**

**DAVID J. HOULIHAN, M.D.
15 MED 002**

(Rodney Erickson and Sridhar Vasudevan recused themselves and left the room for deliberation and voting in the matter concerning David J. Houlihan, M.D., DLSC case number 15 MED 002.)

(Greg Collins joined the meeting via phone for deliberation and voting in the matter of David J. Houlihan, M.D.)

Summary Suspension and Designation of Hearing Official

MOTION: David Roelke moved, seconded by Robert Zondag, to find that notice was given to David J. Houlihan, M.D., Respondent, DLSC Case No. 15 MED 002, in the matter of the Summary Suspension proceedings pursuant to Wis. Admin. Code §§ SPS 6.05 and 6.06. Motion carried.

MOTION: David Roelke moved, seconded by Suresh Misra, to find probable cause to believe that David J. Houlihan, M.D., Respondent, has violated the provisions of Subchapter II, Wis. Stat. ch. 448, and that it is necessary to suspend the Respondent's license and registration to practice medicine and surgery immediately to protect the public health, safety, or welfare and to issue the Order of Summary Suspension in the matter of the Summary Suspension proceedings against Respondent, DLSC Case No. 15 MED 002, pursuant to Wis. Stat. § 448.02(4). Motion carried.

MOTION: Russell Yale moved, seconded by Mary Jo Capodice, to designate a Hearing Official for any hearing to show cause in the matter of the Summary Suspension proceedings against David J. Houlihan, M.D., Respondent, DLSC Case No. 15 MED 002, pursuant to Wis. Admin. Code §§ SPS 6.03 and 6.11. Motion carried.

MOTION: David Roelke moved, seconded by Suresh Misra, to authorize Kenneth Simons as having the authority to act on behalf of the Board to review, approve and sign the Summary Suspension Order and Order Designating Hearing Official in the matter of the Summary Suspension proceedings against David J. Houlihan, M.D., Respondent, DLSC Case No. 15 MED 002. Motion carried.

Deliberation on Complaint for Determination of Probable Cause

MOTION: Suresh Misra moved, seconded by David Roelke, to find probable cause to issue a complaint in the matter of DLSC Case No. 15 MED 002 pursuant to Wis. Stat. § 448.02(3)(b). Motion carried.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC)
MATTERS**

Monitoring

Paul Strapon III, M.D.

MOTION: Sridhar Vasudevan moved, seconded by Russell Yale, to approve the request of Paul Strapon III, M.D. to apply for a limited DEA Certificate. Motion carried unanimously.

Kirsten Peterson, M.D.

MOTION: Sridhar Vasudevan moved, seconded by Timothy Westlake, to approve the request of Kirsten Peterson, M.D. for removal of limitations from license. Motion carried unanimously.

Administrative Warning

14 MED 466 – R.M.R.

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to issue an Administrative Warning in the matter of DLSC case number 14 MED 466 – R.M.R. Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

14 MED 250 – Earl L. Anderson, M.D.

MOTION: Timothy Westlake moved, seconded by Robert Zondag, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Earl L. Anderson, M.D., DLSC Case No. 14 MED 250. Motion carried unanimously.

14 MED 270 – Abel A. Garibaldi, M.D.

MOTION: Sridhar Vasudevan moved, seconded by David Roelke, to table the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Abel A. Garibaldi, M.D., DLSC Case No. 14 MED 270. Motion carried unanimously.

14 MED 281 – Bruce Cardone, M.D.

MOTION: Russell Yale moved, seconded by David Roelke, to table the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Bruce Cardone, M.D., DLSC case number 14 MED 281. Motion carried.

(Michael Phillips recused himself and left the room for deliberation and voting in the matter concerning Bruce Cardone, M.D., DLSC case number 14 MED 281.)

14 MED 434 – W. Dudley Johnson, M.D.

MOTION: Robert Zondag moved, seconded by David Roelke, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against W. Dudley Johnson, M.D., DLSC case number 14 MED 434. Motion carried unanimously.

14 MED 607 – Paul Awa, M.D.

MOTION: Sridhar Vasudevan moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Paul Awa, M.D., DLSC Case No. 14 MED 607. Motion carried unanimously.

15 MED 047 – Thomas J. Kalinosky, D.O.

MOTION: David Roelke moved, seconded by Robert Zondag, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Thomas J. Kalinosky, DLSC Case No. 15 MED 047. Motion carried unanimously.

15 MED 049 – Michael C. Macatol, M.D.

MOTION: Russell Yale moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Michael C. Macatol, M.D., DLSC Case No. 15 MED 049. Motion carried unanimously.

15 MED 210 – Mohammad R. Khan, M.D.

MOTION: Suresh Misra moved, seconded by Timothy Westlake, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Mohammad R. Khan, M.D., DLSC Case No. 15 MED 210. Motion carried unanimously.

15 MED 264 – Michael D. Plooster, M.D.

MOTION: Suresh Misra moved, seconded by Russell Yale, to table the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Michael D. Plooster, M.D., DLSC Case No. 15 MED 264. Motion carried unanimously.

15 MED 268 – David J. Engstrand, M.D.

MOTION: Timothy Westlake moved, seconded by Robert Zondag, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against David J. Engstrand, M.D., DLSC Case No. 15 MED 268. Motion carried unanimously.

Case Closings

CASE CLOSING(S)

MOTION: Suresh Misra moved, seconded by Timothy Westlake, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 14 MED 347 – G.C.H. *No Violation*
2. 15 MED 441 – C.E.J. *No Violation*

Motion carried unanimously.

ORDERS FIXING COSTS – DISCUSSION AND CONSIDERATION

Jonathan G. Peterson, M.D.

MOTION: Timothy Westlake moved, seconded by David Roelke, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Jonathan G. Peterson, M.D., Respondent, order number ORDER0004486. Motion carried unanimously.

Roger A. Pellmann, M.D.

MOTION: Sridhar Vasudevan moved, seconded by David Roelke, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Roger A. Pellmann, M.D., Respondent, order number ORDER0004485. Motion carried unanimously.

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

MOTION: Sridhar Vasudevan moved, seconded by David Roelke, 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 Timothy Westlake, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:57 a.m.