

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
January 15, 2002

The Connecticut Medical Examining Board held a meeting on Tuesday, January 15, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT:

Dennis G. O'Neill, MD, Chairman
Howard Goodkind
Velandy Manohar, MD
Roberto Medina, MD
Grant H. Miller, Jr., Esq.
John Russell, MD
Mary L. Warner, PA-C

BOARD MEMBERS ABSENT:

Harriet A. Fellows, DO
Sarah E. McGirr
Pamela A. Nole
Mary P. Olsen, MD
George Terranova, MD

Dr. O'Neill called the meeting to order at 1:33 p.m.

I. CHAIR UPDATES

The following correspondence was received and reviewed:

1. Federation of State Medical Boards (FSMB) announcement appointing James N. Thompson, MD as Executive Vice President
2. FSMB, Call for Nominations for Awards

II. INFORMATION UPDATES

A. Department of Public Health

Stanley K. Peck, Director, Legal Office reported on his attendance at a conference on physician competence which was held at State of Rhode Island Health Department.

B. Connecticut State Medical Society

None

c. Legislative Updates

Nancy Nicolescu, Legislative Analyst, Department of Public Health, Office of Government Relations reported that during the upcoming legislative session, which begins February 6, 2002, information concerning any bills which may impact physician practice and/or licensure will be shared with the Board. Any issues should be communicated to the Office of Government Relations.

III. PHYSICIAN PROFILING

Jennifer Filippone, Public Health Services Manager, Department of Public Health, was present to discuss questions regarding information contained in physician profiles.

The physician profiles include all disciplinary actions taken against a physician's license in the State of Connecticut. Currently there is not a mechanism in place for a physician to comment on a reported disciplinary action. Physicians can add comments regarding hospital based actions and reported malpractice payments.

At the next meeting, the Board would like to review a sampling of profiles of physicians who have been disciplined.

IV. ASSIGN HEARING PANEL

The Board Liaison will coordinate the scheduling of hearing dates for the following case:

Micky R. Riggs, MD, - Petition No. 2001-1024-001-160

Dr. Terranova will chair the hearing panel. The other panelists will be Ian Lawson, MD and Donald Hartrick, DVM.

Dr. Manohar arrived at 2:15 p.m.

V. MINUTES

The draft minutes of the December 18, 2001 meeting were reviewed. Mr. Goodkind made a motion, seconded by Dr. Manohar, to approve the minutes as edited. The motion passed with all in favor except Dr. Russell and Ms. Warner who abstained.

VI. NEW BUSINESS

A. Petition to be Accorded "John Doe" Status - Petition No. 2000-1102-001-194

Assistant Attorney General Henry Salton was present to provide counsel to the Board. Attorney Michael Neubert was present on behalf of the Petitioner. Staff Attorney David Tilles was present for the Department of Public Health. The Board heard oral argument from Attorney Neubert and Attorney Tilles.

Dr. Russell made a motion, seconded by Ms. Warner, to enter executive session to obtain legal advice from the Assistant Attorney General. The motion passed unanimously and the Board entered executive session from 2:35 p.m. until 2:47 p.m.

Following executive session, Dr. Manohar made a motion, seconded by Dr. Russell, to deny the Petition to be Accorded "John Doe" Status. The motion passed unanimously.

Ms. Warner made a motion, seconded by Dr. Manohar, to adopt a ruling on the Petition to be Accorded "John Doe" Status as prepared by the Assistant Attorney General. The motion passed unanimously. Dr. O'Neill signed the ruling.

B. Reinstatement Application - Richard Pembroke, MD

Shiu-Yu Kettering, Health Program Assistant for the Department of Public Health, presented a reinstatement application of Richard Pembroke, MD. Mr. Goodkind made a motion, seconded by Dr. Russell, recommending approval of Dr. Pembroke's reinstatement application. The motion passed unanimously.

C. Memorandum of Decision - Richard Fischer, MD

The Board reviewed the Memorandum of Decision in the matter of Richard Fischer, MD Petition No. 951101-001-207. Attorney Maria Spalding was present on behalf of Dr. Fischer. Mr. Goodkind and Dr. Manohar, hearing panelists in this matter, provided a synopsis of the case and the panel's recommendation. Mr. Miller made a motion, seconded by Ms. Warner, to approve the Memorandum of Decision in this matter. The motion passed with all in favor except Dr. O'Neill who recused himself.

VII. LEGAL OFFICE BUSINESS

A. Consent Order - John Urbanetti, MD, Petition No. 2000-0126-001-020

Staff Attorney David Tilles presented a Consent Order in the matter of John Urbanetti, MD. Neither respondent nor his attorney was present. Dr. Russell made a motion, seconded by Mr. Goodkind, to approve the Consent Order. The motion passed with all in favor except Ms. Warner who was opposed. Dr. O'Neill signed the Order.

B. Amended Consent Order - Joel Chaise, MD, Petition No. 2000-0720-001-128

Staff Attorney Leslie Scoville presented a Consent Order in the matter of Joel Chaise, MD. Dr. Chaise was present with Attorney Paul Baider. Mr. Miller made a motion, seconded by Dr. Manohar, to approve the Amended Consent Order. The motion passed with all in favor except Ms. Warner who recused herself. Dr. O'Neill signed the Order.

VIII. TIME EXTENSIONS

Ms. Warner moved and Dr. Russell seconded to approve 120-day extensions in the following cases:

V. McClain, MD - Memorandum of Decision being drafted.

M. Lerner, MD - first day of hearing to be scheduled.

A. Solomon, MD - Fact-finding held today, Memorandum of Decision to be drafted

T. Skowron, MD - Memorandum of Decision being drafted.

The motion passed unanimously.

IX. ADJOURNMENT

Ms. Warner made a motion, seconded by Mr. Goodkind, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 3:08 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
FEBRUARY 19, 2002**

The Connecticut Medical Examining Board held a meeting on Tuesday, February 19, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
Velandy Manohar, MD
Grant H. Miller, Jr., Esq.
Pamela A. Nole
John Russell, MD
George Terranova, MD
Mary L. Warner, PA-C

BOARD MEMBERS ABSENT: Harriet A. Fellows, DO
David M. Goldenberg, MD
Howard Goodkind
Sarah E. McGirr
Roberto Medina, MD
Mary P. Olsen, MD

Dr. O'Neill called the meeting to order at 1:35 p.m.

Ms. Doremus was welcomed to her first meeting as member of the Connecticut Medical Examining Board.

I. CHAIR UPDATES

The Board reviewed a letter by Dr. O'Neill to Joxel Garcia, MD, Commissioner, Department of Public Health, requesting changes to current regulations pertaining to rules of practice.

The following correspondence was received and reviewed:

1. Federation of State Medical Boards (FSMB) memorandum concerning criminal background checks
2. FSMB Report on License Portability
3. FSMB - Call for Resolutions
4. FSMB - NewsLine, January 2002 Issue.
5. New Times Articles regarding the prescribing of OxyContin.

II. INFORMATION UPDATES

- A. Department of Public Health
None

B. Connecticut State Medical Society

Michelle Norbeck reported that legislation will be introduced regarding the monitoring of controlled substance prescriptions.

C. Legislative Updates

None

D. Physician Profiling

Stephen Carragher, Health Program Supervisor, Department of Public Health, discussed physician profiles with the Board. A sampling of profiles of physicians who have been disciplined was reviewed. If a profile indicates that a physician has been disciplined, a copy of the Consent Order or Memorandum of Decision can be obtained from the Department's Practitioner Licensing Unit.

Mr. Carragher commented that if any modifications to a profile are made regarding malpractice payments or hospital based discipline, a prepublication copy is sent to the physician.

III. SCHEDULED HEARINGS/ASSIGN HEARING PANEL

A hearing date for the following case has been scheduled for March 19, 2002:

Obioma Agomuoh, MD, - Petition No. 2001-0628-001-088

Dr. O'Neill will chair the hearing panel. The other panelists will be Anne Doremus and Elliott Alter, OD.

The Board Liaison will coordinate the scheduling of hearing dates for the following case:

Alan Rutner, MD, - Petition No. 980821-001-167

Dr. Medina will chair the hearing panel in this matter

Robert Zborowski, DDS, - Petition No. 2002-0109-000-002

Mr. Goodkind will chair the hearing panel. The other panelists will be Dr. Goldenberg, and Peter Zeman, MD.

Dr. Manohar arrived at 2:00 p.m.

IV. MINUTES

The draft minutes of the January 15, 2002 meeting were reviewed. Dr. Manohar made a motion, seconded by Ms. Warner, to approve the minutes as written. The motion passed with all in favor except Ms. Doremus and Ms. Nole who abstained.

V. NEW BUSINESS

A. Reinstatement Application - Mary Jean Ahern, MD

Shiu-Yu Kettering, Health Program Assistant for the Department of Public Health, presented a reinstatement application of Mary Jean Ahern, MD. Ms. Nole made a motion, seconded by Dr. Manohar, recommending denial of Dr. Ahern's reinstatement application and that Dr. Ahern take the SPEX examination. The motion passed with all in favor except Dr. Terranova who was opposed and Ms. Doremus who abstained.

During the discussion of this matter Dr. Terranova suggested that the Department of Public Health issue an advisory to licensed physicians informing them that if a license expires and the physician has been out of practice for more than two years, the SPEX examination may be required for reinstatement.

VI. LEGAL OFFICE BUSINESS

A. Consent Order - Eric Jacobson, MD, Petition No. 2001-1016-001-155

Staff Attorney Stephen Miltimore presented a Consent Order in the matter of Eric Jacobson, MD. Neither respondent nor his attorney was present. Mr. Miller made a motion, seconded by Ms. Warner, to table this matter to the March meeting. The motion passed with Mr. Miller, Dr. Manohar, Dr. Russell and Ms. Warner voting in favor. Ms. Nole, Dr. O'Neill and Dr. Terranova were opposed and Ms. Doremus abstained.

The Board requests that respondent or his attorney be present and that information be presented as to where respondent is practicing.

During discussion in this matter Board raised questions concerning physicians profiles which it would like the Department of Public Health to answer at the March meeting.

1. Is licensure in another state required to be reported on the profile?
2. If discipline has occurred in another state, is this information included on the profile?

B. Consent Order - Theodore Kramer, MD, Petition No. 2000-0607-001-090

Staff Attorney David Tilles presented a Consent Order in the matter of Theodore Kramer, MD. Neither respondent nor his attorney was present. Mr. Miller made a motion, seconded by Ms. Nole, to approve the Consent Order. The motion passed with all in favor except Ms. Doremus who abstained. Dr. O'Neill signed the Order.

C. Consent Order - David Simon, MD, Petition No. 2000-0309-001-042

Staff Attorney Leslie Scoville presented a Consent Order in the matter of David Simon, MD. Neither respondent nor his attorney was present.

The proposed Consent Order called for a reprimand, civil penalty and a one year probation if, at a future time, respondent becomes involved with rapid detoxification of patients. The Board discussed whether it would be more appropriate for the proposed Consent Order to be changed such that respondent is restricted from doing rapid detoxification.

Ms. Warner made a motion, seconded by Mr. Miller, to table this matter to the March meeting. The motion passed with all in favor except Ms. Doremus who abstained.

D. Motion to Modify Memorandum of Decision - Mohinder Chadha, MD Petition No. 970320-001-063.

Staff Attorney David Tilles presented a Motion to Modify Memorandum of Decision in the matter of Mohinder Chadha, MD. Respondent was not present or represented. Assistant Attorney General Henry Salton was present to provide counsel to the Board. Dr. Russell made a motion, seconded by Dr. Terranova, to modify a Memorandum of Decision dated January 20, 1998 by terminating the order for probation.

The motion passed with Dr. O'Neill, Dr. Russell and Dr. Terranova voting in favor; Ms. Nole and Ms. Warner voting in opposition, Ms. Doremus abstained, and Dr. Manohar and Mr. Miller were recused. Dr. O'Neill signed the Order.

VII. ADDITIONAL AGENDA ITEM

Interim Consent Order - Jacob Chachkes, MD, Petition No. 2001-0328-001-047

Staff Attorney David Tilles presented an Interim Consent Order in the matter of Jacob Chachkes, MD. Dr. Chachkes was present with Attorney William Gallitto. Dr. Russell made a motion, seconded by Dr. Manohar, to approve the Interim Consent Order. The motion passed with all in favor except Ms. Doremus who abstained. Dr. O'Neill signed the Order.

VIII. ADJOURNMENT

Dr. Russell made a motion, seconded by Ms. Warner, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 3:05 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
MARCH 19, 2002**

The Connecticut Medical Examining Board held a meeting on Tuesday, March 19, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
David M. Goldenberg, MD
Howard Goodkind
Velandy Manohar, MD
Roberto Medina, MD
Grant H. Miller, Jr., Esq.
John Russell, MD

BOARD MEMBERS ABSENT: Harriet A. Fellows, DO
Sarah E. McGirr
Pamela A. Nole
George Terranova, MD
Mary L. Warner, PA-C

Dr. O'Neill called the meeting to order at 1:34 p.m.

Dr. Goldenberg was welcomed to his first meeting as member of the Connecticut Medical Examining Board.

Dr. O'Neill announced that Mary P. Olsen, MD resigned from the Board effective March 14, 2002. The Board expressed its thanks for Dr. Olsen's service.

I. MINUTES

The draft minutes of the February 19, 2002 meeting were reviewed. Mr. Miller made a motion, seconded by Ms. Doremus, to approve the minutes as written. The motion passed with all in favor except Dr. Goldenberg, Mr. Goodkind and Dr. Medina who abstained.

II. CHAIR UPDATES

The Board reviewed a letter by Dr. O'Neill to Joxel Garcia, MD, Commissioner, Department of Public Health, requesting changes to current regulations pertaining to rules of practice.

The following correspondence was received and reviewed:

1. A letter from Joxel Garcia, MD, Commissioner, Department of Public Health acknowledging receipt of the Board's request for modifications to the regulations.

2. Federation of State Medical Boards (FSMB) correspondence:
 - a. Recommendations regarding the United States Medical Licensing Examination (USMLE)
 - b. Time Limit in USMLE for MD/PhD Candidates
 - c.. Report of the nominating committee.
 - d. Legislative Services Report - March 6, 2002.
 - e. Memorandum on the Implementation of Standardized Patients in the USMLE.
 - f. Correspondence to the American Chiropractic Association.
 - g. FSMB Board of Directors minutes - February 7-8, 2002.
3. New Times Articles from February 20, 2002, regarding the prescribing of OxyContin.

III. INFORMATION UPDATES

A. Department of Public Health
None

B. Connecticut State Medical Society
None

C. Legislative Updates

The Board reviewed proposed legislation raised in bill No. 187, An Act Concerning Electronic Monitoring of Controlled Substance Prescriptions. Michelle Norbeck of the Connecticut State Medical Society informed the Board that the Medical Society has held meetings with the Office of the Attorney General and the Department of Consumer Protection regarding this legislation.

D. Physician Profiling

Stephen Carragher, Health Program Supervisor, Department of Public Health, discussed the Board's questions regarding whether licensure in another state is required to be included in a physician profile and whether discipline in another state is required to be reported. Mr. Carragher indicated that the inclusion of this information in physician profiles is not required by statute.

Mr. Miller and Mr. Goodkind commented that the Department of Public Health should pursue statutory changes such that out-of-state licensure and discipline would be reported on the profiles. Dr. Manohar and Dr. Russell commented that discipline in another state should not be reported unless discipline has also been ordered by this Board following a review/hearing.

IV. NEW BUSINESS

Oral Argument on Proposed Memorandum of Decision - Alejandro Isgut, MD

Assistant Attorney General Peter Brown was present to provide counsel to the Board in the matter of Alejandro Isgut, MD, Petition No. 991103-001-205. Staff Attorney David Tilles was present for the Department of Public Health. Attorney Jane Callahan was present on behalf of Dr. Isgut. The Board heard oral argument from Attorneys Tilles and Callahan. Dr. Medina, a hearing panelist in this matter, provided a synopsis of the panel's findings and recommendations.

Dr. Manohar made a motion, seconded by Mr. Miller, to amend the Memorandum of Decision by deleting paragraph 13 of the findings and by deleting a similar reference on page 5. The motion passed with all in favor except Dr. Goldenberg who abstained.

Mr. Goodkind made a motion, seconded by Dr. Manohar, to adopt the Memorandum of Decision as amended. The motion passed with all in favor except Dr. Russell who was opposed and Dr. Goldenberg who abstained.

Dr. Manohar made a motion, seconded by Mr. Goodkind, to authorize Dr. O'Neill to sign the order after changes have been made. The motion passed unanimously.

V. LEGAL OFFICE BUSINESS

A. Consent Order - Eric Jacobson, MD, Petition No. 2001-1016-001-155

Staff Attorney Stephen Miltimore presented a Consent Order in the matter of Eric Jacobson, MD. Respondent was neither present nor represented.

Mr. Miller made a motion to table this matter until respondent is present. There was no second; therefore the motion failed.

Mr. Goodkind made a motion, seconded by Dr. Manohar, to approve the Consent Order. The motion passed with all in favor except Dr. Medina and Mr. Miller who were opposed. Dr. O'Neill signed the Order.

B. Consent Order - David Simon, MD, Petition No. 2000-0309-001-042

Staff Attorney Leslie Scoville presented a Consent Order in the matter of David Simon, MD. Neither respondent nor his attorney was present.

Mr. Goodkind made a motion, seconded by Dr. Russell, to approve the Consent Order. The motion passed with all in favor except Dr. Medina and Mr. Miller who were opposed. Dr. O'Neill signed the Order.

C. Consent Order - Alan Rutner, MD, Petition No. 980821-001-167

Staff Attorney Stephen Miltimore presented a Consent Order in the matter of Alan Rutner, MD. Neither respondent nor his attorney was present.

Dr. Russell made a motion, seconded by Dr. Goldenberg, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

D. Consent Order - Malinda Midzenski, MD, Petition No. 2000-0630-001-113

Staff Attorney David Tilles presented a Consent Order in the matter of Malinda Midzenski, MD. Attorney Alice Mick was present on behalf of Dr. Midzenski.

Dr. Manohar made a motion, seconded by Mr. Miller, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

E. Motion to Withdraw Statement of Charges Based on Voluntary Agreement Not to Renew License - Marvin Lerner, MD, Petition No. 2000-0822-001-145

Staff Attorney David Tilles, presented the Department of Public Health's Motion to Withdraw Statement of Charges in the matter of Marvin Lerner, MD. Respondent was neither present nor represented.

Dr. Russell made a motion, seconded by Mr. Miller, to grant the Department of Public Health's Motion to Withdraw Statement of Charges based on Dr. Lerner's agreement not to renew his license. The motion passed unanimously. Dr. O'Neill signed the Order.

VI. ASSIGN HEARING PANELIST

Jonathan Goldweitz, MD - Petition No. 980218-001-039

Dr. Manohar was assigned to the hearing panel in this matter to replace Mary Olsen, MD who resigned from the Board.

VII. TIME EXTENSIONS

Mr. Goodkind moved and Dr. Manohar seconded to approve 120-day extensions in the following cases:

J. Christoforo, MD - hearing on hold awaiting completion of criminal proceedings.

J. Goldweitz, MD - fourth day of hearing scheduled for April 2, 2002.

B. Raxlen, MD - proposed Memorandum of Decision to be reviewed at the April 16, 2002 Board meeting.

The motion passed unanimously.

VIII. ADJOURNMENT

Mr. Miller made a motion, seconded by Ms. Doremus, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
APRIL 16, 2002**

The Connecticut Medical Examining Board held a meeting on Tuesday, April 16, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
Howard Goodkind
Sarah E. McGirr
Grant H. Miller, Jr., Esq.
George Terranova, MD
Mary L. Warner, PA-C

BOARD MEMBERS ABSENT: David M. Goldenberg, MD
Harriet A. Fellows, DO
Velandy Manohar, MD
Roberto Medina, MD
Pamela A. Nole
John Russell, MD

Dr. O'Neill called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the March 19, 2002 meeting were reviewed. Dr. Terranova made a motion, seconded by Ms. Doremus, to approve the minutes as written. The motion passed with all in favor except Ms. McGirr and Ms. Warner who abstained.

II. CHAIR UPDATES

The following correspondence /information was received and reviewed:

1. A letter from Governor John Rowland, acknowledging the resignation of Mary Olsen, MD as a member of the Board.
2. Federation of State Medical Boards (FSMB) letter to the American Society of Bariatric Physicians concerning internet prescribing.
3. FSMB memorandum regarding the Health Care Safety Net Improvement Act.
4. FSMB legislative update.
5. New Times Article from April 15, 2002, regarding deaths from OxyContin abuse.

III. INFORMATION UPDATES

A. Department of Public Health

None

B. Connecticut State Medical Society

None

C. Legislative Updates

None

IV. NEW BUSINESS

A. Reinstatement Application - William McAvery, MD

Shiu-Yu Kettering, Health Program Assistant for the Department of Public Health, presented a reinstatement application of William McAvery, MD. Ms. Warner made a motion, seconded by Dr. Terranova, recommending approval of Dr. McAvery's reinstatement application. The motion passed unanimously.

Dr. Terranova commented that the Department of Public Health should provide notice to physician licensees that if their license were to lapse, they face the possibility of having to take the SPEX examination as a condition of reinstatement.

Michelle Norbeck, Connecticut State Medical Society offered to publish such a notice in the Society's newsletter.

B. Reinstatement Application - Mustafa Diktas, MD

Shiu-Yu Kettering, Health Program Assistant for the Department of Public Health, presented a reinstatement application of Mustafa Diktas, MD. Dr. Terranova made a motion, seconded by Ms. Warner, recommending denial of Dr. Diktas' application for reinstatement. The motion passed unanimously.

C. Monitoring and Compliance

Bonnie Pinkerton, RN, Nurse Consultant, Department of Public Health addressed the Board regarding the monitoring of physicians subject to Consent Orders and Memoranda of Decision. Ms. Pinkerton asked for the Board's opinion in situations involving probation violations. Currently, the Department sends a respondent a warning letter in situations of minor probation violations, such as failing to comply with the frequency of urine screening. During the last 14 months, warning letters have been sent in only two situations.

Dr. Terranova suggested that the Board be notified of all situations involving a probation violation and that the Board will recommend if disciplinary action or a warning should be pursued. This review by the Board would be of the circumstances of the violation, the identity of respondent would not need to be known. Ms. McGirr suggested that the Department provide monthly updates to the Board regarding monitoring and compliance activities.

Assistant Attorney General Marianne Horn will discuss these issues with her office and report back to the Board.

Ms. Pinkerton will report back to the Board after discussing the Board's suggestions with the Department.

D. Oral Argument on Proposed Memorandum of Decision - Bernard Raxlen, MD

Assistant Attorney General Marianne Horn was present to provide counsel to the Board in the matter of Bernard Raxlen, MD, Petition No. 980108-001-001. Staff Attorney David Tilles was present for the Department of Public Health. Attorney Elliott Pollack was present with Dr. Raxlen. The Board heard oral argument from Attorneys Pollack and Tilles. Ms. Warner and Mr. Miller, hearing panelists in this matter, provided a synopsis of the panel's findings and recommendations.

Ms. McGirr made a motion, seconded by Mr. Goodkind, to amend the Memorandum of Decision by requiring that the \$20,000 civil penalty, be payable in 26 monthly installments of \$750.000 and one installment of \$500.00. The motion passed unanimously.

Ms. McGirr made a motion, seconded by Mr. Goodkind, to adopt the Memorandum of Decision as amended.

Mr. Miller made a motion, seconded by Ms. McGirr, to authorize Dr. O'Neill to sign the order after changes have been made. The motion passed unanimously.

V. LEGAL OFFICE BUSINESS

A. Consent Order - James Kim, MD, Petition No. 2000-0530-001-092

Dr. O'Neill recused himself from voting in this matter.

Staff Attorney David Tilles presented a Consent Order in the matter of James Kim, MD. Attorney Eugene Cooney was present on behalf of Dr. Kim.

Ms. McGirr made a motion, seconded by Ms. Warner, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

B. Modification of Consent Order - Alan Rutner, MD, Petition No. 970922-001-190

Staff Attorney Stephen Miltimore presented a Modification of Consent Order in the matter of Alan Rutner, MD. Neither respondent nor his attorney was present.

Ms. Warner made a motion, seconded by Mr. Miller, to approve the Modification of Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

VI. TIME EXTENSIONS

Ms. McGirr moved and Mr. Goodkind seconded to approve 120-day extensions in the following cases:

A. Agomouh, MD - hearing scheduled for May 21, 2002.

D. Hall, MD - awaiting outcome of criminal case

E. Khu, MD - hearing scheduled for April 17, 2002.

M. Riggs, MD - hearing to be rescheduled for June 2002..

R. Zoborowski - hearing scheduled for June 18, 2002.

The motion passed unanimously.

VII. ADJOURNMENT

Ms. McGirr made a motion, seconded by Ms. Doremus, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
May 21, 2002

The Connecticut Medical Examining Board held a meeting on Tuesday, May 21, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
David M. Goldenberg, MD
Howard Goodkind
Sarah E. McGirr (via telephone)
Roberto Medina, MD
Grant H. Miller, Jr., Esq.
John Russell, MD
Mary L. Warner, PA-C

BOARD MEMBERS ABSENT: Harriet A. Fellows, DO
Velandy Manohar, MD
Pamela A. Nole
George Terranova, MD

Dr. O'Neill called the meeting to order at 1:35 p.m.

I. MINUTES

The draft minutes of the April 16, 2002 meeting were reviewed. Mr. Goodkind made a motion, seconded by Dr. Goldenberg, to approve the minutes. The motion passed unanimously.

II. CHAIR UPDATES

The following correspondence /information was received and reviewed:

1. Federation of State Medical Boards (FSMB) legislative update, dated May 13, 2002.
2. FSMB - Board of Directors meeting minutes, April 24, 2002 and April 28, 2002.
3. FSMB - Journal of Medical Licensure and Discipline
4. Boston Globe article dated May 19, 2002, regarding how pharmaceutical companies influence physicians to prescribe their products.

III. INFORMATION UPDATES

A. Department of Public Health
None

B. Connecticut State Medical Society
None

C. Legislative Updates

Karen Buckley-Bates and Nancy Nicolescu of the Department of Public Health Government Relations Office provided an overview of legislation passed this session, which would be of interest to the Board. The legislation includes the reporting of sexual abuse of a minor; the reporting of adverse events which occur in a hospital; and the reporting of prescription errors.

Bill #582 which would impact on hearing panels was not acted on during the regular session. It could be revived during the special session.

IV. OLD BUSINESS

Monitoring and Compliance

Assistant Attorney General Marianne Horn informed the Board that the opinion of her office is that the Board should not review individual cases, in which a question of probationary compliance is at issue, for the purpose of advising the Department of Public Health whether to prosecute a violation of probation. The Department should make this determination on its own.

It is the consensus of the Board that the Department should bring violations of probationary terms set forth in a Consent Order or Memorandum of Decision to the Board for adjudication.

V. NEW BUSINESS

A. Oral Argument on Proposed Memorandum of Decision - Tadeusz Skowron, MD

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board in the matter of Tadeusz Skowron, MD, Petition No. 971205-001-238. Staff Attorney Roberta Swafford was present for the Department of Public Health. Attorney Mark Milano was present with Dr. Skowron. The Board heard oral argument from Attorneys Milano and Swafford.

Following oral argument Dr. O'Neill made a motion, seconded by Mr. Miller, to enter executive session to obtain advice from the Assistant Attorney General. The motion passed with all in favor. The Board entered executive session from 2:55 p.m. to 3:16 p.m.

Following executive session Ms. McGirr and Dr. Medina, hearing panelists in this matter, provided a synopsis of the panel's findings and recommendations.

The Memorandum of Decision was to edited to correctly identify the employer of the Department of Public Health's expert witness.

Ms. McGirr made a motion, seconded by Mr. Miller, to adopt the Memorandum of Decision as edited. The motion passed with all in favor except Ms. Warner who recused herself.

The Memorandum of Decision was signed by Dr. O'Neill..

VI. LEGAL OFFICE BUSINESS

A. Consent Order - Debra Strigun, PA, Petition No. 2001-1205-023-004

Staff Attorney Roberta Swafford presented a Consent Order in the matter of Debra Strigun, PA. Ms. Strigun was present but was not represented.

Mr. Miller made a motion, seconded by Ms. Warner, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

Ms. Warner left the meeting at 3:45 p.m.

B. Consent Order - Vladimir Shurlan, MD, Petition No. 2001-1107-001-164

Staff Attorney Stephen Miltimore presented a Consent Order in the matter of Vladimir Shurlan, MD. Neither respondent nor his attorney was present.

Mr. Goodkind made a motion, seconded by Dr. Goldenberg, to approve the Consent Order. The motion passed with all in favor except Ms. McGirr who was opposed. Dr. O'Neill signed the Order.

VII. NEW BUSINESS (Continued)

B. Reinstatement Application - Brian Sandridge, MD

Stephen Carragher, Health Program Supervisor, Department of Public Health, presented a reinstatement request of Brian Sandridge, MD.

Mr. Miller made a motion, seconded by Ms. Doremus, recommending denial of Dr. Sandridge's request for reinstatement and recommending that Dr. Sandridge take the SPEX examination. The motion passed with all in favor except Dr. Medina who recused himself.

C. Oral Argument on Proposed Memorandum of Decision - Vincent McClain, MD

Assistant Attorney General Marianne Horn was present to provide counsel to the Board in the matter of Vincent McClain, MD, Petition No. 2000-0315-001-052. Staff Attorney Ellen Shanley was present for the Department of Public Health. Attorney Michael Neubert was present with Dr. McClain. The Board heard oral argument from Attorneys Neubert and Shanley. Mr. Miller made a motion seconded by Ms. McGirr to enter executive session for discussion of protected information. The motion passed unanimously. The Board entered executive session from 4:00 p.m. to 4:10 p.m.

Following oral argument, Ms. McGirr, a hearing panelists in this matter, provided a synopsis of the panel's findings and recommendations.

Following discussion, paragraph one of the Order was edited to require re-certification by the American Board of Obstetrics and Gynecology.

Ms. McGirr made a motion, seconded by Dr. Goldenberg, to adopt the Memorandum of Decision as edited. The motion passed with all in favor except Dr. Medina who recused himself.

The Memorandum of Decision was signed by Dr. O'Neill.

D. Oral Argument on Proposed Memorandum of Decision - Abraham Solomon, MD

Assistant Attorney General Marianne Horn was present to provide counsel to the Board in the matter of Abraham Solomon, MD, Petition No. 2001-0205-001-022. Staff Attorney David Tilles was present for the Department of Public Health. Dr. Solomon was present without representation. The Board heard oral argument from Dr. Solomon and Attorney Tilles. Following oral argument Mr. Miller, Dr. Russell and Elliott Alter, OD, hearing panelists in this matter, provided a synopsis of the panel's findings and recommendations.

Following discussion the first paragraph on page 17 was to edited to state “. . .respondent failed to conform to the standard of care required to practice medicine in the State of Connecticut.”

Mr. Goodkind made a motion, seconded by Dr. Medina, to adopt the Memorandum of Decision as edited. The motion passed with all in favor except Dr. O'Neill who recused himself from voting in this matter.

VIII. ADJOURNMENT

Dr. Russell made a motion, seconded by Dr. Goldenberg, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
June 18, 2002

The Connecticut Medical Examining Board held a meeting on Tuesday, June 18, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
Harriet A. Fellows, DO
David M. Goldenberg, MD
Velandy Manohar, MD
Roberto Medina, MD
Pamela A. Nole
John Russell, MD
George Terranova, MD

BOARD MEMBERS ABSENT: Howard Goodkind
Sarah E. McGirr
Grant H. Miller, Jr., Esq.
Mary L. Warner, PA-C

Dr. O'Neill called the meeting to order at 1:38 p.m.

I. MINUTES

The draft minutes of the May 21, 2002 meeting were reviewed. Ms. Doremus made a motion, seconded by Dr. Goldenberg, to approve the minutes as written. The motion passed with all in favor except Dr. Fellows, Dr. Manohar and Ms. Nole who abstained.

II. CHAIR UPDATES

The following correspondence /information was received and reviewed:

1. Federation of State Medical Boards (FSMB) legislative update, dated June 11, 2002.
2. Public Act 02-41- An Act Concerning Collaborative Practice Between Physicians and Pharmacists.

III. INFORMATION UPDATES

A. Department of Public Health

Donna Brewer, Esq. Director, Public Health Hearing Office discussed The Health Insurance Portability and Accountability Act of 1996 (HIPAA) which goes into effect in April 2003.

A presentation as to how HIPAA will affect the Board will be made at the March 2003 Board meeting. The Board requests that it be given an update at the September 2002 Board meeting, regarding the recent legislation requiring the reporting of medical errors to the Department of Public Health.

- B. Connecticut State Medical Society
None

Dr. Terranova arrived at 1:45p.m.

IV. NEW BUSINESS

- A. Reinstatement Application - Richard Fleming, MD

Shiu-Yu Kettering, Health Program Assistant, Department of Public Health, presented a reinstatement request of Richard Fleming, MD.

Dr. Terranova made a motion, seconded by Ms. Doremus, to deny the reapplication of Dr. Fleming pending the completion of the SPEX examination. The motion passed unanimously.

- B. Medical School Permit Application - Alec Buchanan, MD

Shiu-Yu Kettering, Health Program Assistant, Department of Public Health reported that the Department is gathering additional information. This matter will be brought to the Board at the July 16, 2002 meeting.

V. LEGAL OFFICE BUSINESS

- A. Modification of Memorandum of Decision - Edward Zyla, MD, Petition No. 980618-001-118

Staff Attorney Stephen Miltimore presented a Department of Public Health request to modify Memorandum of Decision in the matter of Edward Zyla, MD, Petition No. 980618-001-118.

Dr. Zyla was neither present nor represented. Assistant Attorney General Peter Brown was present to provide council to the Board.

It is the advice of the Office of the Assistant Attorney General that the Board not act on the Department's request to modify the Memorandum of Decision without first receiving a reply from Dr. Zyla to the Department's request.

Dr. Terranova remarked that it is apparent from the review of this matter that Dr. Zyla has not complied with the terms of the probation set forth in the Memorandum of Decision. Dr. Terranova further commented that the Department should pursue the non-compliance issue.

Upon further discussion it is the recommendation of the Board that any modification to the Memorandum of Decision require that Dr. Zyla pass the SPEX examination and notify the Department prior to resuming practice, and strictly comply with the terms of the Memorandum of Decision. The Board also requests comments from Dr. Zyla in person or in writing. This matter will be taken up again at the July 16, 2002 Board meeting.

- B. Consent Order - Timothy Wright, DO, Petition No. 2001-0117-001-013

Staff Attorney David Tilles presented a Consent Order in the matter of Timothy Wright, DO. Dr. Wright was present without representation. Assistant Attorney General Peter Brown was present to provide council to the Board.

Dr. Manohar made a motion seconded by Dr. Russell to enter executive session to review privileged medical information. The motion passed unanimously and the Board entered executive session from 2:08 p.m. to 2:24 p.m.

Following the executive session and discussion with Attorney Tilles and Dr. Wright the Board recommended modifications to the Consent Order language. After the modifications were made, Dr. Terranova made a motion, seconded by Dr. Russell, to approve the Consent Order, as modified. The motion passed unanimously. Dr. O'Neill signed the Order.

Dr. Fellows left the meeting at 1:45p.m.

VI. ASSIGN HEARING PANEL

The Board Liaison will coordinate the scheduling of hearing dates for the following cases:

- A. Gregory Azia, MD, - Petition No. 2000-1102-001-194.
Dr. Terranova will chair the hearing panel in this matter. Ms. Nole will also be a panelist.
- B. Jan Silberstein, MD, - Petition No. 2000-0209-001-024.
Dr. Medina will chair the hearing panel in this matter. Ms. Doremus will also be a panelist
- C. Lee Pachter, DO, - Petition No. 990707-004-002.
Dr. O'Neill will chair the hearing panel in this matter. Dr. Fellows will also be a panelist.
- D. Maryellen Albini, (unlicensed) - Petition No. 2000-0712-000-079.
Joan Mershon, (unlicensed) - Petition No. 2000-1130-000-146.
Mr. Miller will chair the hearing panel in this matter. Dr. Goldenberg will also be a panelist.

VII. ADJOURNMENT

Ms. Nole made a motion, seconded by Dr. Manohar, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 2:35 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
July 16, 2002

The Connecticut Medical Examining Board held a meeting on Tuesday, July 16, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
Harriet A. Fellows, DO
David M. Goldenberg, MD
Howard Goodkind
Velandy Manohar, MD
Sarah E. McGirr
Grant H. Miller, Jr., Esq.
Pamela A. Nole

BOARD MEMBERS ABSENT: Roberto Medina, MD
John Russell, MD
George Terranova, MD
Mary L. Warner, PA-C

Dr. O'Neill called the meeting to order at 1:33 p.m.

I. MINUTES

The draft minutes of the June 18, 2002 meeting were reviewed. Ms. Doremus made a motion, seconded by Ms. Nole, to approve the minutes as corrected. The motion passed with all in favor except Mr. Goodkind, Ms. McGirr, and Mr. Miller who abstained.

II. CHAIR UPDATES

The following correspondence /information was received and reviewed:

1. Memorandum from Nancy Bafundo, RN Chairperson, Board of Examiners for Nursing regarding medical assistants. Issues regarding the role of medical assistants will be discussed at the September 17, 2002 Board meeting.
2. Federation of State Medical Boards (FSMB) June 18, 2002 staff summary regarding Internet Prescribing.
3. June 24, 2002 letter from the Center for Professional Education for Physicians regarding assessment services.

III. INFORMATION UPDATES

A. Department of Public Health
None

B. Connecticut State Medical Society

Michelle Norbeck reported that the Medical Society is working with the County Medical Associations and the Connecticut Medical Insurance Company to develop and present educational forums and materials to help physicians comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The Medical Society has also held discussions with the Connecticut Hospital Association and medical practice groups in this regard.

IV. OLD BUSINESS

Modification of Memorandum of Decision - Edward Zyla, MD, Petition No. 980618-001-118

Staff Attorney Stephen Miltimore was present representing the Department of Public Health.

Dr. Zyla was neither present nor represented. Assistant Attorney General Thomas Ring was present to provide counsel to the Board.

Mr. Miltimore reported that Dr. Zyla has contacted the Department concerning an agreement not to renew his license. The Department requested that this matter be tabled to the August 20, 2002 meeting. Ms. McGirr made a motion, seconded by Dr. Manohar, that this matter be tabled to the August 20, 2002 Board meeting. The motion passed unanimously.

V. NEW BUSINESS

A. Endorsement Application - Kumar S. Das, MD

Shiu-Yu Kettering, Health Program Assistant, Department of Public Health, presented an endorsement application of Kumar S. Das, MD.

Dr. Manohar made a motion, seconded by Ms. Doremus, to accept Dr. Das' education and training as being equivalent to the two year ACGME accredited training requirement. The motion passed unanimously.

B. Modification of Memorandum of Decision - Tadeusz Skowron, MD, Petition No. 971205-001-238

Dr. Skowron was present with Attorney Gary Kaisen. Staff Attorney Roberta Swafford was present representing the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

Respondent requests a modification of a May 21, 2002 Memorandum of Decision pertaining to an Order for the payment of a civil penalty. Assistant Attorney General Shapiro advised the Board that respondent's Motion for Modification did not cite changed conditions as grounds for modification. Dr. Manohar made a motion, seconded by Mr. Goodkind, to deny respondent's request to modify the Memorandum of Decision dated May 21, 2002. The motion passed with all in favor except Dr. Goldenberg who abstained.

Attorney Swafford remarked that the Department of Public Health would not oppose a payment schedule for payment of the civil penalty. Assistant Attorney General Shapiro stated an agreement should be prepared by the Department and respondent and returned to the Board for approval.

Ms. McGirr made a motion, seconded by Mr. Goodkind, that payment of the civil penalty be stayed until the August 20, 2002 Board meeting so as to allow the Department and respondent time to prepare an agreement. The motion passed unanimously.

VI. LEGAL OFFICE BUSINESS

A. Consent Order - William Weed, MD, Petition No. 2001-0117-001-013

Staff Attorney Ellen Shanley presented a Consent Order in the matter of William Weed, MD. Attorney Edward Sheehy was present on behalf of Dr. Weed.

Dr. Manohar made a motion, seconded by Dr. Fellows, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

B. Consent Order - Robert Hyde, MD, Petition No. 2002-0403-001-065

Staff Attorney Stephen Miltimore presented a Consent Order in the matter of Robert Hyde, MD. Respondent was not present or represented.

Ms. Nole made a motion, seconded by Ms. Doremus, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

C. Consent Order - Arthur Blake, MD, Petition No. 2002-0510-001-089

Staff Attorney Stephen Miltimore presented a Consent Order in the matter of Arthur Blake, MD. Respondent was not present or represented.

Ms. McGirr made a motion, seconded by Mr. Miller, to deny the Consent Order. The motion passed unanimously. The motion passed with all in favor except Dr. Fellows and Ms. Nole who recused themselves.

The Board suggests that the Consent Order be modified such that paragraph 2b prohibits self-prescribing. The Board also requests information as to the status of respondent's controlled substance registration.

D. Consent Order - Denise Green-Bokor, MD, Petition No. 2002-0314-079-001

Staff Attorney Diane Wilan presented a Consent Order in the matter of Denise Green-Bokor, MD. Respondent was not present or represented.

Ms. McGirr made a motion, seconded by Dr. Manohar, to approve the Consent Order. The motion passed with all in favor except Mr. Goodkind who was opposed. Dr. O'Neill signed the Order.

VII. TIME EXTENSIONS

Ms. McGirr moved and Mr. Miller seconded to approve 120-day extensions in the following cases:

J. Christoforo, MD - hearing on hold, awaiting completion of criminal proceedings.

J. Goldweitz, MD - hearing completed, fact finding scheduled for August 20, 2002.

The motion passed unanimously.

VIII. ADJOURNMENT

Ms. McGirr made a motion, seconded by Mr. Goodkind, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 2:50 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
August 20, 2002

The Connecticut Medical Examining Board held a meeting on Tuesday, August 20, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
Robert Fuller, MD
David M. Goldenberg, MD
Howard Goodkind
Velandy Manohar, MD
Roberto Medina, MD
Sarah E. McGirr
Grant H. Miller, Jr., Esq.
Pamela A. Nole
George Terranova, MD
Mary L. Warner, PA-C

BOARD MEMBERS ABSENT: Harriet A. Fellows, DO
John Russell, MD

Dr. O'Neill called the meeting to order at 1:32 p.m.

Dr. Fuller was welcomed to his first meeting as member of the Connecticut Medical Examining Board.

I. MINUTES

The draft minutes of the July 16, 2002 meeting were reviewed. Ms. McGirr made a motion, seconded by Dr. Manohar, to approve the minutes as amended. The motion passed with all in favor except Dr. Fuller, Dr. Medina and Ms. Warner who abstained.

II. CHAIR UPDATES

The following correspondence /information was received and reviewed:

1. Department of Public Health Investigations Summary from Kathleen Boulware, RN.
2. Federation of State Medical Boards (FSMB) - July 14, 2002 Board of Directors Highlights
3. FSMB August 2002 Legislative Report.
4. FSMB update on the Institute of Physician Evaluation.
5. Norchem Drug Testing - Urine Drug Test Fact Sheet.

III. INFORMATION UPDATES

- A. Department of Public Health
None
- B. Connecticut State Medical Society
None

IV. OLD BUSINESS

Edward Zyla, MD

Staff Attorney Stephen Miltimore was present representing the Department of Public Health.

Dr. Zyla was neither present nor represented.

Mr. Miltimore reported that Dr. Zyla has not signed the agreement not to renew his license. The Department has therefore filed a Statement of Charges (Petition No. 2002-0415-001-072). Dr. Terranova will chair the hearing panel in this matter.

V. NEW BUSINESS

A. Endorsement Application - Bita Manzouri, MD

Shi-Yu Kettering, Health Program Assistant, Department of Public Health, presented an endorsement application of Bita Manzouri, MD.

Dr. Manohar made a motion, seconded by Ms. Warner, to accept Dr. Das' education and training as being equivalent to the two year ACGME accredited training requirement. The motion passed unanimously.

B. Reinstatement Application - William Kissick, MD

Shi-Yu Kettering, Health Program Assistant, Department of Public Health, presented a reinstatement application of William Kissick, MD.

Dr. Terranova commented that the presentation did not include sufficient information regarding Dr. Kissick's clinical practice history for the Board to make a recommendation. Dr. Terranova made a motion, seconded by Ms. McGirr, to table this matter until further information is gathered by the Department. The motion passed unanimously.

The Board requests that information regarding an applicant's clinical practice of medicine accompany all future reinstatement applications referred to the Board for review. If an applicant has been practicing clinically, confirming documentation should be attached to the summary submitted by the Department.

C. Endorsement Application - Yehudti Luckman, MD

Shiu-Yu Kettering, Health Program Assistant, Department of Public Health, presented an endorsement application of Yehudti Luckman, MD.

Dr. Fuller made a motion, seconded by Dr. Manohar, to accept Dr. Luckman's education and training as being equivalent to the two year ACGME accredited training requirement. The motion passed unanimously.

D. Medical School Permit Application - J. Antonio Obando, MD

Shiu-Yu Kettering, Health Program Assistant, Department of Public Health, presented a medical school application of J. Antonio Obando, MD.

Ms. Nole made a motion, seconded by Ms. Doremus, to recommend approval of Dr. Obando's application for a permit to practice in a Connecticut medical school. The motion passed with all in favor except Ms. McGirr who abstained.

E. Monitoring and Compliance

Bonnie Pinkerton, RN, Nurse Consultant, Department of Public Health was present to inquire as to how the Board wants the Department to proceed in situations involving physicians who violate the terms of probation set forth in Memoranda of Decision and/or Consent Orders. Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. After much discussion, the Board recommended that the Department use its discretion, on a case by case basis, in determining whether to file Charges or to notify a physician by means of a warning letter concerning probation violations.

VI. LEGAL OFFICE BUSINESS

A. Consent Order - Arthur Blake, MD, Petition No. 2002-0510-001-089

Staff Attorney Stephen Miltimore presented a Consent Order in the matter of Arthur Blake, MD. Dr. Blake was present without representation.

Ms. McGirr made a motion, seconded by Dr. Goldenberg, to approve the Consent Order. The motion passed with all in favor except Ms. Nole who recused herself in this matter. Dr. O'Neill signed the Order.

B. Consent Order - Tadeusz Skowron, MD, Petition No. 971205-001-238

Staff Attorney Roberta Swafford presented a Consent Order in the matter of Tadeusz Skowron, MD. Attorney Gary Kaisen was present representing Dr. Skowron who was not present.

Ms. McGirr made a motion, seconded by Dr. Manohar, to approve the Consent Order which sets a payment schedule for the civil penalty order pursuant to a Memorandum of Decision dated May 21, 2002. The motion passed with all in favor except Ms. Warner who recused herself in this matter. Dr. O'Neill signed the Order.

C. Consent Order - Steven Lutzker, MD, Petition No. 2002-0124-001-015

Staff Attorney Matthew Antonetti presented a Consent Order in the matter of Steven Lutzker, MD. Attorney Hilary Fisher Nelson was present representing Dr. Lutzker who was not present.

Dr. Manohar made a motion, seconded by Dr. Goldenberg, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

D. Motion for Summary Suspension – George Coppa, MD, Petition No. 2002-0725-001-143

Staff Attorney Diane Wilan presented the Board with the Department of Public Health's Motion for Summary Suspension in the matter of George Coppa, MD. Respondent was neither present nor represented. Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

Ms. McGirr made a motion, seconded by Mr. Goodkind, to grant the Summary Suspension of Dr. Coppa's physician license. The motion passed unanimously. Dr. O'Neill signed the Summary Suspension Order. A hearing in this matter will be scheduled for October 15, 2002. Mr. Miller will chair the hearing panel. The Board requests that a copy of the Summary Suspension Order be sent to the State of New York.

E. Motion to Withdraw Statement of Charges Based on Voluntary Agreement Not to Renew License - Micky Riggs, MD, Petition No. 2001-1024-001-160

Staff Attorney David Tilles, presented the Department of Public Health's Motion to Withdraw Statement of Charges in the matter of Micky Riggs, MD. Respondent was neither present nor represented.

Dr. Manohar made a motion, seconded by Mr. Miller, to grant the Department of Public Health's Motion to Withdraw Statement of Charges based on Dr. Riggs' agreement not to renew his license. The motion passed with all in favor except Dr. Fuller who abstained. Dr. O'Neill signed the Order.

F. Motion for Summary Suspension – Dennis Lansang, MD, Petition No. 2002-0523-001-106

Staff Attorney David Tilles presented the Board with the Department of Public Health's Motion for Summary Suspension in the matter of Dennis Lansang, MD. Respondent was neither present nor represented. Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

Dr. Terranova made a motion, seconded by Ms. Nole, to grant the Summary Suspension of Dr. Lansang's physician license. The motion passed unanimously. Dr. O'Neill signed the Summary Suspension Order. A hearing in this matter will be scheduled for September 17, 2002. Dr. O'Neill will chair the hearing panel. Ms. Doremus will also be hearing panelist in this matter.

VII. ASSIGN HEARING PANEL

The Board Liaison will coordinate the scheduling of hearing dates for the following case:
Craig Sweeney, MD, - Petition No. 2000-1212-001-203.

Dr. Manohar will chair the hearing panel in this matter. Ms. Nole and Mr. Goodkind will also be panelists.

VIII. TIME EXTENSIONS

Ms. McGirr moved and Dr. Terranova seconded to approve 120-day extensions in the following cases:

O. Agomuoh, MD - hearing scheduled for September 17, 2002.

D. Hall, MD - awaiting outcome of criminal proceeding.

E. Khu, MD - hearing scheduled for August 21, 2002.

R. Zborowski, DDS - awaiting outcome of case before the Connecticut State Dental Commission.

The motion passed unanimously.

IX. ADJOURNMENT

Ms. McGirr made a motion, seconded by Mr. Goodkind, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 3:20 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
September 17, 2002

The Connecticut Medical Examining Board held a meeting on Tuesday, September 17, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
Robert Fuller, MD
David M. Goldenberg, MD
Howard Goodkind
Velandy Manohar, MD
Roberto Medina, MD
Pamela A. Nole
John Russell, MD
George Terranova, MD
Mary L. Warner, PA-C

BOARD MEMBERS ABSENT: Harriet A. Fellows, DO
Sarah E. McGirr
Grant H. Miller, Jr., Esq.

Dr. O'Neill called the meeting to order at 1:35 p.m.

I. CHAIR UPDATES

The following correspondence /information was received and reviewed:

1. August 19, 2002 letter from James Thompson, MD, Federation of State Medical Boards (FSMB) regarding the USMLE Clinical Skills Examination.
2. FSMB Journal of Medical Licensure and Discipline.
3. FSMB NewsLine July /August 2002.
4. FSME call for nominations and resolutions.

II. INFORMATION UPDATES

A. Department of Public Health

None

B. Connecticut State Medical Society

None

III. MINUTES

The draft minutes of the August 20, 2002 meeting were reviewed. Dr. Manohar made a motion, seconded by Ms. Doremus, to approve the minutes as written. The motion passed with all in favor except Dr. Russell who abstained.

IV. NEW BUSINESS

A. Medical Assistants

Nancy Bafundo, Chairperson, Board of Examiners for Nursing and Wendy Furniss, Director, Health Systems Regulation for the Department of Public Health were present to discuss the role of medical assistants. The Board of Examiners for Nursing is concerned that medical assistants may be performing or may be requested to perform licensed functions such as medication administration and patient assessment.

Medical assistants are not licensed or certified in Connecticut, and therefore, not regulated by the Department of Public Health. The Department does have the authority to file charges against a licensee who delegates licensed functions to an unlicensed person. The Department can also seek a cease and desist order for an unlicensed person who is performing licensed functions.

The Connecticut Medical Examining Board concurs with the Board of Nursing that licensed functions should not be delegated to medical assistants. The Board will defer to the advice of the Office of the Attorney General as to whether a formal policy should be issued regarding this matter.

The Department of Public Health currently issues an advisory letter explaining the tasks which a medical assistant can and cannot perform.

B. Legislation

Karen Buckley-Bates, Legislative Liaison, Office of Government Relations, Department of Public Health reported on legislation which may be proposed during the 2003 legislative session.

1. House of Representatives File No. 601 - An Act Concerning Temporary Assistance During Periods of Emergency or Disaster.

This legislation would allow the Commissioner of Public Health to temporarily suspend requirements for licensure, to allow for the rendering of assistance from out-of-state licensees, during a statewide emergency.

2. Technical revisions to various Department of Public Health licensure statutes will be raised during 2003.

3. An Act Concerning Continuing Education for Physicians.

The Connecticut Hospital Association, Connecticut State Medical Society and Managed Care Organizations are part of a work group which has offered input regarding this legislation.

Board members expressed their concerns that this legislation may not be appropriate or may be repetitious. Currently, physicians are required to complete continuing education for purposes of specialty board certification and as a requirement for hospital staff privileges. In addition, it is felt that the subject areas specified in the bill are not necessary for all specialties. Furthermore, the physicians who do not have hospital or specialty board affiliations may have difficulty in finding courses that would fulfill the requirements.

It was suggested that, as an alternative, the State should provide funding for continuing medical education that physicians can attend at no cost and which would include the subject matter specified in the legislation.

C. Quality Care Program - Reporting of Adverse Events

Karen Buckley-Bates, Legislative Liaison, Office of Government Relations, Department of Public Health reported that an advisory committee as set forth in the legislation, met in early August. Various sub-committees have been developed, and ex-officio members have been appointed to implement the program. The next advisory committee meeting is scheduled for October 29, 2002.

A draft adverse event reporting form was shared with the Board. Work has begun to implement the provisions of this program.

The Board expressed its concerns and opposition to various aspects of this legislation.

D. Motion to Amend Memorandum of Decision - Vincent McClain, MD
Petition No. 2000-0315-001-052

Dr. McClain was present with Attorney Michael Neubert. Staff Attorney David Tilles was present representing the Department of Public Health. Assistant Attorney General Peter Brown was present to provide counsel to the Board.

Attorney Tilles offered suggestions to the Board regarding respondent's request for modification of a Memorandum of Decision issued on May 22, 2002.

Following discussion the board recommends that a modification to conditions specified in the Memorandum of Decision include passing of the Special Purpose Examination (SPEX) and successful completion of an Institute of Physician Evaluation (IPE) assessment and any IPE recommendations.

A proposed modification to the Memorandum of Decision will be presented at the October Board meeting.

V. **LEGAL OFFICE BUSINESS**

Motion to Withdraw Statement of Charges Based on Voluntary Agreement Not to Renew License - Obioma Agomuoh, MD - Petition No. 2001-0628-001-088.

Staff Attorney David Tilles, was presented on behalf of the Department of Public Health. Attorney Maria Spalding was present representing Dr. Agomuoh.

Attorney Tilles presented a Department of Public Health Motion to Amend Statement of Charges in the matter of Obioma Agomuoh, MD, Petition No. 2001-0628-001-088 and explained the purpose of the motion. Mr. Goodkind made a motion, seconded by Ms. Warner, to grant the Department of Public Health's Motion to Amend Statement of Charges. The motion passed unanimously.

Attorney Tilles presented a Department of Public Health Motion to Withdraw Statement of Charges Based on Dr. Agomuoh's Agreement Not To Renew His License. Mr. Goodkind made a motion, seconded by Dr. Manohar, to grant the Department of Public Health's Motion to Withdraw Statement of Charges Based on the Agreement Not To Renew His License. The motion passed with all in favor except Dr. Russell who recused himself in this matter.

VI. **TIME EXTENSIONS**

Mr. Goodkind moved and Dr. Goldenberg seconded to approve 120-day extensions in the following cases:

M. Albini, (unlicensed) - hearing scheduled for October 9, 2002.

G. Azia, MD - hearing scheduled for October 15, 2002.

J. Mershon, (unlicensed) - hearing scheduled for October 9, 2002.

L. Patcher, DO - hearing scheduled for November 19, 2002.

J. Silberstein, MD - hearing scheduled for October 18, 2002.

The motion passed with all in favor except Dr. Terranova who was opposed.

VII. **ADJOURNMENT**

Dr. Manohar made a motion, seconded by Mr. Goodkind, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 3:31 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
October 15, 2002

The Connecticut Medical Examining Board held a meeting on Tuesday, October 15, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
Robert Fuller, MD
David M. Goldenberg, MD
Velandy Manohar, MD
Sarah E. McGirr
Grant H. Miller, Jr., Esq.
John Russell, MD
George Terranova, MD

BOARD MEMBERS ABSENT: Harriet A. Fellows, DO
Pamela A. Nole
Roberto Medina, MD
Mary L. Warner, PA-C

Dr. O'Neill called the meeting to order at 1:32 p.m.

I. MINUTES

The draft minutes of the September 17, 2002 meeting were reviewed. Dr. Terranova made a motion, seconded by Dr. Goldenberg, to approve with edits to item C of New Business. The motion passed with all in favor except Mr. Miller who abstained.

II. CHAIR UPDATES

Dr. O'Neill announced that Howard Goodkind has resigned as a public member of the Board. Dr. O'Neill expressed the Board's thanks for Mr. Goodkind's many years of dedicated service.

The following correspondence /information was received and reviewed:

1. Federation of State Medical Boards (FSMB) NewsLine September 2002.
2. FSMB Policy Documents:
 - a. Model Guidelines for the Appropriate Use of the Internet in Medical Practice
 - b. Model Policy Guidelines for Opioid Addiction Treatment in the Medical Office
 - c. Report of the Special Committee on License Portability
 - d. Report of the Special Committee on Outpatient (Office-based) Surgery
 - e. Model Guidelines for the Use of Complementary and Alternative Therapies in Medical Practice
3. Workers' Compensation Commission Memorandum No. 2002-07.
4. Citizen Advocacy Center annual meeting announcement.

Dr. O'Neill made a motion, seconded by Ms. McGirr, to enter executive session to obtain legal advice from Assistant Attorney General Daniel Shapiro. The motion passed unanimously and the Board went into executive session from 1:38 p.m. until 2:28 p.m.

Following executive session, Ms. McGirr made a motion, seconded by Dr. Terranova, that Dr. O'Neill be the spokesman for the Board on procedural matters and/or inquires from the media. The motion passed unanimously.

If Board members are ever contacted to comment on Board policies and procedures or pending cases, such inquires should be referred to the Board chairman.

From this point on the Board requires that any Summary Suspension motions filed by the Department of Public Health must be received by the Board members at least five days prior to a meeting. This will allow the Board enough time to adequately evaluate the need for a Summary Suspension.

III. INFORMATION UPDATES

A. Department of Public Health

None

B. Connecticut State Medical Society

None

IV. OLD BUSINESS

Motion to Amend Memorandum of Decision - Vincent McClain, MD, Petition No. 2000-0315-001-052

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

Staff Attorney David Tilles was present representing the Department of Public Health. Neither Dr. McClain nor his Attorney, Michael Neubert, were present.

The Board reviewed respondent's motion to amend the Memorandum of Decision issued by the Board on May 21, 2002. The motion incorporates modifications as recommended by the Board during the September 17, 2002 meeting. The modifications are further amended in correspondence from Attorney Shanley to Attorney Neubert.

Ms. McGirr made a motion, seconded by Dr. Manohar, to accept the modifications to the Board's recommendations as set forth in the October 11, 2002 correspondence from Attorney Shanley to Attorney Neubert. The motion passed unanimously.

Ms. McGirr made a motion, seconded by Dr. Manohar, to amend the May 21, 2002 Memorandum of Decision with the terms as set forth in the in the October 11, 2002 correspondence from Attorney Shanley to Attorney Neubert. The motion passed unanimously.

V. NEW BUSINESS

A. Permit to Practice in a Connecticut Medical School - Muhammad Aslam Naz, MD

Shiu-Yu Kettering, Health Program Assistant I, presented a medical school permit application of Muhammad Aslam Naz, MD to allow him to practice at the Yale University School of Medicine. The Board questioned the appropriateness of this application.

Ms. McGirr made a motion, seconded by Dr. Terranova, to table this matter to allow Dr. Naz to address the Board. The motion passed unanimously.

B. Permit to Practice in a Connecticut Medical School - Jana Preiningerova, MD

Shiu-Yu Kettering, Health Program Assistant I, presented a medical school permit application of Jana Preiningerova, MD to allow her to practice at the Yale University School of Medicine.

The Board also questioned the appropriateness of this application.

Ms. McGirr made a motion, seconded by Dr. Manohar, to table this matter to allow the Department to obtain additional information from Dr. Preiningerova. The motion passed unanimously.

The Board suggests that the Department review the process and the criteria for the issuance of permits to practice in medical schools. Stephen Carragher, Health Program Supervisor for the Department of Public Health will discuss these issues with the Board at the November meeting.

C. Reinstatement Application - Brian Sandridge, MD

Stephen Carragher, Health Program Supervisor, Department of Public Health, presented a reinstatement request of Brian Sandridge, MD. Mr. Carragher reported that Dr. Sandridge has successfully completed the SPEX examination as previously recommended by the Board.

Dr. Manohar made a motion, seconded by Dr. Goldenberg, to approve the reinstatement of Dr.

Sandridge's license subject to the terms of a Consent Order issued by the Board on June 19, 2001.

The motion passed unanimously.

VI. LEGAL OFFICE BUSINESS

Interim Consent Order - Arthur Seigel, MD, Petition No. 2001-1121-001-175

Staff Attorney David Tilles presented an Interim Consent Order in the matter of Arthur Seigel, MD. Dr. Seigel was not present or represented. Dr. Fuller made a motion, seconded by Dr. Manohar, to table this matter to allow the Department of Public Health time to file a Statement of Charges in conjunction with the Interim Consent Order. The motion passed with all in favor except Dr. Russell who was opposed and Dr. Terranova who recused himself.

VII. ASSIGN HEARING PANELIST

A. Craig Sweeney, MD - Petition No. 2000-1212-001-203

Mary Warner is assigned to the hearing panel to replace Howard Goodkind who resigned.

B. Robert Zborowski, DDS - Petition No. 2002-0109-000-002

Grant Miller is assigned to the hearing panel to replace Howard Goodkind who resigned.

VIII. TIME EXTENSIONS

Ms. McGirr moved and Dr. Manohar seconded to approve 120-day extensions in the following cases:

G, Coppa, MD - the hearing and fact-finding concluded today.

D. Lansang, MD - fact-finding concluded today.

C. Sweeney, MD - hearing scheduled for November 22, 2002.

The motion passed with all in favor except Dr. Terranova who abstained.

IX. ADJOURNMENT

Dr. Manohar made a motion, seconded by Mr. Miller, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 3:15 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
November 19, 2002

The Connecticut Medical Examining Board held a meeting on Tuesday, November 19, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
Robert Fuller, MD
David M. Goldenberg, MD
Velandy Manohar, MD
Pamela A. Nole
John Russell, MD
George Terranova, MD
Mary L. Warner, PA-C

BOARD MEMBERS ABSENT: Harriet A. Fellows, DO
Sarah E. McGirr
Grant H. Miller, Jr., Esq.
Roberto Medina, MD

Dr. O'Neill called the meeting to order at 1:34 p.m.

I. MINUTES

The draft minutes of the October 15, 2002 meeting were reviewed. Dr. Goldenberg made a motion, seconded by Dr. Manohar, to approve with corrections. The motion passed with all in favor except Ms. Nole who abstained.

Dr. Russell and Ms. Warner arrived at 1:37 p.m.

II. CHAIR UPDATES

The following correspondence /information was received and reviewed:

1. Federation of State Medical Boards (FSMB) workshop on Opioid Addiction. Dr. Manohar will attend the workshop in Dallas, Texas on February 21, 2003.
2. FSMB NewsLine - October 2002 issue
3. FSMB Legislative Services Report - October 17, 2002
4. FSMB Model Press Release re: FDA Approval of Buprenorphine for Office-based Opioid Addiction Treatment.
5. Department of Public Health quarterly investigations summary
6. Citizen Advocacy Newsletter
7. Newsletter - Center for Personalized Education for Physicians

III. INFORMATION UPDATES

A. Department of Public Health

None

B. Connecticut State Medical Society

None

C. Legislative

Dr. O'Neill reported that he has been participating in a workgroup that is working on draft regulations regarding the issue of mandatory continuing medical education for physicians. Dr. O'Neill will provide monthly updates on this issue

IV. OLD BUSINESS

A. Licensing and Permits

Stephen Carragher, Health Program Supervisor, Department of Public Health provided an overview of the types of licenses and permits issued by the Department to physicians in Connecticut. Copies of the pertinent statutes and regulations were provide the Board.

B. Permit to Practice in a Connecticut Medical School - Muhammad Aslam Naz, MD

Shiu-Yu Kettering, Health Program Assistant I, presented a medical school permit application of Muhammad Aslam Naz, MD, to allow him to practice at the Yale University School of Medicine. This matter was tabled at the October 15, 2002 Board meeting.

Dr. Naz was present for this discussion. Dr. Naz addressed the Board as to his efforts towards obtaining licensure as a physician in Connecticut. Dr. Naz is currently in the process of taking the necessary licensure examinations. The Board commented that the exemption to allow for a medical school permit does not apply in cases in which an individual is seeking permanent licensure but has yet to be successful. Dr. Terranova made a motion, seconded by Ms. Warner, to deny a medical school permit to Dr. Naz. The motion passed unanimously.

C. Permit to Practice in a Connecticut Medical School - Jana Preiningerova, MD

This matter was tabled at the October 15, 2002 Board meeting. No action was taken by the Board in this matter in that Dr. Preiningerova's application for a permit was not complete.

D. Quality Care Program - Reporting of Adverse Events

The Board requests an update from the Department of Public Health at the next Board meeting as to the type of events being reported to the Department and the process used by the Department to evaluate and investigate these reports.

V. NEW BUSINESS

None

VI. LEGAL OFFICE BUSINESS

A. Consent Order - Joel Miller, MD, Petition No. 2001-0531-001-075

Staff Attorney Roberta Swafford presented a Consent Order in the matter of Joel Miller, MD. Dr. Miller was neither present nor represented.

Ms. Nole made a motion, seconded by Dr. Terranova, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

B. Consent Order - Terry Singer (unlicensed), Petition No. 2001-0919-000-089

Staff Attorney Roberta Swafford presented a Consent Order in the matter of Terry Singer. Ms. Singer was neither present nor represented.

Dr. Manohar made a motion, seconded by Dr. Fuller, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

C. Interim Consent Order - Arthur Seigel, MD, Petition No. 2001-1121-001-175

Staff Attorney David Tilles presented an Interim Consent Order in the matter of Arthur Seigel, MD. Dr. Seigel was neither present nor represented. Ms. Nole made a motion, seconded by Dr. Manohar to approve the Interim Consent Order. The motion passed with all in favor except Dr. Terranova who recused himself. Dr. O'Neill signed the Order.

D. Interim Consent Order - Barry Lobovits, MD, Petition No. 2002-0918-001-183

Staff Attorney Matthew Antonetti presented an Interim Consent Order in the matter of Barry Lobovits, MD. Dr. Lobovits was neither present nor represented.

Dr. Manohar made a motion, seconded by Dr. Terranova, to approve the Interim Consent Order with modified language as the action to be taken when Order expires in eighteen (18) months. The motion passed unanimously. The modified order will be signed by Dr. O'Neill after Dr. Lobovits and the Department of Public Health execute the agreement.

VII. ASSIGN HEARING PANELISTS

The Board Liaison will coordinate the scheduling of hearing dates for the following cases:

A. Sultan Quraishi, MD - Petition No. 2002-0617-001-117

Dr. Russell will chair the hearing panel in this matter.

B. Youssef Horanieh, MD - Petition No. 2001-0404-001-054

Dr. Terranova will chair the hearing panel in this matter. Ms. Warner and Elliott Alter, OD will be panelists.

VIII. ADDITIOANL AGENDA ITEM

The Board reviewed a notice issued by the Connecticut State Dental Commission of its intent to hold a declaratory ruling proceeding regarding the scope of practice of oral and maxillofacial surgeons. Dr. Terranova made a motion seconded by Dr. Manohar that the Board seek party or intervenor status to participate in the proceeding. The motion passed unanimously.

IX. TIME EXTENSIONS

Dr. Goldenberg moved and Dr. Terranova seconded to approve 120-day extensions in the following cases:

J. Christoforo, MD - hearings scheduled for February 2003.

J. Goldweitz, MD - a draft Memorandum of Decision was been distributed to the hearing panel today for review.

The motion passed unanimously

X. ADJOURNMENT

Dr. Manohar made a motion, seconded by Ms. Nole, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 3:05 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
December 17, 2002**

The Connecticut Medical Examining Board held a meeting on Tuesday, December 17, 2002 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Ann Doremus
Robert Fuller, MD
Velandy Manohar, MD
Grant H. Miller, Jr., Esq.
John Russell, MD
Mary L. Warner, PA-C

BOARD MEMBERS ABSENT: David M. Goldenberg, MD
Harriet A. Fellows, DO
Sarah E. McGirr
Pamela A. Nole
Roberto Medina, MD
George Terranova, MD

Dr. O'Neill called the meeting to order at 1:35 p.m.

I. CHAIR UPDATES

The following correspondence /information was received and reviewed:

1. Federation of State Medical Boards (FSMB) annual meeting announcement. Any Board member interested in attending this meeting, scheduled for April 10-12, 2003 in Chicago, should notify the Board Liaison
2. FSMB Legislative Services Report - October/November 2002
3. Update on contested California Medical Board case involving an impaired physician and the ADA.
4. Memo from Richard Lynch, Assistant Attorney General assigning Rosemary McGovern, Assistant Attorney General to represent the Board in the declaratory ruling matter before the Connecticut State Dental Commission

II. INFORMATION UPDATES

A. Department of Public Health
None

B. Connecticut State Medical Society
None

C. Legislative
None

Dr. Russell arrived at 1:43 p.m.

III. NEW BUSINESS

A. Reporting of Adverse Events

Wendy Furniss, Director, Health Systems Regulation reported that effective October 1, 2002, pursuant to Public Act 02-125, all hospitals and surgical centers in Connecticut are required to submit reports of adverse events. To date at least one report has been received from each hospital and from most surgical centers.

The reports are classified into four categories:

Class A - patient death or immediate danger of death.

Class B - serious injury/disability to a patient or immediate danger of serious injury/disability.

Class C - physical or sexual abuse of a patient.

Class D - other events.

To date there have been 21 Class A, 88 Class B and 6 Class C reports. Class D reports are not yet available because they are compiled on a quarterly basis. Most of the reports have been in the areas of complication from/during procedures, patient falls, and perforations during a procedure.

The Department of Public Health has initiated some investigations based on the reports received. Ms. Furniss discussed the methods by which the Department conducts investigations. Ms. Furniss also reported that the regulations required by Public Act 02-125 have been drafted and are now in the review/approval stage.

An update on will be provided by Ms. Furniss at the March 2003 Board meeting.

B. Memorandum of Decision - Jonathan Goldweitz, MD

The Board reviewed the Memorandum of Decision in the matter of Jonathan Goldweitz, MD Petition No. 980218-001-039. Attorney Patrick Filan was present with Dr. Goldweitz.

Ms. Warner, chair of the hearing panel in this matter, provided a synopsis of the case and the panel's recommendation. Mr. Miller made a motion, seconded by Ms. Doremus, to approve the Memorandum of Decision in this matter. The motion passed unanimously. Dr. O'Neill signed the decision.

IV. LEGAL OFFICE BUSINESS

A. Motion for Summary Suspension – Michael Ellwood, PA, Petition No. 2002-0523-001-106

Staff Attorney Stephen Miltimore presented the Board with the Department of Public Health's Motion for Summary Suspension in the matter of Michael Ellwood, PA. Respondent was present with Attorney Larry Price who presented respondent's objection to the Motion for Summary Suspension. Assistant Attorney General Peter Brown was present to provide counsel to the Board.

Following a review of documents and comments from Attorney Miltimore and Attorney Price, Mr. Miller made a motion, seconded by Dr. Russell, to reject the Department's Motion for Summary Suspension. The motion passed with all in favor except Dr. Fuller and Ms. Doremus who were opposed.

A hearing in this matter will be scheduled by the Board Liaison. Ms. Warner will chair the hearing panel.

Ms. Doremus will also be hearing panelist in this matter.

B. Consent Order - Sultan Quraishi, MD, Petition No. 2002-0617-001-117

Staff Attorney Stephen Miltimore presented a Consent Order in the matter of Sultan Quraishi, MD. Dr. Quraishi was neither present nor represented.

Ms. Warner made a motion, seconded by Dr. Manohar, to approve the Consent Order. The motion passed with all in favor except Dr. O'Neill who recused himself.

C. Consent Order - Raymond Jancowich, MD, Petition No. 2002-0617-001-117

Staff Attorney David Tilles presented a Consent Order in the matter of Raymond Jancowich, MD. Dr. Jancowich was present but was not represented.

Following discussion, the Board questioned Dr. Jancowich as to his understanding of the disciplinary process and as to his approval of the Consent Order. During questioning by the Board, Dr. Jancowich withdrew his approval of the Consent Order.

D. Consent Order - George Swartz, MD, Petition No. 2001-0104-001-006

Staff Attorney Roberta Swafford presented a Consent Order in the matter of George Swartz, MD. Dr. Swartz was present with Attorney Mark Shipman.

Dr. Fuller made a motion, seconded by Mr. Miller, to approve the Consent Order. The motion passed with all in favor except Dr. Russell who recused himself.

E. Consent Order - Joseph Waxberg, MD, Petition No. 2001-0829-001-135

Staff Attorney David Tilles presented a Consent Order in the matter of Joseph Waxberg, MD. Dr. Waxberg was neither present nor represented.

Dr. Russell made a motion, seconded by Ms. Doremus, to approve the Consent Order. The motion passed unanimously.

V. **OLD BUSINESS**

Declaratory Ruling - Connecticut State Dental Commission

Mr. Miller made a motion, seconded by Dr. Fuller, to enter executive session to obtain legal advice from Assistant Attorney General, Rosemary McGovern. The motion passed unanimously and the Board went into executive session from 3:20 p.m. to 3:40 p.m.

Following executive session, Mr. Miller made a motion, seconded by Ms. Doremus, that the Board seek intervenor status in the Connecticut State Dental Commission declaratory ruling proceeding regarding the scope of practice of oral and maxillofacial surgeons, and that the Board provide oral and written testimony. The motion passed unanimously. Assistant Attorney General Rosemary McGovern will assist the Board in this matter.

VI. **MINUTES**

The draft minutes of the November 19, 2002 meeting were reviewed. Dr. Manohar made a motion, seconded by Ms. Warner, to approve the minutes as written. The motion passed with all in favor except Mr. Miller who abstained.

VII. **ADDITIONAL AGENDA ITEM**

Permit to Practice in a Connecticut Medical School - Jana Preiningerova, MD

Shiu-Yu Kettering, Health Program Assistant I, presented a medical school permit application of Jana Preiningerova, MD to allow her to practice at the Yale University School of Medicine.

The Board has concerns that the purpose of the medical school permit does not apply in the case of Dr. Preiningerova.

The Board commented that Dr. Preiningerova's training and experience appear to exceed the two-year ACGME accredited training requirement. During discussion it was suggested that Dr. Preiningerova take the USMLE Part III and then the Board can approve her education and training.

Dr. Manohar made a motion, seconded by Dr. Fuller, that Dr. Preiningerova's request for a permit be denied, but that her education and training be deemed to meet two-year ACGME accredited training requirement. The motion passed unanimously. Ms. Kettering will communicate the Board's decision to Dr. Preiningerova.

VIII **TIME EXTENSIONS**

Mr. Miller moved and Ms. Warner seconded to approve 120-day extensions in the following cases:

D. Hall, MD - hearings scheduled for January 2003.

E. Khu, MD - additional hearing date to be scheduled.

R. Zborowski, DDS - awaiting outcome of Connecticut State Dental Commission hearing.

E. Zyla, MD - awaiting Memorandum of Decision

The motion passed unanimously

IX. **ADJOURNMENT**

Mr. Miller made a motion, seconded by Dr. Fuller, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 3:59 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman