

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of January 19, 2016

The Connecticut Medical Examining Board held a meeting on Tuesday, January 19, 2016 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut in conference room 1-A.

BOARD MEMBERS PRESENT:

Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq.
Allyson Duffy, MD
Douglas Fellows, MD
Robert Green, MD
Rabbi Dov Greer
Eric Hodgson, MD
Michele Jacklin
Marilyn Katz, MD
Edward McAnaney, Esq.
Daniel Rissi, MD
Andrew Salner, MD
C. Steven Wolf, MD

BOARD MEMBERS ABSENT

Queenie Collins
Douglas Olson, MD
Jean Rexford
Peter Zeman, MD

Ms. Emmett called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the December 15, 2015 meeting were reviewed. Dr. Fellows made a motion, seconded by Mr. Andrews, to approve the minutes. The motion passed with all in favor except Dr. Green and Dr. Hodgson who abstained.

Rabbi Greer arrived at 1:32 p.m.

II. OPEN FORUM

Sheila Matthews from AbleChild.org was present and addressed the Board concerning issues of overprescribing of drugs by psychiatrists and the destruction of patient records by a practitioner. Ms. Matthews indicated that her organization is willing to work with the Board to develop legislation regarding these issues. Ms. Matthews was instructed to begin communication with the Department of Public Health concerning proposed legislation.

III. UPDATES

A. Chair Updates

1. Monthly tracking of pending cases.
2. Hearing assignments.
3. Board members were reminded that the February, March and April meetings will be held at the Department of Public Health Complex.

B. Department of Public Health

None

Mr. McAnaney arrived at 1:40 p.m.

IV. OFFICE OF LICENSURE REGULATION AND COMPLIANCE

A. Ganesh Natarajan, MD – Petition No. 2015-973

Attorney Mathew Antonetti, Department of Public Health, presented a Consent Order in this matter. Attorney Barry Cepelewicz was present on behalf of Dr. Natarajan.

Dr. Green made a motion, seconded by Dr. Hodgson, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a \$2000.00 civil penalty.

B. Larry Wasser, MD – Petition No. 2015-16

Attorney Mathew Antonetti, Department of Public Health, presented a Consent Order in this matter. Attorney Barry Cepelewicz was present on behalf of Dr. Wasser.

Mr. McAnaney made a motion, seconded by Dr. Green, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a \$2000.00 civil penalty.

C. Parimal Patel, PA – Petition No. 2014-827

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Attorney Michael Neubert was present on behalf of Mr. Patel.

Dr. Green made a motion, seconded by Dr. Hodgson, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand, a \$3500.00 civil penalty and a restriction requiring completion of course work prior to applying for reinstatement of his controlled substance registration.

D. James O'Halloran, III, DO – Petition No. 2015-180

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Attorney David Hart was present on behalf of Dr. O'Halloran.

Dr. Wolf made a motion, seconded by Dr. Rissi, to adopt the Consent Order. The motion passed with all in favor except Mr. McAnaney who abstained

Ms. Emmett signed the Order which imposes a reprimand, probation for a period of five years and a restriction requiring that respondent only practice in an institutional setting.

E. Carl Schwartz, MD – Petition No. 2015-986

Staff Attorney Brittany Allen, Department of Public Health, presented a Consent Order in this matter. Neither respondent nor his attorney was present.

Mr. McAnaney made a motion, seconded by Dr. Hodgson, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand.

V. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:11 p.m. on a motion by Mr. McAnaney, seconded by Mr. Andrews.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of March 15, 2016

The Connecticut Medical Examining Board held a meeting on Tuesday, March 15, 2016 at the Department of Public Health Complex, 410-470 Capitol Avenue, Hartford, Connecticut in conference room 470 A/B.

BOARD MEMBERS PRESENT: Kathryn Emmett, Esq., Chairperson
Carol Ekonomides, PA
Douglas Fellows, MD
Robert Green, MD
Rabbi Dov Greer
Eric Hodgson, MD
Marilyn Katz, MD
Edward McAnaney, Esq.
Douglas Olson, MD
Jean Rexford
Daniel Rissi, MD
C. Steven Wolf, MD
Peter Zeman, MD

BOARD MEMBERS ABSENT Raymond Andrews, Jr., Esq.
Allyson Duffy, MD
Michele Jacklin
Andrew Salner, MD

Ms. Emmett called the meeting to order at 1:30 p.m.

Ms. Ekonomides and Dr. Olson were welcomed to their first meeting as Board members.

I. MINUTES

The draft minutes of the January 19, 2016 meeting were reviewed. Mr. McAnaney made a motion, seconded by Dr. Green, to approve the minutes. The motion passed with all in favor except Dr. Zeman and Ms. Rexford who abstained.

II. OPEN FORUM

None

III. UPDATES

A. Chair Updates

1. Monthly tracking of pending cases.
2. Hearing assignments.

B. Department of Public Health

Christian Andresen, Section Chief, Department of Public Health, Office of Practitioner Licensing and Investigation provided an update on pending legislation.

Rabbi Greer arrived at 1:40 p.m.

A. Oral Argument - Proposed Memorandum of Decision
Katherine Wagner-Reiss, MD – Petition No. 2014-562

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. Staff Attorney Brittany Allen was present for the Department of Public Health. Attorney Matthew Sconziano was present with respondent.

Argument was heard from Attorney Sconziano and Attorney Allen regarding the proposed decision. Attorney Sconziano read a statement prepared by respondent.

Dr. Green, chairman of the hearing panel, provided a synopsis of the hearing panel's findings and recommendation.

Ms. Rexford made a motion, seconded by Dr. Zeman, to adopt the Memorandum of Decision as written. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand of respondent's license.

The Board began a discussion with the Department of Public Health regarding disseminating advisory information to physicians on the license renewal web-site.

Mr. McAnaney made a motion, seconded by Dr. Wolf, recommending that Department of Public Health post educational information regarding the following to the license renewal web-site.

- Prescribing to family and friends
- Delegation of tasks to unlicensed individuals
- Boundary issues

The Board would like an update from the Department at its next meeting.

B. Tariq Lamki, MD – License Application Review

Jan Cordero, License and Applications Specialist, Department of Public Health presented a licensure application for Tariq Lamki, MD for a determination that his post-graduate training outside the United States is equivalent to training in a program accredited by the American Council on Graduate Medical Education.

Ms. Rexford made a motion, seconded by Dr. Hodgson, recommending that Dr. Lamki's application for licensure be approved. The motion passed unanimously.

IV. OFFICE OF LEGAL COMPLIANCE

A. Tarek Alasil, MD – Petition No. 2015-1245

Staff Attorney Linda Fazzina, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Green made a motion, seconded by Dr. Hodgson, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand.

B. David Lauren, DO – Petition No. 2015-1258

Staff Attorney Joelle Newton, Department of Public Health, presented a Consent Order in this matter. Attorney Aaron Hershman was present on behalf of Dr. Lauren.

Mr. McAnaney made a motion, seconded by Dr. Fellows, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand and a \$2500.00 civil penalty.

C. John Paggioli, MD – Petition No. 2015-1346

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Green made a motion, seconded by Dr. Rissi, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand and a \$4000.00 civil penalty.

D. David S. Parnas, MD – Petition No. 2013-34

Staff Attorney Linda Fazzina, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Rabbi Greer made a motion, seconded by Dr. Green, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand and a two year period of probation.

E. Marlon Castillo, M.D. - Petition No. 2014-705

Staff Attorney David Tilles, Department of Public Health, presented a motion to withdraw the Statement of Charges in this matter based on respondent's voluntary surrender of his license.

Attorney Mary Alice Moore Leonhardt was present on behalf of Dr. Castillo.

Dr. Wolf made a motion, seconded by Dr. Rissi, to adopt the Department's motion to withdraw the charges. The motion passed unanimously. Ms. Emmett signed the Order.

F. David L. Johnston, D.O. - Petition No. 2015-820

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Neither respondent nor his attorney was present.

Dr. Wolf made a motion, seconded by Dr. Green, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand, a \$3000.00 civil penalty and a three year period of probation.

V. **ADJOURNMENT**

As there was no further business, the meeting was adjourned at 2:37 p.m.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of June 21, 2016

The Connecticut Medical Examining Board held a meeting on Tuesday, June 21, 2016 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut in conference room 1-C.

BOARD MEMBERS PRESENT:

Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq.
Allyson Duffy, MD
Carol Ekonomides, PA
Douglas Fellows, MD
Robert Green, MD
Rabbi Dov Greer
Eric Hodgson, MD
Michele Jacklin
Joseph Kaliko, Esq.
Marilyn Katz, MD
Edward McAnaney, Esq.
Jean Rexford
Daniel Rissi, MD
Andrew Salner, MD
C. Steven Wolf, MD
Peter Zeman, MD

BOARD MEMBERS ABSENT Douglas Olson, MD

Ms. Emmett called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the March 15, 2016 meeting were reviewed. Ms. Rexford made a motion, seconded by Dr. Wolf, to approve the minutes as edited. The motion passed with all in favor except Mr. Andrews, Dr. Duffy and Ms. Jacklin who abstained.

II. OPEN FORUM

None

III. UPDATES

A. Chair Updates

1. Mr. Kaliko was welcomed to his first meeting as a member of the Board.
2. Monthly tracking of pending cases.
3. Hearing assignments.

Dr. Hodgson and Dr. Salner arrived at 1:35 p.m.

Ms. Rexford reported that she and Dr. Zeman attended the annual meeting of the Federation of State Medical Boards. Topics of interest at the meeting included the Interstate Medical Licensure Compact (17 state have enacted legislation to implement the compact); and a Committee on "physician burn-out."

The Board will discuss the licensure compact with the Department of Public Health at the next meeting

B. Department of Public Health

Assistant Attorney General Daniel Shapiro provided an update regarding the Board's request to linking certain education information to the Department of Public Health licensing renewal web-site. An additional update will be provided at the next meeting.

Mr. McAnaney arrived at 1:50 p.m.

IV. OFFICE OF LEGAL COMPLIANCE

A. David S. Parnas, MD – Petition No. 2013-34

Linda Fazzina, Staff Attorney, Department of Public Health, presented a Motion for Summary Suspension in the matter of David S. Parnas, MD. Respondent was present with Attorney Glenn A. Gazin.

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. Attorney Fazzina provided information in support of the Motion for Summary Suspension. Attorney Gazin provide argument in opposition to the Motion for Summary Suspension and reviewed documents submitted by Attorney Gazin.

Mr. Kaliko made a motion, seconded by Ms. Rexford, to grant the motion for Summary Suspension because respondent's continued practice of medicine represents a clear and immediate danger to public health and safety. The motion passed unanimously.

Ms. Emmett signed the Summary Suspension Order.

The hearing panelists in this matter will be Dr. Wolf, Mr. McAnaney and Maureen Kunkel, MD. The hearing will be scheduled for July 13, 2016.

B. Thomas D'Amato, MD – Petition No. 2015-392

Staff Attorney Brittany Allen, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Mr. Andrews made a motion, seconded by Mr. McAnaney, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand.

C. Steven P. Johnson, MD – Petition No. 2014-1225

Staff Attorney Linda Fazzina, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Mr. Kaliko made a motion, seconded by Mr. Andrews, to adopt the Consent Order. The motion passed with all in favor except Ms. Jacklin who was opposed and Dr. Rissi who abstained.

Ms. Emmett signed the Order which imposes a reprimand, a \$2000.00 civil penalty and a period of probation for completion of course work.

D. Martin Perlin, MD – Petition No. 2015-273

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Respondent was represented by Attorney Elliott Pollack.

Dr. Rissi made a motion, seconded by Dr. Zeman, to adopt the Consent Order. . The motion passed with all in favor except Ms. Rexford and Dr. Wolf who were opposed.

Ms. Emmett signed the Order which imposes a reprimand, a \$5000.00 civil penalty and a prescribing restriction.

E. Sharad Kothari, MD – Petition No. 2016-278

Staff Attorney Brittany Allen, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Rissi made a motion, seconded by Dr. Katz, to adopt the Consent Order. . The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand.

E. Vlad Frenk, MD – Petition No. 2014-149

Staff Attorney Diane Wilan, Department of Public Health, presented a Consent Order in this matter. Respondent was represented by Attorney Elliott Pollack.

Dr. Wolf made a motion, seconded by Dr. Green, to adopt the Consent Order. . The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand.

V. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:59 p.m.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of September 20, 2016

The Connecticut Medical Examining Board held a meeting on Tuesday, September 20, 2016 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut in conference room 1-C.

BOARD MEMBERS PRESENT:

Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq.
Allyson Duffy, MD
Carol Ekonomides, PA
Douglas Fellows, MD
Robert Green, MD
Rabbi Dov Greer
Michele Jacklin
Marilyn Katz, MD
Edward McAnaney, Esq.
Douglas Olson, MD
Jean Rexford
Daniel Rissi, MD
C. Steven Wolf, MD
Andrew Yuan, DO
Peter Zeman, MD

BOARD MEMBERS ABSENT

Joseph Kaliko, Esq
Eric Hodgson, MD

Ms. Emmett called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the June 21, 2016 meeting were reviewed. Dr. Green made a motion, seconded by Mr. Andrews, to approve the minutes. The motion passed with all in favor.

II. OPEN FORUM

None

III. UPDATES

A. Chair Updates

1. Ms. Emmett welcomed Dr. Yuan to his first meeting as a member of the Board. Ms. Emmett announced that Andrew Salner, MD resigned from the Board effective July 7, 2016 and that Rabbi Greer will be resigning after today's meeting due to moving out of state. Dr. Salner and Rabbi Greer were thanked for their service to the Board.
2. Monthly tracking of pending cases.

B. Department of Public Health

Christian Andresen, Section Chief, Practitioner Licensing and Investigation reported that a committee has been established review the examination requirements and other qualifications necessary to allow persons licensed to practice naturopathy to prescribe, dispense and administer prescription drugs consistent with their scope of practice, and to development of a naturopathic formulary. The committee has met and will be preparing a report to the Public Health Committee.

Mr. Andresen also reported that changes are being made to the licensing renewal web-site to include information regarding boundary issues, prescribing for family and friends, and improper delegation of procedures.

Mr. McAnaney arrived at 1:43 p.m.

IV. NEW BUSINESS

Interstate Medical Licensure Compact

Christian Andresen, Section Chief, Practitioner Licensing and Investigation provide the Department of Public Health perspective regarding this issue. There are no current plans to pursue joining the compact. A legislative change may be necessary.

Ms. Rexford spoke as to the Federation of State Medical Boards activities regarding this concept

V. OFFICE OF LEGAL COMPLIANCE

A. Rey Ramos, M.D. - Petition No. 2013-936

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Mr. McAnaney made a motion, seconded by Dr. Rissi, to adopt the Consent Order. Following discussion the Board unanimously voted against approval of the Consent Order and recommended that the case be scheduled for a hearing.

B. Robert Dresdner, M.D. - Petition No. 2014-886

Staff Attorney Diane Wilan, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Wolf made a motion, seconded by Mr. McAnaney, to adopt the Consent Order. The motion passed with all in favor except Ms. Jacklin who was opposed and Dr. Rissi who abstained.

Ms. Emmett signed the Order which imposes a reprimand and a \$3000.00 civil penalty.

C. Francesco Lupis, M.D. - Petition No. 2015-171

Staff Attorney Diane Wilan, Department of Public Health, presented a Consent Order in this matter. Respondent was represented by Attorney Elliott Pollack.

Mr. McAnaney made a motion, seconded by Mr. Andrews, to adopt the Consent Order. . The motion passed with all in favor except Ms. Rexford who was opposed and Dr. Wolf and Dr. Green who abstained.

Ms. Emmett signed the Order which imposes a reprimand.

D. Jeffrey S. Miller, M.D. - Petition No. 2016-439

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Mr. McAnaney made a motion, seconded by Dr. Yuan, to adopt the Consent Order. . The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand and a \$5000.00 civil penalty.

VI. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:21 p.m.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of October 18, 2016

The Connecticut Medical Examining Board held a meeting on Tuesday, October 18, 2016 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut in conference room 1-C.

BOARD MEMBERS PRESENT:

Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq.
Allyson Duffy, MD
Carol Ekonomides, PA
Robert Green, MD
Marilyn Katz, MD
Edward McAnaney, Esq.
Jean Rexford
Daniel Rissi, MD
C. Steven Wolf, MD
Andrew Yuan, DO
Peter Zeman, MD

BOARD MEMBERS ABSENT

Eric Hodgson, MD
Michele Jacklin
Joseph Kaliko, Esq
Douglas Olson, MD

Ms. Emmett called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the September 20, 2016 meeting were reviewed. Ms. Rexford made a motion, seconded by Dr. Yuan, to approve the minutes as corrected. The motion passed with all in favor.

II. OPEN FORUM

None

III. UPDATES

A. Chair Updates

1. Ms. Emmett announced that Douglas Fellows, MD is retiring and moving out of state and resigned from the Board effective October 18, 2016. The Board expressed its thanks for Dr. Fellows' service to the Board since 2008.
2. Monthly tracking of pending cases.

B. Department of Public Health

None

IV. PRESENTATION - FEDERATION OF STATE MEDICAL BOARDS

Lisa A. Robin, MLA, Chief Advocacy Officer for the Federation of State Medical Boards (FSMB) presented an overview of the activities and services offered by the FSMB. Ms. Robbins also answered questions regarding the Interstate Medical Licensure Compact.

V. NEW BUSINESS

A. Motion to Modify Memorandum of Decision – Sushil Gupta, MD

Attorney James Biondo was present with Dr. Gupta. Attorney Matthew Antonetti was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

Oral Argument was heard from Attorney Biondo and Attorney Antonetti regarding Dr. Gupta's request to remove a provision from a November 21, 2013 Memorandum of Decision requiring Dr. Gupta to have a chaperone present when examining and/or treating a female patient.

Ms. Rexford made a motion, seconded by Ms. Emmett, to grant Dr. Gupta's request for modification of the Memorandum of Decision.

Following discussion, the Board voted unanimously to deny Dr. Gupta's request.

B. Proposed Memoranda of Decision
David Parnas, MD - Petition No. 2016-528

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. Neither respondent nor his attorney was present.

Ms. Rexford made a motion, seconded by Mr. McAnaney, to adopt the proposed decision.

The motion passed unanimously.

Ms. Emmett signed the Order which places Dr. Parnas' license on probation with conditions for a period of four years.

VI. OFFICE OF LEGAL COMPLIANCE

A. Hyo Jin Kim - Petition No. 2016-60

Staff Attorney Joelle Newton, Department of Public Health, presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Wolf made a motion, seconded by Dr. Yuan, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which requires respondent to cease and desist from the practice of medicine until properly licensed.

VII. 120 DAY EXTENSIONS

Mohammed Aljanaby, MD - Petition No. 2015-340 – Hearing completed. A Proposed Memorandum of Decision will be presented at the November 15, 2016 meeting.

Beverly Jackson (unlicensed) – Petition No. 2013-147– Hearing completed. A Proposed Memorandum of Decision is being reviewed by the Assistant Attorney General.

Prem Nath, MD – Petition No. 2009-20091373 - Continuance requested by respondent due to ongoing illness. Hearing scheduled for December 2, 2016.

Mr. McAnaney made a motion, seconded by Mr. Andrews, to grant a 120 day extensions in these matters. The motion passed unanimously.

VIII. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:50 p.m.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of November 15, 2016**

The Connecticut Medical Examining Board held a meeting on Tuesday, November 15, 2016 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut in conference room 1-C.

BOARD MEMBERS PRESENT:

Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq.
Allyson Duffy, MD
Carol Ekonomides, PA
Robert Green, MD
Eric Hodgson, MD
Michele Jacklin
Edward McAnaney, Esq.
Jean Rexford
Daniel Rissi, MD
C. Steven Wolf, MD
Peter Zeman, MD

BOARD MEMBERS ABSENT

Marilyn Katz, MD
Joseph Kaliko, Esq
Douglas Olson, MD
Andrew Yuan, DO

Ms. Emmett called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the October 18, 2016 meeting were reviewed. Dr. Wolf made a motion, seconded by Dr. Green, to approve the minutes as corrected. The motion passed with all in favor except Dr. Hodgson and Ms. Jacklin who abstained.

II. OPEN FORUM

None

III. UPDATES

A. Chair Updates

The index of pending cases was reviewed.

B. Department of Public Health

None

IV. PRESENTATION - HEALTH ASSISTANCE INTERVENTION EDUCATION NETWORK

Maureen Dinnan, Executive Director provided an annual update regarding the Haven Program and the services offered to participants. Ms. Dinnan reported that of the current 271 participants in the program, 93 are physicians.

V. NEW BUSINESS

A. Request to Modify Consent Order – Avijit Mitra, MD

Attorney Penny Seaman was present with Dr. Mitra. Attorney David Tilles was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

Argument was heard from Attorney Seaman and Attorney Tilles regarding Dr. Mitra's request to remove a restriction from a May 19, 2015 Consent Order which permanently prohibits Dr. Mitra from prescribing controlled substances for himself and/or his family, and prohibits the prescribing, administering, or dispensing of buprenorphine in any compound or formulation to any person. Dr. Mitra's request is to incorporate the following language in the Consent Order. "Respondent acknowledges and agrees that it is best practice for him not to prescribe controlled substances for himself, and or his family."

Following considerable discussion Ms. Rexford made a motion, seconded by Dr. Zeman, to deny Dr. Mitra's request for modification of the Consent Order.

The motion to deny the request for modification of the Consent Order passed with all in favor except Ms. Jacklin who was opposed.

B. Proposed Memoranda of Decision

Mohammad Aljanaby, MD - Petition No. 2015-340

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. Neither respondent nor his attorney was present.

Dr. Green made a motion, seconded by Dr. Wolf, to adopt the proposed decision.

The motion passed unanimously.

Ms. Emmett signed the Order which revokes Dr. Aljanaby's license.

VI. OFFICE OF LEGAL COMPLIANCE

A. James Bucci, MD - Petition Nos. 2012-306; 2015-479

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Attorney Andrew Wildstein was present on behalf of respondent.

Mr. McAnaney made a motion, seconded by Dr. Hodgson, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a license probation for 12 months.

B. David Burchenal, MD - Petition No. 2015-1094

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Attorney Eugene Cooney was present on behalf of respondent.

Ms. Jacklin made a motion, seconded by Mr. McAnaney, to adopt the Consent Order. Following discussion the motion to approve the Consent Order failed unanimously.

Dr. Wolf suggested that a three year probation with chart review and practice supervision would be an appropriate remedy. Dr. Green concurred and also suggested an increased civil penalty.

VII. 120 DAY EXTENSIONS

Josef Burton, MD - Petition No. 2014-739 – Hearing completed. A Proposed Memorandum of Decision is being drafted.

Dr. Zeman made a motion, seconded by Mr. McAnaney, to grant a 120 day extension in this matter. The motion passed unanimously.

VIII. ADJOURNMENT

As there was no further business, the meeting was adjourned at 3:08 p.m.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson