

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of January 15, 2019

The Connecticut Medical Examining Board held a meeting on Tuesday, January 15, 2019 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
Raymond Andrews, Jr., Esq
Allyson Duffy, MD
Carol Ekonomides, PA
Marie C. Eugene, DO
Robert Green, MD
Michele Jacklin
Marilyn Katz, MD
Brimal Patel, MD
Jean Rexford
Daniel Rissi, MD
C. Steven Wolf, MD
Andrew Yuan, DO

BOARD MEMBERS ABSENT:

Edward McAnaney, Esq.
Lisabeth Shlansky, MD
Peter Zeman, MD

Ms. Emmett called the meeting to order at 1:34 p.m.

I. MINUTES

The draft minutes of the December 18, 2018 meeting were reviewed. Dr. Green made a motion, seconded by Mr. Andrews to approve the minutes. The motion passed with all in favor except Ms. Rexford and Dr. Eugene 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

None

IV. NEW BUSINESS

A. Review of Criteria for use of the Federation of State Medical Board SPEX Examination
Stephen Carragher, Health Program Supervisor, Department of Public Health, Office of Practitioner License and Certification was present for this discussion.

A work group of Board members and DPH staff will meet before a future Board meeting to further discuss this topic.

B. Investigation and Discipline of Sexual Misconduct Allegations

Assistant Attorney General Henry Salton was present for this discussion and Christian Andresen Section Chief, Department of Public Health were present for this discussion.

Mr. Andresen indicated that the Department of Public Health will reach out to licensed facilities regarding the duty to report any incidents/allegations that may reflect on a physician's ability to practice with reasonable skill and safety.

C. Interstate Licensure Compact

Assistant Attorney General Henry Salton and Christian Andresen Section Chief, Department of Public Health were present for this discussion.

Mr. Andresen commented that the Department of Public Health and the Connecticut State Medical Society are in discussions regarding this issue.

D. Request for License Reinstatement Hearing - John Lynch II, MD

Assistant Attorney General Henry Salton was present for this discussion. Petitioner was present but not represented.

Dr. Rissi made a motion, seconded by Dr. Green, to grant Dr. Lynch's request for a hearing to determine if his license, revoked on June 20, 2012, should be reinstated. The motion passed unanimously.

E. Wendy Amblo MD – Review of License Application

Stephen Carragher, Health Program Supervisor, Department of Public Health presented a license reinstatement application for Wendy Amblo MD.

Dr. Green made a motion, seconded by Dr. Yuan recommending that Dr. Amblo's license reinstatement be approved. The motion passed with all in favor except Dr. Rissi, Dr. Wolf and Dr. Patel who were opposed.

V. OFFICE OF LEGAL COMPLIANCE

A. David Landi (Unlicensed) - Petition No. 2018-957

Mathew Antonetti, Principal Attorney, Department of Public Health, presented a Consent Order in this matter. Respondent and his attorney were not present.

Dr. Green made a motion, seconded by Dr. Wolf, to adopt the Cease and Desist Consent Order as written. The motion passed unanimously.

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

B. Francis Walsh, M.D., Petition No. 2016-947

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

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

Emmett signed the Order which imposes a reprimand, a \$3000.00 civil penalty and probation for a period of six months.

VI. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:54 p.m.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of March 12, 2019**

The Connecticut Medical Examining Board held a meeting on Tuesday, March 12, 2019 at the Department of Public Health Complex, 410-470 Capitol Avenue, Hartford, Connecticut in conference room 470 C.

BOARD MEMBERS PRESENT: Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq
Allyson Duffy, MD
Carol Ekonomides, PA
Michele Jacklin
Jean Rexford
Daniel Rissi, MD
C. Steven Wolf, MD
Andrew Yuan, DO

BOARD MEMBERS ABSENT: Marie C. Eugene, DO
Robert Green, MD
Marilyn Katz, MD
Edward McAnaney, Esq.
Brimal Patel, MD
Lisabeth Shlansky, MD
Peter Zeman, MD

Ms. Emmett called the meeting to order at 1:32 p.m.

I. MINUTES

The draft minutes of the January 15, 2019 meeting were reviewed. Dr. Yuan made a motion, seconded by Ms. Jacklin to approve the minutes. The motion passed with all in favor.

II. OPEN FORUM

None

III. UPDATES

A. Chair Updates

1. Monthly tracking of pending cases.
2. Hearing assignments.
3. A workgroup meeting to discuss criteria for the reinstatement of lapsed licenses will be scheduled for the date of the April Board meeting.

B. Department of Public Health

None

IV. NEW BUSINESS

A. Mercedes Menendez, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Mercedes Menendez, MD.

Ms. Rexford made a motion, seconded by Ms. Ekonomides, recommending that Dr. Menendez's license reinstatement be approved. The motion passed with all in favor Dr. Wolf who abstained.

B. Amit Rastogi, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Amit Rastogi, MD.

Dr. Yuan made a motion, seconded by Dr. Duffy, recommending that Dr. Rastogi's license reinstatement be approved. The motion passed with all in favor.

V. **OFFICE OF LEGAL COMPLIANCE**

A. Helar Campos, M.D., Petition Nos. 2014-609; 2015-1409

Staff Attorney Brittany Allen, Department of Public Health, presented a Consent Order in this matter. Attorney Aggie Cahill was present on behalf of respondent.

Ms. Rexford made a motion, seconded by Ms. Ekonomides, to adopt the Consent Order as written. The motion passed with all in favor except Dr. Rissi who was opposed. Ms. Emmett signed the Order which imposes a reprimand, an \$8000.00 civil penalty and probation for a period of six months.

B. Judith Major, M.D., Petition No. 2018-150

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Respondent was not present nor represented.

Dr. Rissi made a motion, seconded by Dr. Wolf, to adopt the Consent Order as written. The motion passed with all in favor except Dr. Yuan who abstained. Ms. Emmett signed the Order which imposes a reprimand, a \$7500.00 civil penalty and probation for a period of six months.

C. Pacifico Flores, M.D., Petition No. 2018-951

Principal Attorney Matthew Antonetti, Department of Public Health, presented a Consent Order in this matter. Respondent was not present nor represented.

Dr. Wolf made a motion, seconded by Ms. Jacklin, to adopt the Consent Order as written. The motion passed with all in favor. Ms. Emmett signed the Order which imposes a reprimand and probation for a period of one year.

D. Jeffrey Stern, M.D., Petition No. 2016-438

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Respondent was not present nor represented.

Dr. Wolf made a motion, seconded by Dr. Rissi, to adopt the Consent Order as written. The motion passed with all in favor. Ms. Emmett signed the Order which imposes a reprimand and restricts respondent from clinical practice and from prescribing medications.

VI. **ADJOURNMENT**

As there was no further business, the meeting was adjourned at 2:17 p.m.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of April 16, 2019

The Connecticut Medical Examining Board held a meeting on Tuesday, April 16, 2019 at the Department of Public Health Complex, 410-470 Capitol Avenue, Hartford, Connecticut in conference room 470 C.

BOARD MEMBERS PRESENT: Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq
Allyson Duffy, MD
Robert Green, MD
Michele Jacklin
Marilyn Katz, MD
Brimal Patel, MD
Jean Rexford
Daniel Rissi, MD
C. Steven Wolf, MD
Peter Zeman, MD

BOARD MEMBERS ABSENT: Carol Ekonomides, PA
Marie C. Eugene, DO
Edward McAnaney, Esq.
Andrew Yuan, DO

Ms. Emmett called the meeting to order at 1:33 p.m.

I. MINUTES

The draft minutes of the March 12, 2019 meeting were reviewed. Ms. Rexford made a motion, seconded by Mr. Andrews to approve the minutes as edited. The motion passed with all in favor except Dr. Green, Dr. Katz and Dr. Zeman 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
None

IV. NEW BUSINESS

- A. Oral Argument - Proposed Memorandum of Decision
Nami Bayan, MD - Petition No. 2018-673

Assistant Attorney General Kerry Colson was present to provide counsel to the Board. Staff Attorney Diane Wilan was present for the Department of Public Health. Dr. Bayan was present without representation.

Dr. Zeman, chair of the hearing panel, explained the panel's findings and reasoning for its proposed decision. Dr. Zeman suggested modifications to the proposed decision subsequent to a request for revisions filed by the Department of Public Health.

Argument was heard from Dr. Bayan and Attorney Wilan regarding the proposed decision and the suggested revisions.

Dr. Duffy made a motion, seconded by Dr. Katz, to approve the revisions to the proposed Memorandum of Decision as explained by Dr. Zeman. The motion passed with all in favor except Dr. Green and Dr. Wolf who recused themselves from the discussion and vote.

Ms. Rexford made a motion, seconded by Mr. Andrews, to adopt the Memorandum of Decision as revised. The motion passed with all in favor except Dr. Green and Dr. Wolf who recused themselves.

Ms. Emmett signed the Order which imposes a two year suspension with a four year concurrent probation.

B. Anupama Kurra, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Anupama Kurra, MD.

Ms. Rexford made a motion, seconded by Dr. Katz, recommending that Dr. Kurra's license reinstatement be approved. The motion passed with all in favor except Dr. Wolf who abstained.

C. Amy O'Donnell, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Amy O'Donnell, MD.

Dr. Yuan made a motion, seconded by Dr. Duffy, recommending that Dr. O'Donnell's license reinstatement be approved. The motion passed with all in favor except Dr. Wolf who abstained.

D. Elizabeth Smith, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Elizabeth Smith, MD.

Dr. Yuan made a motion, seconded by Dr. Duffy, recommending that Dr. Smith's license reinstatement be approved. The motion passed unanimously.

V. OFFICE OF LEGAL COMPLIANCE

A. Anita Mir (Unlicensed), Petition No. 2018-604

Staff Attorney Brittany Allen, Department of Public Health, presented a Consent Order in this matter. Respondent and her attorney were not present.

Mr. Andrews made a motion, seconded by Dr. Zeman, to adopt the Cease and Desist Consent Order as written. The motion passed with all in favor except Dr. Green who abstained.

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

B. David Polke, M.D., Petition No. 2017-303

Staff Attorney Diane Wilan, Department of Public Health, presented a Consent Order in this matter. Respondent was not present nor represented.

Dr. Green made a motion, seconded by Mr. Andrews, to adopt the Consent Order as written. The motion passed with all in favor except Dr. Patel and Dr. Wolf who recused themselves. Ms. Emmett signed the Order which imposes a reprimand.

VI. 120 DAY EXTENSIONS

- Prem Nath, MD - Petition No. 2009-20091373
Hearing continued at Respondent's request due to illness.
- Nimrod Lavi, MD - Petition No. 2016-619
Hearing to be rescheduled to July 2018

Dr. Wolf made a motion, seconded by Dr. Patel to grant extensions in these matters. The motion passed unanimously

VII. ADJOURNMENT

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

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of May 21, 2019

The Connecticut Medical Examining Board held a meeting on Tuesday, May 21, 2019 at the Department of Public Health Complex, 410-470 Capitol Avenue, Hartford, Connecticut in conference room 470 C.

BOARD MEMBERS PRESENT:

Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq
Carol Ekonomides, PA
Marie C. Eugene, DO
Robert Green, MD
Michele Jacklin
Marilyn Katz, MD
Edward McAnaney, Esq
Jean Rexford
Daniel Rissi, MD
Harold Sauer, MD
C. Steven Wolf, MD
Andrew Yuan, DO

BOARD MEMBERS ABSENT:

Allyson Duffy, MD
Brimal Patel, MD
Peter Zeman, MD

Ms. Emmett called the meeting to order at 1:33 p.m.

Dr. Sauer was welcomed to his first meeting as a member of the Board. Dr. Sauer was appointed by Governor Lamont on May 7, 2019.

I. MINUTES

The draft minutes of the April 16, 2019 meeting were reviewed. Ms. Jacklin made a motion, seconded by Mr. Andrews to approve the minutes as edited. The motion passed with all in favor except Dr. Sauer, who abstained.

II. OPEN FORUM

Ms. Rexford provided an overview of the 2019 annual meeting of the Federation of State Medical Boards.

Ms. Rexford asked if the Department of Public Health could provide information on the following issues:

- Licensure Compact
- Use of criminal background checks for licensure
- Designation of civil penalties to the licensure program

Ms. Rexford also asked if the new Department of Public Health Commissioner can be invited to a future meeting and if Assistant Attorney General Henry Salton would be able to provide an orientation refresher.

III. UPDATES

- A. Chair Updates
1. Monthly tracking of pending cases.
 2. Hearing assignments.

B. Department of Public Health

Matthew Antonetti, Principal Attorney, Department of Public Health reported that the licensing section is conducting a survey of other states regarding procedures and protocols for license reinstatement for physicians who have been out of practice.

IV. **NEW BUSINESS**

Thomas Kaye, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Thomas Kaye, MD.

Dr. Rissi made a motion, seconded by Dr. Wolf, recommending that Dr. Kaye's license reinstatement be approved. The motion unanimously.

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

V. **OFFICE OF LEGAL COMPLIANCE**

A. James Bucci, MD - Petition No. 2017-1049

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

Mr. McAnaney made a motion, seconded by Ms. Ekonomides, to adopt the Consent Order as written.

Following discussion Mr. McAnaney and Dr. Katz voted in favor of approval, Dr. Sauer abstained and all others were opposed. The motion failed.

B. Danielle Donfrancesco (Unlicensed), Petition No. 2018-472

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

Dr. Wolf made a motion, seconded by Ms. Rexford, to adopt the Cease and Desist Consent Order as written. The motion passed with all in favor except Dr. Green who was opposed and Dr. Sauer who abstained.

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

C. Gayle Klein, MD - Petition No. 2018-695

Matthew Antonetti, Principal Attorney, Department of Public Health, presented a Consent Order in this matter. Respondent was present with Attorney Stewart Johnson.

Dr. Rissi made a motion, seconded by Ms. Ekonomides, to adopt the Consent Order as written. The motion passed with all in favor except Dr. Sauer who abstained. Ms. Emmett signed the Order which imposes a reprimand and probation for a period of one year.

D. Thomas Knox, MD - Petition No. 2015-1045

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

Mr. McAnaney made a motion, seconded by Ms. Jacklin, to adopt the Consent Order as written.

The motion passed with all in favor except Dr. Katz and Dr. Sauer who abstained, and Dr. Rissi and Dr. Wolf who were recused. Ms. Emmett signed the Order which imposes a reprimand.

E. Mark Scanlon, MD - Petition No. 2015-1045

Matthew Antonetti, Principal Attorney, Department of Public Health, presented a Consent Order in this matter. Attorney Ellen Costello was present on behalf of respondent.

Dr. Rissi made a motion, seconded by Dr. Wolf, to adopt the Consent Order as written. The motion passed with all in favor except Ms. Jacklin who was opposes, Dr. Sauer who abstained, and Dr. Green who was recused. Ms. Emmett signed the Order which imposes a \$5000.00 civil penalty.

F. Andrew Swan, MD - Petition No. 2018-900

Matthew Antonetti, Principal Attorney, Department of Public Health, presented a Consent Order in this matter. Attorney Ellen Costello was present on behalf of respondent.

Mr. McAnaney made a motion, seconded by Dr. Wolf, to adopt the Consent Order as written. The motion passed with all in favor except Dr. Sauer who abstained. Ms. Emmett signed the Order which imposes a reprimand and a \$7500.00 civil penalty.

G. Dale Wallington, MD - Petition No. 2017-1155

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

Dr. Rissi made a motion, seconded by Mr. Andrews, to adopt the Consent Order as written. The motion passed with all in favor except Dr. Katz Dr. Sauer who abstained. Ms. Emmett signed the Order which imposes a reprimand, a \$7500.00 civil penalty and probation for a period of eighteen months.

VI. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:16 p.m.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of July 16, 2019

The Connecticut Medical Examining Board held a meeting on Tuesday, July 16, 2019 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut in conference room 2-B.

BOARD MEMBERS PRESENT:

Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq
Allyson Duffy, MD
Carol Ekonomides, PA
Marie C. Eugene, DO
Robert Green, MD
Michele Jacklin
Marilyn Katz, MD
Edward McAnaney, Esq
Brimal Patel, MD
Daniel Rissi, MD
Harold Sauer, MD
C. Steven Wolf, MD
Andrew Yuan, DO
Peter Zeman, MD

BOARD MEMBERS ABSENT: Jean Rexford

Ms. Emmett called the meeting to order at 1:34 p.m.

I. MINUTES

The draft minutes of the May 21, 2019 meeting were reviewed. Dr. Green made a motion, seconded by Mr. Andrews to approve the minutes as edited. The motion passed with all in favor except Dr. Duffy and Dr. Zeman, 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 was present to discuss issues raised by Board Member Jean Rexford at the last meeting.

Mr. Andresen reported that the DPH is reviewing the issue of Licensure Compact. The Connecticut State Medical Society has been contracted for input. The Medical Society does not have a position at this time.

Mr. Andresen indicated that criminal background checks for physicians are not required by statute. For those professions that background checks are required, the Connecticut State police is the authority required to perform this task. There is a proposal to allow private contractors to perform background checks because this process is putting a strain on State Police resources.

Civil Penalties collected from disciplinary actions are sent to the State of Connecticut General Fund. To designate the monies collected for licensure purposes would require a statutory change.

IV. NEW BUSINESS

A. Criteria for license reinstatement/reentry to practice.

Stephen Carragher, Public Health Services Manager, Office of Practitioner Licensing and Certification reported that the Federation of State Medical Boards, Special Purpose Examination (SPEX) is used by 17 state on a case by case basis for practitioners who have been out of clinical practice from anywhere between 2 and 10 years. Other conditions required by states include current continuing education, practice monitoring upon return to practice, personal interviews, competency evaluations, and passing of Specialty Board certification examinations.

The Board would like to explore the issuance reinstatement quid lines or adoption of the Federation of State Medical Boards guidelines for physician reinstatement.

Andrew Mendenhall, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Andrew Mendenhall, MD.

Dr. Green made a motion, seconded by Mr. McAnaney, recommending that Dr. Mendenhall's license reinstatement be approved. The motion unanimously.

V. OFFICE OF LEGAL COMPLIANCE

A. James Bucci, MD - Petition No. 2017-1049

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Attorney Gregory Gagne was present on behalf of respondent. A Consent Order in this matter was rejected at the May 21, 2019 meeting and revisions were suggested.

Mr. McAnaney made a motion, seconded by Dr. Katz, to adopt this Consent Order as written.

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

Ms. Emmett signed the Order which imposes a reprimand, an \$8000.00 civil penalty and requires respondent not to reinstate his controlled substance registration.

B. William Guinan, MD - Petition No. 2017-1476

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Respondent was present with Attorney Karen Noble.

Dr. Wolf made a motion, seconded by Dr. Rissi, to adopt the Consent Order as written. The motion passed with all in favor except Ms. Jacklin and Mr. McAnaney who were opposed and Dr. Green who abstained. Ms. Emmett signed the Order which imposes a reprimand, a \$10,000.00 civil penalty and a period of probation with conditions.

C. Naeem Sarfraz, MD - Petition No. 2016-1394

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Respondent was present with Attorney Michael Neubert.

Dr. Wolf made a motion, seconded by Dr. Green, to adopt the Consent Order as written. The motion passed with all in favor except Ms. Jacklin and Dr. Sauer who were opposed, Dr. Patel and Dr. Yuan who abstained and Dr. Rissi who was recused. Ms. Emmett signed the Order which imposes a reprimand, a \$7500.00 civil penalty and probation for a period of eighteen months

VI. 120 DAY EXTENSIONS

- Paul Willette, MD - Petition No. 2016-1305
Hearing continued to February 2020.
- Ajay Ahuja, MD - Petition No. 2017-524
Hearing to be rescheduled to October 2019

Dr. Rissi made a motion, seconded by Dr. Wolf to grant extensions in these matters. The motion passed unanimously.

VII. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:25 p.m.

Respectfully submitted,
Kathryn Emmett, Esq., Chairperson

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of September 17, 2019

The Connecticut Medical Examining Board held a meeting on Tuesday, September 17, 2019 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
Carol Ekonomides, PA
Marie C. Eugene, DO
Robert Green, MD
Michele Jacklin
Edward McAnaney, Esq
Brimal Patel, MD
Jean Rexford
Daniel Rissi, MD
Harold Sauer, MD
C. Steven Wolf, MD
Andrew Yuan, DO

BOARD MEMBERS ABSENT: Marilyn Katz, MD
Peter Zeman, MD

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

I. MINUTES

The draft minutes of the July 16, 2019 meeting were reviewed. Dr. Green made a motion, seconded by Dr. Sauer to approve the minutes. The motion passed with all in favor.

II. OPEN FORUM

Ms. Rexford reported that she recently read an article concerning a Yale University physician who has been banned from the Yale campus due to allegations of sexual assault. Ms. Rexford inquired if Yale has reported the matter to the Department of Public Health.

The Board was informed that pursuant to Section 20-13e of the Connecticut General Statutes, investigations of complaints against a physician shall be confidential unless the physician requests that such investigation and disclosure be open or if formal charges have been filed by the Department. Therefore it cannot be acknowledged if such a complaint was reported.

III. UPDATES

A. Chair Updates

1. Monthly tracking of pending cases.
2. Hearing assignments.
3. Representatives from the Office of the State Auditors will be discussing the Connecticut Prescription Monitoring Program with physician members of the Board after the meeting.

B. Department of Public Health

None.

IV. NEW BUSINESS

A. Reinstatement after practicing with a lapsed license

Stephen Carragher, Public Health Services Manager, DPH Practitioner Licensing Unit explained the current policy regarding practitioners who have continued to practice after their license has expired and are seeking reinstatement. The current policy requires a reinstatement consent order which imposes a reprimand and a civil penalty which is calculated based on the time period the practitioner has continued to practice.

Dr. Sauer made a Motion, seconded by Dr. Yuan to endorse DPH's current policy. The motion passed unanimously.

B. Ashel Sanchez-Mitchell, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Ashel Sanchez-Mitchell, MD.

Dr. Green made a motion, seconded by Dr. Eugene, recommending that Dr. Sanchez-Mitchell's license reinstatement be approved. The motion passed unanimously.

C. Martin Bernard, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Martin Bernard, MD.

Dr. Sauer made a motion, seconded by Mr. Andrews, recommending that Dr. Bernard's license reinstatement be approved. The motion passed unanimously.

V. OFFICE OF LEGAL COMPLIANCE

A. Lycyna Kolakowski, MD - Petition No. 2018-765

Principal Attorney Matthew Antonetti, Department of Public Health, presented a Consent Order in this matter. Attorney John Barberi was present with respondent.

Dr. Wolf made a motion, seconded by Dr. Patel, to adopt this Consent Order as written. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a reprimand, probation for seven months, and a \$5000.00 civil penalty.

B. Jane Srinivasan, MD - Petition No. 2018-716

Staff Attorney Brittany Allen, Department of Public Health, presented a Consent Order in this matter. Respondent and her attorney were not present.

Dr. Rissi made a motion, seconded by Ms. Ekonomides, to adopt the Consent Order as written. The motion passed with all in favor except Ms. Jacklin who was opposed and Dr. Green who recused himself from voting. Ms. Emmett signed the Order which imposes a practice restriction prohibiting respondent from performing surgery.

C. Constance Tambakis-Odom, MD - Petition No. 2018-1380

Principal Attorney Matthew Antonetti, Department of Public Health, presented a Consent Order in this matter. Respondent was not present and was not represented by counsel.

Dr. Wolf made a motion, seconded by Dr. Patel, to adopt the Consent Order as written. The motion passed unanimously. Ms. Emmett signed the Order which imposes a reprimand.

D. Christine Cornachio, MD – Petition No. 2019-649

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

Dr. Green made a motion, seconded by Dr. Sauer, to adopt the Consent Order as written. The motion passed except Dr. Duffy who was abstained. Ms. Emmett signed the Order which imposes probation for a period of five years.

VI. 120 DAY EXTENSIONS

- Prem Nath, MD - Petition No. 2009-2009-1373
Hearing to be rescheduled to September 25, 2020.
- Nimrod Lavi, MD - Petition No. 2016-619
Hearing is scheduled for October 31, 2019
- Kakar Gyambibi, MD - Petition No. 2017-160
Hearing is scheduled for December 3, 2019

Dr. Green made a motion, seconded by Ms. Jacklin to grant extensions in these matters. The motion passed unanimously.

VII. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:06 p.m.

Respectfully submitted,
Kathryn Emmett, Esq., Chairperson

CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of November 19, 2019

The Connecticut Medical Examining Board held a meeting on Tuesday, November 17, 2019 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
Carol Ekonomides, PA
Marie C. Eugene, DO
Robert Green, MD
Michele Jacklin
Marilyn Katz, MD
Shawn London, MD
Jean Rexford
Daniel Rissi, MD
C. Steven Wolf, MD
Andrew Yuan, DO
Peter Zeman, MD

BOARD MEMBERS ABSENT:

Edward McAnaney, Esq.
Brimal Patel, MD
Harold Sauer, MD
David Schwindt, MD

Ms. Emmett called the meeting to order at 1:32 p.m.

Dr. London was welcomed to his first meeting as a Board member

I. MINUTES

The draft minutes of the September 17, 2019 meeting were reviewed. Dr. Green made a motion, seconded by Ms. Jacklin to approve the minutes. The motion passed with all in favor.

II. OPEN FORUM

None

III. UPDATES

A. Chair Updates

- Monthly tracking of pending cases.
- Hearing assignments.

B. Department of Public Health

None.

IV. NEW BUSINESS

USE OF WEB-BASED MONITORING SYSTEM: CHANGES IN SCREENING AND REVISION TO THE CONSENT ORDER LANGUAGE

Kathy Boulware Public Health Services Manager for the Department of Public Health Practitioner Investigation Unit reported that the Department is considering transitioning to a new web-based monitoring system program called Recovery Trek. This monitoring system is currently used by the Haven Program.

Recovery Trek incorporates a call-in or log-in system (can be done, via an APP, cell phone, computer, or call in to an 800 number) where the respondent is responsible for calling or logging in daily to determine whether or not he/she has to submit to a urine screen. In addition, the respondent would be provided with a personal confidential web page that is accessible by the department to check and track their progress, and see if there are any missing reports. The respondent can upload 12 step meeting logs, and upload prescriptions to validate urine screens. The system also allows employers and therapists to log in and provide reports, and allows the therapists to see drug screen results so they have first-hand information about a respondent's urine screens.

Additionally, for those professionals whose only substance of dependence is alcohol, the Department is considering using a breathalyzer device as primary mode of monitoring.

V. OFFICE OF LEGAL COMPLIANCE

A. Richard Kravits, MD - Petition No. 2018-909

Principal Attorney Matthew Antonetti, Department of Public Health, presented a Consent Order in this matter. Attorney Patrick Noonan was present with respondent.

Dr. Green made a motion, seconded by Mr. Andrews, to the Consent Order for discussion.

During discussion Dr. Green, Ms. Jacklin, Dr. Wolf and Dr. Zeman raised objections to adopting the Consent Order.

Dr. Katz and Dr. Eugene were in favor of adopting the Consent Order, all other Board members were opposed. Approval of the Consent Order failed.

B. Laurence Kirwan, MD - Petition No. 2017-497

Staff Attorney Linda Fazzina, Department of Public Health, presented a Consent Order in this matter. Attorney Jennifer Mullen was present on behalf of respondent.

Dr. Wolf made a motion, seconded by Dr. Yuan, to adopt the Consent Order as written. The motion passed with all in favor except Ms. Jacklin and Ms. Rexford who were opposed. Ms. Emmett signed the Order which imposes a reprimand and a \$12,500.00 civil penalty.

For review of future Consent Orders, the Board requests that information pertaining to prior disciplinary actions be made part the Consent Order packet.

C. Cornelia Gallo, MD - Petition No. 2018-1213

Principal Attorney Matthew Antonetti, Department of Public Health, presented a Consent Order in this matter. Respondent was not present and was not represented by counsel.

Dr. Green made a motion, seconded by Dr. Wolf, to adopt the Consent Order as written. The motion passed with all in favor except Dr. Eugene who abstained. Ms. Emmett signed the Order which imposes a reprimand and a \$10,000.00 civil penalty and probation for a period of one year..

D. Ajay Ahuja, M.D. - Petition No. 2017-524

Principal Attorney Matthew Antonetti, 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. Respondent was not present nor represented.

Dr. Green made a motion, seconded by Dr. Yuan, to adopt the Department's motion to withdraw the charges. The motion passed with all in favor except Ms. Emmett who recused herself from voting. Ms. Rexford signed the Order.

E. Prem Nath, MD - Petition No. 2009-2009-1373

Principal Attorney Matthew Antonetti, Department of Public Health, presented a motion to withdraw the Statement of Charges in this matter based on respondent's license having lapsed due to non-renewal and in the interest of administrative efficiency..

Respondent was not present nor represented.

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

VI. **120 DAY EXTENSIONS**

Paul Willette, MD - Petition No. 2016-1305

Hearing to be rescheduled to February 2020.

Dr. Wolf made a motion, seconded by Dr. Zeman to grant an extension in this matter. The motion passed unanimously.

VII. **ADJOURNMENT**

As there was no further business, the meeting was adjourned at 2:28 p.m.

Respectfully submitted,
Kathryn Emmett, Esq., Chairperson