The Committee on Professional Discipline (Committee) meeting was called to order by Chairman William Ganz, M.D., Coeur d’Alene, at 8 a.m. on Friday, August 7, 2020, via video teleconference. Present were Committee members Barry Bennett, M.D., Idaho Falls; William Miller, M.D., Coeur d’Alene, and public member Robert Yoshida, Boise. Staff members attending were Anne Lawler, Executive Director; Angela Wickham, Associate Director; Phyllis Tambling, Licensing Manager; Frutoso Gonzalez, Medical Investigator; Jason Weaver, Medical Investigator; Darlene Parrott, Medical Investigator; Debbie Mitchell, Medical Investigator; Shasta Kilminster-Hadley, Board Attorney; Barbara Harper, Board Contract Attorney; and Jennifer Woodland. Irina Voyce, Management Assistant was absent and excused.

Also present, via video teleconference, were Board of Medicine (Board) members: Chairman Steven Malek, M.D., Coeur d’Alene, left meeting at 2 p.m.; Vice Chairman David McClusky III, M.D., Ketchum, presided over meeting starting at 2 p.m.; Julia Bouchard, M.D., Boise; Catherine Cunagin, M.D., Boise; Mark Grajcar, D.O., Meridian; Keith Davis, M.D. Shoshone; Paula Phelps, P.A., Pocatello, left meeting at 1 p.m.; and Michelle Chadwick, public member, Emmett. Erwin Sonnenberg, public member, Boise; and Col. Kedrick Wills, Director, Idaho State Police were absent and excused.

The minutes of the meeting on Friday, May 8, 2020, were approved as written.
(Bennett/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:
Motion to go into Executive Session was at 8:02 a.m. in accordance with Idaho Code §74-206(1)(d) to consider records exempt from public disclosure (Bennett/Affirmed Ganz, Ebbers, Miller, and Yoshida).

APPEARANCE:
In Executive Session, the Committee met with six Respondents and attorneys pursuant to scheduled appearances.

The Board of Medicine was called to order at 11:09 a.m. by Chairman Steven Malek, M.D.

Case No. 9545 The Committee acted to recommend that the Stipulation and Order for an administrative fine be withdrawn and that a Letter of Concern regarding Respondent’s responsibility to ensure that renewal attestations and documentation sent to the Board is accurate and truthful. (Bennett/Unanimous)

Case No. 9446 The Committee acted to recommend that the Respondent attend a 3 day inpatient evaluation and follow the recommendations as requested in the Agreement for Corrective Action previously offered. (Miller/Unanimous) (Cunagin recused)

Case No. 9467 The Committee acted to recommend continuing with Stipulation and Order that had been previously offered for Respondent to obtain a CPEP evaluation. (Miller/Unanimous) (Davis recused)

Case No. 9522 The Committee acted to recommend withdrawing the previously offered stipulation and order and close case with a Letter of Concern encouraging Respondent to improve documentation.
(Bennett/Unanimous)

Case No. 9538 The Committee acted to recommend withdrawing the previously offered stipulation and order and close case with a Letter of Concern encouraging Respondent to improve documentation and communication and to be attentive to patient’s needs. (Bennett/Unanimous)

Case No. 9534. The Committee acted to recommend continuing with Stipulation and Order that had been previously offered. (Bennett/Unanimous)

The Committee acted to approve the Consent Agenda as amended (Miller/Unanimous)

The members acted to send the following recommendations to the Board (Ganz/Unanimous):

Case No. 9564 Case moved from Consent agenda, Respondent was sent the letter given to Licensees who had a first time uncomplicated DUI arrest, case was discussed and closed (Ganz, Miller, and Malek recused).

Case No. 9636 The Committee acted to recommend closure.

Case No. 9552 The Committee acted to recommend closure.

Case No. 9589 The Committee acted to recommend a Letter of Concern for Respondent to ensure that employee medical information be accurate and entered into the medical record in a timely manner. (Miller/Unanimous)

Case No. 9622 The Committee acted to recommend an Agreement for Corrective Action for Respondent to remain compliant with all evaluation recommendations.

Case No. 9655 The Committee acted to recommend closure (Grajcar opposed).

Case No. 9662 The Committee acted to recommend a Stipulation and Order for Respondent to undergo an inpatient evaluation and follow the recommendations of the evaluation.

Case No. 9623 The Committee acted to recommend a Letter of Concern for Respondent to take responsibility for the treatment he provides to patients and to screen and select patients in a prudent manner.

Case No. 9661 The Committee acted to recommend closure.

Case No. 9659 The Committee acted to recommend a Letter of Concern for Respondent to follow the Center for Disease Control guidelines regarding wearing masks. Improve communication with patients and to not make mask wearing a political issue.

Case No. 9541 The Committee acted to recommend a Stipulation and Order revoking the Respondent’s license for failing to respond to a Board order.

Case No. 9628 The Committee acted to recommend closure.

Case No. 9632 The Committee acted to recommend closure.
Case No. 9500 The Committee acted to recommend closure. (Bennett recused)

Case No. 9617 The Committee acted to recommend closure.

Case No. 9630 The Committee acted to recommend closure.

Case No. 9654 The Committee acted to recommend a Letter of Concern for Respondent to understand that the prelitigation and discipline processes are separate, and that information and/or explanation of malpractice claims need to be answered correctly on subsequent renewals.

Case No. 9607 The Committee acted to recommend closure.

Case No. 9591 The Committee acted to recommend an Agreement for Corrective Action for Respondent to have a CPEP evaluation and follow the recommendations. Focus on medication assistance treatment and record keeping (Davis recused).

Case No. 9619 The Committee acted to recommend closure.

Case No. 9634 The Committee acted to recommend closure.

Case No. 9128 The Committee acted to withdraw the previously offered Agreement for Corrective Action and Respondent to remain under the existing Stipulation and Order.

Case No. 9635 The Committee acted to recommend closure.

Case No. 9612 The Committee acted to recommend closure.

The Committee acted to recommend closure of the following cases: 9384, 9565, 9566, 9576, 9581, 9596, 9597, 9598, 9599, 9606, 9611, 9616, 9618 (Malek Recused), 9620, 9624, 9625, 9629, 9633, 9645, 9647, 9648, 9667, 9668, and 9669.

The Committee reviewed the following cases for information only: 7919, 9447, 9472, 9570, 9604, and 9614.

The Committee reviewed the cases involving allied health professionals, for information.

The Committee reviewed the list of currently open compliance monitor cases. No action was recommended.

The Committee reviewed the reports of matters that were determined to be outside of the Board’s jurisdiction. No action was recommended.

ADJOURNMENT:
Chairman William Ganz, M.D., adjourned the meeting at 1:08 p.m., on Friday, August 7, 2020.