

HAWAII MEDICAL BOARD
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Thursday, July 9, 2015

Time: 1:00 p.m.

Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, HI 96813

Present: Niraj S. Desai, M.D., Chairperson, Kauai Member
Sharon "Shay" Bintliff, M.D., Vice-Chairperson, Hawaii Member
Gerard K. Akaka, M.D., Oahu Member
Maria Chun, Ph.D, Public Member
Darren K. Egami, M.D., Maui Member
Jone Geimer-Flanders, D.O., Oahu Member
Peter Holt, M.D., Oahu Member
Thomas S. Kosasa, M.D., Oahu Member
Palasi Puletasi, Public Member
Karen E. Sept, D.O., Oahu Member
Shari Wong, Deputy Attorney General ("DAG")
Ahlani K. Quiogue, Executive Officer
Wilma Balon, Secretary

Excused: Peter Halford, M.D., Oahu Member

Guests: Pamela A. Sebastian, M.D.
Rob Perez, Star-Advertiser
Bruce Asato, Star-Advertiser
Vincent Tenorio, PAAC

Call to Order: The meeting was called to order at 1:00 p.m. at which time quorum was established.

Approval of the June 18, 2015 Minutes: It was moved by Dr. Kosasa, seconded by Dr. Geimer-Flanders, and unanimously carried to approve the minutes of the regular session meeting as circulated, and to approve the minutes of the executive session with the following amendments:

On page 2, under the application of Gregory P. Calkins, M.D., all references to "Dr. Calkin" or "Dr. Calkin's" should be corrected to reflect "**Dr. Calkins**" or "**Dr. Calkins**".

On page 6, under the application of Pouya Benyamini, M.D., the first paragraph, should read as follows:

“...be a unanimous decision.”

Additions/
Revisions to
Agenda:

It was moved by Chair Desai, seconded by Dr. Geimer-Flanders, and unanimously carried to revise the agenda by adding the following applications under agenda item 6.b., Applications:

Pamela A. Sebastian, M.D.
George L. Murrell, M.D.

Dr. Akaka entered the meeting room at 1:04 p.m.

Election of
Officers:

The floor was opened for nominations for the office of Chairperson. Dr. Kosasa nominated Dr. Desai as Chairperson. The nomination was seconded by Dr. Geimer-Flanders. There were no other nominations for Chairperson. Dr. Desai was elected Chairperson by acclamation.

The floor was opened for nominations for the office of Vice-Chairperson. Dr. Holt nominated Dr. Bintliff. The nomination was seconded by Dr. Geimer-Flanders. There were no other nominations for Vice-Chairperson. Dr. Bintliff was elected Vice-Chairperson by acclamation.

Adjudicatory
Matters:

Chair Desai called for a recess from the meeting at 1:06 p.m. to discuss and deliberate on the following adjudicatory matters pursuant to HRS Chapter 91.

- a. In the Matter of the Application for Medical License of Marvin B. Padnick; M.D.; MED-LIC-2014-005

After discussion, it was moved by Dr. Holt, seconded by Dr. Egami, and unanimously carried to accept the Settlement Agreement in the above-referenced matter as its Final Order.

Following the Board's review, deliberation and decision in this matter pursuant to Chapter 91, Hawaii Revised Statutes ("HRS"), Chair Desai announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 1:14 p.m.

Applications for
License/
Certification:

- a. Ratifications:
 - (i) List

It was moved by Dr. Bintliff, seconded by Dr. Holt and unanimously carried to ratify the attached lists of individuals for licensure or certification.

It was moved by Dr. Holt, seconded by Dr. Egami, and unanimously carried to enter into executive session at 1:16 p.m. pursuant to Section 92-5(a)(1), HRS, to consider and evaluate personal information relating to individuals applying for professional licenses cited in Section 26-9, HRS, and pursuant to Section 92-5(a)(4), HRS, to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.

Applications for
License/
Certification:

b. Applications:

Pamela A. Sebastian, M.D.
Jitendra S. Chadda, M.D.
Patricia A. Combs, M.D.
Mohamed El-Gabalawy, M.D.
Sarah J. Fryberger, M.D.
James K. Griffeth, M.D.
Dwight J. Johnson, M.D.
James G. Lamphear, M.D.
John K. Page, M.D.
David Y.S. Park, M.D.
Deepak K. Reddy, D.O.
Scott C. Serrano, M.D.
Thomas J. Steidler, M.D.
Thomas Wiswell, M.D.
George L. Murrell, M.D.

It was moved by Dr. Egami, seconded by Dr. Kosasa, and unanimously carried to return to the open meeting at 2:48 p.m.

It was moved by Dr. Holt, seconded by Mr. Puleyasi, and unanimously carried to approve the following applications:

Patricia A. Combs, M.D.
Sarah J. Fryberger, M.D.
James K. Griffeth, M.D.
Dwight J. Johnson, M.D.
John K. Page, M.D.
David Y.S. Park, M.D.
Deepak K. Reddy, D.O.
Scott C. Serrano, M.D.
Thomas J. Steidler, M.D.
Thomas Wiswell, M.D.
George L. Murrell, M.D.

Jitendra S. Chadda, M.D.

After due consideration of the information received, it was moved by Dr. Akaka, seconded by Dr. Kosasa, and unanimously carried to defer

Dr. Chadda's application for medical licensure pending a detailed statement of explanation.

Mohamed El-Gabalawy, M.D.

After due consideration of the information received, it was moved by Dr. Akaka, seconded by Dr. Kosasa, and unanimously carried to defer Dr. El-Gabalawy's application for medical licensure pending a detailed statement of explanation and additional information.

James G. Lamphear, M.D.

It was moved by Dr. Holt, seconded by Mr. Puletasi (with the exceptions of Dr. Geimer-Flanders who recused herself), and carried by a majority to defer Dr. Lamphear's application for medical licensure.

In deferring Dr. Lamphear's application, the Board requests that Dr. Lamphear be evaluated by Pu'ulu Lapa'au, Hawai'i Program for Healthcare Professionals.

Additionally, the Board requests that a letter be sent to Ms. Leslie New, Lead, Health Systems Specialist, Quality Services Division, Tripler Army Medical Center, and her appropriate supervisors. This letter should request copies of Dr. Lamphear's credentials files.

Furthermore, the Board would like to advise Ms. New of the importance of providing accurate and honest information at all times to enable the Board to make appropriate and informed decisions. Failure to submit accurate information to the Board may constitute a violation of HRS § 710-1017, .

Scott C. Serrano, M.D.

It was moved by Dr. Geimer-Flanders, seconded by Dr. Bintliff, and unanimously carried to inform Dr. Serrano's Internal Medicine Residency Program ("Residency Program") Directors that the Board is concerned with Dr. Serrano's performance and that it takes all matters pertaining to academic sanctions seriously. However, the Board does not feel that any further action is warranted at this time because it respects and appreciates that this matter is receiving the appropriate review and attention by the Residency Program. The Board kindly requests that the Residency Program keep it informed of any future actions and decisions.

Pamela A. Sebastian, M.D.

It was moved by Chair Desai, seconded by Dr. Bintliff (with Dr. Chun recusing herself), and carried by a majority to approve Dr. Sebastian's application for medical licensure and issue a Non-Disciplinary Letter of Education due to her failure to provide accurate information on her application. The Board also requires that within ten (10) days of the date

of the Board's letter, Dr. Sebastian: 1) submit a revised application with an affirmative response to question 7.a.; and 2) submit three (3) hours of Category 1 approved American Medical Association or American Osteopathic Association continuing medical education in Professionalism.

Correspondence: a. Inquiry from Jefferson Lin, Attorney, Regarding Licensing for Physicians Performing Mobile ECMO Services

The Board reviewed and discussed Mr. Lin's email of June 25, 2015, June 26, 2015, and July 7, 2015, regarding whether: a Hawaii medical or osteopathic medical license is required for Washington State licensed physician(s) to perform mobile ECMO services; the consultation exemption under HRS § 453-2(b)(4) or another exception apply; and the Board would consider granting explicit approval of the ECMO program to allow Washington licensed physicians to come to Hawaii and transport patients for ECMO and definitive surgery.

After due consideration of Mr. Lin's letters, the Board informally opined that anyone engaged in the practice of medicine, as defined by HRS § 453-1, requires a license in the state of Hawaii. HRS § 453-1, defines the practice of medicine as:

For the purposes of this chapter the practice of medicine by a physician or an osteopathic physician includes the use of drugs and medicines, water, electricity, hypnotism, osteopathic medicine, or any means or method, or any agent, either tangible or intangible, for the treatment of disease in the human subject; provided that when a duly licensed physician or osteopathic physician pronounces a person affected with any disease hopeless and beyond recovery and gives a written certificate to that effect to the person affected or the person's attendant nothing herein shall forbid any person from giving or furnishing any remedial agent or measure when so requested by or on behalf of the affected person.

This section shall not amend or repeal the law respecting the treatment of those affected with Hansen's disease.

For purposes of this chapter, "osteopathic medicine" means the utilization of full methods of diagnosis and treatment in physical and mental health and disease, including the prescribing and administration of drugs and biologicals of all kinds, operative surgery, obstetrics, radiological, and other electromagnetic emissions, and placing special emphasis on the interrelation of the neuro-musculoskeletal system to all other body systems, and the amelioration of disturbed structure-function relationships by the clinical application of the osteopathic diagnosis and therapeutic skills for the maintenance of health and treatment of disease.

In addition, HRS § 453-2 sets forth certain exceptions for the license requirement, one of which is for purposes of consultation. Specifically, pursuant to HRS § 453-2(b)(4), nothing herein shall:

Apply to any practitioner of medicine and surgery from another state when in actual consultation, including in-person, mail, electronic, telephonic, fiber-optic, or other telehealth consultation with a licensed physician or osteopathic physician of this State if the physician or osteopathic physician from another state at the time of consultation is licensed to practice in the state in which the physician or osteopathic physician resides; provided that:

- (A) The physician or osteopathic physician from another state shall not open an office, or appoint a place to meet patients in this State, or receive calls within the limits of the State for the provision of care for a patient who is located in this State;
- (B) The licensed physician or osteopathic physician of this State retains control and remains responsible for the provision of care for the patient who is located in this State; and**
- (C) The laws and rules relating to contagious diseases are not violated.

Emphasis added.

Discussion followed. Based on the information Mr. Lin provided, members stated that a Hawaii medical license or osteopathic medical license would be required because the Hawaii-licensed physician will not retain control and remain responsible for the provision of care for the patient as provided for mobile ECMO services. The Board noted that as outlined in Mr. Lin's email dated July 7, 2015, the Washington-licensed physician will retain control and remain responsible for the provision of care of the patient. "Once the procedure gets under way (likely in the NICU or OR), the referring physician will have little to do...The ECMO team won't be able to rely on the Hawaii hospital staff for specific expertise. The ECMO team will run the procedure."

Additionally, the Board determined that it does not have the statutory authority to grant a formal explicit approval of the ECMO program to allow Washington licensed physicians to perform mobile ECMO services without being licensed by the Board pursuant to HRS Chapter 453 and Hawaii Administrative Rules ("HAR") Chapter 16-85.

Lastly, in accordance with HAR § 16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and therefore is not to be viewed as binding on the Board or the Department of Commerce and Consumer Affairs.

Advisory

Committees:

a. Physician Assistants

Vincent Tenorio, PA-C, thanked the Board on behalf of the Hawaii Academy of Physician Assistants for its hard work and continued support regarding the amendments made to its administrative rules which allow physician assistants to write orders and prescribe schedule II medication under physician supervision.

b. Emergency Medical Service Personnel

c. Podiatrists

Chairperson's

Report:

None.

Executive Officer's

Report:

None.

Next Meeting:

Thursday, August 13, 2015
King Kalakaua Conference Room, First Floor
335 Merchant Street
Honolulu, HI 96813

Adjournment:

It was moved by Dr. Bintliff, seconded by Dr. Egami, and unanimously carried to adjourn the meeting at 3:01 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/Ahlani K. Quiogue

/s/Wilma Balon

(Ms.) Ahlani K. Quiogue
Executive Officer

Wilma Balon
Secretary

AKQ:wb
7/24/15

(X) Minutes approved as is.

() Minutes approved with changes; see minutes of _____.

HAWAII MEDICAL BOARD (7/9/2015-RATIFICATION LIST)

LTYPE LIC NUM BP NAME PART 1

MD 18175 GUY E C <DE GENT<
MD 18176 ROBERT M <EAGER<
MD 18177 AMELIE M <PERYEA<
MD 18178 TIMOTHY R <STODDARD<
MD 18179 JODIE S <TOWARD<
MD 18180 HELEN H R <CHUANG-TANG<
MD 18181 JOSEPH A <KIPTA<
MD 18182 KAREN <SOULES<
MD 18183 ANNE R <KAO<
MD 18184 MICHAEL <MARTINEZ<
MD 18185 HOLLY M <ROMERO<
MD 18186 KOMAL S <SOIN<
MD 18187 DHARMAJA C <RAVIENDRAN<
MD 18188 ROBERT C <MCMURRAY<
MD 18189 KARA L <CADWALLADER<
MD 18190 DIANA J <FELTON<
MD 18191 SO-JIN <LEE<
MD 18192 MATTHEW J <GREVE<
MD 18193 EKAMOL <TANTISATTAMO<
MD 18194 RAYMOND <ESPER<
MD 18195 HARKIRAT <SAGGU<
MD 18196 DWAN M <TURNER<
MD 18197 JAMIE L <CLUTE<
MD 18198 PAUL K <KIM<
MD 18199 STUART <KREIN<
MD 18200 THOMAS M <KROPP<
MD 18201 FRANKLIN C <MARGARON<
MD 18202 JOHN R <YOUNG<
MD 18203 WILLIAM A <WORRALL<
MD 18204 JEDLYN <PIERRILUS<
MD 18205 ELIZABETH J <GELNER<
MD 18206 SOULA <PRIOVOLOS<
MD 18207 KENNETH L <PENNINGTON<
MD 18208 AUDREY R <MCCANDLESS<
MD 18209 GEMMA C <LEWIS<
MD 18210 ROBERT <SHAFFER<
MD 18211 MICHAEL D <BLACK<
MD 18212 TOMIO T <ODAMA<
MD 18213 STEWART M <ABBOT<
MD 18214 TIARE E <SALASSA<
MD 18215 JENNIFER A <SALOTTO<
MD 18216 CHRISTINE <WANG<
MD 18217 BRIAN K <TELIHO<
MD 18218 SURESH K <JOISHY<
MD 18219 JOSEPH W <EICHENBAUM<

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MD 18220 KENNETH R <ELLINGTON<

MDR 6907 TIMOTHY B <DEPP<
MDR 6908 CLAUDIA <DIAZ<
MDR 6909 TUYNGOC B <NGUYEN<
MDR 6910 JOSEPH H <CHIN<
MDR 6911 CHARLES G <GRAVES<
MDR 6912 SEAN P <TURNER<
MDR 6913 BENJAMIN C <CLARK<
MDR 6914 JILLIAN M <PIAGGIONE<
MDR 6915 GRANT C <SIZEMORE<
MDR 6916 NICOLE R <LAFERRIERE<
MDR 6917 DANIEL H <DESMOND<
MDR 6918 PHILIPPE <DUHAIME<
MDR 6919 SHIVAM <PATEL<
MDR 6920 LUKE A <MONTEAGUDO<
MDR 6921 JEFFREY L <LEW<
MDR 6922 MADELEINE <PRAT<
MDR 6923 JOHN W <LEE<
MDR 6924 JAMES J <KIM<
MDR 6925 ERIC <SZU<
MDR 6926 TRACY S <HUNTER<
MDR 6927 AMBER N <VERCESI<
MDR 6928 EDWARD <WANG<
MDR 6929 JAMES B <DEAL<
MDR 6930 MITCHELL C <HARRIS<
MDR 6931 STEVEN R <WILDING<
MDR 6932 YOSEPH A <KRAM<
MDR 6933 JUSTIN M <WEI<
MDR 6934 AUSTIN K <DRAKE<
MDR 6935 WILLIAM R <HAYMAN<
MDR 6936 ERIC A <LEE<
MDR 6937 ALEXANDER M <KAPLAN<
MDR 6938 TRAVIS W <JONES<
MDR 6939 MICHAEL F <BUZZARD<
MDR 6940 WHITNEY B <BOND<
MDR 6941 MICHAEL A <BLEYBERG<
MDR 6942 ARIEL B <GELMAN<
MDR 6943 ANDREW H <MCGRAIN<
MDR 6944 JAREN T <MELDRUM<
MDR 6945 CHRISTIAAN F <KROESEN<
MDR 6946 ZACKARY A <JOHNSON<
MDR 6947 KELLI B <ISHIHARA<
MDR 6948 CORBIN A <HELIS<
MDR 6949 JESSICA <ING<
MDR 6950 KENDAL G <HERGET<

PO 215 MISAKO <MCLEOD<

DOS 1669 CANDACE M <REID
DOS 1670 MICHAEL S <MCCOLLUM<
DOS 1671 MARK S <BICKLEY<
DOS 1672 LOVE <DAOUD<
DOS 1673 ILYA V <YEPISHIN<
DOS 1674 ANGELA R <GOUGH<
DOS 1675 LEANNA L <GORDON<
DOS 1676 DEVON L <STEVENS<
DOS 1677 KRISTEN A <ROMANELLI<
DOS 1678 JOHN D <JOHNSON<
DOS 1679 LAUREN A <RABY<

DOSR 340 MICHAEL T <AGUILAR<
DOSR 341 CAITLIN M <GRANADILLOS<
DOSR 342 SARAH L <REINHART<
DOSR 343 WILLIAM R <HARJES<
DOSR 344 MARIA I <RODIONOVA<
DOSR 345 JAMES C <SCHOLFIELD<
DOSR 346 SEAN G <PENBERTHY<
DOSR 347 KATIE L <BEAUREGARD<
DOSR 348 RIAN C <CALO<
DOSR 349 KATHRYN T <FEKETE<
DOSR 350 MALLORY E <RAPER<
DOSR 351 BRYAN R <WILLIAMS<
DOSR 352 CHRISTOPHER M <WEIRTZ<
DOSR 353 BRYAN J <FLETCHER<
DOSR 354 PETER J <GERTONSON<
DOSR 355 NATHAN L <LOW<
DOSR 356 JUAN F <TELLEZ<
DOSR 357 CHRISTOPHER W <WILSON<
DOSR 358 CHRISTOPHER D <BAZEMORE<
DOSR 359 LAURA A <CHACHULA<
DOSR 360 SAN FRANCISCO K <NGUYEN<
DOSR 361 SABRINA R <SZABO<
DOSR 362 KEITH D <VOLNER<
DOSR 363 RAMIN K <TOOFAN<

EMTP 2094 DAVID W <PULELLA<

EMTB 2618 CYRUS <CAMP<
EMTB 2619 SUNNY J <FITZGERALD<
EMTB 2620 JOLENE <CHUN<
EMTB 2621 TYSON K <YAMASHITA<
EMTB 2622 KEVIN M <TAMURA<
EMTB 2623 KEANU B <SHIMAOKA<

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PAGE 4

EMTB 2624 BENJAMIN T <POWERS<
EMTB 2625 KAUI D <NAKAUELUA<
EMTB 2626 KAITO <MIZUTANI<
EMTB 2627 PHILLIP J <KIM<
EMTB 2628 RYLAN T <KAWAZOE<
EMTB 2629 DARRICK <IIDA<
EMTB 2630 DELSYN <HIROTA<
EMTB 2631 TYSON L <GOO<
EMTB 2632 ISAIAH C <ENRIQUES<
EMTB 2633 BRONSON J <CABANAS<
EMTB 2634 AARON <ANDRADE<
EMTB 2635 DOMINIC <TSUN<
EMTB 2636 DEVIN M L <TAM<
EMTB 2637 DARCY <SHIMIZU<
EMTB 2638 JORGE F B <MULLER<
EMTB 2639 DUKE <JONG<
EMTB 2640 KELSEY <HIGA<
EMTB 2641 GILBERT <FUNNE<
EMTB 2642 JOSEPH <LAUREL<
EMTB 2643 KENJI <ASHMAN<
EMTB 2644 MICHAEL LLOYD <AKIONA<
EMTB 2645 PUANANI <AKAKA<
EMTB 2646 JESSE <ATAY<
EMTB 2647 BARRY <WILDERN<
EMTB 2648 NOELANI <MCMAHON<