

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, November 8, 2012

Time: 1:00 p.m.

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

Present: Danny M. Takanishi, M.D., Chairperson, Oahu Member
Gerard K. Akaka, M.D., Oahu Member
Sharon "Shay" Bintliff, M.D., Hawaii Member
Les Barrickman, D.O., Oahu Member
Peter C. Chin, M.D., Maui Member
Niraj S. Desai, M.D., Kauai Member
Thomas S. Kosasa, M.D., Oahu Member
Karen E. Sept, D.O., Oahu Member
Shari Wong, Deputy Attorney General ("DAG")
Ahlani K. Quiogue, Executive Officer
Wilma Balon, Secretary

Excused: Brian E. Cody, Public Member, Vice-Chairperson
Palasi Puleyasi, Public Member
Carl K. Yorita, M.D., Oahu Member

Guests: Lei Fukumura, Special Deputy Attorney General

Call to Order: The meeting was called to order at 1:05 p.m. at which time quorum was established.

Additions/
Revisions to
Agenda: None.

Adjudicatory Matters: Chair Takanishi 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 License to Practice Medicine of Gregory G. Dammann, M.D.: MED 2012-71-L

After discussion, it was moved by Dr. Akaka, seconded by Dr. Chin, and unanimously carried to accept the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order.

Following the Board's review, deliberation and decision in this matter pursuant to Chapter 91, HRS, Chair Takanishi announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 1:07 p.m.

It was moved by Dr. Chin, seconded by Dr. Bintliff, and unanimously carried to enter into executive session at 1:07 p.m. pursuant to Section 92-5(a)(1), HRS, to consider and evaluate personal information relating to individuals applying for professional license 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.

Discussion of the
October 11, 2012
Executive Minutes:

The Board discussed the minutes.

Applications for
License/
Certification:

b. Applications:

David W. Shoemaker, M.D.
Donald E. Maurer, M.D.
Russell D. Yang, M.D.
Debra A. Ball-Brummett, M.D.
Jonathan E. Bishop, M.D.
Nicole M. de la Garza, M.D.
Michael B. Henley, M.D.
Asok K. Ray, M.D.
Betty J. Suh-Burgmann, M.D.
Neil Clevenger, EMT-P

It was moved by Dr. Sept, seconded by Dr. Barrickman and unanimously carried to return to the open meeting at 1:47 p.m.

Approval of the
October 11, 2012
Minutes:

It was moved by Dr. Kosasa, seconded by Dr. Barrickman, and unanimously carried to approve executive session minutes of October 11, 2012 meeting as circulated, and to approve the minutes of the October 11, 2012 meeting with the following correction:

On page 10, fourth paragraph, last sentence should read as follows:

“Chair Takanishi assured members that license portability does not create **uniform** license requirements for each state, but would allow for consistent standards amongst states.

Applications for
License/
Certification:

a. Ratifications:

(i) List

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

It was moved by Dr. Barrickman, seconded by Dr. Desai and unanimously carried to approve the following applications:

Donald E. Maurer, M.D.
Russell D. Yang, M.D.
Debra A. Ball-Brummett, M.D.
Jonathan E. Bishop, M.D.
Michael B. Henley, M.D.
Asok K. Ray, M.D.
Betty J. Suh-Burgmann, M.D.

David W. Shoemaker, M.D.

After due consideration of the information received, it was moved by Dr. Akaka, seconded by Dr. Kosasa and unanimously carried to approve Dr. Shoemaker’s application for medical licensure pending receipt of Hospital Forms from King Faisal Hospital and Sunnyside Hospital.

The Board would like to advise Dr. Shoemaker that the approval of his application is contingent upon there being no derogatory information on file with King Faisal Hospital and Sunnyside Hospital.

Nicole M. de la Garza, M.D.

The Board reviewed and considered all of the records and files of Dr. de la Garza’s application including information from her as well as from other organizations. After due consideration of the information received, it was moved by Dr. Barrickman, seconded by Dr. Desai and unanimously carried to defer Dr. de la Garza’s application and request additional information.

The Board reviewed the Hospital Form ("Form") submitted by The Medical Center of Aurora ("Aurora") and noted that the questions posed on the Form were not answered "per [Aurora's] bylaws." Given this information, the Board requests that Dr. de la Garza obtain and provide the Board a copy of the relevant sections of Aurora's bylaws which clearly prohibit them from answering the questions posed on the Board's Form.

Neil Clevenger, EMT-P

After due consideration of the information received, it was moved by Dr. Barrickman, seconded by Dr. Kosasa and unanimously carried to approve Mr. Clevenger's request to have Jeffrey Chester, D.O. as his monitoring physician. As such, the Board requests that Mr. Clevenger enter into a monitoring agreement with Dr. Chester.

The Board would like to advise Mr. Clevenger that once he submits the original agreement, he will be issued a conditional license. The conditional license shall run concurrently with the agreement. The initial term of the agreement is three years but may be renewed or extended by the Board.

Unfinished Business: a. Rules Revisions: PA Provisions

The Board's PA Advisory Committee provided the Board with information regarding PA prescribing authority by state; a summary of state laws and regulations governing the number of physician assistants that one physician may supervise and a summary of state laws and regulations requiring physicians to review or co-sign PA medical record entries. The Board will take this information under advisement and discuss it at next month's meeting.

New Business: a. Hospital Affiliation Forms

Executive Officer Quiogue asked members to reconsider a matter previously discussed by the Board at its November 4, 2005 meeting, regarding the possibility of an alternative procedure for requiring hospital affiliation forms from each hospital with which an applicant is affiliated.

By way of background, Executive Officer Quiogue reminded members that in 2005, a radiology group had informed the Board that several of its radiologists have privileges at hundreds of hospitals. To provide that many hospital affiliation forms would be difficult and time consuming and therefore, the radiology group

asked the Board to explore alternatives to this requirement. She went on to say that the Board had discussed various options and established the following policy with regards to radiologists:

The physicians should submit one hospital affiliation form from the last hospital where they spent the most time physically (with hands on, clinical/practice experience). Three additional hospitals should then be asked to submit hospital affiliation forms.

Executive Officer Quiogue indicated that recently another radiology group asked whether the Board would consider another alternative to its hospital affiliation requirement. Specifically, whether the Board would accept an attestation from the radiology group stating that the doctors are in good standing with all hospitals that the group is contracted with.

Discussion followed. Chair Takanishi stated, and DAG Wong agreed, that the Board does not have the discretion to waive its statutory or administrative rule requirements. DAG Wong advised members that pursuant to §16-85-7(a)(10), Hawaii Administrative Rules, an applicant shall provide:

Evaluation reports relating to the applicant's conduct and competency from every hospital at which the applicant has applied for or held consultation or teaching appointments or privileges or has been employed in a residency program within the immediate three years preceding the application.

Given its administrative rule requirement, members decided that there would be no alternatives to its hospital affiliation requirements.

b. State Board Sponsorship Role

Chair Takanishi explained to the Board that currently, applicants wishing to take Step 3 of the USMLE are required to designate the state board for which the exam is being taken. As such, these applicants would then need to meet that state's exam eligibility requirements.

USMLE is asking state boards if they wish to continue their involvement in this process or prefer that applicants interact entirely with USMLE for Step 3 and approach the state board only after they have completed the entire USMLE and are ready for licensure.

After a brief discussion, the Board determined that this function can be absorbed entirely by USMLE and FSMB.

Advisory
Committees:

- a. Physician Assistants
- b. Emergency Medical Service Personnel

Executive Officer Cabral advised the Board that the Emergency Medical Service Personnel Advisory Committee is proposing revisions to the rules relating to ambulance personnel. In response, the Chair requested that a written summary and reasons for the revisions be provided by the Committee to the Board for its consideration.

- c. Podiatrists

Chairperson's
Report:

None.

Correspondence: FSMB report on Assuring the Ongoing Competence of Licensed Physicians

The FSMB report on Assuring the Ongoing Competence of Licensed Physicians was distributed to the Board at its October 11, 2012 meeting for their information.

Adjournment:

It was moved by Dr. Barrickman, seconded by Dr. Chin, and unanimously carried to adjourn the meeting at 2:20 p.m.

Next Meeting:

Thursday, December 13, 2012
1:00 p.m.
King Kalakaua Conference Room, First Floor
335 Merchant Street
Honolulu, HI 96813

Reviewed and approved by:

Taken and recorded by:

(Ms.) Constance I. Cabral
Executive Officer

Wilma Balon
Secretary

CIB:wb
12/3/12

(X) Minutes approved as is.

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

HAWAII MEDICAL BOARD (11/08/2012-RATIFICATION LIST)

LTYPE LIC NUM BP NAME PART 1

MD 16780 MARCOS R <KORNSTEIN<
MD 16781 JOHN C <LACUNZA<
MD 16782 DENNIS W <STEPHENS<
MD 16783 JOSEPH J B <MANLOLO<
MD 16784 ROBERT P <EDMONDS<
MD 16785 JOSEPH J <HUDAK<
MD 16786 LUTHER B <ADAIR< II
MD 16787 DAVID J <BURKART<
MD 16788 MARK A <BRINCKMAN<
MD 16789 HAROLD ALLISON <BRADFIELD<
MD 16790 CORNELIUS J <BOS<
MD 16791 RYAN C <RAO<
MD 16792 RYAN G <PADGETT<
MD 16793 DONALD L <ALLYN<
MD 16794 LOUIS J <LEBLANC<
MD 16795 JEFFREY C <HO<
MD 16796 TRISH N <STEPHENS<
MD 16797 RANDY A <SAG<
MD 16798 EUGENE Y S <SHIH<
MD 16799 JASON H <BROWN<
MD 16800 GORDON <BEH<
MD 16801 AHMED S <BEDEIR<
MD 16802 JOSHUA R <POTOCKO<
MD 16803 ASHLEY V <PEAK<
MD 16804 GEORGE A <WENNERBERG< JR
MD 16805 AJAY K <SUMAN<
MD 16806 TIMOTHY T <KUO<
MD 16807 BENJAMIN A <TOURKOW<
MD 16808 RONALD B <TANAKA<
MD 16809 SARAH J <CARPENTER<
MD 16810 MASAFUMI <SATO<
MD 16811 SPENCER D <SMITH<
MD 16812 CLAYNE <BENSON<
MD 16813 SUSAN D <PAUL<
MD 16814 MICHAEL J <HUNTLEY<
MD 16815 CHRISTIE L <BOILS<
MD 16816 GLENN <BANEGURA<
MD 16817 TERESA M <DEAK<
MD 16818 TSUTOMO <ISEDA<
MD 16819 MARCO P <FLORIDIA<

MDR 6431 THOMAS L <BELANGER< JR
MDR 6432 RACHEL <SULLIVAN<

DOS 1482 JACOB S <SHANNON<
DOS 1483 GIGI A <GEIGER<
DOS 1484 WILLIAM K <DOMARAD<
DOS 1485 JAMES <PANETTA<
DOS 1486 TRACEY A <BANKS-GRECZANIK<
DOS 1487 LINDA M <HOSTALEK<

AMD 485 ROBERT E <NIKOLAISEN<
AMD 486 JASON L <JOHNSTON<
AMD 487 JUDY A <LAVENSON<

EMTP 2005 BRENT Y <OKUTSU<
EMTP 2006 WHITNEY H <YUI<
EMTP 2007 ERIC B <LUM<
EMTP 2008 BRIAN T <HARRISON<
EMTP 2009 JEAN-THIERRY F <ALEMAN<