

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 §92-7(b), Hawaii Revised Statutes ("HRS").

Date: Thursday, April 14, 2016

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
Maria Chun, Ph.D, Public Member
Jone Geimer-Flanders, D.O., Oahu Member
Peter Halford, M.D., 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: Gerard K. Akaka, M.D., Oahu Member
Darren K. Egami, M.D., Maui Member

Guests: Lei Fukumura, Special Deputy Attorney General ("SDAG")

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

Approval of the March 10, 2016 Minutes: It was moved by Dr. Holt, seconded by Dr. Geimer-Flanders, and unanimously carried to approve the minutes of the executive session meeting as circulated, and to approve the minutes of the regular session with the following amendments:

Page 6, second paragraph, first sentence should read as follows:

"Chair Desai stated that there are numerous limitations placed on the Board because of various [~~statues~~] **statutes**."

Page 10, S.B. 3105, last paragraph should read as follows:

“Executive Officer **Quiogue** informed members that the ~~[remainders of the]~~ remainder of the bills were provided for their information only, and are being tracked by staff.”

Page 11, Correspondence: b. Hawaii Medical Association Inquiry Regarding ~~[Itinerant]~~ Itinerate Care

Page 11, second full paragraph should read as follows:

“The Board reviewed Christopher D. Flanders, D.O. email dated March 4, 2016, regarding itinerate care, as well as emails from Dr. Wong dated March 3, 2016, and AMA Opinion 10.01. In particular, Dr. Wong stated that there have been Hawaii-licensed **physicians** from the mainland[;] **who** provide [a] services at a lower fee...”

Additions/
Revisions to
Agenda:

It was moved by Chair Desai, seconded by Dr. Geimer-Flanders, and unanimously carried to add to the agenda: the application of Sean W. Carlson, D.O.; and Correspondence: a. Compounding Medications by Physicians: FSMD Draft Position Paper.

Adjudicatory
Matters:

Chair Desai called for a recess from the meeting at 1:05 p.m. to discuss and deliberate on the following adjudicatory matters pursuant to Chapter 91, Hawaii Revised Statutes (“HRS”).

a. In the Matter of the Physician’s License of Richard D. Rossin, M.D.; MED 2015-92-L

Dr. Holt informed members that he will be recusing himself from the discussion and vote of this matter, and left the meeting room at 1:05 p.m.

Dr. Halford entered the meeting room at 1:06 p.m.

After discussion, it was moved by Dr. Geimer-Flanders, seconded by Dr. Sept, and unanimously carried, with the exception of Dr. Holt who recused himself, to accept the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order.

Dr. Holt returned to the meeting room at 1:07 p.m.

b. In the Matter of the License to Practice Medicine of Paul M. Gahlinger, M.D.; MED 2014-177-L

The above matter was deferred.

c. In the Matter of the Application for a Medical License of Rajitha Johnson, M.D.; MED-LIC-2014-006

The above matter was deferred.

Following the Board's review, deliberation and decision in this matter pursuant to Chapter 91, HRS, Chair Desai announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 1:08 p.m.

Applications for
License/
Certification:

- a. Ratifications:
(i) List

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

Applications for
License/
Certification:

- b. Applications:

It was moved by Dr. Sept, seconded by Dr. Halford, and unanimously carried to enter into executive session at 1:09 p.m. pursuant to HRS §92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional licenses cited in HRS §26-9, and pursuant to HRS §92-5(a)(4), to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.

Michael J. Fitch, M.D.
Susan A. Gingrich, M.D.
Paul F. Nielson, M.D.
Bradford J. Williams, M.D.
Jason L. Campos, EMT-B
Sean W. Carlson, D.O.

- c. Request to have Conditions Removed from License:

Charles B. Graves, M.D.
Pouya Benyamini, M.D.

It was moved by Dr. Sept, seconded by Dr. Kosasa, and unanimously carried to return to the open meeting at 1:44 p.m.

Pouya Benyamini, M.D.

After due consideration of the information received, it was moved by Dr. Sept, seconded by Dr. Geimer-Flanders, and carried by a majority, with Drs. Halford and Chun who recused themselves, to deny Dr. Benyamini's request to remove the conditions placed on his limited and temporary license for residency or specialty training, License No. MDR-6336.

The Board determined that the conditions placed on Dr. Benyamini's conditional license shall remain in effect until June 30, 2016, or the

remainder of 2015 – 2016 academic year, whichever date comes later.
The Board determined further that at the end of that period:

1. Dr. Benyamini shall submit a written request to have the conditions removed from his limited and temporary license for residency or specialty training, License No. MDR-6336; and
2. When submitting his written request, Dr. Benyamini shall provide evidence of full compliance with the conditions. This information shall include, but not be limited to: evidence of his counseling sessions, and a closing letter/statement from Dr. Murayama which provides that Dr. Benyamini has met all ACGME Core Competencies, with an emphasis on the Core Competency of Professionalism.

Drs. Halford and Chun returned to the meeting room at 1:46 p.m.

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

Michael J. Fitch, M.D.
Paul F. Nielson, M.D.
Bradford J. Williams, M.D.
Sean W. Carlson, D.O.

Susan A. Gingrich, M.D.

The Board reviewed and considered all of the records and files of Dr. Gingrich's application and information received from her as well as from other organizations.

After due consideration of the information received, it was moved by Dr. Sept, seconded by Dr. Kosasa, and unanimously carried to request that Dr. Gingrich provide a revised application answering affirmatively to question 10.d. on the Board's application.

Additionally, the Board determined that staff approve Dr. Gingrich's application upon receipt of the revised application.

Jason L. Campos, EMT-B

After due consideration of the information received, it was moved by Dr. Geimer-Flanders, seconded by Dr. Kosasa, and unanimously carried to defer Mr. Campos' application pending additional information.

Charles B. Graves, M.D.

The Board reviewed and considered Dr. Graves request to remove the conditions from his conditional license.

After due consideration of the information received, it was moved by Chair Desai, seconded by Dr. Kosasa, and unanimously carried to remove the conditions placed on Dr. Graves' conditional Hawaii Medical License, License No. MD-16045.

Old Business:

a. Legislation

H.B. No. 2335, HD1, SD1, Relating to Physician Discipline

The Board discussed HB2335, H.D.1, S.D.1, Relating to Physician Discipline.

HB 2335, HD1, SD1, authorizes the Board to impose the same disciplinary action against a licensee as was taken by another state or federal agency, establishes conditions for the disciplinary action, and prohibits the licensee from practicing until a final order of discipline is issued if the licensee has been prohibited from practicing in another state.

Executive Officer Quiogue stated that the Hawaii State Legislature's website reflects that the House disagrees with the Senate amendments to the measure.

Dr. Sept asked what the process is if one chamber does not agree with another chamber's amendments.

Executive Officer Quiogue explained that unless both chambers agree on the amendments made to a bill, the bill will be scheduled for conference. She went on to say that during this time, members from the respective committees will be appointed to the conference committee to deliberate over the differences of each measure, and hopefully come to some kind of resolution by way of a conference draft.

S.B. 2675, SD1, HD1, Relating to Licensing

The Board discussed SB2675, S.D. 1, H.D. 1, Relating to Licensing.

Executive Officer Quiogue informed members that SB2675, SD1, HD1, was heard by the House Committee on Judiciary, which amended the measure by: 1) specifying that the regulatory boards are not limited to imposing the same disciplinary action on licensees as was imposed by other states or federal agencies; 2) making the measure take effect upon its approval; and 3) making technical, nonsubstantive amendments for clarity, consistency and style.

Executive Officer Quiogue referred to amendment number 1 made by the House Committee on Judiciary, which would allow the respective regulatory boards to take action on a license that is more adverse than the home state's action.

Discussion followed. It was moved by Chair Desai, seconded by Dr. Halford, and unanimously carried to enter into executive session at 1:50 p.m. pursuant to HRS §92-5(a)(4), to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.

It was moved by Dr. Halford, seconded by Dr. Bintliff, and unanimously carried to return to the open meeting at 1:58 p.m.

H.B. No. 1708, HD 2, Relating to Medicine & Surgery

The Board discussed HB1708, HD 2, Relating to Medicine and Surgery.

Executive Officer Quiogue reminded members that the House Committee on Consumer Protection passed HB1708 with an H.D. 2, which creates a limited and temporary license for visiting sports team physicians. She went on to say that on March 17, 2016, the Senate Committee on Consumer Protection and Health deferred the measure indefinitely.

Dr. Geimer-Flanders informed members that she and the Executive Officer were instructed to work with the proponents of the measure on legislation for the 2017 session.

Executive Officer Quiogue asked the Board for direction regarding this matter, specifically, its position so that she may begin drafting legislation with the proponents of this measure.

Discussion followed. Members stated that their position remains the same, that sports physicians shall, at a minimum obtain a limited and temporary license as proposed in H.B. 1708, H.D. 2.

It was moved by Chair Desai, seconded by Dr. Geimer-Flanders, and unanimously carried to provide language similar to that of H.B. 1708, H.D. 2, which would require a team physician to obtain a limited and temporary license.

H.B. No. 2233, HD 2, SD1, Relating to Health Care Professionals

The Board reviewed HB2233, H.D.2, SD1, Relating to Health Care Professionals.

Executive Officer Quiogue informed the Board that since its last meeting, the House disagreed with the amendments made by the Senate to HB2233, H.D.2, S.D.1. As such, this measure would go to conference.

S.B. 2615, SD2, Relating to Minors

The Board discussed SB2615, SD2, Relating to Minors.

Executive Officer informed members that SB 2615 has not been scheduled for hearing by The House Committee on Health. She went on to remind members that at its last meeting they decided to take no position on this matter.

Correspondence: a. Compounding Medications by Physicians: FSMD Draft Position Paper

The Board was provided this information for informational purposes only.

After discussion, the Board determined that it would take no position on this matter.

Advisory
Committees:

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

Chairperson's
Report:

None.

Executive Officer's
Report:

None.

Next Meeting:

Thursday, May 12, 2016
King Kalakaua Conference Room, First Floor
335 Merchant Street
Honolulu, HI 96813

Adjournment:

It was moved by Dr. Bintliff, seconded by Mr. Puleyasi, and unanimously carried to adjourn the meeting at 2:20 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
04/27/16

(X) Minutes approved as is.

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

HAWAII MEDICAL BOARD (04/14/2016-RATIFICATION LIST)

LTYPE LIC NUM BP NAME PART 1

MD 18519 SIAN Y <LIM<
MD 18520 MAI K <XIONG<
MD 18521 WILLIAM P <BERG<
MD 18522 NADEEM <AFRIDI<
MD 18523 SCOTT Y <HARADA<
MD 18524 REBECCA A <ROMACK<
MD 18525 NISHAL M <BRAHMBHATT<
MD 18526 DAVUT J <SAVASER<
MD 18527 CHI K <LAI<
MD 18528 CHUNRONG <LIN<
MD 18529 YUKLI <ELLIOTT<
MD 18530 LISA THI <NGUYEN<
MD 18531 KELLY A <MORGAN<
MD 18532 EMI <OTA<
MD 18533 YUKA <YONEBAYASHI<
MD 18534 JONATHAN <SY<
MD 18535 SAID H <SANA<
MD 18536 MAURICE J <NORMAN<
MD 18537 AMBER R <GILL<
MD 18538 BENJAMIN <GERSON<
MD 18539 KEISUKE <MIYAMOTO<
MD 18540 VISHAL <VERMA<
MD 18541 MONEESHA M <PINTO<
MD 18542 CHI NGA <CHAN<
MD 18543 WAI J <LIM<
MD 18544 HEATHER D <HAWTHORNE<
MD 18545 ARIE D <OLIVO GANZ<
MD 18546 JEREMY D <WILLIAMS<
MD 18547 ANDREW L <BOURGEOIS<
MD 18548 MARIA D <PINO LUEY<
MD 18549 CHRISTOPHER M <BELYEA<
MD 18550 CHANNING S <SLATE<
MD 18551 KANOELEHUA E C <PERRY<
MD 18552 ANTHONY T <CANCIO<
MD 18553 VIKRAM <BRAHMANANDAM<
MD 18554 ANDREW W <SEEFELD<
MD 18555 MONICA C <KOPLAS<
MD 18556 SARAH E <KISTLER<
MD 18557 SURJEET K <BHANGOO<
MD 18558 KAZUE <OKAJIMA<
MD 18559 CAMILO D <FERNANDEZ-SALVADOR<

MD 18560 LAUREN K <RECKLEY<
MD 18561 JEFFERY L <CHEN<
MD 18562 MARK E <LEO<
MD 18563 CARL J <TADAKI<
MD 18564 WILLIAM F <RYAN<
MD 18565 JONATHAN M <CHEN<
MD 18566 DAVID W <TALBOTT<
MD 18567 RICHARD A <JACK<
MD 18568 STEVE <RIVERA<
MD 18569 MOHAMMED F <QURAISHI<
MD 18570 GEORGE <TUN<
MD 18571 MICHAEL E <HOFFMAN<
MD 18572 ANGELA R <ANDERSON<
MD 18573 SHALIN H <PATEL<

MDR 7014 CASSIDY M <DAHN<
MDR 7015 NIRAV B <PATEL<
MDR 7016 RACHEL A <EDWARDS<
MDR 7017 CAROLINE A <DOWERS<
MDR 7018 IMRAN <SHAIKH<
MDR 7019 AMANDA <LIEU<
MDR 7020 AURORA <LYBECK<
MDR 7021 LOUIS <JANTGAARD<
MDR 7022 MZIMELI M <MORRIS<

AMD 669 ADAM O <MAYS<
AMD 670 STEPHEN K C <YUEN<
AMD 671 ELEAZAR S <DIAL<
AMD 672 HEIDI <SCHULZ<
AMD 673 JOLYNN <MONTGOMERY<
AMD 674 TARIQ A <PARWANI<
AMD 675 JASON A <NAGEL<
AMD 676 JOYCE <ALDON<
AMD 677 ALAN A <SUNADA<
AMD 678 JAYNE L <O'GORMAN<
AMD 679 HEIDI <SARKOZY<

DOS 1717 RICHARD S <SHINN<
DOS 1718 PETER R <CHAMBERS<

DOS 1719 MAREN K N <GAUL<
DOS 1720 SHANNON D <EVANS<
DOS 1721 MARY-CATHERINE E <RENSKO<
DOS 1722 KATIE MASTORIS <SCHOENMAN<
DOS 1723 KIMBERLY A <CHAFFIN<

PO 217 KARI M <TANIMOTO<

EMTB 2693 KAYLA C <CINTRON<
EMTB 2694 BENJAMIN S <WAUGH<
EMTB 2695 JEFFREY A <EISENBACH<
EMTB 2696 REECE S <FUJIKAWA<
EMTB 2697 HARTLEY N <ITO<
EMTB 2698 MAKENNA L <LAWRENCE<
EMTB 2699 RICHARDSON M <KALAU LI<

EMTP 2108 ALICIA A <ENGLER<
EMTP 2110 DANIEL P <KERRISK<
EMTP 2111 MEGHAN L <TEGGERDINE<
EMTP 2112 AUSTIN M <MURO<