

**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, December 11, 2014

Time: Immediately following the Public Hearing

Place: King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> 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  
Peter Halford, M.D., Oahu Member  
Peter Holt, M.D., Oahu Member  
Thomas S. Kosasa, M.D., Oahu Member  
Palasi Puleyasi, 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  
Jone Geimer-Flanders, D.O., Oahu Member

Guests: David Barton, M.D.  
Lei Fukumura, Special Deputy Attorney General

Call to Order: The meeting was called to order at 12:29 p.m. at which time quorum was established.

**The following agenda item(s) were taken out of order.**

Additions/  
Revisions to  
Agenda: None.

Adjudicatory  
Matters: Chair Desai called for a recess from the meeting at 12:30 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 John F. Balog, M.D.; MED 2013-76-L; MED 2013-78-L; MED 2013-79-L

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

- b. In the Matter of the License to Practice Medicine of Igor Mitreski, M.D.; MED 2014-35-L

After discussion, it was moved by Dr. Halford, seconded by Dr. Sept 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 Desai announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 12:33 p.m.

New Business:

- a. Consideration of Amendment to Chapter 16-85, Hawaii Administrative Rules

Chair Desai called for a discussion on the proposed rule amendment. He stated that the purpose of the proposed amendment is to delete the provision that requires applicants for a medical license to pass all three steps of the United States Medical Licensing Examination (USMLE) within seven years.

Dr. Halford asked why the Board was considering eliminating the seven year policy.

Executive Officer Quiogue explained that physicians who pursued dual degrees are typical of those who are unable to meet the 7-year rule. This is because steps 1 and 2 of the USMLE are taken in medical school and step 3 is taken after the 1<sup>st</sup> year of residency. Dual-degreed applicants complete medical school, enter a doctoral degree research program, and after completion of the doctorate degree, enter a residency program. As such, it is almost impossible for them to meet the 7-year requirement.

After discussion, it was moved by Dr. Kosasa, seconded by Dr. Holt, and unanimously carried to adopt the rule amendment presented at the public hearing.

**The Board resumed to its regular agenda item(s).**

Applications for License/  
Certification:

- a. Ratifications:  
(i) List

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

It was moved by Dr. Kosasa, seconded by Mr. Puletasi, and unanimously carried to enter into executive session at 12:38 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.

Discussion of the  
November 13, 2014  
Executive Minutes:

The Board discussed the minutes.

b. Applications:

John S. Chiara, M.D.  
Dan L. Bennett, M.D.  
Charles T. Cavallaro, D.O.  
Carlann De Fontes, D.O.  
Edward Domanskis, M.D.  
Clifford R. Hoffman, D.O.  
Paul M. Scheele, M.D.

Request to Have  
Conditions Removed  
From Conditional  
License:

c. Gordon Beh, M.D.

It was moved by Dr. Sept, seconded by Dr. Halford and unanimously carried to return to the open meeting at 1:23p.m.

Approval of the  
November 13, 2014  
Minutes:

It was moved by Dr. Bintliff, seconded by Dr. Kosasa, and unanimously carried to approve the minutes of the regular session meeting with the following corrections:

On page 1, under Approval of the October 16, 2014 Minutes, it should read as follows:

'It was moved by Dr. Halford, seconded by Dr. Akaka, **and carried by a majority, with Dr. Sept abstaining ....**'

It was moved by Dr. Halford, seconded by Dr. Kosasa, and unanimously carried to approve the executive minutes of the November 13, 2014 meeting with the following as clarified:

On page 2, under Marvin B. Padnick, M.D., the fourth full paragraph should be deleted in its entirety.

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

John S. Chiara, M.D.  
Carlann De Fontes, D.O.  
Edward Domanskis, M.D.  
Clifford R. Hoffman, D.O.

Dan L. Bennett, M.D.

It was moved by Dr. Kosasa, seconded by Dr. Holt, and unanimously carried to approve Dr. Bennett's application for medical licensure.

Charles T. Cavallaro, D.O.

After due consideration of the information received, it was moved by Chair Desai, seconded by Dr. Halford, and unanimously carried to defer Dr. Cavallaro's application for osteopathic licensure pending additional information.

Paul M. Scheele, M.D.

After due consideration of the information received, it was moved by Chair Desai, seconded by Dr. Kosasa, and unanimously carried to defer Dr. Scheele's application for medical licensure pending additional information.

Request to Have  
Conditions Removed  
From Conditional  
License:

c. Gordon Beh, M.D.

After due consideration of the information received, it was moved by Dr. Sept, seconded by Dr. Holt and unanimously carried to grant Dr. Beh's request to remove the conditions placed on his conditional medical license.

Correspondence: a. Request for Informal Opinion Regarding Certification of Medical Marijuana Patients

The Board received a letter from Clifton Otto, M.D., requesting an informal opinion from the Board regarding the certification of medical marijuana patients by physicians in Hawaii. Specifically, Dr. Otto requests that the Board consider adopting an informal opinion which would provide guidelines that physicians can follow in order to ensure that their certification examinations meet the standard of medical care in Hawaii, and that their medical licenses will not be threatened by performing such a medical intervention.

Dr. David Barton appeared before the Board to discuss this matter. Dr. Barton stated that this is a very important issue which requires the legislature's involvement on all islands. He informed the Board that this matter has been discussed with Senators Baker and Green.

Dr. Barton further stated that their goal is to set the highest standards for physicians to adhere to so that they may provide appropriate and necessary care.

Dr. Barton informed the Board that he has personally encountered, and is aware of physicians who are currently certifying patients for medical marijuana without first establishing an appropriate doctor-patient relationship.

Dr. Barton indicated that he is aware of physician who lost his medical license in the state of California for inappropriate prescribing of medical marijuana, but is still currently licensed by the Board. Dr. Barton again emphasized the importance of raising the bar to avoid these problems.

DAG Wong informed Dr. Barton that if he is aware of physicians engaged in misconduct, he may at any time contact the Regulated Industries Complaints Office to file a complaint. She went on to say that he should refrain from providing specific information to the Board regarding the alleged misconduct of a licensee that may be the subject of a disciplinary case before the Board at a later date.

Chair Desai informed Dr. Barton that the subject of certification of medical marijuana patients now falls within the purview of the Department of Health ("DOH"), after being transferred from the Department of Public Safety. It is his understanding that DOH will be establishing rules that may address Dr. Barton's concerns and, thus, suggested deferring Board discussion of the matter at this time.

Being that there were no further questions, Chair Desai thanked Dr. Barton for attending the Board's meeting, and excused him from the meeting room.

Discussion followed. It was moved by Chair Desai, seconded by Dr. Kosasa, and unanimously carried to defer this matter.

b. The Validity of Prescriptions

Members reviewed an email from Ms. Alanna Isobe dated November 17, 2014, regarding the validity of prescriptions after a physician passes away. Specifically, Ms. Isobe inquired whether refills or new prescriptions issued before a physician passes away remain valid after the physician passes away.

After discussion, it was determined that prescriptions are valid until it expires or there are no longer refills. Furthermore, members instructed Executive Officer Quiogue to inform Ms. Isobe that pharmacists should use their professional judgment regarding whether a prescription should be filled or not. If a pharmacist, in their professional capacity, believes that a prescription should not be filled, then they have the discretion to refuse to fill that prescription.

c. Necessity of Medical License for Training Activity: Physicians Providing Training Sessions for FDA-approved Non-surgical Devise to Treat Hemorrhoids

This matter was deferred for further review and discussion.

d. The Optometric Society: Opternative

The Board was provided a letter from The Optometric Society dated November 25, 2014, regarding opternative for informational purposes only.

For the Board's information, opternative is an online refractive eye exam after which glasses or contact lens prescription is given, and is signed by an ophthalmologist.

Advisory  
Committees:

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

Executive Officer's  
Report:

None.

Chairperson's  
Report:

None.

Next Meeting:

Thursday, January 8, 2015  
1:00 p.m.  
King Kalakaua Conference Room, First Floor  
335 Merchant Street

Honolulu, HI 96813

Adjournment: It was moved by Dr. Halford, seconded by Dr. Kosasa, and unanimously carried to adjourn the meeting at 1:58 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  
12/24/14

- ( ) Minutes approved as is.  
( X ) Minutes approved with changes; see minutes of January 8, 2015.

**HAWAII MEDICAL BOARD (12/11/2014-RATIFICATION LIST)**

LTYPE LIC NUM BP NAME PART 1

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MD 17887 JOHN R <ALM<  
MD 17898 PARADIS K <REED<  
MD 17899 LABIB F <HADDAD<  
MD 17900 CHRISTINA L <POON<  
MD 17901 CHAD M T <CRYER<  
MD 17902 MARK W <LEVIN<  
MD 17903 NICOLAS P <LIMTHONG<  
MD 17904 VICTOR T <NICOLAS<  
MD 17905 PHILIP G <OWEN<  
MD 17906 LAURA A <FLATH<  
MD 17907 STEPHANIE <ILLANES<  
MD 17908 THOMAS M <BURCH<  
MD 17909 SACHIN <SHETH<  
MD 17910 CATHERINE E <BANNERMAN<  
MD 17911 SUSIE J <PARK<  
MD 17912 MEHTAP <BERKMEN<

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MDR 6774 SCOTT JORDAN <HAIGHT<  
MDR 6775 NICHOLAS S <LIBERTIN<

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AMD 588 JESSICA S <BLANK<  
AMD 589 HAROLD T <FRANK<

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DOS 1624 GARY <BOGART<  
DOS 1625 PETER <TRAN<  
DOS 1626 ELIZABETH A <RANFT<  
DOS 1627 LAURENCE J <ANDERSON<  
DOS 1628 KELLY A <BEAR<  
DOS 1629 TERRANCE G <FARRELL<  
DOS 1630 ANDREW S <KHAN<  
DOS 1631 TRENTON E <KNEWTSON<

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EMTP 2073 CHRISTOPHER K <KELLY<

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EMTB 2569 GRACE ANN-YI <CHENG<  
EMTB 2570 CHRISTOPHER D <GOUVEIA<  
EMTB 2571 KEVIN R <MALONE<  
EMTB 2572 ELIK <VODOVOZ<  
EMTB 2573 PALMER L <WINTERS<  
EMTB 2574 CHANTE M N <ANGUAY<  
EMTB 2575 KANISHA L <BELLO<



12/11/2014-RATIFICATION LIST

PAGE 2

EMTB 2576 JERRALD G H <CHAU<  
EMTB 2577 JADELynn N <DAWSON<  
EMTB 2578 DEVIN M A K <FONTANILLA<  
EMTB 2579 KYLAN K <NASCIMENTO<  
EMTB 2580 VALERIE L <STOKES<  
EMTB 2581 KRYSTLE M <TAKARA<  
EMTB 2582 LEIGHTON M <TAKARA<  
EMTB 2583 CHRISTIAN <VELASCO<