

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, February 13, 2014

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
Maria Chun, Ph.D, Public Member
Niraj S. Desai, M.D., Kauai Member
Thomas S. Kosasa, M.D., Oahu Member
Palasi Puleyasi, Public Member
Shari Wong, Deputy Attorney General ("DAG")
Constance I. Cabral, Executive Officer
Ahlani K. Quiogue, Executive Officer
Wilma Balon, Secretary

Excused: Les Barrickman, D.O., Vice-Chairperson, Oahu Member
Peter C. Chin, M.D., Maui Member
Karen E. Sept, D.O., Oahu Member
Carl K. Yorita, M.D., Oahu Member

Guests: Karen Marie Dang, M.D., Applicant
Robert Patrick Dang, with Karen Marie Dang
Michael Jackowitz, D.O., Applicant
Lei Fukumura, Special Deputy Attorney General
Vincent Tenorio, PA-C

Call to Order: The meeting was called to order at 1:09 p.m. at which time quorum was established.

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

Additions/
Revisions to
Agenda:

None.

Adjudicatory
Matters:

Chair Takanishi called for a recess from the meeting at 1:10 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 William H. Shuler, M.D.; MED 2012-94-L

After discussion, it was moved by Dr. Desai, 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 Application for a Medical License of Claudia R. Mondragon, D.O.; MED-LIC-2013-005

After discussion, it was moved by Dr. Desai, seconded by Dr. Kosasa, and unanimously carried to adopt the Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order Granting Respondent's Motion to Dismiss.

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 1:19 p.m.

Applications for
License/
Certification:

- b. Applications:

It was moved by Dr. Bintliff, seconded by Dr. Akaka, and unanimously carried to enter into executive session at 1:19 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.

Michael S. Jackowitz, D.O.
Karen M.W.J. Dang, M.D.
Evelyn C. Kwok, M.D.
Robert H. Belding, M.D.

Peter J. Foote, D.O.
Michael P. Gray, M.D.
Miguel L. Monroig, M.D.
Kim Rosenthal, M.D.
Jenny M. Satterberg, M.D.
Lundi C. Seng, M.D.
Charles S. Tomek, M.D.

It was moved by Mr. Puleyasi, seconded by Dr. Bintliff and unanimously carried to return to the open meeting at 3:02 p.m.

Approval of the
January 9, 2014
Minutes:

It was moved by Dr. Akaka, seconded by Dr. Desai, and unanimously carried to approve the minutes of the regular session as circulated and the minutes of the executive session of the January 9, 2014 meeting as amended.

Applications for
License/
Certification:

- a. Ratifications:
(i) List

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

Michael S. Jackowitz, D.O.

After due consideration of the information received, it was moved by Dr. Akaka, seconded by Mr. Puleyasi, and unanimously carried to approve Dr. Jackowitz' application for licensure subject to certain conditions, basing its decision on the following grounds of the Hawaii Revised Statutes ("HRS"), which find support in the records and files of Dr. Jackowitz' application:

- HRS § 436B-19(6): Aiding and abetting an unlicensed person to directly or indirectly perform activities requiring a license;
- HRS § 436B-19(7): Professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of the licensed profession or vocation;
- HRS § 436B-19(8): Failure to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity;

HRS § 436B-19(9): Conduct or practice contrary to recognized standards of ethics for the licensed profession or vocation; and

HRS § 436B-19(13): Revocation, suspension, or other disciplinary action by another state or federal agency against a licensee or applicant for any reason provided by the licensing laws or this section.

Based on the foregoing, the Board hereby imposes the following conditions to Dr. Jackowitz' conditional license:

1. Conditional license shall remain conditioned for a period of no less than one (1) year from the date of the Hawaii Medical Board's letter.
2. Shall notify the Board in writing at least ten (10) days prior to the start of practicing osteopathic medicine in the State of Hawaii.
3. Shall notify the Board in writing quarterly of the following information:
 - a. The physical and mailing address of practice location;
 - b. The type of practice setting (e.g. private practice, group practice, etc.);
 - c. The scope of osteopathic practice (e.g. internal medicine, oncology, etc.);
 - d. A list of individuals Dr. Jackowitz supervised, including any ancillary staff and/or allied health professionals;
 - e. Employment (e.g. self-employed); and
 - f. A list of hospitals and its addresses in which Dr. Jackowitz is credentialed and/or privileged during the period of his conditioned license.

Dr. Jackowitz' first quarterly report shall be due to the Board within 120 days from the date of the issuance of conditional letter. If Dr. Jackowitz fails to comply with the conditions placed on his conditional license, the Board will consider whether to suspend, revoke, or otherwise discipline his license.

4. Shall provide a copy of the Hawaii Medical Board's conditional letter to employer and any hospitals with which Dr. Jackowitz seek privileges within ten (10) days of the start of his employment. In turn, Dr. Jackowitz' employer shall send written confirmation to the

Board's Executive Officer confirming receipt of Hawaii Medical Board's letter.

Karen M.W.J. Dang, M.D.

After due consideration of the information received, it was moved by Chair Takanishi, seconded by Mr. Puleasi, and unanimously carried to defer Dr. Dang's application, and requests additional information be provided .

Evelyn C. Kwok, M.D.

At its January 9, 2014 meeting, Dr. Kwok's application was deferred pending additional information.

After due consideration of the information received, it was moved by Dr. Akaka, seconded by Dr. Desai, and unanimously carried to approve Dr. Kwok's application for licensure.

Robert H. Belding, M.D.

It was moved by Chair Takanishi, seconded by Dr. Akaka, and unanimously carried to approve Dr. Belding's application for licensure.

Peter J. Foote, D.O.

It was moved by Dr. Kosasa, seconded by Dr. Desai, and unanimously carried to approve Dr. Foote's application for licensure.

Michael P. Gray, M.D.

It was moved by Dr. Desai, seconded by Dr. Akaka, and unanimously carried to approve Dr. Gray's application for licensure

Miguel L. Monroig, M.D.

It was moved by Chair Takanishi, seconded by Dr. Bintliff, and unanimously carried to approve Dr. Monroig's application for licensure.

Kim Rosenthal, M.D.

It was moved by Dr. Desai, seconded by Dr. Akaka, and unanimously carried to approve Dr. Rosenthal's application for licensure.

Jenny M. Satterberg, M.D.

It was moved by Dr. Kosasa, seconded by Mr. Puleasi, and unanimously carried to defer Dr. Satterberg's application, and request that Dr. Satterberg provide additional information.

Lundi C. Seng, M.D.

It was moved by Chair Takanishi, seconded by Dr. Akaka, and unanimously carried to approve Dr. Seng's application for licensure.

Charles S. Tomek, M.D.

It was moved by Dr. Bintliff, seconded by Mr. Puleasi, and unanimously carried to approve Dr. Tomek's application for licensure.

Election of
Vice-Chairperson:

It was moved by Dr. Kosasa, seconded by Mr. Puleasi, and unanimously carried to nominate Dr. Desai as Vice Chairperson.

It was moved by Chair Takanishi, seconded by Dr. Kosasa and unanimously carried to close the nominations for Vice Chairperson and to elect Dr. Desai as Vice Chairperson for a term of one year.

New Business:

a. Legislation

S.B. No. 2468, Relating to Podiatrists

Executive Officer Cabral informed the Board that S.B. 2468 was heard and passed as is by Senate Committee on Commerce and Consumer Protection on February 12, 2014.

Executive Officer Cabral indicated that Senator Baker asked the Board and its Podiatry Advisory Committee to work together to come up with proposed language that will allow experienced podiatrists to become licensed with one year of residency.

After discussion, it was moved by Chair Takanishi, seconded by Dr. Desai, and unanimously carried to allow outside applicants with 10 years of practice and one year of residency.

S.B. No. 2469, Relating to Telehealth

The Board discussed the above bill relating to telehealth.

The purpose of the bill is to amend references to "telemedicine" in the Hawaii Revised Statutes to "telehealth" for consistency.

The change will be consistent with other professions.

After discussion, it was moved by Mr. Puleasi, seconded by Dr. Desai, and unanimously carried to have no objections to this bill.

S.B. No. 2467, Relating to Podiatrists

S.B. No. 2467 was heard by the Senate on Commerce and Consumer Protection.

The purpose of the bill is to conform the definition of "podiatric medicine" to national standards regarding diagnosis and treatment of the foot and ankle.

After discussion, it was move by Dr. Akaka, seconded by Mr. Puleasi, and unanimously carried to delegate Chair Takanishi to research the scope of practice.

S.B. No. 2569, Relating to Home Birth

The Board discussed the above bill relating to home birth.

S.B. No. 3056, Relating to Consumer Protection

The Board discussed the purpose of the bill.

b. Innovative Readiness Training (IRT) Exercise

The Board reviewed and discussed an email dated February 6, 2014, from Keith Y. Yamamoto, Deputy Director, State of Hawaii Department of Health ("DOH"), regarding Innovative Readiness Training (IRT) exercise. It was the Board's informal opinion that pursuant to HRS paragraph 453-2(b)(3), commissioned medical officers in the United States armed forces or public health service may practice medicine in Hawaii without first obtaining a medical

license as long as they are engaged in the discharge of their official duties.

However, the Board also recognizes that any private, nonfederal, or nonmilitary facility in which the medical services will be delivered retains its prerogative to prescribe its own requirements, such as requiring Hawaii licensure of any physician providing medical services in its facility.

Advisory
Committees:

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

Chairperson's
Report:

Chair Takanishi informed the Board that he received a letter dated February 10, 2014, from Naleen N. Andrade, M.D., Professor and DIO, University of Hawaii, John A. Burns School of Medicine, Office of the Dean and Richard Philpott, L.L.M., J.D. Chief Executive Officer, Hawaii Residency Programs, Inc.

They are requesting Chair Takanishi's participation in the Joint TAMC & UH GME Leadership Meeting being held on March 14, 2014.

On the letter, Chair Takanishi is asked on behalf of the Board, to provide a brief presentation on the "impact of State of Hawaii licensing requirements as overseen and administered by the Hawaii Medical." They also propose that Chair Takanishi be prepared to address the following questions:

1. There is a physician shortage, and yet the public seems to expect increased scrutiny of MD/DO license applicants. How does the Board reconcile these competing societal positions?
2. In terms of national ranking, do you know where the Hawaii Board stands in terms of its requirements, i.e., one of the stricter or more liberal states – and how do you know?
3. What are some of the most common "red flags" in applications – and how can our Programs (and graduates) best deal with them if the applicant is considered both deserving of a license and appropriately safe?
4. What assurance can we give to program directors who feel a resident who has successfully remediated a deficiency will

not be denied licensure based on the information contained in the original documents leading to their remediation?

Discussion followed. It appears that the session in which Chair Takanishi is being requested to participate is specifically and exclusively organized towards Chair Takanishi in his capacity as chairperson of the Board. It also appears that indirect "assurances" are sought from Chair Takanishi regarding Question No. 4 above so that those assurances can then be conveyed to program directors. The Board decided that it would be inappropriate for Chair Takanishi to participate in this conference pursuant to §92-2.5, Hawaii Revised Statutes, which states in relevant part that:

(e) Two or more members of a board, but less than the number of members which would constitute a quorum for the board, may attend an informational meeting or presentation on matters relating to official board business, including a meeting of another entity, legislative hearing, convention, seminar, or community meeting; **provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board.** The board members in attendance may participate in discussions, including discussions among themselves; provided that the discussions occur during and as part of the informational meeting or presentation; **and provided further that no commitment relating to a vote on the matter is made or sought.**

Emphases added.

Adjournment: It was moved by Dr. Akaka, seconded by Mr. Puletsi, and unanimously carried to adjourn the meeting at 4:06 p.m.

Next Meeting: Thursday, March 13, 2014
1:00 p.m.
King Kalakaua Conference Room, First Floor
335 Merchant Street
Honolulu, HI 96813

Reviewed and approved by:

/s/Constance I. Cabral

(Ms.) Constance I. Cabral
Executive Officer

Taken and recorded by:

/s/Wilma Balon

Wilma Balon
Secretary

CIC:wb

3/10/14

- Minutes approved as is.
- Minutes approved with changes; see minutes of _____.

HAWAII MEDICAL BOARD (02/13/2014-RATIFICATION LIST)

LTYPE LIC NUM BP NAME PART 1

MD 17353 EMMAKATE B <FRIEDLANDER<
MD 17354 FEMIDA T <KHERANI<
MD 17355 DARLENE E <RAMONES<
MD 17356 MITCHELL S <COLLMAN<
MD 17357 MELANI J <JOHNSON-POINTER<
MD 17358 LORI A <UYENO<
MD 17359 THEODORE A <MONITZ<
MD 17360 ROBERTO J <CARCAMO<
MD 17361 RASHI <VARMA<
MD 17362 PHILLIP M <GRANDSTAFF<
MD 17363 SANDRA K <WIITA<
MD 17365 JAMES E <CURRIER<
MD 17366 MANOJ G <MASSAND<
MD 17367 STEPHEN E <JONES<
MD 17368 NICOLE S <BOXER<
MD 17369 KATHLEEN M <CARRIGAN<
MD 17370 ABHINETRI <PANDULA<
MD 17371 RAED A <WAHAB<
MD 17372 BRANDI <GARY<
MD 17373 RYAN M <SATO<
MD 17374 GEHAN P <DEVENDRA<
MD 17375 BRADLEE K <SAKO<
MD 17376 SYDNEY M <SWETNAM<
MD 17377 BRIAN D <HARRIS<
MD 17378 ARLENE C <ESPIRITU<
MD 17379 LOUIS <SPIKOL<
MD 17380 SANJAY <GANDHI<
MD 17381 PETER M <ANTALL<
MD 17382 WILLIAM R C <MURPHY<
MD 17383 STEVEN J <MINTZ<
MD 17384 VERNON W <HUANG<
MD 17385 JAMILA <BENN<
MD 17386 HARRY P <SARAS<
MD 17387 MARYANN T M <ALLY<
MD 17388 MICHAEL R <HIROTA<
MD 17389 THOMAS J <FITZGERALD<
MD 17390 GEORGE P <SPADY< II
MD 17391 SIRSHENDU <BANERJEE<
MD 17392 TAKASHI <NAKAMURA<
MD 17393 ANTHONY M <TOLISANO<
MD 17394 ANGELA <PENN<
MD 17395 BRIDGET <BONGAARD<

MD 17396 ASHLEIGH E <DIXON<
MD 17397 DANIEL <LUM<
MD 17398 DAVID D <SHUPE<
MD 17399 PANUPONG <JIAMSRIPONG<
MD 17400 PAUL <DOBRANSKY<
MD 17401 DMITRIY <LITVINENKO<
MD 17402 STELLA J <FITZGIBBONS<
MD 17403 MICHAEL <FORNEY<
MD 17404 NATALIA <EIDLIN<
MD 17405 JORDAN <COLLIER<
MD 17406 DIANA L <JEANNOTTE<
MD 17407 RUTA <SEMASKIENE<
MD 17408 CLAUDIA <CHAPEK<
MD 17409 DAVID A <MOORE<
MD 17410 SHAUNA M <PAYLOR<

MDR 6583 ALEXANDER R <NOWICKI<
MDR 6584 KRISTEN L <MUELLER<
MDR 6585 MATTHEW L <MITCHELL<
MDR 6586 MAURINE <WILLIAMS<
MDR 6587 RYAN <GERRITY<
MDR 6588 MIRIAM <VANDERMEY<

AMD 548 MOLLY E <DEHETRE<
AMD 549 MATTHEW J <MALOUF<
AMD 550 TARQUIN S <WILLIAMS<

DOS 1568 SHANNON M <PRICE<
DOS 1569 DAVID L <HEATON<
DOS 1570 KATHERINE <VAN STEDUM<
DOS 1571 STEPHANIE D <RUNYAN<

EMTP 2043 JOSHUA A <COLEMAN<
EMTP 2044 CRAIG A <DIERINGER<

EMTB 2469 MICAH M <TANOAI<
EMTB 2470 ALLYN M <MATSUDA<
EMTB 2471 GEORGE K <MANUEL<
EMTB 2472 LINDA B <FONG<
EMTB 2473 MAILE K <CALASA<
EMTB 2474 KYLE W N <TALLETT<

EMTB 2475 MAREN <ANKA<
EMTB 2476 KRISTA O <DAWN<
EMTB 2477 RAYMUND A <DEOMPOC<
EMTB 2478 ERIN K <EMMERICH<
EMTB 2479 SHERAE D K <HANCHETT<
EMTB 2480 KEIKI K <MAKAHANALOA-ANTUNEZ<
EMTB 2481 GABRIELLE H <NAEOLE<
EMTB 2482 TYE J <PERDIDO<
EMTB 2483 COLIN R <SADO<
EMTB 2484 REY <TUMACDER<
EMTB 2485 CHRISTOPHER M <WAITE<
EMTB 2486 DOUGLAS K <CLOWE<
EMTB 2487 KENWELL A <DAFUN<
EMTB 2488 KELLY K P <MURRAY<
EMTB 2489 AARON J <BECHARD<
EMTB 2490 MELISSA A <STERLACCI<
EMTB 2491 ANTHONY T <SIMPSON<
