

**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, November 9, 2017
- Time: 1:00 p.m.
- Place: King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, HI 96813
- Present: Jone Geimer-Flanders, D.O., Chairperson, Oahu Osteopathic Member  
Peter Halford, M.D., Vice-Chairperson, Oahu Member  
Gerard K. Akaka, M.D., Oahu Member  
Sharon "Shay" Bintliff, M.D., Hawaii Member  
Maria Chun, Ph.D., Public Member  
Franklin V.H. Dao, M.D., Oahu Member  
Darren K. Egami, M.D., Maui Member  
Peter Holt, M.D., Oahu Member  
Palasi Puletasi, Public Member  
Karen E. Sept, D.O., Oahu Osteopathic Member  
Shari J. Wong, Deputy Attorney General ("DAG")  
Ahlani K. Quiogue, Executive Officer  
Wilma Balon, Secretary  
Kellie Teraoka, Secretary
- Guests: Lei Fukumura, Special Deputy Attorney General ("SDAG")  
Rodney J. Lee, M.D., Applicant  
Eric G. LeVeen, M.D., Applicant (By phone)
- Call to Order: The meeting was called to order at 1:06 p.m., at which time quorum was established.
- Approval of the October 12, 2017 Minutes: It was moved by Dr. Halford, seconded by Dr. Egami, and unanimously carried to approve the minutes of the regular session and the minutes of the executive session of the October 12, 2017 meeting as circulated.
- Adjudicatory Matters: Chair Geimer-Flanders called for a recess from the meeting at 1:09 p.m. to discuss and deliberate on the following adjudicatory matters pursuant to Chapter 91, HRS.
- a. In the Matter of the License to Practice Medicine of John G. Zoltani, M.D.; MED 2017-145-L

After discussion, it was moved by Chair Geimer-Flanders, seconded by Dr. Bintliff, and unanimously carried to accept the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" through "4".

Following the Board's review, deliberation and decision in this matter pursuant to Chapter 91, HRS, Chair Geimer-Flanders announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 1:13 p.m.

Applications for  
License/  
Certification:

b. Ratifications:

- (i) List

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

Applications for  
License/  
Certification:

a. Applications:

It was moved by Dr. Sept, seconded by Dr. Akaka, and unanimously carried to enter into executive session at 1:14 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.

(i) Physician:

- a. Rodney J. Lee, M.D.
- b. Eric G. LeVeen, M.D.
- c. Gregory S. McFadden, M.D.
- d. James L. Knoll, III, M.D.
- e. Arthur C. Lee, M.D.
- f. David J. Wooding, M.D.

(ii) Physician Assistant:

- a. Cristen R.L. Aona, PA-C

(iii) Emergency Medical Personnel:

- a. Jeffrey A. Eisenbach, AEMT

(iv) Request to have Conditions Removed from Conditional License:

- a. Timothy A. Morton, M.D.

It was moved by Dr. Egami, seconded by Dr. Akaka, and unanimously carried to return to the open meeting at 3:11 p.m.

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

(i) Physician:

- c. Gregory S. McFadden, M.D.
- e. Arthur C. Lee, M.D.

(ii) Physician Assistant:

- a. Cristen R.L. Aona, PA-C

It was moved by Dr. Sept, seconded by Dr. Egami, and unanimously carried to approve Ms. Aona's application.

(iii) Emergency Medical Personnel:

- a. Jeffrey A. Eisenbach, AEMT

It was moved by Dr. Bintliff, seconded by Dr. Egami, and unanimously carried to approve Mr. Eisenbach's application.

(iv) Request to have Conditions Removed from Conditional License:

- a. Timothy A. Morton, M.D.

It was moved by Dr. Akaka, seconded by Dr. Dao, and unanimously carried to remove the conditions from Dr. Morton's conditional license, Hawaii Medical License No. MD-18379.

(i) Physician:

- a. Rodney J. Lee, M.D.

The Board reviewed and considered the records and files of Dr. Lee's application, information received from Dr. Lee and from other organizations, as well as his oral testimony. These records and files include, but are not limited to: 1) the revocation of Dr. Lee's North Dakota medical license by Order dated August 27, 2008; 2) the surrender of Dr. Lee's medical license to practice allopathic medicine in the state of Arizona by Consent Agreement for Surrender of License dated February 2, 2009; 3) the reprimand and numerous conditions placed on Dr. Lee's North Dakota medical license by Stipulation and Order dated November 14, 2009; 4) Dr. Lee's exclusion from participation in any capacity in the Medicare, Medicaid and all Federal health care programs; and

5) the most recent decision to deny Dr. Lee's participation in Blue Cross and Blue Shield of Minnesota on April 12, 2017.

After due consideration of the information received, it was moved by Dr. Halford, seconded by Dr. Sept, and unanimously carried to deny Dr. Lee's application for licensure, basing its decision on the following grounds of the Hawaii Revised Statutes ("HRS") and Hawaii Administrative Rules ("HAR"), which find factual support in the records and files of Dr. Lee's application:

HRS §453-8 provides that:

(a) In addition to any other actions authorized by law, any license to practice medicine and surgery may be revoked, limited, or suspended by the board at any time in a proceeding before the board, or may be denied, for any cause authorized by law, including but not limited to the following:

\* \* \*

- (7) Professional misconduct, hazardous negligence causing bodily injury to another, or manifest incapacity in the practice of medicine or surgery;
- (8) Incompetence or multiple instances of negligence, including but not limited to the consistent use of medical service, which is inappropriate or unnecessary;
- (9) Conduct or practice contrary to recognized standards of ethics of the medical profession as adopted by the Hawaii Medical Association, the American Medical Association, the Hawaii Association of Osteopathic Physicians and Surgeons, or the American Osteopathic Association; and
- (11) Revocation, suspension, or other disciplinary action by another state or federal agency of a license, certificate, or medical privilege.

HRS §436B-19 provides that:

In addition to any other acts or conditions provided by law, the licensing authority may refuse to renew, reinstate or restore, or may deny, revoke, suspend, or condition in any manner, any license for any one or more of the following acts or conditions on the part of the licensee or the applicant thereof:

\* \* \*

- (8) Failure to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity;

- (9) Conduct or practice contrary to recognized standards of ethics for the licensed profession or vocation; and
- (12) Failure to comply, observe, or adhere to any law in a manner such that the licensing authority deems the applicant or holder to be an unfit or improper person to hold a license.

HAR §16-85-107 provides that:

(a) An application for issuance of a license or certificate shall be denied when an application is insufficient or incomplete or when an applicant has failed to provide satisfactory proof that the applicant meets the requirements under chapters 453 or 463E, HRS, or this chapter. In addition, the board may deny issuance of a license or certificate:

\* \* \*

- (1) When the applicant has committed any of the acts for which a license or certificate may be suspended or revoked under sections 453-8 or 463E-6, HRS, or section 16-85-112;
- (2) If the applicant fails to demonstrate that the applicant possesses a good reputation for honesty, truthfulness, fairness, and financial integrity; and
- (3) If the applicant has had disciplinary action taken by any jurisdiction, including any federal or state regulatory body.

The Board considers Dr. Lee's conduct extremely concerning and contrary to the recognized standards of ethics as adopted by the American Medical Association ("AMA"). Specifically, the Board believes that Dr. Lee failed to uphold the following AMA Principles of Medical Ethics:

- (I) A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights;
- (II) A physician shall uphold the standards of professionalism, be honest in all professional interactions, and strive to report physicians deficient in character or competence, or engaging in fraud or deception, to appropriate entities;

- (III) A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient; and
- (IV) A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.

(i) Physician:

- a. Eric G. LeVeen, M.D.

It was moved by Dr. Egami, seconded by Dr. Halford, with the exceptions of Dr. Bintliff and Dr. Sept who opposed the motion, and carried by a majority to approve Dr. LeVeen's application.

i. Physician:

- d. James L. Knoll, III, M.D.

It was moved by Dr. Holt, seconded by Dr. Egami, and unanimously carried to approve Dr. Knoll's application, contingent upon providing proof of meeting the requirements set forth in Hawaii Revised Statutes §453-4(d), which states:

Applicants who are licensed in another state by virtue of having passed a state-produced examination may qualify for licensure if they have passed the Special Purpose Examination (SPEX) or the Comprehensive Osteopathic Medical Variable-Purpose Examination – USA (COMVEX-USA) and meet the requirements of subsection (b); provided that the board may require letters of evaluation, professional evaluation forms, and interviews with chiefs of service, attending physicians, or osteopathic physicians who have been associated with an applicant, or chief residents on a service who have been associated with an applicant during the applicant's training or practice, to be used by the board in assessing the applicant's qualifications to practice medicine.

Given that Dr. Knoll passed a state-produced examination, he shall provide proof of passing the SPEX or COMVEX-USA in order to be issued a medical license in the State.

(i) Physician:

- f. David J. Wooding, M.D.

It was moved by Dr. Dao, seconded by Dr. Halford, and unanimously carried to defer Dr. Wooding's application pending additional information.

Alternative  
Pathways of  
Licensure:

- a. Expedited route of licensure for MD and DO applicants / licensure by endorsement or reciprocity for MD and DO applicants

Due to time constraints, the above matter was deferred until the December 14, 2017 meeting.

Ms. Quiogue informed members that she would continue researching the matter and possibly provide a draft bill for members consideration at its meeting on December 14, 2017.

Correspondence:

- a. Letter dated October 13, 2017, from Kelley J. Clark, MD, MBA, DFAPA, DFASAM, President, American Society of Addiction Medicine, L. Gail Curtis, MPAS, PA-C, DFAAPA, President, American Academy of Physician Assistants, and Joyce M. Knestrick, PhD, C-FNP, FAANP, President, American Association of Nurse Practitioners, regarding the prescribing privileges of nurse practitioners and physician assistants – prescribing Buprenorphine for the treatment of addiction.

The above-referenced letter was provided for the informational purposes.

The purpose of this correspondence is to advise the Board of the Comprehensive Addiction and Recovery Act ("CARA") signed into law by President Barak Obama.

One major provision of CARA is the authorization of prescribing privileges to nurse practitioners ("NPs") and physician assistants ("PAs") for FDA approved opioid treatment medications containing buprenorphine, a Schedule III controlled substance. Under CARA, NPs and PAs must complete 24 hours of training to be eligible for a waiver to prescribe and must be supervised by or work in collaboration with a qualifying physician (defined under Federal law as a physician that is an addiction specialist or has taken the appropriate training), if supervision or collaboration is required by state law.

Scope of Practice:

- a. Email dated October 12, 2017, from Randal B. Covin, M.D., Blood Bank of Hawaii, Medical Director, seeking clarification regarding whether Hawaii Revised Statutes Chapter 453 prohibits the Blood Bank of Hawaii from implementing the initiative of giving donors multivitamins with iron or iron supplements because of iron depletion.

The Board reviewed Dr. Covin's email dated October 12, 2017, which seeks clarification regarding whether Hawaii Revised Statutes Chapter 453 prohibits the Blood Bank of Hawaii from implementing the initiative of giving donors multivitamins with iron or iron supplements because of iron depletion.

In consideration of Dr. Covin's inquiry, members advised Ms. Quiogue to inform Dr. Covin that this matter is not addressed in either its statutes or administrative rules, and thus, declines to issue an informal opinion. The Board does recommend that he seek advice from legal counsel regarding any possible issues of liability, etc., if the Blood Bank of Hawaii were to move forward with this initiative.

Advisory  
Committees:

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

Next Meeting:

Thursday, December 14, 2017  
King Kalakaua Conference Room, First Floor  
335 Merchant Street  
Honolulu, HI 96813

Adjournment:

It was moved by Mr. Puleyasi, seconded by Dr. Egami, and unanimously carried to adjourn the meeting at 3:25 p.m.

Reviewed and approved by:

/s/Ahlani K. Quiogue

(Ms.) Ahlani K. Quiogue  
Executive Officer

AKQ:kt  
11/29/17

Taken and recorded by:

/s/Kellie Teraoka

Kellie Teraoka  
Secretary

- ( ) Minutes approved as is.  
(X) Minutes approved with changes; see minutes of the 12/14/2017 meeting



**HAWAII MEDICAL BOARD (11/09/2017-RATIFICATION LIST)**

LTYPE LIC NUM BP NAME PART 1

MD 19387 TONYA M <KRATOVIL<  
MD 19388 SHAWN M <COLE<  
MD 19389 ERIC <SZU<  
MD 19390 STEVEN B <COHEN<  
MD 19391 DAVID R <FERRELL<  
MD 19392 DIANA T <KIM<  
MD 19393 JONATHAN M <RHINE<  
MD 19394 CHRYSANTHY <HA<  
MD 19395 HEATHER L <JONES<  
MD 19396 JEFFREY A <MOSER<  
MD 19397 EVAN N <CAPORASO<  
MD 19398 KERRI M <CHARLES<  
MD 19399 SCOTT C <SERRANO<  
MD 19400 ROLAND H <GREEN< JR  
MD 19401 DONOVAN S <REED<  
MD 19402 JANE J <PARK<

AMD 790 JANET M <DITTO<  
AMD 791 MISTI L <BLANDFORD<  
AMD 792 LISA H <HA<  
AMD 793 ARTHUR B <DOMINGO<  
AMD 795 HOLLY K <PARIS<  
AMD 796 KRISTEN A <KICHLINE<  
AMD 797 BENJAMIN J <SMITH<  
AMD 798 LINDSEY L <CRANDALL<

DOS 1846 KUZMA V <KOVZUN<  
DOS 1847 JOSHUA S <COLMAN<  
DOS 1848 KENNETH L <SCOTT<  
DOS 1849 SIRAJUL <HASAN<  
DOS 1850 MARIAN A <AUGUST<  
DOS 1851 KRISTEN P <BUNCH<  
DOS 1852 MICHAEL E <STACHNIAK<

MDR 7407 PATRICK Q <LAM<  
MDR 7408 OLANREWAJU <FASUSI<  
MDR 7409 ADAM J <BONNINGTON<  
MDR 7410 ALEXANDRA <NORDBERG<  
MDR 7411 STEPHEN H <MOHNEY<  
MDR 7412 JENNIFER A <COTTON<  
MDR 7413 MATTHEW <MORIN<  
MDR 7414 JACOB F <KALLENBERG<  
MDR 7415 ANATOLY <KAZAKIN<  
MDR 7417 KRISTIN T <ANCHORS<  
MDR 7418 DAVID I <KIM<  
MDR 7419 PRATIK M <PARIKH<  
MDR 7420 THOMAS A <ROSS<

11/9/2017-RATIFICATION LIST  
PAGE 2

MDR 7421 CYNTHIA S <CHEN<  
MDR 7422 MARY <O'HEAR<  
MDR 7423 TATIANA D <THEMA<  
MDR 7424 TARA M <REED<  
MDR 7425 JOSEPH R <GILES<  
MDR 7426 TRAVIS-RILEY K <KORENAGA<

EMTP 2170 JAIME J <CHARFEN<  
EMTP 2171 MONIQUE R <BOTTS<  
EMTP 2172 LEAUGEAY C <BARNES<  
EMTP 2173 LAUREN K <HADLEY<