

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, January 11, 2018
- Time: 1:00 p.m.
- Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st 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
Darren K. Egami, M.D., Maui Member
Peter Holt, M.D., Oahu Member
Franklin V.H. Dao, M.D., Oahu Member
Palasi Puletasi, Public Member
Karen E. Sept, D.O., Oahu Osteopathic Member
Geri Young, M.D., Kauai Member
Shari J. Wong, Deputy Attorney General
Ahlani K. Quiogue, Executive Officer
Olga Reppun, Secretary
- Excused: Maria Chun, Ph.D., Public Member
- Guests: Lei Fukumura, Special Deputy Attorney General ("SDAG")
- Call to Order: The meeting was called to order at 1:01 p.m., at which time quorum was established.
- Approval of the December 14, 2017, Minutes: It was moved by Dr. Bintliff, seconded by Dr. Holt, and unanimously carried to approve the minutes of the executive session of the December 14, 2017, meeting as circulated.
- Introduction of New Board Member: Geri Q.L. Young, M.D.
Chair Geimer-Flanders welcomed Dr. Young to the Board, and explained that she would be serving as the Kauai County Physician member.

Board members, staff, and SDAG Fukumura introduced themselves.

Dr. Young thanked the Board for the warm welcome, and introduced herself.

Adjudicatory
Matters:

Chair Geimer-Flanders called for a recess from the meeting at 1:07 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 Barry M. Miskin, M.D.; MED 2017-146-L;

After discussion, it was moved by Dr. Halford, seconded by Dr. Bintliff, and unanimously carried to accept the Settlement Agreement Prior to Filing a Petition for Disciplinary Action and Board's Final Order; Exhibits "1" through "3".

- b. In the Matter of the License to Practice Medicine of Jeffrey Austin Saunders, M.D.; MED 2017-140-L;

After discussion, it was moved by Dr. Egami, seconded by Dr. Holt, and unanimously carried to accept the Settlement Agreement Prior to Filing a Petition for Disciplinary Action and Board's Final Order; Exhibits "1" through "3".

- c. In the Matter of the License to Practice Medicine of Bahram Variavand, M.D. MED 2017-184-L;

Dr. Akaka entered the meeting room at 1:16 p.m.

After discussion, it was moved by Dr. Bintliff, seconded by Dr. Holt, and carried by a majority, with the exception of Dr. Sept, who opposed the motion, to accept the Settlement Agreement Prior to Filing a Petition for Disciplinary Action and Board's Final Order; Exhibits "1" through "3".

SDAG Fukumura was excused from the meeting room at 1:18 p.m.

- d. In the Matter of the License to Practice Medicine of Sheila Mohammed, M.D. MED 2017-37-L;

After discussion, it was moved by Dr. Geimer-Flanders, seconded by Dr. Halford, and unanimously carried to approve the Board's Final Order.

- e. In the Matter of the License to Practice Medicine of Thomas J. Murnane, M.D. MED 2017-48-L.

After discussion, it was moved by Dr. Halford, seconded by Dr. Egami, and unanimously carried to approve the Board's Final Order.

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 1:21 p.m.

Applications for
License/
Certification:

a. Applications:

It was moved by Dr. Holt, seconded by Dr. Akaka, and unanimously carried to enter into executive session at 1:23 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.

3. Approval of the December 14, 2017 Minutes

(i) Physician:

- a. Rebecca A. Beach-Beyer, M.D.
- b. Ganesh L. Devenda, M.D.
- c. William P. Mansfield, M.D.
- e. Ernest T. Ostermann, M.D.
- f. Paris N. Stowers, M.D.
- g. Mark A. Wiechert, M.D.

(ii) Physician Assistants:

- a. Kaitlyn E. Szekalski, PA-C

(iii) Emergency Medical Personnel:

- a. Seith H.L.M.A. Tuzon, Advanced Emergency Medical Technician

(iv) Request for Sponsorship to Retake the United States Medical Licensure (USMLE) Step 3:

- a. Farzana Ehtesham

It was moved by Dr. Bintliff, seconded by Dr. Akaka, and unanimously carried to return to the open meeting at 1:51 p.m.

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

(i) Physician:

- a. Rebecca A. Beach-Beyer, M.D.
- b. Ganesh L. Devandra, M.D.
- c. William P. Mansfield, M.D.
- e. Ernest T. Ostermann, M.D.
- f. Paris N. Stowers, M.D.

It was moved by Dr. Egami, seconded by Dr. Dao, and unanimously carried to approve the following application:

(ii) Physician Assistants:

a. Kaitlyn E. Szekalski, PA-C.

(i) Physician:

d. John D. McArthur, M.D.

After due consideration of the information received, it was moved by Dr. Holt, seconded by Dr. Sept, and unanimously carried to defer Dr. McArthur's application for licensure pending additional information.

g. Mark A. Wiechert, M.D.

After due consideration of the information received, it was moved by Dr. Sept, seconded by Dr. Egami, and unanimously carried to approve Dr. Wiechert's application for licensure pending submission of his revised and corrected application.

(iii) Emergency Medical Personnel:

a. Seth H.L.M.A. Tuzon, Advanced Emergency Medical Technician

After due consideration of the information received, it was moved by Dr. Halford, seconded by Dr. Sept, and unanimously carried to deny Mr. Tuzon's application for certification as an Advanced Emergency Medical Technician. The Board based its decision on the following grounds of the Hawaii Revised Statutes ("HRS"), which find factual support in the records and files of Mr. Tuzon's application:

HRS §453-8(a)(15): Submitting to or filing with the board any notice, statement, or other document required under this chapter, which is false or untrue or contains any material misstatement or omission of fact;

HRS §436B-19(7): Professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of the licensed profession or vocation;

HRS §436B-19(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; and

HRS §436B-19(14): Criminal conviction, whether by nolo contendere or otherwise, of a penal crime directly related to the qualifications, functions, or duties of the licensed profession or vocation.

(iv) Request for Sponsorship to Retake the United States Medical Licensure Examination (USMLE) Step 3:

a. Farzana Ehtesham

The Board reviewed a request from Farzana Ehtesham dated December 28, 2017, requesting that the Board sponsor her to retake the USMLE Step 3.

Ms. Ehtesham stated that, at the time she initially took the USMLE Step 3, she did not realize that there was a cap on the number attempts one has to pass a Step or Step Component of the USMLE. Members noted that Ms. Ehtesham exceeded the number of attempts established by the USMLE.

Further, the Board noted that it has only sponsored an applicant to retake any Step or Step Component of the USMLE if that Step or Step Component was previously passed, but may have exceeded Hawaii's previously established time limit for completion of all Steps of the USMLE, and if, additionally, the applicant has met all other license requirements in place (i.e., graduation from medical school, completion of at least two years of accredited graduate medical education for foreign medical school graduates, etc.).

Based on the information received by the Board from Ms. Ehtesham, it appears that she has not met all other license requirements in place to obtain a medical license in the State of Hawaii.

After due consideration of the information received, it was moved by Dr. Halford, seconded by Dr. Holt, and unanimously carried to deny Ms. Ehtesham's request for sponsorship to retake the USMLE Step 3.

Approval of the
December 14, 2017
Minutes:

It was moved by Dr. Bintliff, seconded by Dr. Holt, and unanimously carried to approve the minutes of the regular session of the December 14, 2017 meeting with the following amendment:

opioids for post-surgical pain., the first sentence of paragraph six should read as follows:

“Mr. Iczkovitz offered to have the President of the company **[could]** come to one of the Board’s meetings to talk about 30 Level-1 placebo controlled studies that prove the effectiveness of the Erchonia laser.

Applications for License/
Certification:

- b. Ratifications:
 - (i) List

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

Qualifications for Examination and Licensure:

- a. Manuel Mota-Castillo, M.D. requests a determination regarding whether the Puerto Rico State Board Examination would be considered a “state-produced” examination in accordance with Hawaii Revised Statutes §453-4(d).

Dr. Egami left the meeting room at 2:02 p.m.

The Board considered whether the Puerto Rican Medical Board Examination - The Revalida, is considered a "state-produced" examination in accordance with Hawaii Revised Statutes §453-4(d).

In consideration of this matter, the Board reviewed information provided by the Federation of State Medical Boards, which includes, but is not limited to the standards of an examination -- guidelines for test construction, evaluation, and documentation, i.e., validity, reliability and errors of measurement, test development, scoring, test administration, and supporting documentation.

Dr. Egami entered the meeting room at 2:06 p.m.

By consensus, the Board advised Ms. Quiogue to inform Dr. Mota-Castillo that, unfortunately, it does not have the statutory authority to accept The Revalida as a state-produced examination in accordance with Hawaii Revised Statutes §453-4(d).

2018 Proposed Legislation:

- a. Draft: Relating to Chapter 453, Hawaii Revised Statutes

Ms. Quiogue informed the Board that the drafts of the two bills presented for the Board’s review are likely to be introduced during the 2018 legislative session.

Ms. Quiogue thanked the members for their contributions to the draft of the bill, which, if enacted, would establish licensing requirements by endorsement for physicians, surgeons, and osteopathic physicians to practice medicine in Hawaii.

The Board members expressed their satisfaction with the current version of the draft and instructed Ms. Quiogue to draft testimony in strong support of the measure when scheduled for a legislative hearing.

Members stated that this measure is intended to provide a more expeditious pathway of licensure for physicians who are licensed in other jurisdictions, with license requirements that are equal to or greater than requirements for licensure set forth in HRS §453-4.

The Board members noted that, in addition to this process possibly being more expeditious, the endorsement pathway, unlike the FSMB Compact, still allows the Board the ability and discretion to assess an application for licensure to ensure that the applicant is safe and competent to practice in the State.

Furthermore, this bill would reduce geographic barriers to licensure and address access to care in the State.

Members also noted that, in order for this endorsement pathway to be carried out most effectively, the Legislature must consider an appropriation to hire the necessary staff.

a. Draft: Relating to the Health Profession Preceptor Tax Credit

Ms. Quiogue informed the Board that this draft bill is intended to encourage preceptors to offer professional instruction, training, and supervision to students and residents seeking careers as health care providers throughout Hawaii by providing preceptors with a tax credit.

Members expressed their support of the intent of the bill. Dr. Akaka noted that he very much liked the concept, as it is difficult to find preceptors for medical students and/or residents. However, he relayed that he was unsure how the system would work.

The Board added that, while it supports the intent of the bill, it would defer to the Department of Taxation regarding any possible fiscal implications to the State.

Advisory
Committees:

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

Open Forum: None.

Next Meeting: Thursday, February 8, 2018
1:00 p.m.

King Kalakaua Conference Room, First Floor
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment: It was moved by Chair Geimer-Flanders, seconded by Dr. Halford, and unanimously carried to adjourn the meeting at 2:17 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Ahlani K. Quiogue
(Ms.) Ahlani K. Quiogue
Executive Officer

/s/ Olga Reppun
(Ms.) Olga Reppun
Secretary

AKQ:or
01/25/18

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(X)

Minutes approved as is.
Minutes approved with changes: see minutes of February 8, 2018, meeting.

HAWAII MEDICAL BOARD 01/11/2018-RATIFICATION LIST

LTYPE LIC NUM BP NAME PART 1

MD 19419 ANURADHA <TUNUGUNTLA<
MD 19420 ALFONSO <CARRILLO<
MD 19421 LYDIA <ROLITA<
MD 19422 ALBAN <DE SCHUTTER<
MD 19423 KEITH <GIPSON<
MD 19425 STEVEN H <REID<
MD 19426 DANIALD M <RODRIGUES<
MD 19427 CHRISTOPHER W <MATTERN<
MD 19428 KAREN D <ERNST<
MD 19429 DAVID J <KRAUSZ<
MD 19430 WARREN C <MARTIN<
MD 19431 MIN YOUNG <CHA<
MD 19432 CARLIN D <BARNES<
MD 19433 RUSS M <SAVIT<

MDT 4086 MARK P <CAIN<

AMD 803 RACHEL L <VIGLIOTTI<
AMD 804 KAREN <FETZER<
AMD 805 MICHAEL F <FISHER<
AMD 806 AMBER E <HALLEY<
AMD 807 SUZANNE M <GANOTE<
AMD 808 KRISTYN <HAIGHT<
AMD 809 TROY E <HIGDON<

DOS 1861 PEIYUN <CHANG<
DOS 1862 GIAN A <TRICOMI<
DOS 1863 KATHRYN J <SWIM<

MDR 7436 LISA I <SONNENBLICK<
MDR 7437 DANIEL Z <ADAMS<
MDR 7438 ALISON M <JAWORSKI<
MDR 7439 JENNIFER <COOKE<
MDR 7440 DAVID Z <BOWMAN<
MDR 7441 MANSOOR <SIDDIQUI<

EMT 2819 JESSE L <KEKUEWA<

EMTA 13 JASON K <CHOI<