

**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, September 12, 2019

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  
Maria Chun, Ph.D., Public Member  
Darren K. Egami, M.D., Maui Member  
Andrew "Rick" Fong, M.D., Hawaii Member  
Peter Holt, M.D., Oahu Member  
Michael Jaffe, D.O., Oahu Osteopathic Member  
Wesley Mun, Public Member  
Danny Takanishi, M.D., Oahu Member  
Geri Young, M.D., Kauai Member  
Shari J. Wong, Deputy Attorney General ("DAG")  
Ahlani K. Quiogue, Executive Officer  
Kellie Teraoka, Division Secretary  
Josephine Madiro, Secretary

Excused: Franklin V.H. Dao, M.D., Oahu Member

Guests: Kenneth B. Simons, M.D., The Federation of State Medical Boards  
Todd Phillips, CFO, The Federation of State Medical Boards

Call to Order: The meeting was called to order at 1:05 p.m., at which time quorum was established.

Approval of the August 8, 2019 Minutes: It was moved by Dr. Holt, seconded by Dr. Jaffe, to approve the minutes of the executive session of the August 8, 2019, meeting unamended and the minutes of the regular session of the August 8, 2019, meeting with the following amendments:

Page 8, Condition No. 6, should read as follows:

The Board, at its discretion, may pursue additional disciplinary action as provided by law to include further fines and other sanctions as the Board may deem appropriate if [you] **Dr. Griesel** violates **s** any further provision of the statutes or rules governing the conduct of physicians in the State of Hawaii, or if [you] **she** fails **s** to abide by the terms of [your] **her** conditional license.

Page 10, Hawaii Revised Statutes section 453-8(c) should be deleted and be replaced as follows:

~~[(c) — Where the board has reasonable cause to believe that a licensee is or may be unable to practice medicine with reasonable skill and safety to protect patients, the board may order the licensee to submit to a mental or physical examination or any combination thereof, by a licensed practitioner approved by the board, at the licensee's expense. The examination may include biological fluid testing and other testing known to detect the presence of alcohol or other drugs. —]~~

**(c) Notwithstanding any other law to the contrary, the board may deny a license to any applicant who has been disciplined by another state or federal agency. Any final order of discipline taken pursuant to this subsection shall be a matter of public record.**

Adjudicatory  
Matters:

None.

Applications for  
License/  
Certification:

a. Applications:

It was moved by Dr. Egami, seconded by Dr. Young, and unanimously carried to enter into executive session at 1:10 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 (Permanent):

- a. Patrick C. Yeakey, M.D.
- b. Robert C. Barton, Jr., M.D.
- c. Brian C. Fedeson, M.D.
- d. Nancy A. Jeffers, M.D.
- e. William W. Kirby, M.D.

- f. Edward H. Park, M.D.

DAG Wong entered the meeting room at 1:37 p.m.

Chair Geimer-Flanders recused herself from the discussion and voting on Dr. Park's application and left the meeting room from 1:38 p.m. to 1:52 p.m.

- g. Mazen A. Roshdy, M.D.
- h. Atul Sheth aka Atul Seth, M.D.

(ii) Physician (Endorsement):

- a. Gregory C. Gerber, M.D.

It was moved by Dr. Takanishi, seconded by Dr. Holt, and unanimously carried to return to the open meeting at 2:00 p.m.

Applications for  
License/  
Certification:

a. Applications:

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

(i) Physician (Permanent):

- a. Patrick C. Yeakey, M.D.
- c. Brian C. Fedeson, M.D.
- d. Nancy A. Jeffers, M.D.
- e. William W. Kirby, M.D.
- g. Mazen A. Roshdy, M.D.
- h. Atul Sheth aka Atul Seth, M.D.

(i) Physician (Permanent):

- b. Robert C. Barton, Jr., M.D.

After due consideration of the information received, it was moved by Dr. Takanishi, seconded by Dr. Jaffe, and unanimously carried to approve Dr. Barton's application and request clarification regarding the malpractice claim which occurred in 2017.

f. Edward H. Park, M.D.

After due consideration of the information received, it was moved by Dr. Takanishi, seconded by Dr. Egami, and unanimously carried to defer Dr. Park's application for further review and discussion.

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

(ii) Physician (Endorsement):

a. Gregory C. Gerber, M.D.

Applications for  
License/  
Certification:

b. Ratifications:

(i) List

It was moved by Chair Geimer-Flanders, seconded by Dr. Takanishi, and unanimously carried to ratify the attached list of individuals for licensure or certification.

Presentation:

a. Federation of State Medical Boards: *At Your Service*

Chair Geimer-Flanders welcomed the guest speakers, Kenneth B. Simons, M.D. and Todd Phillips, CFO, to the meeting room at 2:02 p.m.

The Board members and staff introduced themselves.

The Federation of State Medical Board ("FSMB") was established in 1912. Its office locations are in Euless, Texas and Washington, D.C. FSMB is a non-profit organization employing 165+ employees. It represents the seventy (70) medical and osteopathic regulatory boards – the state medical boards within the United States, its territories and the District of Columbia.

Through its services, the FSMB supports its member boards as they fulfill their mandate protecting the public's health, safety and welfare through proper licensing, disciplining, and regulation of physicians and, in most jurisdictions, other health care professionals.

Mr. Phillips and Dr. Simons provided an overview of the FSMB services, including, but not limited to:

- **Physician Data Center**

Center repository for disciplinary sanctions, licensure information and specialty board certification data for physicians and physician assistants.

- **Assessment Offerings from FSMB**

Post-Licensure Assessment System (PLAS) and Special Purpose Examination (SPEX); plus, collaborative arrangements with physician assessment programs.

- **United States Medical Licensing Examination (USMLE)**

Mr. Phillips and Dr. Simons informed members that they may volunteer for item writing.

- **Federation Credential Verification Service (FCVS)**

Primary source and physician provided information; processes certified by the NCQA; permanent credentials repository for 22,000+ physicians; and promotes license portability.

- **Uniform Application for State Licensure (UA)**

Standardized online application for MDs and DOs is currently used by 27 state medical boards.

1. CORE: Basic questions of state's license application.
2. ADDENDUM: State-board specific questions which helps maintain autonomy.
3. Uniform Application for PAs currently adopted by 6 SMBs with 2 more in process.

- **Educational Offerings**

Annual Meeting: April 30 – May 2, 2020, San Diego, California

Board Attorney Workshops: November 7 – 8, 2020, New Orleans, Louisiana

New Executives Orientation: June 28 – 29, 2020, Euless, Texas

- **Roundtable Seminars**

- **Policy Development and Legislative & Advocacy Work**

Mr. Mun left the meeting room at 2:35 p.m. and returned at 2:38 p.m.

Chair Geimer-Flanders thanked Dr. Simons and Mr. Phillips for their presentation and asked whether there were any questions. Being that there were no questions, Dr. Simons and Mr. Philips were excused from the meeting room at 2:54 p.m.

Unfinished  
Business:

a. Correspondence:

- (i) E-mail correspondence dated July 25, 2019 – July 29, 2019, between Beth Arnold, PharmD, BCPP, Professional Services Project Manager, Costco Wholesale Pharmacy, and Ms. Quiogue, regarding the Board’s interpretation of what it means for a patient to be “seen” by a licensed physician as provided in section 461-1, Hawaii Revised Statutes, The Practice of Pharmacy.

The Board members reviewed e-mail correspondence dated July 25, 2019 – July 29, 2019, between Beth Arnold, PharmD, BCPP, Professional Services Project Manager, Costco Wholesale Pharmacy, and Ms. Quiogue, regarding the Board’s interpretation of what it means for a patient to be “seen by a licensed physician as provided in section 461-1, Hawaii Revised Statutes, The Practice of Pharmacy.”

First, the Board members stated that it does not interpret or issue opinions on sections in chapters other than its own chapter, Hawaii Revised Statutes Chapter 453. The Board may issue informal opinions regarding its own statutes and rules, but the Board has no jurisdiction over HRS Chapter 461.

Chair Geimer-Flanders referred to Dr. Arnold’s summary, which states:

Members purchase a travel medicine consultation on Costco.com and complete a medical history and travel itinerary questionnaire.

**Medical staff specialized in travel medicine (physicians & nurses) at our contracted vendor review the information submitted by the member virtually and provide comprehensive travel recommendations electronically that include specific vaccines and/or oral medications (+ dose, route of administration, quantity, etc.).** The travel medicine vendor does not have direct contact with the patient.

Based on the above summary as well as the Travel Directive provided by Dr. Arnold, Chair Geimer-Flanders stated that it is her believe that, although there is no direct contact with patients, the provider appears to be practicing medicine by provide comprehensive travel recommendations electronically that include specific vaccines and/or oral medications (+ dose, route of administration, quantity, etc.). She emphasized that making recommendations for vaccines and/or oral medications, including dosages, route of administration, quantity, etc. is the practice of medicine regardless of whether there is no direct contact with the patient. Further, it appears that the contracted provider is practicing telehealth.

The Board members concurred with Chair Geimer-Flanders's statements.

Discussion followed. It was moved by Chair Geimer-Flanders, seconded by Vice-Chair Halford, and unanimously carried to have Ms. Quiogue provide a response to Dr. Arnold, which summarizes the above discussion as well as inform her that it is the Board's informal opinion that a medical license is required to perform the services as discussed above pursuant to Hawaii Revised Statutes ("HRS") §§ 453-1 and 453-1.3, as follows:

HRS §453-1 provides that:

For the purposes of this chapter the practice of medicine by a physician or an osteopathic physician includes the use of drugs and medicines, water, electricity, hypnotism, osteopathic medicine, or any means or method, or any agent, either tangible or intangible, for the treatment of disease in the human subject; provided that when a duly licensed physician or osteopathic physician pronounces a person affected with any disease hopeless and beyond recovery and gives a written certificate to that effect to the person affected or the person's attendant nothing herein shall forbid any person from giving or furnishing any remedial agent or measure when so requested by or on behalf of the affected person.

This section shall not amend or repeal the law respecting the treatment of those affected with Hansen's disease.

For purposes of this chapter, "osteopathic medicine" means the utilization of full methods of diagnosis and treatment in physical and mental health and disease, including the prescribing and administration of drugs and

biologicals of all kinds, operative surgery, obstetrics, radiological, and other electromagnetic emissions, and placing special emphasis on the interrelation of the neuro-musculoskeletal system to all other body systems, and the amelioration of disturbed structure-function relationships by the clinical application of the osteopathic diagnosis and therapeutic skills for the maintenance of health and treatment of disease.

HRS §453-1.3 provides in relevant part, that:

- (b) Telehealth services shall include a documented patient evaluation, including history and a discussion of physical symptoms adequate to establish a diagnosis and to identify underlying conditions or contraindications to the treatment recommended or provided.
- (c) Treatment recommendations made via telehealth, including issuing a prescription via electronic means, shall be held to the same standards of appropriate practice as those in traditional physician-patient settings that do not include a face-to-face visit but in which prescribing is appropriate, including on-call telephone encounters and encounters for which a follow-up visit is arranged. Issuing a prescription based solely on an online questionnaire is not treatment for the purposes of this section and does not constitute an acceptable standard of care. For the purposes of prescribing opiates or certifying a patient for the medical use of cannabis, a physician-patient relationship shall only be established after an in-person consultation between the prescribing physician and the patient.
- (e) A physician shall not use telehealth to establish a physician-patient relationship with a patient in this State without a license to practice medicine in Hawaii.
- (j) For the purposes of this section:  
  
"Distant site" means the location of the physician delivering services through telehealth at the time the services are provided.



"Originating site" means the location where the patient is located, whether accompanied or not by a health care provider, at the time services are provided by a physician through telehealth, including but not limited to a physician's office, hospital, health care facility, a patient's home, and other non-medical environments such as school-based health centers, university-based health centers, or the work location of a patient.

"Telehealth" means the use of telecommunications as that term is defined in section 269-1, to encompass four modalities: store and forward technologies, remote monitoring, live consultation, and mobile health; and which shall include but not be limited to real-time video conferencing-based communication, secure interactive and non-interactive web-based communication, and secure asynchronous information exchange, to transmit patient medical information, including diagnostic-quality digital images and laboratory results for medical interpretation and diagnosis, for the purposes of: delivering enhanced health care services and information while a patient is at an originating site and the physician is at a distant site; establishing a physician-patient relationship; evaluating a patient; or treating a patient.

Lastly, in accordance with Hawaii Administrative Rules §16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and therefore is not to be viewed as binding on the Board or the Department of Commerce and Consumer Affairs.

b. Legislation:

It was moved by Chair Geimer-Flanders, seconded by Vice-Chair Halford, and unanimously carried to defer this agenda item to the next meeting.

Advisory  
Committees:

a. Emergency Medical Personnel

None.

b. Physician Assistants

None.

c. Podiatrists

None.

Open Forum: None.

Next Meeting: Thursday, October 10, 2019  
1:00 p.m.  
King Kalakaua Conference Room, First Floor  
335 Merchant Street  
Honolulu, Hawaii 96813

Adjournment: The meeting adjourned at 3:07 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Ahlani K. Quiogue

/s/ Josephine Madiro

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(Ms.) Ahlani K. Quiogue  
Executive Officer

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(Ms.) Josephine Madiro  
Secretary

AKQ:jm  
09/27/19

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Minutes approved as is.

( x )

Minutes approved with changes: see minutes of the October 10, 2019 meeting

## HAWAII MEDICAL BOARD 09/12/2019-RATIFICATION LIST

LTYPE LIC NUM BP NAME PART 1

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MD	20655	STEPHANIE J Y S <LIM<
MD	20656	WARREN T <YAMASHITA<
MD	20657	SCOTT CHRISTIAN <SMITH<
MD	20658	MATTHEW D <ALVIN<
MD	20659	WILSON BEHUNG <CHWANG<
MD	20660	MEHMET <CILINGIROGLU<
MD	20661	JONATHAN <DREW<
MD	20662	MISAO <KAWAMURA<
MD	20663	TRUNG DANG <LE<
MD	20664	PATRICK ROBERT <RYAN<
MD	20665	MAURA I D <TRESCH<
MD	20666	RYAN <GIORGETTI<
MD	20667	ROBERT A <OLSHAKER<
MD	20668	PRIYANKA K <WALI<
MD	20669	JARON DUANE <ROSS<
MD	20670	GURPREET <SINGH<
MD	20671	OLIVER <DUTCZAK<
MD	20672	BERNADETTE A P <OBMACES<
MD	20673	KRISTA K <SCHOPPY<
MD	20674	SITING S <CHEN<
MD	20675	AUSIM MAHBOOB <CHAGHTAI<
MD	20676	NICHOLAS G <ASHENBURG<
MD	20677	EUGENIA <CHU<
MD	20678	ANH TUAN THUC <TAN<
MD	20679	RUSSELL P <KELLEY< IV
MD	20680	HIDETAKA <KITAZONO<

MD	20681	KEYVAN JALALI <NOURI<
MD	20682	EMILY J <GOULET<
MD	20683	MINA F <OBBEHAT<
MD	20684	AXEL S <COOPER<
MD	20685	BENJAMIN <LAGUNA<
MD	20686	TAURINO N <AVELAR<
MD	20687	SAMIR <AWASTHI<
MD	20688	MICHAEL S <COLE<
MD	20689	CAMILLE A <HENNINGER<
MD	20690	KIRTH A <CUCUECO<
MD	20691	YUREE JENNIFER <LIN<
MD	20692	ROBERT L G <STEARNS<
MD	20693	DAVID L C <WELLS<
MD	20694	CHRISTOPHER D <TRAN<
MD	20695	MATTHEW D <EPSTEIN<
MD	20696	JANE CAROLYN <NELSON<
MD	20697	LORIN A <HALL<
MD	20698	AL-HASAN K M <AL-AFGHANI<
MD	20699	AARON H <CARTER<
MD	20700	DANIEL A <STRAUCHLER<
MD	20701	WIN WIN <MOE<
MD	20702	KELSEY L <BEAN<
MD	20703	RACHEL <MIRIANI<
MD	20704	TIMOTHY O <BOONE<
MD	20705	CYDNEY T <PARKER<
MD	20706	JENNIFER ANN <HALLUM<
MD	20707	CHRISTAL <ROUSSEAU<
MD	20708	MAURICIO <DE LA LAMA<
MD	20709	JASON D <CIENEGA<

MD 20710 BRYN <CHOWCHUVECH<  
MD 20711 JOSHUA BRANNON <MITCHELL<  
MD 20712 AHMAD <QAMAR<  
MD 20713 GERALD P <DURKAN<  
MD 20714 BRENDAN JAMES <SULLIVAN<  
MD 20715 DAVID F <MOORE<

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MDR 7820 CLAYTON <MARTIN<  
MDR 7821 DAVID <HUANG<  
MDR 7822 RODERICK M <ALFONSO<  
MDR 7823 DIAHNN F <CAMPBELL<  
MDR 7824 CATHERINE S <JOHN<  
MDR 7825 HAROLD <GOMEZ ACEVEDO<  
MDR 7826 GHADY <RAHHAL<  
MDR 7827 ALAN C <CHU<  
MDR 7828 REBECCA <PACKWOOD<  
MDR 7829 KATIE L <PEARSON<  
MDR 7830 NGOC H <PHAM<  
MDR 7831 DAVID A <DRUGA<

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AMD 938 GABRIELLE G <GARCIA<  
AMD 939 HEEJAE <JUNG<  
AMD 940 JOHN <QUIGLEY<  
AMD 941 MONIQUE R <PETERNELLA<  
AMD 942 IRISH DAWN A <DORSEY<

AMD 943 MICHELE <QUINONES<

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DOS 2010 PAUL L <WALKER<  
DOS 2011 HEIDI M <DENTON<  
DOS 2012 DERON T <WARREN<  
DOS 2013 JEREMY N <JOHNSON<  
DOS 2014 PARIS A <KHARBAT<  
DOS 2015 JOHN F <CONFORTI<  
DOS 2016 SARAH M <SHERMAN<  
DOS 2017 RICHARD T <ARRIVIELLO<  
DOS 2018 MATTHEW J <SIGLEY<  
DOS 2019 SHELBY L <DEAN<  
DOS 2020 TANYA M <HELM<

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EMT 2956 ADAM J <KEALIHHER<  
EMT 2957 SAMSON K <AINA<  
EMT 2958 KAYANA A <YAMAGUCHI<

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EMTP 2265 ANDY W <DAVIDSON<