

**HAWAII MEDICAL BOARD**  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii

MINUTES OF MEETING

Date: March 7, 2024

Time: 1:00 p.m.

In-Person Meeting Location: PVL Examination Room 330  
HRH King Kalakaua Building  
335 Merchant Street, Third Floor  
Honolulu, Hawaii 96813

Virtual Participation: Virtual Videoconference Meeting – Zoom Webinar  
<https://dcca-hawaii-gov.zoom.us/j/86443028035>

Zoom Recoding Link: [MED 3.7.24.mp4](#)

Present: Danny M. Takanishi, M.D., Chairperson, Honolulu Member  
Gary Belcher, Vice Chairperson, Public Member  
Andrew “Rick” Fong, M.D., Hawaii Member  
Michael Jaffe, D.O., Honolulu, Osteopathic Member  
Elizabeth “Lisa Ann” Ignacio, M.D., Maui Member  
Wesley Mun, Public Member  
Rebecca Sawai, M.D., Honolulu Member  
Geri Young, M.D., Kauai Member  
Shari J. Wong, Deputy Attorney General (“DAG”)  
Ahlani K. Quiogue, Licensing Administrator  
Randy Ho, Executive Officer  
Marc Yoshimura, Secretary  
Chiara Latini, Secretary  
Mia Hoang (Technical Support)  
Johnny Li (Technical Support)

Excused: Franklin V.H. Dao, M.D., Honolulu Member  
Angela Pratt, M.D., Honolulu Member

Zoom Webinar Guest(s): Thomas Bowhay  
Drkeller  
Eric Eisenbud  
Joseph Upton  
Jason Trujillo  
Timothy  
nv2TRO

Agenda: The agenda for this meeting was posted to the State electronic calendar as required by Hawaii Revised Statutes (“HRS”) section 92-7(b).

A short video was played to explain the meeting procedures and how members of the public could participate in the virtual meeting.

Call to Order:

The meeting was called to order at 1:08 p.m., at which time quorum was established.

Chair Takanishi welcomed everyone to the meeting and proceeded with a roll call of the Board members. All Board members confirmed that they were present and alone.

Approval of the October 12, 2023, Executive Session Minutes:

It was moved by Mr. Belcher, seconded by Dr. Young, and carried unanimously to approve the executive session meeting minutes of October 12, 2023.

Approval of the December 14, 2023, Executive Session Minutes:

It was moved by Dr. Ignacio, seconded by Dr. Jaffe and carries by a majority with the exception of Dr. Young who abstained from the vote to approve the executive session minutes of December 14, 2023.

Approval of the January 18, 2024, Open Session Minutes:

It was moved by Dr. Ignacio, seconded by Dr. Young, and carried unanimously to approve the open session minutes of January 18, 2024.

Approval of the February 8, 2024, Open Session:

It was moved by Mr. Belcher, seconded by Mr. Mun, and carried by a majority, with the exception of Dr. Sawai who abstained from the vote, to approve the meeting minutes with the following amendment:

Page 25, 2<sup>nd</sup> full paragraph, should read:

Mr. Belcher suggested question 6 on the application for licensure by endorsement, which asks: "Have you actively practiced medicine in another jurisdiction for at least two of the immediate preceding five years?" be amended to flag applicants who ~~had completed the first two years of residency, but not the last three~~ **have been in active practice for the first two years (of the five total years as the application asks), but not the last three years.**

**Mr. Belcher clarified his comment as this would initiate/require a 're-entry to practice' based on the recommendations of the Federation of State medical Boards since it recommends this at the point where a physician has been out of practice clinical practice for more than 2 years.**

Deleted language is bracketed and struck through. New language is bolded and underlined.

The vote to approve the meeting minutes are as follows:

Chair Takanishi, Mr. Belcher, Dr. Fong, Dr. Ignacio, Dr. Jaffe, Mr. Mun, and Dr. Young voted in favor of the motion.

Dr. Sawai abstained from the vote.

Chair Takanishi informed meeting attendees, that for applicants whose applications were on the agenda, would be invited to join the executive session to provide their testimony.

Chair Takanishi asked if anyone from the public would like to provide oral testimony on this agenda item. There was none.

Ch. 91, HRS,  
Adjudicatory Matters:

Chair Takanishi called for a recess from the meeting at 1:19 p.m., to discuss and deliberate on the following adjudicatory matters pursuant to Chapter 91, HRS (Note: Board members and staff entered the Microsoft Teams meeting).

Chair Takanishi proceeded with a roll call of the Board members in Microsoft Teams. All Board members confirmed that they were present and alone.

- A. In the Matter of the Physician's License of KALYAN R. DANDALA, M.D., Respondent; MED-2023-711-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" and "2".

After due consideration of the information received, it was moved by Dr. Jaffe, seconded by Dr. Sawai, and unanimously carried, to approve the aforementioned Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order.

- B. In the Matter of Physician's License of LYNNE D. ROMERO, M.D.; MED 2022-0181-L; Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" and "2".

After due consideration of the information received, it was moved by Mr. Belcher, seconded by Dr. Jaffe, and unanimously carried, to approve the aforementioned Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order.

Following the Board's review, deliberation, and decision on these matters pursuant to Chapter 91, HRS, Chair Takanishi announced that the Board reconvenes to its Chapter 92, HRS, meeting at 1:30 p.m. Board members and staff returned to the Zoom meeting. All Board members confirmed that they were present and alone.

Applications for  
License/  
Certification:

A. Applications:

It was moved by Dr. Sawai, seconded by Mr. Mun, and unanimously carried to enter into executive session at 1:33 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. (Note: Board members and staff entered into Microsoft Teams).

Chair Takanishi proceeded with a roll call of the Board members in Microsoft Teams. All members confirmed that they were present and alone.

(i) Physician (Permanent/Non-Endorsement):

a. Thomas Alan Bowhay, M.D.

*Thomas Bowhay, M.D. entered the Microsoft Teams meeting at 1:48 p.m.*

*Thomas Bowhay, M.D. exited the Microsoft Teams meeting at 2:06 p.m.*

b. Eric A. Eisenbud, M.D.

*Eric A. Eisenbud, M.D. entered the Microsoft Teams meeting at 2:22 p.m.*

*Eric A. Eisenbud, M.D. exited the Microsoft Teams meeting at 2:28 p.m.*

c. Robert Perc Knudson Keller, M.D.

*Robert Perc Knudson Keller, M.D. entered the Microsoft Teams meeting at 2:40 p.m.*

*Robert Perc Knudson Keller, M.D. exited the Microsoft Teams meeting at 2:50 p.m.*

*The Board took a brief recess at 2:51 p.m.*

*The Board resumed the meeting at 2:59 p.m.*

d. Karen Denese Taylor-Crawford, M.D.

e. Jason Eric Trujillo, M.D.

*Jason Eric Trujillo, M.D. entered the Microsoft Teams meeting at 3:21 p.m.*

*Jason Eric Trujillo, M.D. exited the Microsoft Teams meeting at 3:27 p.m.*

f. Joseph Upton, M.D.

*Joseph Upton, M.D. entered the executive session meeting in-person at 3:35 p.m.*

*Joseph Upton, M.D. exited the executive session meeting at 3:51 p.m.*

(ii) Request to have conditions Removed for License

a. Timothy Roy Smith, PA-C

It was moved by Dr. Jaffe, seconded by Mr. Mun, and unanimously carried to return to the open session meeting at 4:04 p.m. Board members and staff returned to the Zoom meeting. All Board members confirmed that they were present and alone.

(i) Physician (Permanent/Non-Endorsement):

a. Thomas Alan Bowhay, M.D.

After due consideration of the information received, it was moved by Dr. Fong, seconded by Dr. Young, and unanimously carried to deny Dr. Bowhay's application.

The Board based its decision on the following citations of the HRS and Hawaii Administrative Rules ("HAR"), which find factual support in the records and files of Dr. Bowhay's application.

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:

\* \* \*

- (5) Procuring a license through fraud, misrepresentation, or deceit;

- (7) Professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of the licensed profession or vocation;
- (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;
- (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.
- (15) Failure to report in writing to the licensing authority any disciplinary decision issued against the licensee or the applicant in another jurisdiction within thirty days of the disciplinary decision; and
- (17) Violating this chapter, the applicable licensing laws, or any rule or order of the licensing authority.

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:

\* \* \*

- (6) Procuring a license through fraud, misrepresentation, or deceit, or knowingly permitting an unlicensed person to perform activities requiring a license;
- (7) Professional misconduct, hazardous negligence causing bodily injury to another, or manifest incapacity in the practice of medicine or surgery;
- (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;

(11) Revocation, suspension, or other disciplinary action by another state or federal agency of a license, certificate, or medical privilege; and

(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.

(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.

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; and

(2) If the applicant fails to demonstrate that the applicant possesses a good reputation for honesty, truthfulness, fairness, and financial integrity; or

(3) If the applicant has had disciplinary action taken by any jurisdiction, including any federal or state regulatory body.

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

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.

b. Eric A. Eisenbud, M.D.

After due consideration of the information received, it was moved by Dr. Jaffe, seconded by Mr. Belcher to approve Dr. Eisenbud's application for licensure.

c. Robert Perc Knudson Keller, M.D.

After due consideration of the information received, it was moved by Chair Takanishi, seconded by Dr. Sawai, and unanimously carried to approve Dr. Keller's application.

d. Karen Denee Taylor-Crawford, M.D.

After due consideration of the information received, it was moved by Dr. Young, seconded by Dr. Jaffe, and unanimously carried to approve Dr. Taylor-Crawford's application pending receipt of a statement of explanation to her affirmative answer to question 12.b. and review of this information by the Board Chairperson.

e. Jason Eric Trujillo, M.D.

After due consideration of the information received, it was moved by Dr. Elizabeth Ann Ignacio, seconded by Dr. Young, and unanimously carried to approve Dr. Trujillo's application.

f. Joseph Upton, M.D.

After due consideration of the information received, it was moved by Dr. Sawai, seconded by Mr. Mun, and unanimously carried to defer Dr. Upton's application pending receipt of documentation confirming passage of the SPEX examination.

(ii) Request to have Conditions Removed for License:

a. Timothy Roy Smith, PA-C

After due consideration of the information received, it was moved by Chair Takanishi, seconded by Dr. Ignacio, and carried by a majority with the exception of Dr. Young and Dr. Sawai who recused themselves from voting on the matter, to approve Mr. Smith's request to remove the conditions from his conditional license.

The vote was as follows:



Chair Takanishi, Mr. Belcher, Dr. Fong, Dr. Ignacio, Dr. Jaffe, and Mr. Mun voted in favor of the motion.

Drs. Sawai and Young recused themselves from the vote and discussion on this matter.

C. Ratification List (See attached list)

(i) March 7, 2024, Ratification List

It was moved Dr. Sawai, seconded by Dr. Jaffe, and unanimously carried to ratify the attached lists of individuals for licensure or certification from March 7, 2024.

Chair Takanishi asked if anyone from the public would like to provide oral testimony on these agenda items. There was none.

2024 Legislative Session:

A. Legislation:

HB2079, HD2 / SB2882 RELATING TO HEALTH

The Board discussed these bill. It was noted that SB2882 was not heard.

The purposes of this bill are to: relax the requirements for prescribing certain controlled substances as part of gender affirming health care services; expands the protections under established under Act 2, SLH 2023, to include gender-affirming health care services; and clarify jurisdiction under the Uniform Child-Custody Jurisdiction and Enforcement Act for cases involving children who obtain gender-affirming health care services.

Chair Takanishi noted that the Board had voted to support this bill at a previous meeting, but it had received an email in opposition of the bill from the Deputy Director of the Department of Law Enforcement. To clarify, the email from the Deputy Director of the Department of Law Enforcement noted that:

They are not in opposition of gender-affirming health care services or any gender related issues within the bill. Rather, we oppose any measure that:

1. Allows for out of state prescribing of controlled substances ; and
2. Allows for prescribing controlled substances without the benefit of a face-to face, in-person physical examination as specified in the definition of the

bonafide prescriber-patient relationship definition in chapter 329.

DLE does not support on these two-points because this would allow for the potential for unscrupulous prescribers to have a high temptation to prescribe controlled substances without a legitimate purpose or outside the scope of their practice. Moreover, the current public-policy of requiring in-state and in-person, face to face examinations are critical to reducing the number of controlled substances prescriptions in general. Both of these are goals of the Hawaii Opioid Initiative.

Given the above concerns, Dr. Ignacio asked whether the Department of Law Enforcement would submit testimony in opposition or provide comments.

Chair Takanishi assumed that the Department of Law Enforcement will oppose the measure.

Dr. Jaffe commented that the issue concerns the prescription of androgenic hormones and testosterone, which are schedule III drugs.

Chair Takanishi asked the Board members if they still support the bill.

Dr. Sawai stated her support of the bill and indicated that she was inclined to recommend the restriction of some prescription medications (controlled substances).

Dr. Fong agreed with the Department of Law Enforcement's comments opposing the measure.

Chair Takanishi stated that, like Department of Law Enforcement, the Board is in support of gender affirming healthcare, but that it had not considered the issue of schedule III substances.

Mr. Mun stated that the Board could recommend that the bill be amended, and asked Ms. Quiogue whether this would be an option given that the issue regarding prescribing controlled substances without the benefit of a face-to-face, in-person physical examination conflicts with the Department of Law Enforcement position and current statutes.

Ms. Quiogue relayed that generally, boards, commissions, and programs, would defer to a lead agency's position. In this case, the Board would generally defer to Department of Law Enforcement regarding section 1 of the bill since it amends chapter 329, HRS.

Further, Ms. Quiogue clarified that the Board previously testified on sections 6 and 7 of the bill, which amends sections 453-8 and 453-8.6, HRS. If the Board were inclined, it may continue to support these sections, but defer to the Department of Law Enforcement regarding section 1 of the measure.

Chair Takanishi and Dr. Jaffe thanked Ms. Quiogue for the clarification.

Based on this discussion, by consensus, the Board will continue to support sections 6 and 7 of the measure and defer to the Department of Law Enforcement regarding its position to section 1 of the bill.

#### HB1675 HD1 RELATING TO THE GENERAL EXCISE TAX

The Board discussed this bill.

The purpose of this bill is to, beginning 1/1/2025, exempt medical services provided by physicians and advanced practice registered nurses acting in the capacity of a primary care provider from the general excise tax.

The Board is tracking this bill.

#### SB2186 SD1 RELATING TO HEALTHCARE WORKERS

The Board discussed this bill.

The purposes of this bill are to: establish heightened penalties for the assault and terroristic threatening of health care workers; and clarify the definition of "terroristic threatening" to include the methods of contact.

The Board is tracking this bill.

#### SB3125 SD2 RELATING TO MEDICAL CARE FOR MINORS

The Board discussed this bill.

The purposes of this bill are to: authorize minors who are 14 years or older to consent to medical care for sexually transmitted infections, pregnancy, and family planning services, including the prevention of sexually transmitted infections; and require confidentiality policies and practices for insurers and providers.

The Board is tracking this bill.

#### SB3330 / HB2775, HD1 RELATING TO HEALTH CARE.

The Board discussed these bills. The Board noted that SB3330 was not heard.

The purposes of this bill are to establish: a candor process through which patients and their families, health care providers, and health care facilities can engage in open communication about how an adverse care health incident occurred, how it will be prevented in the future, and what compensation, if any, will be offered to the patient or their family; and notice and confidentiality requirements for open discussions.

The Board is tracking this measure.

Federation of State  
Medical Boards:

- A. Report of the FSMB Ethics and Professionalism Committee: Guidelines & Recommendations to Aid State Medical Boards and Physicians in Navigating the Responsible and Ethical Incorporation of AI into Clinical Practice
- B. Position Statement on Access to Evidence-Based Treatment for Opioid Use Disorder
- C. Report of the FSMB Workgroup on the Regulation of Physician Training
- D. Reentry to Practice
- E. Guidelines for the Structure and Function of a State Medical and Osteopathic Board

Chair Takanishi stated that if any of the Board members had questions regarding these agenda items, they could email the Executive Officers.

In addition to this, Chair Takanishi informed the Board that Ms. Quiogue had been selected to receive the Distinguished Leadership Award from the Federation of State Medical Boards and will be presented this award at the annual meeting in April.

Additions to the  
Agenda:

Chair Takanishi requested that the Board add to the agenda, the following item: Federation of State Medical Boards, F. Board Representative / Board Voting Delegate to the Federation of State Medical Boards 2024 Annual Meeting, held in Nashville Tennessee.

It was moved by Dr. Sawai, seconded by Dr. Jaffe, and unanimously carried to add this matter to the agenda.

By consensus, the Board nominated Chair Takanishi to be its voting delegate. Chairperson Takanishi moved to nominate Mr. Belcher as the Board member representative. This motion was seconded by Dr. Jaffe. This motion carried unanimously.

Unfinished Business: A. Discussion on Limiting Attempts for the USMLE Step 3

Due to a lack of time, the Board will consider this matter at a later meeting.

Next Meeting: Thursday, April 11, 2024

In-Person Meeting Location: Queen Liliuokalani Conference Room  
King Kalakaua Building, 1<sup>st</sup> Floor  
335 Merchant Street  
Honolulu, Hawaii 96813

Virtual Videoconference Meeting – Zoom Webinar

Adjournment: The meeting adjourned at 4:26 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Ahlani K. Quiogue

/s/ Chiara Latini

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(Ms.) Ahlani K. Quiogue  
Executive Officer

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(Ms.) Chiara Latini  
Secretary

AKQ:cl  
4/4/2024  
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Minutes approved as is.  
Minutes approved with changes: