

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

MINUTES OF MEETING

Date: June 10, 2021

Time: 1:00 p.m.

Place: Virtual Videoconference Meeting – Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/93192483839>

Present: Jone Geimer-Flanders, D.O., Chairperson, Oahu Osteopathic Member
Peter Halford, M.D., Vice-Chairperson, Oahu Member
Maria Chun, Ph.D., Public Member
Geri Young, M.D., Kauai Member
Danny Takanishi, M.D., Oahu 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
Shari J. Wong, Deputy Attorney General (“DAG”)
Ahlani K. Quiogue, Executive Officer
Rochelle Araki, Executive Officer (Training)
Jenny Yam, Executive Officer (Training)
Kellie Teraoka, Secretary
Micah Cadalzo, Secretary
Mark Yoshimura, Secretary (Training)
Denise Saffery, Secretary (Training)
Lei Ana E. Green, Executive Officer (Technical support)
Leanne Abe, Secretary (Technical support)

Excused: Franklin V.H. Dao, M.D., Oahu Member
Darren K. Egami, M.D., Maui Member

Zoom Webinar Guest(s): Jennifer Campbell, M.D., Applicant
Alexei Zhadkevich, M.D., Applicant
Bill Haning, M.D., Guest
Paul Carey, Guest

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by §92-7(b), Hawaii Revised Statutes (“HRS”).

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 1:13 p.m., at which time quorum was established.

Chair Geimer-Flanders welcomed everyone to the meeting and proceeded with a roll call of the Board members. All Board members confirmed that they were present, with the exception of Dr. Egami and Dr. Dao who were excused from the meeting.

Approval of the
May 13, 2021,
Minutes:

It was moved by Dr. Holt, seconded by Vice-Chair Halford, and carried by the majority, with the exception of Dr. Young and Dr. Takanishi who abstained from voting on this matter, to approve the minutes of the executive session and the minutes of the open session of the May 13, 2021, meeting as circulated.

Adjudicatory
Matters:

Chair Geimer-Flanders called for a recess from the meeting at 1:13 p.m., to discuss and deliberate on the following adjudicatory matter pursuant to Chapter 91, HRS (Note: Board members and staff entered into the Microsoft Teams meeting):

A. In the Matter of the License to Practice Medicine of Victoria H. Mohr, M.D.; MED 2020-119-L

After discussion, it was moved by Chair Geimer-Flanders, seconded by Dr. Jaffe, and unanimously carried to approve the Settlement Agreement Prior to 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 Geimer-Flanders announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 1:21 p.m. Board members and staff returned to the Zoom meeting.

Applications for
License/
Certification:

A. Applications:

It was moved by Dr. Takanishi, seconded by Vice-Chair Halford, and unanimously carried to enter into executive session at 1:25 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):

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

a. Jennifer Campbell, M.D.

Dr. Campbell entered the Microsoft Teams meeting at 1:43 p.m.

Dr. Haning entered the Microsoft Teams meeting by phone at 1:44 p.m.

Dr. Campbell and Dr. Haning left the Microsoft Teams meeting at 2:04 p.m.

b. Alexei Zhadkevich, M.D.

Dr. Zhadkevich entered the Microsoft Teams meeting at 2:16 p.m.

Dr. Zhadkevich left the Microsoft Teams meeting at 2:21 p.m.

It was moved by Chair Geimer-Flanders, seconded by Dr. Halford, and unanimously carried to return to the open meeting at 2:22 p.m. Board members and staff returned to the Zoom meeting.

Applications for
License/
Certification:

A. Applications:

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

a. Jennifer Campbell, M.D.

It was moved by Dr. Takanishi, seconded by Dr. Holt, and unanimously carried to approve Dr. Campbell's application.

b. Alexei Zhadkevich, M.D.

It was moved by Vice-Chair Halford, seconded by Chair Geimer-Flanders, and unanimously carried to approve Dr. Zhadkevich's application.

Applications for
License/
Certification:

B. Ratifications:

(i) List

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

New Business:

A. The Federation of State Medical Boards ("FSMB") Seeks
Comment: Physician Assistants Licensure Compacts

Chair Geimer-Flanders summarized for the members and guests that, that the FSMB, supported by a grant under the United States Health and Human Services, Health Resources and Services Administration License Portability Grant Program, worked with the Council of State Governments' National Center for Interstate Compacts, the American Academy of Physician Assistants, and the National Commission on Certification of Physician Assistants to develop the Physician Assistants Licensure Compact ("Compact"), for which the FSMB is seeking review and feedback.

Chair Geimer-Flanders asked if any of the attendees would like to present testimony on this matter. It was noted that the attendees did not wish to provide testimony.

Chair Geimer-Flanders asked Ms. Quiogue for her remarks regarding the Compact.

Ms. Quiogue explained that at this time, the Board is just providing comments regarding the Compact, and not a position. Based on the Board's discussion, she will provide its comments to Maggie Quinn.

Ms. Quiogue advised members that she reviewed the language of the Compact, which appears very similar to that of the Interstate Medical Licensure Compact. As such, if the members were inclined, she would go through the Compact by page.

Members indicated that she may proceed.

- Page 2, Section 3. State Participation

- A. To participate in the Compact a Member State shall:

- Have a mechanism in place for receiving and investigating complaints against licensees.

- By law, the Regulated Industries Complaints Office ("RICO") receives and investigates complaints on behalf of all boards, programs, and commissions administratively attached to the Department of Commerce and Consumer Affairs. She went on to say that the Board would need to seek input from RICO regarding this matter.

- Conduct FBI fingerprint based criminal background checks of initial applicants and use the results in making licensure decisions concerning the issuance of a privilege to practice.

- Ms. Quiogue advised that if this were to remain a requirement to participate in this compact, then the any language introduced by the Legislature must also amend the criminal history record checks law (HRS section 846-2.7).

- Page 4, Section 4. Compact Privilege to Practice

- 3. Have no felony or misdemeanor convictions

- No concerns. However, Ms. Quiogue pointed out that the Compact language is more restrictive than State laws. State law sets forth specific standards regarding prior convictions and does not automatically disqualify someone based on a felony or misdemeanor conviction.

- 4. Have a social security number or national provider identifier

(NPI).

State law requires an individual to provide their social security number for every application and license. Further, federal mandates require a social security number to report any adverse action against a health care practitioner to the National Practitioner Data Bank. Ms. Quiogue further explained that an NPI alone would not be sufficient to make such reports.

- Page 4, Section 5. Active-Duty Military Personnel or Their Spouses

Active-Duty Military or Public Health Service Commissioned Corps personnel, or the spouse of such personnel, shall designate a Home State where the individual has a current license in good standing. The individual may retain the Home State designation during the period the service member is on active duty. Subsequent to designating a Home State, the individual shall only change their Home State through application for licensure in the new State.

HRS sections 436B-14.7 and 436B-14.8, the Board currently can issue licenses to active-duty military and military spouses.

- Page 4, Section 6. Adverse Actions

B. In addition to the other powers conferred by state law, a Remote State shall have the authority, in accordance with the existing State due process law, to:

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. ***Subpoenas issued by a Licensing Board in a Member State for the attendance and testimony of witnesses or the production of evidence from another Member State shall be enforced in the latter State by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it.*** The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the State in which the witnesses or evidence are located.

With regard to the emphasized language above, Ms. Quiogue inquired whether there would be any issues regarding the enforceability of a subpoena issued outside of this state. Further, regarding the costs of witness fees, etc., it was noted that administratively this could be an issue since such costs

are not built into current license fees.

Chair Geimer-Flanders and DAG Wong were of the opinion that the issuing authority responsibilities needs clarification.

- C. For purposes of taking Adverse Action, the Home State shall give the same priority and effect to reported conduct received from a Member State as it would if the conduct had occurred within the Home State. In so doing, the Home State shall apply its own State laws to determine appropriate action.

The Home State shall complete any pending investigations of a PA who changes Primary State of Residence during the course of the investigations. The Home State, where the investigations were initiated, shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the PA Licensure Compact Commission Data System. The Data System administrator shall promptly notify the new Home State of any Adverse Actions.

Ms. Quiogue questioned how this would work logistically.

Chair Geimer-Flanders asked DAG Wong about the compact's ability to assign legal jurisdiction.

Dr. Takanishi was of the opinion that the compact contract could assign legal jurisdiction, since parties must voluntarily agree to enter upon the contract. Discussion followed.

Ms. Quiogue inquired with DAG Wong on how investigations into matters that occurred elsewhere would be handled.

DAG Wong referred to paragraph D, "The home state shall complete..." and questioned whether this refers to the former home state or the new home state. DAG Wong also questioned how logistically investigations into matters that occurred elsewhere would work.

Chair Geimer-Flanders stated, and DAG Wong agreed, that this would need to be clarified.

- H. If an Adverse Action is taken by the Home State against a PA's license, the PA's Privilege to Practice in all other Member States shall be deactivated until all encumbrances have been removed from the State license. ***All Home State disciplinary orders that impose Adverse Action against a PA's license shall include a Statement that the PA's Privilege to Practice is deactivated in all***

Member States during the pendency of the order.

Ms. Quiogue indicated that the standard template for settlement agreements would have to be revised to address the emphasized language above.

- Page 6, Section 7, Establishment of the Physician Assistants Licensure Compact Commission

B. Membership, Voting, and Meetings

2. The delegate shall be either:

- a. A current PA member of the Licensing Board, PA Council/Committee, or public member; or
- b. An administrator of the Licensing Board.

Ms. Quiogue noted that this Board's PA Advisory Committee is not active and questioned whether the committee would meet the requirements of the Compact and would she or a public member by default of the PA Advisory Committee being inactive, be named as the delegate to the Compact.

- Page 10, paragraph F. Financing of the Commission

3. The Commission may levy on and collect an annual assessment from each Member State or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved by the Commission each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a Rule binding upon all Member States.

This language does not specifically state the cost each member board would be responsible for. Again, these costs would have to be built into the license fees as that is how the Division is funded.

- Page 12, Section 8. Data System

- B. A member State shall submit a uniform data set to the Data System on all PAs to whom this Compact is applicable (utilizing a unique identifier) as required by the Rules of the Commission, including:

5. Any denial of application for licensure, and the reason(s)

for such denial;

7. Current Significant Investigative Information.

Ms. Quiogue stated that State law requires that a denied application remain confidential. The only information that she may disclose is what is currently included in the Board's open session meeting minutes when it denies an application. This information includes, the statute and rule citations for denial.

Regarding investigative information, this language would require the Board to turn over investigative records to another state. Ms. Quiogue stated that in Hawaii, investigative records are considered confidential, and typically not turned over to other jurisdictions. Ms. Quiogue noted that RICO had concerns with this language when used in the physician compact.

After discussion it was moved by Chair Geimer-Flanders, seconded by Vice-Chair Halford and unanimously carried to have Ms. Quiogue submit its Comments to the FSMB on the Hawaii Medical Board's behalf.

Farewell to
Maria Chun, Ph.D.:

Chair Geimer-Flanders announced that this was Dr. Chun's last meeting. She thanked Dr. Chun for her dedication and years of service to the Board.

Ms. Quiogue mentioned that in addition to Maria's departure from the Board, Micah Cadalzo, the Board's secretary, was also leaving the Department. Ms. Denise Saffery is the Board's new secretary.

Next Meeting:

July 8, 2021
1:00 p.m.
Virtual Videoconference Meeting – Zoom Webinar

Adjournment:

The meeting adjourned at 2:46 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Ahlani K. Quiogue

/s/ Denise Saffery

(Ms.) Ahlani K. Quiogue
Executive Officer

(Ms.) Denise Saffery
Secretary

AKQ:ds
6/30/2021

(X)
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Minutes approved as is.

Minutes approved with changes: _____

HAWAII MEDICAL BOARD 6/10/2021 - RATIFICATION LIST

License Number	Licensee
AMD-1055-0	KELLIE M ACOSTA
DOS-1293-0	LYNN BUCHANAN
DOS-2166-0	DURANY MOHAMMED
DOS-2167-0	ANGELIQUE FERAYORNI
DOS-2168-0	ANDREW T OLIVER
DOS-2169-0	RISSA FEDORA
DOS-2170-0	NEERAJ CHAUHAN
DOS-2171-0	TERESA DUNPHY
DOS-2172-0	RACHEL L PALTING
DOS-2173-0	MARIE MONA FORGIE
DOS-2174-0	FREDERICK H PERKINS
DOS-2175-0	PAIGE M CUMMINGS-JOHNSON
DOS-2176-0	MICHAEL J HOLCOMB
DOS-2177-0	NICOLE M HOTCHKISS
DOS-2178-0	SARA C HERSTAD
DOS-2179-0	OLGA E HERNANDEZ
DOS-2180-0	CHARLES DEAN M SONIDO
DOS-2181-0	CHRISTOPHER D SUTHERLAND
DOS-2182-0	EVAN J ALLEN
DOS-2183-0	JEFFREY L WAKE
DOS-2184-0	IRINA STAICU
DOSR-524-0	LAUREEN VIERNES NILO
DOSR-525-0	IAN A NAGATA
EMT-3077-0	JESSIE M TORRES
EMT-3078-0	ALDRIN CALILAO
EMT-3079-0	ADJIN WATSON
EMT-3080-0	ALIXANDRA OVERHOLSER
EMT-3081-0	CARLO E L DEMENEZES
EMT-3082-0	JENNY BERNARDINO
EMT-3083-0	KAYLA KIMOTO
EMT-3084-0	MICHAEL LINSK
EMT-3085-0	MIKIALA M LESLIE
EMT-3086-0	MICAH DESMET
EMT-3087-0	SEAN T HASEGAWA

EMT-3088-0	CHESNA KAMEKANEYA
EMT-3089-0	NICHOLAS TAIRA TANG
EMTP-2330-0	ALEXANDER J GRANT
EMTP-2331-0	LUCAS A HAGAN
EMTP-2332-0	CODY BRYAN COFFMAN
EMTP-2333-0	MARK PETER ZASTAVSKIY
MD-21841-0	KATHERINE S FREEMAN
MD-21842-0	DANE T KUROHARA
MD-21843-0	BENJAMIN L KOHNEN
MD-21844-0	YASMIN E JOHNSTON
MD-21845-0	FREDERICK L ROWE II
MD-21839-0	ERIC J WEBSTER
MD-21846-0	SAIRA N AHMED
MD-21847-0	MOSS JACOB LINDER
MD-21848-0	RACHEL NAMBUSI
MD-21849-0	AUDREY R NATH
MD-21850-0	JOHN NEIGHBORS
MD-21851-0	ALAIN K TAKANE
MD-21852-0	CHYI JAAN WEI
MD-21853-0	MICHAEL D WRIGHT
MD-21854-0	BRYAN A ZORKO
MD-21855-0	ERIC A WIEN
MD-21856-0	SHIVANI SINGH CHAUDHARY
MD-21857-0	DANIEL FUNG
MD-21858-0	KACIE R FOX
MD-21859-0	SHAISTA A HUSAIN
MD-21860-0	ALVIN C CACHO
MD-21861-0	JONATHAN D BURNS
MD-21862-0	REBECCA R DESSO
MD-21863-0	SCOTT RUSSELL LINK
MD-21864-0	MANDEEP M SAHANI
MD-21865-0	SARAH CHAOYING XU
MD-21866-0	LAREINA R PEDRIGUEZ
MD-21867-0	DANIELLE N JONES
MD-21868-0	JEREMY JAY GITOMER
MD-21869-0	ESTRADA J BERNARD JR.
MD-21870-0	JEANE MARIE CASSELBERRY
MD-21871-0	JACOB JOHNSON

MD-21872-0	JASON PATEL
MD-21873-0	MAX L RANNIE
MD-21874-0	KAITLYN SPYCHALA RINALDI
MD-21875-0	XINTONG ZUO
MD-21876-0	ANDREW CHUNG-PI HSU
MD-21877-0	MONA ZIA
MD-21878-0	JOSEPH C HART
MD-21879-0	SHARON ELIZABETH PEACH
MD-21880-0	STEVEN P NELSON
MD-21881-0	MATTHEW P HEVEY
MD-21882-0	ABRAHAM MALKIN
MD-21883-0	MISAKO NAGASAKA
MD-21884-0	MATTHEW HAND
MDR-8049-0	BRUNA A LIMA
MDR-8050-0	KRISTEN RICHÁRD
MDR-8051-0	BRIAN VINCENT THIELEN
MDR-8052-0	BENJAMIN HOWARD WING
MDR-8053-0	KAREN CHANG
MDR-8054-0	NICKOLAUS E CRUMP
MDR-8055-0	JERRICK LAIMANA
MDR-8056-0	REESE K SUZUKI
MDR-8057-0	HEMANT PAL
MDR-8058-0	LAURA J TREACY
MDR-8059-0	LUKE D HUBER
MDR-8060-0	MARK NEWCOMB
MDR-8061-0	TAMANDRA K MORGAN
MDR-8062-0	THOMAS W KEOWN
MDR-8063-0	BRODY W HINGST
MDR-8064-0	KEVAN J MAMDOUHI