

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 Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Thursday, June 18, 2015

Time: 1:00 p.m.

Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, HI 96813

Present: Niraj S. Desai, M.D., Chairperson, Kauai Member
Sharon "Shay" Bintliff, M.D., Vice-Chairperson, Hawaii Member
Maria Chun, Ph.D, Public Member
Peter Halford, M.D., Oahu Member
Peter Holt, M.D., Oahu Member
Thomas S. Kosasa, M.D., Oahu Member
Palasi Puletasi, Public Member
Karen E. Sept, D.O., Oahu Member
Daniel Jacob, Deputy Attorney General ("DAG")
Ahlani K. Quiogue, Executive Officer
Wilma Balon, Secretary
Napaporn Lam, Secretary

Excused: Gerard K. Akaka, M.D., Oahu Member
Darren K. Egami, M.D., Maui Member
Jone Geimer-Flanders, D.O., Oahu Member

Call to Order: The meeting was called to order at 1:00 p.m. at which time quorum was established.

Approval of the May 14, 2015 Minutes: It was moved by Dr. Bintliff, seconded by Dr. Kosasa, and unanimously carried to approve the minutes of the executive session and the minutes of the regular session meeting as circulated.

Additions/Revisions to Agenda: None.

Adjudicatory Matters: Chair Desai called for a recess from the meeting at 1:01 p.m. to discuss and deliberate on the following adjudicatory matters pursuant to HRS Chapter 91.

Mr. Puletasi entered the meeting room at 1:01 p.m.

a. In the Matter of the Emergency Medical Technician Certificate of Jason K. Meyers; MED 2012-192-L

After discussion, it was moved by Dr. Bintliff, seconded by Dr. Sept, and unanimously carried to accept the Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order.

Following the Board's review, deliberation and decision in this matter pursuant to Chapter 91, Hawaii Revised Statutes ("HRS"), Chair Desai announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 1:04 p.m.

Applications for License/Certification:

a. Ratifications:

- (i) List

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

It was moved by Dr. Kosasa, seconded by Dr. Halford, and unanimously carried to enter into executive session at 1:05 p.m. pursuant to Section 92-5(a)(1), HRS, to consider and evaluate personal information relating to individuals applying for professional licenses cited in Section 26-9, HRS, and pursuant to Section 92-5(a)(4), HRS, to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.

Applications for License/Certification:

b. Applications:

Noelani McMahon, EMT-B
Gregory P. Calkins, M.D.
Jamie L. Clute, M.D.
Paul K. Kim, M.D.
Stuart Krein, M.D.
Thomas M. Kropp, M.D.
Franklin C. Margaron, M.D.
Cynthia M. McPherson, PA-C
Colleen M. Nakamura, PA-C
Dwan M. Turner, M.D.
Pouya Benyamini, M.D.
Matthew D. Cooper, M.D.
Christopher H.Y. Loo, M.D.

It was moved by Dr. Holt, seconded by Dr. Kosasa, and unanimously carried to return to the open meeting at 2:17 p.m.

Pouya Benyamini, M.D.

It was moved by Dr. Sept, seconded by Dr. Kosasa (with the exceptions of Drs. Halford and Chun who recused themselves), and carried by a majority to approve Dr. Benyamini's application for renewal subject to certain conditions.

The Board hereby imposes the following conditions to Dr. Benyamini's limited and temporary license:

1. Dr. Benyamini's limited and temporary license for residency/specialty training, License No. MDR-6336, is hereby conditioned for period to include the remainder of the July 2014 – June 30 2015 academic year, and the following academic year, July 1, 2015 – June 30, 2016.
2. Dr. Benyamini shall ensure that the University of Hawaii Surgical Residency Program ("Program") provide the Board quarterly reports with the following information:
 - a. Status with the Program;
 - b. Whether there are any adverse outcomes based on care of his patients;
 - c. Whether there have been or are any adverse and/or disciplinary actions pending against him;
 - d. Whether there have been any issues with professionalism in his dealings with patients, colleagues, supervisors, subordinates, and ancillary staff.

The first quarterly report shall be due to the Board within 120 days of the date of the Board's letter, and every 120 days thereafter. If Dr. Benyamini fails to comply with the conditions placed on his license, the Board will consider whether to take appropriate disciplinary actions against his license.

3. Dr. Benyamini shall provide a copy of this letter to Danny M. Takanishi, Jr., MD, FACS, Program Director, or his successor within ten (10) days of the date of the Board's letter. In turn, Dr. Takanishi shall send the Board written confirmation to the Board's Executive Officer confirming receipt of this letter
4. Should Dr. Benyamini wish to have any of the conditions removed from his license, he shall make a request in writing to the Board, at which time the Board would consider such request. When

doing so, Dr. Benyamini shall provide evidence of full compliance with the conditions.

It was moved by Dr. Holt, seconded by Dr. Bintliff (with the exceptions of Drs. Halford and Chun who recused themselves), and carried by a majority to approve the following applications:

Matthew D. Cooper, M.D.
Christopher H.Y. Loo, M.D.

Drs. Halford and Chun entered the meeting room at 2:19 p.m.

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

Noelani McMahon, EMT-B
Gregory P. Calkins, M.D.
Jamie L. Clute, M.D.
Paul K. Kim, M.D.
Stuart Krein, M.D.
Thomas M. Kropp, M.D.
Franklin C. Margaron, M.D.
Cynthia M. McPherson, PA-C
Dwan M. Turner, M.D.

Colleen M. Nakamura, PA-C

After due consideration of the information received, it was moved by Dr. Sept, seconded by Dr. Bintliff and carried by a majority, with Chair Desai opposing, to defer Ms. Nakamura's application. The Board is requesting that Ms. Nakamura be evaluated by Pu'ulu Lapa'au, Hawai'i Program for Healthcare Professionals.

Correspondence:

- a. Inquiry from Kevin Google, Regarding Lidocaine Topical Use in Hawaii

The Board reviewed and discussed Mr. Google's email of May 14, 2015, regarding whether "[topical lidocaine] can be administered [by a tattoo artist] to clients to decrease pain during tattooing." After due consideration of Mr. Google's request, the Board informally opined that any one engaged in the practice of medicine, as defined by the Hawaii Revised Statutes ("HRS") 453-1, requires a license in the state of Hawaii. HRS 453-1, defines the practice of medicine as:

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.

Emphasis added.

Discussion followed. Members stated that Lidocaine is a drug commonly used to relieve itching, burning and pain from skin, can be injected, or be used as a local anesthetic.

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. Inquiry from Carol Bishop, RN CRRN, Regarding Physician Orders

The Board reviewed Ms. Bishop's email dated May 28, 2015, regarding whether "it [is] permissible for [a Hawaii] home care agency to accept orders from a physician licensed in another state." After due consideration of Ms. Bishop's request, the Board informally opined that it is not permissible for a Hawaii home care agency to accept orders from a physician licensed in another state.

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.

Advisory

Committees:

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

Chairperson's

Report:

Chair Desai reminded members that at its July 9, 2015 meeting, election of Chair and Vice Chair will take place.

Executive Officer's

Report:

None.

Next Meeting:

Thursday, July 9, 2015
King Kalakaua Conference Room, First Floor
335 Merchant Street
Honolulu, HI 96813

Adjournment:

It was moved by Dr. Halford, seconded by Dr. Sept, and unanimously carried to adjourn the meeting at 2:30 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/Ahlani K. Quiogue

/s/Wilma Balon

(Ms.) Ahlani K. Quiogue
Executive Officer

Wilma Balon
Secretary

AKQ:wb
6/25/15

(X) Minutes approved as is.

() Minutes approved with changes; see minutes of _____.

HAWAII MEDICAL BOARD (06/18/2015-RATIFICATION LIST)

LTYPE LIC NUM BP NAME PART 1

MD 18125 AMIR <FAGHFOORY<
MD 18126 PRASHANT J <PUROHIT<
MD 18127 HELEN G <HUI-CHOU<
MD 18128 LINNEA K <WILL<
MD 18129 CHEUK Y <HONG<
MD 18130 JILL K <FURUBAYASHI<
MD 18131 SYKI Q <DUONG<
MD 18132 WILLIAM B <PITTS<
MD 18133 TIFFANY L W <CHING<
MD 18134 NICHOLAS S <GOEHNER<
MD 18135 PETER W <BRILL<
MD 18136 JANET L <BROWN<
MD 18137 ALVARO R <ENCINAS<
MD 18138 CURTIS E <FOX<
MD 18139 OLGA <RAFAELIAN<
MD 18140 MICHAEL P <SCHNEIDER<
MD 18141 CARLOS D <URMACHER<
MD 18142 KERSTEN T <MILLIGAN<
MD 18143 MARISSA H <FAKAOSITA<
MD 18144 ESTELA S <RUTIAGA<
MD 18145 BONNI N <HEITHOLD<
MD 18146 JONATHAN R <WOOD<
MD 18147 ROBERT L <CIRILLO< JR
MD 18148 CHRISTEN-JENNIFER A <LEE<
MD 18149 SEYED <EMAMIAN<
MD 18150 MATTHEW C <DU MOUCHEL<
MD 18151 MUKUI <MEHRA<
MD 18152 DEBRA <DAVEY<
MD 18153 JOHN M <MOOS<
MD 18154 PHILLIP A <WYNN<
MD 18155 ANDREW P <ROBERTS<
MD 18156 GISELLA <SANDY<
MD 18157 SUSAN J <TAUB<
MD 18158 DONOVAN A <THOMPSON<
MD 18159 ALINA <WANG<
MD 18160 JESSICA G <SHANTHA<
MD 18161 ALEXANDER R <OSHMYUNSKY<
MD 18162 WALTER S <QUIROGA ROBLES<
MD 18163 SILVIO J <GURDIAN<
MD 18164 JANELLE W Y <KALIR<
MD 18165 DEIRDRE A <HABERMEHL<

MD 18166 ANDREA M <HUI<
MD 18167 JACOB M <ROTHFORK<
MD 18168 DAVID E <HENRY<
MD 18169 SHAWN M <GEE<
MD 18170 SAID H <AL-TAWIL<
MD 18171 THOMAS S <CORY<
MD 18172 SACHIN N <GANDHI<
MD 18173 EDUARDO G <VILLASENOR<
MD 18174 JULIA I <HEINZ<

MDR 6830 JOHN R U <GO<
MDR 6831 NATTAWAT <KLOMJIT<
MDR 6832 TANAWAN <RIANGWIWAT<
MDR 6833 KAMONKIAT <WIRUNSAWANYA<
MDR 6834 RAJINDER S <NIRWAN<
MDR 6835 IVY R <MELGAREJO<
MDR 6836 ZAO <ZHANG<
MDR 6837 TAMARA <KAMASH<
MDR 6838 KEVIN <CULLISON<
MDR 6839 PATRICK R <FLEMING<
MDR 6840 JOHN <ATTENELLO<
MDR 6841 ANNE <WRIGHT<
MDR 6842 JAMES P <DUCA<
MDR 6843 JENNIFER M <GIMA<
MDR 6844 BRIAN <HODGENS<
MDR 6845 ASHLEY D <MARUMOTO<
MDR 6846 MICHAEL K <RAO<
MDR 6847 BRADLEY C <STEPHAN<
MDR 6848 JOHN D <VOSSLER<
MDR 6849 KIERSTEN E <NORBY<
MDR 6850 TIMOTHY M <PERKINS<
MDR 6851 JEANINE <STAPLES<
MDR 6852 WILLIAM D <WINKELMAN<
MDR 6853 MARK J <CHINEN<
MDR 6854 GAKU <YAMAGUCHI<
MDR 6855 BARTON T <DOUGLAS<
MDR 6856 SHOTA <WATANABE<
MDR 6857 GAURAV <THAKRAL<
MDR 6858 JEANNA L <ROMER<
MDR 6859 SALLY Y <ZHEN<
MDR 6860 KURT D <YOSHINO<
MDR 6861 MERYL M <UENO<
MDR 6862 SALLY K <MARKEE<
MDR 6863 JENNIFER A <DOOREY<

MDR 6864 CHRIS Y <WU<
MDR 6865 KATHERINE L <WERBANETH<
MDR 6866 AILEEN N <TAMURA<
MDR 6867 CLEMENT S <SUN<
MDR 6868 JANE Y <SONG<
MDR 6869 ADREAN N <RIBA<
MDR 6870 DIANA C <NORTON<
MDR 6871 JENNIFER N <NISHIOKA<
MDR 6872 SEAN T <MATSUWAKA<
MDR 6873 YVONNE Y <LUM<
MDR 6874 VEERAVICH <JARUVONGVANICH<
MDR 6875 MARISSA K <ISAKI<
MDR 6876 GLORIA M <HONG<
MDR 6877 WAYNE Y <CHENG<
MDR 6878 MATTHEW C <BROWN<
MDR 6879 MICHAEL <PAN<
MDR 6880 AUSTIN S <NAKATSUKA<
MDR 6881 DARRON H <FORS<
MDR 6882 ANTHONY I <CLARK<
MDR 6883 JACQUELINE L <BUCHER<
MDR 6884 HOWARD J <ZEE<
MDR 6885 KYLA M <TERAMOTO<
MDR 6886 NICOLE K <SHIRAKAWA<
MDR 6887 RAISSA E <TANQUECO<
MDR 6888 RAJESH <SHRESTHA<
MDR 6889 WILLIAM T <PORTMAN<
MDR 6890 ASIF A <MAJID<
MDR 6891 VOLODYMYR I <KARPA<
MDR 6892 DANIEL P <CHO<
MDR 6893 DEVESH <JALAN<
MDR 6894 CHRISTIAN <KLAUCKE<
MDR 6895 ALEXIS R <HAUSFELD<
MDR 6896 KATHERINE <HUANG<
MDR 6897 LAUREN G <RAMOS<
MDR 6898 ADHAM <OSMAN<
MDR 6899 MANISHA S <PERERA<
MDR 6900 WILL <CHAPPLE<
MDR 6901 SARAH L M <JOHNSON<
MDR 6902 KAREN ANN P <RAYOS<
MDR 6903 ASHLI E <BURNS<
MDR 6904 SARA L <MANNING<
MDR 6905 TIMOTHY <GLEESON<
MDR 6906 KATHERINE R <FLANNERY<

MDG 4049 MATTHEW P <GRIFFIN<

AMD 613 JAMIE J <HEITZINGER<
AMD 614 GARY M <DUNCAN<
AMD 615 JESSICA L <KOVALL<
AMD 616 MARY JO <ELAM<
AMD 617 KENDALL A <JOHNSON<
AMD 618 CHRISTOPHER J <GALLAGHER<

DOS 1663 AMJID <NAWAZ<
DOS 1664 NATHAN S <UEBELHOER<
DOS 1665 COREY J <LUM<
DOS 1666 LISA K <MANZANARES<
DOS 1667 JENNIFER <MYAENG<
DOS 1668 LAURA A <SPECTOR<

DOSR 331 ANN B <WELSH<
DOSR 332 JEREMY C <KORT<
DOSR 333 DAVID Z <KALIR<
DOSR 334 THEODORE T <CHANG<
DOSR 335 BERTHOLD B <SHIN<
DOSR 336 DAWEI <WANG<
DOSR 337 KEVIN <TUCKER<
DOSR 338 TINA LEHUA <KURIBAYASHI<
DOSR 339 THUAN PHUOC <NGUYEN<
DOSR 4283 KELLI T <FRITZ<

EMTP 2092 EVAN M J <JOHNSON<
EMTP 2093 HEATHER E <KIYOTA<

EMTB 2608 ANSON A <ARAKAKI<
EMTB 2609 JUSTIN M <MATSU<
EMTB 2610 SUE E <DUNWOODY<
EMTB 2611 RHYS <GRACE<
EMTB 2612 KILEY H <KAWAZOE<
EMTB 2613 FORREST <PHIFER<
EMTB 2614 LEONARD <CHONG<
EMTB 2615 DAVID A <DEFREES<
EMTB 2616 JOHN R <DORROUGH<
EMTB 2617 RAYMOND J <TORRES< IV