

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING
4

5 STATE MEDICAL BOARD
6

7 MINUTES OF MEETING
8 Thursday, February 18– Friday, February 19, 2021
9

10 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a regularly scheduled
11 meeting of the Alaska State Medical Board was held on Thursday, Feb. 18– Friday, Feb. 19, 2021
12

13 Thursday, February 19
14

15 **1. Call to Order/ Roll Call**

16 The meeting was called to order by Chair Wein at 9:04 a.m.
17

18 **Roll Call**

19 Board members present, constituting a quorum:

20 Sarah Bigelow Hood, PA
21 David Boswell, Public Member (Secretary)
22 Larry Daugherty, MD
23 Maria Freeman, MD
24 Lydia Mielke, Public Member
25 Steve Parker, MD
26 Richard Wein, MD (Chair)
27

28 Board staff:

29 Sher Zinn, Regulations Specialist
30 Natalie Norberg introduced as the newly appointed Executive Administrator for the Medical Board.
31

32 Visitors present for portions of the meeting:

33 Sara Chambers, Division Director, Corporations, Business and Professional Licensing
34 Sonia Lipker, Senior Investigator
35 Michele Wall-Rood, Investigator
36 Billy Homestead, Investigator
37 Greg Francois, Investigator Supervisor
38 Harriet Milks, AAG
39 Olena Ziuba, Licensing Examiner
40

41 **2. Review Agenda**

42 The board reviewed the meeting agenda. Dr. Daugherty requested to the subject of a Board Resolution
43 added (as item 26) to the agenda.
44

45 **On a Motion duly made by Dr. Daugherty, seconded by Mr. Boswell and approved by**
46 **affirmation, the Board approved the agenda as amended.**
47

1 **3. Review/Approve Meeting Minutes**

2 The board reviewed the meeting minutes from November 20, 2020, December 3, 2020 and January 29,
3 2021.

4 **On a Motion duly made by Dr. Daugherty, seconded by Mr. Boswell and approved by**
5 **affirmation, the Board approved the minutes of the November 20, 2020 meeting as presented.**

6
7
8 **On a Motion duly made by Dr. Daugherty, seconded by Mr. Boswell and approved by**
9 **affirmation, the Board approved the minutes of the December 3, 2020 meeting as presented.**

10
11 **On a Motion duly made by Dr. Daugherty, seconded by Mr. Boswell and approved by**
12 **affirmation, the Board approved the minutes of the January 29, 2021 meeting as presented.**

13
14 Abstained from voting: Dr. Freeman

15
16 **4. Ethics Reporting**

17 Ethics reporting by Board members is done on a quarterly basis and is a standing item on the quarterly
18 meeting agenda. The Chair requested Ms. Zinn query each board member.

19
20 There were no ethics disclosures reported.

21
22 **5. Investigations**

23 Senior Investigator Sonia Lipker joined the meeting along with Investigator Billy Homestead, Supervising
24 Investigator Greg Francois, and AAG's Harriet Milks and Lael Harrison.

25 A. Investigative Report

26
27 Ms. Lipker presented the investigative report for the period of November 06, 2020 through February 02,
28 2021. General information was provided regarding the nature of the issues that comprise some of the
29 categories of complaints including PDMP, Prescriptive and Standard of Care. Ms. Lipker and Mr. Francois
30 also provided information in response to questions regarding the department's procedures for
31 investigating and tracking complaints and the training requirements for investigators.

32
33 B. Probation Report - Request for Modification

34
35 **On a motion duly made by Dr. Parker, seconded by Ms. Mielke and approved by roll**
36 **call vote, the Board entered into executive session in accordance with AS 44.62.310 (c) (2) &**
37 **(3) with investigative staff and the board staff, Sher Zinn and Natalie Norberg remaining in the**
38 **session.**

39
40 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Dr. Gay, Ms. Mielke, Dr.
41 Parker, Chair Wein

42
43 The board entered executive session at 9:53 a.m. The Board was back on the record at 10:31 a.m.

1 **On a motion duly made by Dr. Wein, seconded by Dr. Parker and approved by roll call**
2 **vote , the Board adopted the imposition of a civil fine for Robin Nations, Case 2019-001093,**
3 **for failure to disclose malpractice settlements in multiple applications for licensure and failure**
4 **to disclose the settlements to the Board within 30 days as required by AS 08.64.345.**
5

6 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Freeman, Ms. Mielke, Dr. Parker, Chair Wein
7 Absent for Vote: Dr. Daugherty, Dr. Gay
8

9 **On a motion duly made by Dr. Parker and seconded by Ms. Mielke, and failed by a**
10 **majority vote, the Board denied the Emergency Courtesy license application for Thuong M.**
11 **Nguyen Jr.**
12

13 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Freeman, Ms. Mielke, Dr. Parker, Chair Wein
14 Absent for Vote: Dr. Daugherty, Dr. Gay
15

16 In its decision to deny, the Board cited AS 08.64.240 (b) The board may refuse to grant a
17 License for the same reasons that it may impose disciplinary sanctions under AS 08.64.326,
18 based on the 28 fraudulent applications, for paramedic and emergency courtesy licenses
19 submitted by Mr. Thuong M. Nguyen Jr.; and AS 08.64.326 (a) The board may impose a
20 sanction if the board finds after hearing that a Licensee (1) secured a license through deceit,
21 fraud, or intentional misrepresentation and (9) engaged in unprofessional conduct.
22

23
24 The Board also cited 12 AAC 40.967 for purposes of AS 08.64.240(b) and AS 08.4.326 (a), "unprofessional
25 conduct" means an act or omission by an applicant or licensee that does not conform to the generally
26 accepted standards of practice for the profession for which the applicant seeks licensure or a permit
27 under AS 08.64. "Unprofessional conduct" includes the following: (2) misrepresenting, concealing, or
28 failing to disclose material information to (A) obtain a license or permit under AS 08.64.
29

30 Probation monitor, Karina Medina joined the Board in executive session and presented a request for
31 modification of a probation board order for Lorraine Richmond, Paramedic, Case No. 2020-00529.
32

33 **On a motion duly made by Dr. Wein, seconded by Ms. Mielke, and approved, by a roll**
34 **call vote, the Board approved to maintain the current probation consent order for Lorraine**
35 **Richmond.**
36

37 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Ms. Mielke, Dr. Parker, Chair Wein
38 Nays: Dr. Freeman
39 Absent for Vote: Dr. Daugherty, Dr. Gay
40

41 C. Disciplinary Matrix
42

43 Chair Wein invited Ms. Harriet Milks, AAG, to address the Board. Ms. Milks offered counsel with respect
44 to the Board's obligation/authority impose disciplinary sanctions where the division has identified that a
45 Licensee has violated a statute. The Board was advised that its disciplinary authority is highly
46 discretionary due to the inclusion of the word "may" in sections AS 08.64.326 and AS 08.64.331. The
47 Board may impose sanctions but is not obligated to impose sanctions. Ms. Milks further advised that

1 the Board is obligated to be consistent in the imposition of sanctions from one case to the next.
2 However, when a statute includes “clear and unambiguous” language, such as involving a directive with
3 the word “must,” the Board does not have the authority to not follow the law. In the example of a
4 licensee who allowed unlicensed representatives access to the PDMP, the statute is clear: the person
5 accessing the database must be licensed. This is clear and unambiguous language.
6

7 **6. Division Report**

8

9 Chair Wein invited Director Chambers to address the Board.
10

11 A. FY 2020 Year End Report

12 Director Chambers reviewed the FY 2020 Year End report with the Board. A copy of the report
13 was included in the Board packet for review. It was noted that the Board ended last fiscal year
14 with a deficit.
15

16 B. FY 2021 Second Quarter Report

17 A copy of the report was included in the Board packet for review. Director Chambers provided
18 an overview of how indirect costs are incurred including fees for attorney consultation.
19 It was noted that the Board’s 2nd quarter revenue column reflects a decrease as compared from
20 previous years for this quarter due to the renewal period has been delayed to the end of March.
21 The Board may need to explore an increase in fees after 3rd quarter revenues are assessed.
22

23 Dr. Daugherty requested more transparency from the division when it comes to costs for
24 external services and expenses. Director Chambers agreed to provide this.
25

26 C. Current Legislation Relating to the Board

27 A division publication regarding participation in the Legislative process was included in the
28 Board packet for further review.
29

30 The Board packet included a list of bills pertinent to the Board. Included on the list and
31 highlighted by Director Chambers:
32

33 SB 56 – Extending the COVID 19 Disaster Emergency. Director Chambers provided an update
34 regarding implications related to the lapse of the Public Health Disaster Emergency Order.
35 Without the Order in place, Alaska reverts to whatever existing Statutes and Regulations were in
36 place prior to or implemented since the pandemic. Without the Emergency Order, the ability
37 for out-of-state telehealth providers to serve Alaskans is eliminated.
38

39 SB 78 – Healthcare Services by Telehealth. Director Chambers encouraged the Board to review
40 and craft a position that could be forwarded to the legislature.
41

42 HB 35 and SB 21 - Paramedic Licensure Moved to DHSS. It was noted that the Medical Board
43 supported the same legislation last year.
44

45 Director Chambers referenced a thank you letter sent to all board members from the
46 Commissioner and reiterated the department’s appreciation for the Board’s hard work under
47 the extreme conditions over the last year.
48

1 The Board recessed for lunch at 12:05 a.m. The Board went back on the record at 1:06 p.m.

2

3 **Roll Call**

4 Board members present, constituting a quorum:

5 Sarah Bigelow Hood, PA

6 David Boswell, Public Member

7 Larry Daugherty, MD

8 Maria Freeman, MD

9 Lydia Mielke, Public Member

10 Steve Parker, MD

11 Richard Wein, MD (Chair)

12

13 **7. Physician Assistant Presentation**

14 Visitors present for the presentation included:

15 Kari Bernard, PA

16 Chris Dietrich, PA, President, Alaska Academy for PA's

17 Jenny Fayette, PA

18 Jared Kosin, ASHNA

19 Wendy Smith, PA

20

21 Kari Bernard, Instructor with the Alaska Academy for PA's, provided an overview of the history and
22 progression of Physician Assistants as a profession. Details regarding requisite coursework, clinical
23 training, supervision and specialties was highlighted. The focus on collaboration as a key value and how
24 PA's are trained to view their role in a clinical setting was identified as contributing to resiliency and the
25 ability to sustain rigorous working conditions. The goal of the presentation was to provide information
26 and create the opportunity for further dialog between the Medical Board and Physician Assistants.

27

28 **8. Full Board Interviews**

29

30 **On a motion duly made by Mr. Boswell, seconded by Dr. Daugherty and approved by**
31 **affirmation, the Board entered into executive session in accordance with AS 44.62.310 (c) (2)**
32 **and Alaska Constitution Right to Privacy Provision, with board staff, Sher Zinn and Natalie**
33 **Norberg remaining in the session.**

34

35 The board entered executive session at 1:56 pm for the purpose of discussing the applications of Dr.
36 Sparling and Dr. Hsu. The Board was back on the record at 2:12 p.m.

37

38 Andrew Hsu, MD

39 Dr. Hsu chose to be interviewed on the record. Mr. Hsu advised that he is a Psychiatrist that specializes in
40 neuromonitoring. He is working for a company that intends to expand into neuromonitoring services in
41 Alaska. Dr. Hsu apologized for any confusion during his application process.

42

43 **On a motion duly made by Mr. Boswell, seconded by Dr. Daugherty, and approved by**
44 **roll call vote, the board granted a full, unrestricted license to Dr. Andrew Hsu, M.D.**

1 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker,
2 Chair Wein
3 Absent for Vote: Dr. Gay
4

5 Susan Sparling, MD

6 Dr. Sparling chose to be interviewed on the record. Dr. Sparling advised that she has a contract, pending
7 the approval of her license with the Sunshine Community Health Center in Talkeetna. She will not be
8 performing O.B. services in this role. Dr. Sparling was asked about the multiple moves throughout her
9 career, and why she is choosing at this time to move to Alaska. In response, Dr. Sparling stated her first
10 job out of residency was “not a good environment,” (alluding to conflicts with the lead Obstetrician);
11 and that she has worked other places because “they are beautiful and I learn new things” and some jobs
12 have been close to family in Utah. When asked to expand on the nature of complaint filed in the state
13 of Oregon, Dr. Sparling responded that the actual complaint was “resigning my privileges while under
14 investigation.” She states she was not told what the investigation was about. While attempting to
15 advocate for the fair treatment of female Hispanic patients, Dr. Sparling was asked about whether she
16 was “taking anything that could affect my ability to practice medicine.” Dr. Sparling revealed to the
17 hospital chief of staff that she was being treated with Tamoxifen for breast cancer, which may affect
18 short-term memory loss. As a result, Dr. Sparling was told that if she resigned her position there would
19 be no repercussions and she was referred to a Physician Health Committee in Oregon for services.
20 Records from these services were provided to the Board for review. Three Board members voiced
21 concerns regarding issuing a license, based on information provided in the applicant’s file.
22

23 **On a motion duly made by Mr. Boswell, seconded by Dr. Parker, and approved by roll**
24 **call vote, the board granted a full, unrestricted license to Dr. Susan Sparling, M.D.**

25 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Ms. Mielke, Dr. Parker,
26 Nays: Dr. Freeman, Dr. Wein
27 Abstain: Dr. Daugherty
28 Absent for Vote: Dr. Gay
29

30 Dr. Freeman cited concerns regarding the applicant’s frequent history of changing residences; and Chair
31 Wein cited concerns about the applicant’s overall application; Dr. Daugherty abstained from voting
32 citing not having had the opportunity to thoroughly review the application.

33 **9. Q & A with Representatives from the Drug Enforcement Administration (DEA)**
34

35 Chair Wein invited Agent Shane Pitts to introduce himself. Agent Pitts reported that he recently located
36 to Alaska and is a supervisor for a new DEA Diversion group stationed in Alaska. Agent Pitts sees his role
37 as promoting improved interagency collaboration. Mr. Pitts advised that his main goal with respect to
38 the State Medical Board is ensuring that registrants of the PDMP are following the guideline in
39 accordance with federal regulations related to the distribution of controlled substances. He provided
40 his contact information to the Board.
41

42 **10. Public Comment**
43

1 The Chair invited Jared Kosin, a representative with the Alaska State Hospital and Nursing Home
2 Association (ASHNA) to speak. Mr. Kosin raised an issue for the Board’s awareness and potential future
3 action. Physician Assistant’s in Alaska are frequently called upon to rotate workstations around the
4 state. Current regulations require PA’s to either end their Collaborative Agreement or have monthly
5 calls with their sponsoring physician regardless of if the PA is working in the same clinical practice as the
6 physician. Mr. Kosin advised that ASHNA intends to propose a regulation change regarding
7 Collaborative Agreements in the coming months to address this change.

8
9 The Chair invited Dr. Koehler from Dry Creek, Alaska to speak. Dr. Koehler provided support for Dr.
10 Levy’s request (to be addressed by the Board on February 19, 2021) regarding the extension of the
11 expanded scope of practice for EMT’s.

12
13 **11. Correspondence**

14
15 Chair Wein summarized correspondence received from the FSMB pertaining to the notice of the
16 elimination of the 2nd USMLE clinical exam for medical students. This correspondence was included in
17 the Board packet for review.

18
19 **12. Department of Law Update**

20
21 **On a motion duly made by Dr. Daugherty and seconded by Mr. Boswell, and approved**
22 **by roll call vote, the Board entered into executive session in accordance with AS 44.62.310 (c)**
23 **(3) with board staff, Sher Zinn and Natalie Norberg remaining in the session.**

24
25 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker,
26 Chair Wein
27 Absent for Vote: Dr. Gay

28
29 The Board was joined by State attorneys, Margaret Walsh Patton and Lael Harrison, and entered
30 executive session at 3:37 pm. The Board was back on the record at 4:27 p.m.

31
32 **Recess for the Day**

33 The board recessed for the day at 4:28 p.m.

34
35 **Friday, February 19, 2021**

36
37 **13. Call to Order**

38 The meeting was called to order by Chair Wein at 9:08 a.m.

39
40 **Roll Call**

41 Board members present, constituting a quorum:

42 Sarah Bigelow Hood, PA
43 David Boswell, Public Member
44 Larry Daugherty, MD
45 Maria Freeman, MD

1 Lydia Mielke, Public Member
2 Richard Wein, MD (Chair)

3
4 **14. Review/Approval of the Agenda**

5
6 **15. MICP Scope of Practice**

7
8 Chair Wein invited Dr. Levy, Medical Director, State of Alaska Emergency Programs to address the board.
9 Dr. Levy requested that the Board extend the emergency amendment to section (d) of 12AAC. 30. 370 to
10 allow for an expanded scope of authorized activities for paramedics. The current amendment approved
11 by the Board on November 5, 2020 will expire on t March 1, 2021. Chair Wein voiced support for an
12 emergency regulation change to permanently address this matter. The Board decided to extend the
13 emergency amendment in lieu of a regulation changes at this time due to the proposed legislation to
14 move paramedic licensure to DHSS, which if passed, would make the Board’s authority on this matter
15 mute.

16
17 **On a motion duly made by Dr. Daugherty, seconded by Mr. Boswell and approved by roll call**
18 **vote, the board authorizes MICPS to perform the following under 12 AAC 30.370(d),**

- 19 1. Provide services requested by DHSS Public Health Department including but not limited to
20 immunizations, SARS-CoV2 testing, assessment and treatment of patients in accordance to
21 authorized treatment protocols at alternative sites of care during declared disasters;
22 2. Physical assessment of patients at the direction of medical director;
23 3. Treatment of conditions within the scope of training, education and practice for which the
24 sponsoring physician has credentialed the provider;
25 4. Dispensing of medications at the direction of the sponsoring physician by standing, or direct
26 order;
27 5. Active interventions for high volume users of the 911 system;
28 6. Welfare checks at the request of case management to include patient assessments, dressing
29 changes, medication management for patients waiting for Home Health or Hospice evaluation;

30
31 **through December 31, 2021, in response to the COVID – 19 Pandemic.**

32
33 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker, Dr.
34 Wein

35 Absent for Vote: Dr. Gay

36
37 Chair Wein invited Todd McDowell, DHSS Emergency Medical Services Officer with the Division of Public
38 Health to address the Board. Mr. McDowell identified HB 35 and SB 21 as identical to the proposed
39 legislation from the last session that would allow for the licensing of Paramedics to move to DHSS and
40 the Office Emergency Medical Services. The purpose of this move is to create efficiencies since EMS
41 currently handles certification of all other levels of EMTs and other regulatory functions of the EMS
42 system. Mr. McDowell requested that the Board reaffirm last year’s vote to support this legislation.

43
44 **On a motion duly made by Dr. Daugherty, seconded by Dr. Freeman and approved by roll call**
45 **vote, the Board approved the licensing and supervision of paramedics shall be transferred to DHSS**
46 **EMS services.**

1 Roll Call: Yeas, Ms. Bigelow Hood, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Wein
2 Nay: Mr. Boswell
3 Absent for Vote: Dr. Gay, Dr. Parker
4

5 **16. Physician Health Committee**
6

7 Chair Wein invited Dr. Foland to address the Board. Dr. Foland provided an update and overview of
8 Alaska’s Physician Health Committee. Of note is the observation that the program has experienced a
9 “five times” increase in services in recent years. Dr. Foland attributed the increase to more physicians
10 voluntarily seeking treatment for clinical depression and anxiety. All Licensees monitored by the
11 Committee are required to have a primary care physician who can attest in writing to their status/fitness
12 to practice. In some instances, such as for treatment of substance abuse, the Licensee is not being
13 treated by their primary physician. Dr. Foland sought clarity from the Board regarding whether a letter
14 from the Committee confirming that a Licensee is being monitored by the Committee would satisfy the
15 requirement at the time of renewal for verification of compliance. The Board agreed that a letter from
16 the Committee is sufficient.
17

18 The Board recessed for a break at 10:09 a.m. The Board was back on the record at 10:30 a.m.
19

20 **17. PDMP Report**
21

22 Chair Wein invited Lisa Sherrell, PDMP Coordinator to address the Board and provide an overview of the
23 February 2021 PDMP Summary Report included in the Board packet for review.
24

25 Ms. Sherrell highlighted that the compliance rate for Physicians and Physician Assistants who have
26 registered with the Portal and with AWA Rx E data base is roughly 97% and 66% respectively. However,
27 Review before dispensing compliance is much lower at 43%. It was acknowledged that much confusion
28 and frustration remains for practitioners regarding the process for registering and accessing the process
29 for the PDMP. Division Medical Board staff will be working on strategies for streamlining the process
30 and increasing practitioner outreach to hopefully alleviate some of these issues. Dr. Daugherty asked for
31 information regarding whether the current \$25 fee structure is adequate to keep the administration of
32 the PDMP solvent. Ms. Sherrell offered to follow up after the meeting to provide this information.
33 Chair Wein requested quarterly data reflecting more detail regarding the number and type of providers
34 and volume of prescriptions, to understand the profile and trends of practitioners who are not
35 prescribing appropriately.
36

37 The Board as endorsed by Chair Wein, agreed to briefly divert from the agenda in consideration of a
38 statutory proposal by Mr. Boswell to clean up old language in AS 08.01.087 (b) pertaining to the Board’s
39 ability to be notified of a proposed order or action by “telephone, telegraph or facsimile.”
40

41 **On a motion duly made by Mr. Boswell, seconded by Dr. Daugherty, and approved by roll call**
42 **vote, the board authorized a request be made to the legislature to update AS 08.01.087 to allow for**
43 **subpoena request notifications/communications to the Board to occur through electronic methods**
44 **including email and text messages or similar common secure method of communication.**
45

46 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker, Dr.
47 Wein

1 Absent for Vote: Dr. Gay

2

3 **18. Application Review**

4

5 The Board reviewed 120 applications for permanent licensure, including 91 physicians, 8 osteopathic
6 physicians, 12 physician assistants, and 9 paramedics. Information about the license application review
7 process, application files, and assignments were provided to the board members prior to the meeting.

8

9

10 **On a motion duly made by Dr. Daugherty, seconded by Mr. Boswell, and approved by**
11 **roll call vote, the Board entered into executive session in accordance with AS 44.62.060(c)(3))**
12 **to request matters which by law, municipal charter, or ordinance are required to be**
13 **confidential.**

13

14 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker, Dr.
15 Wein

16 Absent for Vote: Dr. Gay

17

18 The Board entered executive session at 11:35 a.m. for the purpose of reviewing applicants requested for
19 a full board review. The Board went back on the record at 12:12 p.m. The board determined the
20 following:

21

- 22 a. Thomas Barale, PA License No. 168212 – the Board requests an interview
- 23 b. Abdel Rahman Lataifeh, License No. 169983 # - the Board will grant a full license
- 24 c. Asif Anwarali Najmuddin, MD License No. 170214 - Is requested to provide a letter of
25 explanation concerning his DEA number and its status or past actions related to his DEA
26 number
- 27 d. Neil Kaye, MD License No. 15380 – the Board requests an interview and a referral to
28 Investigations to determine whether all licenses not reported are clean and unencumbered.

29

30 The Board recessed for lunch at 12:17 p.m. The Board went back on the record at 1:00 p.m.

31

32 **19. Malpractice Review**

33

34

35 **On a motion duly made by Ms. Mielke and seconded by Dr. Freeman and approved**
36 **unanimously, the Board entered into executive session in accordance with AS 44.62.310 (c) (3)**
37 **with board staff, Sher Zinn and Natalie Norberg remaining in the session to discuss the**
38 **malpractice cases.**

38

39 The Board entered executive session at 1:03 p.m. The Board went back on the record at 2:17 p.m.

40

41 Chair Wein requested Ms. Norberg work with Investigations to gather more information on five of eight
42 reviewed cases.

43

44 **20. Applications Read into the Record**

45

1 **On a motion duly made by Dr. Parker, seconded by Mr. Boswell, and approved**
 2 **unanimously by roll call vote, the Board approved the following list of physicians for**
 3 **licensure in Alaska, pending completion of their application files:**
 4

5 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker, Dr.
 6 Wein

7 Absent for Vote: Dr. Gay
 8
 9

Lic Type	First Name	Last Name
MD	John	Abano
MD	Ahmed Fayiz	Abu Taleb
MD	Adeola	Adeyeye
MD	Natalie	Albanese
MD	Mahmud	Al Furgani
MD	Nesrin	Ata
MD	Sarah	Baxter
MD	Austin	Bills
MD	Anthony	Bonitatibus
MD	Eric	Bowton
MD	Edward	Callaghan
MD	Guilan	Chen
MD	David	Culpepper
MD	Jasdeep	Dalawari
MD	Anne	Duncan
MD	Mia	Duncan
MD	Michael	Fagliani
MD	Jami	Feltner
MD	Kimberly	Foust
MD	William	Fox
MD	Ashley	Franklin
MD	Joseph	Freeburg
MD	George	Freg
MD	Olumuyiwa	Gisanrin
MD	Rupalkunverba	Gohil
MD	Alice	Green
MD	Jill	Griffin
MD	Christopher	Hallberg
MD	Curtis	Haskins
MD	Jonathan	Hinds
MD	Mary	Huff
MD	Ralph	Hughes III
MD	Rizwan	Kalani
MD	Daniel	Kim

Lic Type	First Name	Last Name
MD	Sheila	Lynam
MD	Joana	Mandell
MD	Laurie	Marbas
MD	Lianne	Marks
MD	Cathleen	Marshall
MD	Bruce	McClellan
MD	Roxanne	McMorris
MD	Neil	Mendelson
MD	Ryan	Monti
MD	Mubina	Nasrin
MD	Madeline	Nguyen
MD	Kimberly	Nkemakolam
MD	Paula	Olivieri
MD	Hanad	Omar
MD	Gwendolyn	Okuzumi
MD	Tatyana	Pankratova
MD	Ravi	Pande
MD	Konstantina	Papathomas
MD	Adrian	Parasca
MD	Priya	Patel
MD	Sultana	Peffley
MD	Joseph	Perry
MD	Andrew	Polito
MD	Ricki	Pollack-Frayman
MD	Amil	Rafiq
MD	Harshit	Rao
MD	Peter	Razma
MD	Donna	Richards
MD	Farhaad	Riyaz
MD	Donna	Richards
MD	Farhaad	Riyaz
MD	Peter	Saikali
MD	David	Sharp
MD	Mona	Shawky

MD	Abdel	Lataifeh
MD	Ryan	LeBaron
MD	Dana	Lerman
MD	Shuang	Li
MD	Zachary	Litvack
MD	Tyler	Smith
MD	Wayne	Stillick
MD	Andrew	Styperek
MD	Tod	Sweeney
MD	Todd	Thames
MD	James	Townley
MD	Frank	Welte

MD	Mark	Shen
MD	Pantea	Shoja
MD	Scott	Shreeve
MD	Kristen	Sihler
MD	Jenny	Siv
MD	Lloyd	Wilbert
MD	Todd	Wise
MD	Stephen	Wong
MD	Fahad	Younas
MD	Murad	Yunusov
MD	Helen	Zhang
MD	David	White

1
2
3 **On a motion duly made by Dr. Parker, seconded by Chair Wein and approved**
4 **unanimously, by roll call vote, the Board approved the following list of osteopathic**
5 **physicians for licensures in Alaska, pending completion of their application files:**
6

7 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker, Dr.
8 Wein
9 Absent for Vote: Dr. Gay

10

Lic Type	First Name	Last Name
DO	Marisa	Gossweiler
DO	Kylene	Haskins
DO	Natasha	Moore
DO	Dean	Nelson

Lic Type	First Name	Last Name
DO	Nhat	Nguyen
DO	Nilam	Vaughan
DO	Wayne	Warrington
DO	Mark	Mitchell

11
12 **On a motion duly made by Chair Wein, seconded by Ms. Bigelow Hood, and**
13 **approved unanimously by roll call vote, the approved the following list of physician**
14 **assistants for licensure in Alaska, pending completion of their application files:**
15

16 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker, Dr.
17 Wein
18 Absent for Vote: Dr. Gay

19
20

Lic Type	First Name	Last Name
PA	Krista	Casey
PA	Andrew	Baber
PA	Aaron	Dahle
PA	Katherine	Hammer
PA	Sheva	Loncle
PA	Iwena	Morgan

Lic Type	First Name	Last Name
PA	Jean	Morello
PA	Robin	Morris
PA	Janell	Myers
PA	Morgan	Noad
PA	Scott	Stegall
PA	Jennifer	Wangler

1
2 **On a motion duly made by Chair Wein, seconded by Ms. Mielke, and approved**
3 **unanimously by roll call vote, the Board approved the following list of mobile intensive**
4 **care paramedics for licensure in Alaska, pending completion of their application files:**

5
6 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker, Dr.
7 Wein

8 Absent for Vote: Dr. Gay

9

Lic Type	First Name	Last Name
MICP	Jeffery	Chesleigh
MICP	Charles	Christoffersen
MICP	Lonnie	Ferrell
MICP	Jennifer	Hales
MICP	Jacob	Malone

Lic Type	First Name	Last Name
MICP	Alexandra	McKinstry
MICP	Cynthia	Nichols
MICP	Mark	Norris
MICP	Robert	Alvarado

10
11 **On a motion duly made by Ms. Mielke, seconded by Chair Wein, and failed by a**
12 **majority vote by roll call, the Board denied the Emergency Courtesy License application**
13 **for Dr. Charles Canfield.**

14
15 Roll Call:

16 Yeas, Dr. Parker

17 Nays: Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Wein

18 Absent for Vote: Dr. Gay

19
20 In its decision to deny, the Board cited AS 08.64.240(a), the board may not grant a license if (4), the
21 applicant fails to comply with a requirement of this chapter, Dr. Canfield answered "No" to fitness
22 question #1, this contradicted background materials which indicated disciplinary action in Utah.

23 The Board also cited AS 08.64.240(b), the board may refuse to grant a license to any applicant for the
24 same reasons that it may impose disciplinary sanctions under AS 08.64.326, and AS 08.64.326(a), the
25 board may impose a sanction if the board finds after a hearing that a licensee (1) secured a license
26 through deceit, fraud, or intentional misrepresentation; and (9) engaged in unprofessional conduct.

27
28 The Board also cited 12 AAC 40.967 for purposes of AS 08.64.240(b) and AS 08.4.326, unprofessional
29 conduct" means an act or omission by an applicant or licensee that does not conform to the generally
30 accepted standards of practice for the profession for which the applicant seeks licensure or a permit
31 under AS 08.64. "Unprofessional conduct" includes the following: (2) misrepresenting, concealing, or
32 failing to disclose material information to (A) obtain a license or permit under AS 08.64.

33
34 **21. Tabled Application**

35
36 **On a motion duly made by Ms. Mielke and seconded by Dr. Freeman and approved**
37 **unanimously, the Board entered into executive session in accordance with AS 44.62.310 (c) (2)**
38 **with board staff, Sher Zinn and Natalie Norberg remaining in the session.**

1 The Board entered executive session at 2:42 p.m. The Board went back on the record at 3:11 p.m.

2
3 **On a motion duly made by Ms. Mielke, seconded by Chair Wein, and failed by a**
4 **majority vote by roll call, the Board denied the application for medical license for Dr.**
5 **Alejandro Munoz.**

6 Roll Call:

7 Yeas: None

8 Nays: Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker, Dr. Wein

9 Absent for Vote: Dr. Gay

10
11 In its decision to deny, the Board cited AS 08.64.240 (a) (4) the applicant fails to comply with a
12 requirement of this chapter, by failing to disclose a judgement in Texas on his full medical license
13 application involving boundary violations and being dismissed from employment at the West Texas
14 Centers for MHMR for becoming personally involved in an inappropriate manner with a patient.

15 The Board also cited AS 08.64.240(b), the board may refuse to grant a license to any applicant for the
16 same reasons that it may impose disciplinary sanctions under AS 08.64.326; and AS 08.64.326 (9)
17 engaged in unprofessional conduct, in sexual misconduct, or in lewd or immoral conduct in connection
18 with the delivery of professional services to patients; in this paragraph, "sexual misconduct" includes
19 sexual contact, as defined by the board in regulations adopted under this chapter, or attempted sexual
20 contact with a patient outside the scope of generally accepted methods of examination or treatment of
21 the patient, regardless of the patient's consent or lack of consent, during the term of the physician-
22 patient relations, as defined by the board in regulations adopted under this chapter, unless the patient
23 was the licensee's spouse at the time of the contact, immediately preceding the physician-patient
24 relationship, was in a dating, courtship, or engagement relationship with the licensee.

25
26 The Board recessed for a Break at 3:22 p.m. The Board went back on the record at 3:30 p.m.

27
28 **22. Approval of Board's Designees**

29
30 Chair Wein invited Ms. Zinn to address the Board. Ms. Zinn explained that in accordance with 12 AAC
31 40.910, the Board may authorize a designee and an alternate designee for the purpose of reviewing
32 and approving temporary licensure permits. Ms. Zinn advised that during her temporary coverage of
33 the Executive Administrator position she has found the volume of applications to be reviewed by the EA
34 unmanageable and she advocated that the Board designate an alternate to support the EA in this
35 function. The Division is in the process of hiring and training a new Licensing Supervisor whose duties
36 will include supporting the Medical Board. The Chair voiced support of designating an alternate as
37 proposed by Ms. Zinn once the new supervisor is trained by the EA. It was noted by Dr. Daugherty that
38 the process for application review is time consuming for Board members and that efficiencies to make
39 the packets and applications more streamlined would be welcome.

40
41 **On a motion duly made by Dr. Daugherty, seconded by Dr. Freeman, and approved**
42 **unanimously by roll call vote, in accordance with 12 AAC 40.910, Natalie Norberg, Executive**
43 **Administrator was approved by the Board as the Board's Primary Designee.**
44

1 Roll Call: Yeas, Ms. Bigelow Hood, Mr. Boswell, Dr. Daugherty, Dr. Freeman, Ms. Mielke, Dr. Parker, Dr.
2 Wein
3 Absent for Vote: Dr. Gay
4
5

6 **23. Legislative Audit**

7

8 Chair Wein invited Ms. Zinn to address the Board. Ms. Zinn reported recent contact with a legislative
9 auditor who requested the Division submit a description of the process developed for Licensees to
10 register with the PDMP and the action that will be taken by the Board for Licensees who fail to comply
11 with the 30-day deadline for registrations. Several Board members expressed concerns regarding the
12 current registration process and instructions as outlined on the state website as being confusing. The
13 Chair suggested that the Division should adopt a “push” system for notices such that Licensees receive
14 real-time automatic warning notices when they have not registered timely or have over prescribed.
15 Board members including the Chair unanimously supported the plan to have the EA issue a letter to
16 Licensees to notice them of their initial lack of compliance. The EA will draft and forward a template for
17 this letter to Board members for their review and final approval.
18

19 **24. Election of Officers**

20

21 **On a motion duly made by Dr. Daugherty, seconded by Dr. Freeman, and approved**
22 **unanimously, the Board approved the maintenance of current Board Officers, such that Dr.**
23 **Wein will remain the Board Chair and Mr. Boswell will remain in the role of Board Secretary.**
24

25 **25. Board Resolution Regarding the PDMP**

26

27 Senior Investigator Sonia Lipker joined the meeting for this agenda item.
28

29 Chair Wein invited Board members to comment on a resolution provided by Dr. Daugherty for board
30 consideration. The resolution advocates for a change in statute to allow Registered, Licensed Prescribers
31 of the PDMP the ability to authorize unlicensed designees to access the PDMP on their behalf. This
32 change would allow for individuals such as office support staff the ability to check the database prior to
33 the practitioner prescribing/dispensing controlled substances. Medical office employees routinely
34 handle highly confidential information. Several Board members voiced their support for the resolution,
35 including Dr. Parker, Mr. Boswell and the Chair, citing that in their opinion, such a change would
36 enhance provider compliance with the requirement to check the data base prior to issuing prescriptions.
37

38 **On a motion duly made by Mr. Boswell, seconded by Ms. Bigelow Hood, and approved**
39 **unanimously, the Board approved the Resolution as provided.**
40

41 **26. Confirmation of Meeting Schedule**

42

43 The next meeting of the State Medical Board is scheduled for **May 13-14, 2021.**
44

45 **Adjournment**

46 The Chair expressed his appreciation to the board.
47

1 There being no further business, the meeting was adjourned at 4:46 p.m.

2

3

4 Respectfully submitted:

Approved:

5

6 /s/ _____

/s/ *Richard Jan Wein, MD*

7 Natalie Norberg, Executive Administrator

Richard Wein, MD, President

8 Alaska State Medical Board

Alaska State Medical Board

9

10 _____

May 26, 2021

11 Date

Date