

**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING**

**STATE MEDICAL BOARD**

**MINUTES OF MEETING  
October 17-18, 2013**

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a regularly scheduled meeting of the Alaska State Medical Board was held on Thursday and Friday, October 17-18, 2013, in Anchorage, Alaska.

**Thursday, October 17, 2013**

**Call to Order**

The meeting was called to order by David A. Miller, MD, Chair, at 9:00 a.m.

**Roll Call**

Board members present:

David A. Miller, MD, Chair  
Cam Carlson, Public Member  
Elizabeth Kohnen, MD  
Kevin Luppen, PA-C

Kathleen Millar, Public Member  
David J. Powers, MD  
William W. Resinger, MD  
Grant T. Roderer, MD

Board staff present:

Debora Stovern, Executive Administrator  
Susan Winton, Senior Investigator  
Gary Keiser, Investigator  
Dawn Hannasch, Licensing Examiner

Visitors present:

Thomas Meyer, Paramedic Association of Alaska

**Agenda Item 1      Review Agenda**

The Board reviewed the agenda and made no changes.

**Agenda Item 2      Board Business**

**Announcements**

It was noted that Dr. Resinger's term would be ending in March. Ms. Stovern reported that the Governor's Office is soliciting applicants to fill his seat.

**Ethics Reporting**

Dr. Roderer reported that he had previously acted as the supervising physician for one of the probationers who was scheduled to interview at this meeting. He stated that the probationer had

attempted to contact him on several recent occasions and was told that such contact is not appropriate now that Dr. Roderer is a Board member. Dr. Miller, as the Board's ethics supervisor, ruled that did not constitute an ethics violation and directed Dr. Roderer to participate in the probation interviews. The Board directed Ms. Stovern to send a letter to the licensee reminding him about inappropriate ex parte communications.

There were no other ethics conflicts to report.

### **Agenda Item 3 Board Actions**

#### **In the Matter of Case No. 2013-001968**

The Board reviewed a proposed consent agreement with a licensee who failed to verify compliance with the continuing medical education requirements of the license renewal. The agreement provides for sanctions consistent with Board disciplinary history and guidelines, including a reprimand, fine of \$2,800 (with \$1,800 suspended), a requirement to complete the deficient coursework, and a mandatory audit for the next two licensing renewals.

**Upon a motion duly made by Ms. Millar, seconded by Dr. Kohnen, and approved by unanimous consent, it was:**

**RESOLVED to adopt the consent agreement, Case No. 2013-001968, signed by Norma L. Allgood, M.D.**

The adoption order was signed by the Chair.

#### **In the Matter of Case No. 2013-001477**

The Board reviewed a proposed consent agreement regarding a licensee's disclosure of confidential issues that were not practice-related. The signed nondisciplinary consent agreement is a confidential document.

**Upon a motion duly made by Dr. Kohnen, seconded by Dr. Roderer, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2013-001477.**

The Board entered executive session at 9:04 a.m.; Board staff remained for the session.  
The Board went back on the record at 9:14 a.m.

**Upon a motion duly made by Mr. Powers, seconded by Mrs. Carlson, and approved by roll call vote, it was:**

**RESOLVED to adopt the confidential nondisciplinary consent agreement, Case No. 2013-001477, signed by John Rudolph Ditzler, MICP.**

#### **Roll Call Vote:**

**Mrs. Carlson – Yea**

**Dr. Roderer - Yea**  
**Dr. Kohnen – Yea**  
**Mr. Luppen – Yea**  
**Ms. Millar – Yea**  
**Dr. Powers – Yea**  
**Dr. Resinger – Yea**  
**Dr. Miller - Yea**

The adoption order was signed by the Chair.

In the Matter of Case No. 2013-001052

The Board reviewed a proposed agreement from an investigation of nondisclosure of a previous malpractice settlement on a new license application. The agreement included an imposition of civil fine of \$1,000. Dr. Resinger noted that he would recuse himself from the vote because he was the consulting Board member during the investigation.

**Upon a motion duly made by Mr. Luppen, seconded by Ms. Millar, and approved by unanimous consent it was:**

**RESOLVED to adopt the imposition of civil fine agreement, Case No. 2013-001052, signed by Frederick W. Mayer, M.D.**

The adoption order was signed by the Chair.

In the Matter of Case No. 2012-001529

The Board reviewed a proposed agreement from an investigation of nondisclosure on a new license application. To date, the applicant had declined to sign the agreement. Dr. Resinger noted that he would recuse himself from the vote because he was the consulting Board member during the investigation.

**Upon a motion duly made by Dr. Resinger, seconded by Mrs. Carlson, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2012-001529.**

The Board entered executive session at 9:21 a.m.; Board staff remained for the session.  
The Board went back on the record at 9:39 a.m.

**Upon a motion duly made by Ms. Millar, seconded by Mrs. Carlson, and approved by roll call vote, it was:**

**RESOLVED to grant a license to Dr. Mark E. Borden contingent upon his entering into a consent agreement approved by the Board.**

**Roll Call Vote:**

**Mr. Luppen – Yea**  
**Ms. Millar – Yea**

**Dr. Powers – No**  
**Dr. Resinger – Recused**  
**Mrs. Carlson – Yea**  
**Dr. Roderer – Yea**  
**Dr. Kohnen – Yea**  
**Dr. Miller - Yea**

In the Matter of Case No. 2013-001803

The Board reviewed a proposed agreement from an investigation of nondisclosure on a new license application.

**Upon a motion duly made by Mr. Luppen, seconded by Mrs. Carlson, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing Case No. 2013-001529.**

The Board entered executive session at 9:42 a.m.; Board staff remained for the session. The Board went back on the record at 9:57 a.m.

**Upon a motion duly made by Mrs. Carlson, seconded by Dr. Powers, and approved by roll call vote, it was:**

**RESOLVED to grant a license to Dr. Mahmood Ahmad, contingent upon his entering into a consent agreement approved by the Board.**

**Roll Call Vote:**

**Mrs. Carlson – Yea**  
**Dr. Roderer – Yea**  
**Dr. Kohnen – Yea**  
**Mr. Luppen – Yea**  
**Ms. Millar – Yea**  
**Dr. Powers – Yea**  
**Dr. Resinger – Yea**  
**Dr. Miller – Yea**

It was noted that either Dr. Miller, as Board President, or Dr. Resinger, as Board Secretary, may sign orders on behalf of the Board.

**Agenda Item 5      Investigative Unit**

Investigative Report

Board investigators Susan Winton, Gary Kaiser, and Jay Paff joined the meeting. Senior Investigator Winton reviewed the investigative report provided to the Board. The report included 12 open medical cases, 2 open physician assistant cases, and 31 closed cases and complaints.

### Review Investigative Process

Ms. Winton reviewed the investigative process which has been in place for approximately nine years. She distributed handouts, including a flowchart of the investigative steps and an overview of the investigations unit. She discussed the panel review procedure whereby one or two members of the Board provided guidance to the investigators in determining jurisdiction, standard of care, need for expert review, etc. In standard of care cases, two members will review, and may consult with one another on how to proceed. The reviewing members will recuse themselves from taking action on the disciplinary matter when it comes before the full Board. All licensees on the Board will be called upon to review investigative matters and investigators try to match cases with appropriate Board members.

Ms. Winton noted some trends in the investigative process, including more “yes” responses on initial and renewal applications and the successful implementation and use of Civil Fine agreements to resolve cases. She also noted that the local Physician Assistant program includes class time on avoiding problems with their license applications.

### Discuss Investigative Issues

Ms. Winton thanked Dr. Resinger for his continued assistance in reviewing investigative matters. However, his term expires March 1, 2014, and he is not eligible for reappointment. The Board had previously noted their support of investigators contracting with him to continue as a resource in investigative matters, whether under contract to the investigative unit, or as a Board-appointed Medical Director position. The Board supports this and is willing to write a letter of endorsement or other confirmation of this proposal. Ms. Winton and Ms. Stovern will research the best way to do that and report to the Board at their next meeting.

Ms. Winton asked the Board to clarify their intent for the unprofessional conduct item under Professional Regulation 12 AAC 40.967(26)(A) “failing to report to the board, no later than 30 days after the effective date of the action, any disciplinary action against the licensee taken by another licensing jurisdiction, health care entity, or law enforcement agency.” Investigators were unclear about the reporting of an action taken by a law enforcement agency, since section (B) requires the reporting of a criminal conviction. The Board determined that the intent is that licensees must report under section (A) being charged with a criminal offense, and noted that the language could be clearer. Ms. Winton and Ms. Stovern will draft some clarifying language for consideration by the Board at their next meeting.

### Probation Report

A current probation monitoring report was included in the board packet for further review.

## **Agenda Item 5      Probation Monitoring**

### Michele Sullivan, MICP

Ms. Sullivan was not present for her probation interview.

**Upon a motion duly made by Dr. Powers, seconded by Dr. Resinger, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing probation matters.**

The Board entered executive session at 10:44 a.m.; Board staff remained for the session.  
The Board went back on the record at 10:49 a.m.

**Upon a motion duly made by Dr. Resinger, seconded by Mr. Luppen, and approved unanimously, it was:**

**RESOLVED to adopt the Voluntary Suspension Agreement, signed by Michele Sullivan, MICP.**

The adoption order was signed by the Chair.

Lavern Davidhizar, DO

Dr. Davidhizar was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement. He reported that he was doing well and had no issues to report. He noted concerns with the investigative process.

Brian Donaldson, MD

Dr. Donaldson was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement. He reported that he was doing well and had no issues to report.

David Killebrew, MD

Dr. Killebrew was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement. He reported that he was doing well, has a very busy practice, and is looking forward to his release from probation in February 2014. The Board noted his exceptional progress during eight years of probation, and his continued monitoring after the probationary period ends.

**Upon a motion duly made by Dr. Resinger, seconded by Ms. Millar, and approved by roll call vote, it was:**

**RESOLVED to immediately end the probationary period required for Dr. Killebrew under the November 1, 2005 Board Decision and Order.**

**Roll Call Vote:**

**Dr. Resinger – Yea**  
**Mrs. Carlson – Yea**  
**Dr. Roderer – Yea**  
**Dr. Kohnen – No**  
**Mr. Luppen – Yea**  
**Ms. Millar – Yea**  
**Dr. Powers – Yea**  
**Dr. Miller – Yea**

Gary Kindell, MD

Dr. Kindell was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement. He reported that he was doing well, had completed his required additional education, and had no issues to report

Michael Massey, DO

Dr. Massey was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement. He reported that he was doing well, currently working, and had no issues to report.

Dennis Mickleson, MD

Dr. Mickleson was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement. He reported that he was doing well but having difficulty finding work due to his license restrictions and inability to renew his specialty certification. The Board declined to review his handout listing his progress and complaints about license restrictions. The Board noted that others have found work and he must continue to comply with the terms of his Consent Agreement.

Samuel Schurig, DO

Dr. Schurig was present for his probation interview. He declined the opportunity to enter into executive session. The probation monitoring report from the Investigation Unit indicated that he was in compliance with his agreement. He reported that he was doing well, currently working, and had no issues to report. He commented on Dr. Mickleson's difficulty finding work, and noted that even with a lot of restrictions he has been very busy in private practice. He noted the Board's July 26-27, 2012 approval of a revision to his MOA to allow for some modified supervision for 1 six month "trial period" and asked the Board to extend it.

**Upon a motion duly made by Dr. Powers, seconded by Ms. Millar, and approved by roll call vote, it was:**

**RESOLVED to extend the July 26-27, 2012 Order for special supervision provisions for one year, effective immediately.**

**Roll Call Vote:**

**Dr. Roderer – Yea**

**Dr. Kohnen – Yea**

**Mr. Luppen – Yea**

**Ms. Millar – Yea**

**Dr. Powers – Yea**

**Dr. Resinger – Yea**

**Mrs. Carlson – Yea**

**Dr. Miller – Yea**

Jeffrey J. Copeland, MD

Dr. Copeland is not on probation; he was present for his interview regarding his confidential non-disciplinary consent agreement. The monitoring report from the Investigation Unit indicated that he was in compliance with his agreement.

**Upon a motion duly made by Dr. Miller, seconded by Dr. Resinger, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing confidential issues.**

The Board entered executive session at 11:50 a.m.; staff remained for the session.  
The Board went back on the record at 11:57 a.m.

Stephen Daniel, MD

Dr. Daniel is not on probation; he was present for his interview regarding his confidential non-disciplinary consent agreement. The monitoring report from the Investigation Unit indicated that he was in compliance with his agreement.

**Upon a motion duly made by Dr. Roderer, seconded by Dr. Resinger, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing confidential issues.**

The Board entered executive session at 11:58 a.m.; staff remained for the session.  
The Board went back on the record at 12:09 p.m.

**Recess for lunch**

The Board recessed for lunch at 12:10 p.m.  
The Board resumed the meeting at 1:34 p.m.

Board members present:

David A. Miller, MD, Chair  
Cam Carlson, Public Member  
Elizabeth Kohlen, MD  
Kevin Luppen, PA-C

Kathleen Millar, Public Member  
David J. Powers, MD  
William W. Resinger, MD  
Grant T. Roderer, MD

Board staff present:

Debora Stovern, Executive Administrator  
Susan Winton, Senior Investigator  
Gary Keiser, Investigator  
Dawn Hannasch, Licensing Examiner

There were no visitors present.

### **Agenda Item 6 Malpractice Case Review**

The Board reviewed malpractice reports, Case No. 2010-0217, Case No. 1916-CV23817, Case No. 2011-CV-4387, Case No. 09-2-18716-9, Case No. Civil 10A29850, Case No. 5143630, Case No. 30419221, Case No. 51-2011-CA-3080ES, Cases No. 37-2011-00098839 and 37-2011-00094700, Case No. 3AN-11-07674CI, Case No. 102488, Case No. CV-2002-117, Case No. 11-CA-010057, and Case No. 3HO-09-00326-CI.

The Board declined to take action on the reports for Cases No. 37-2011-00098839 and 37-2011-00094700, pending receipt of additional information.

**Upon a motion duly made by Dr. Powers, seconded by Mrs. Carlson, and approved unanimously, it was:**

**RESOLVED to accept the malpractice report, Case No. 2010-0217, Case No. 1916-CV23817, Case No. 2011-CV-4387, Case No. 09-2-18716-9, Case No. Civil 10A29850, Case No. 5143630, Case No. 30419221, Case No. 51-2011-CA-3080ES, Case No. 3AN-11-07674CI, Case No. 102488, Case No. CV-2002-117, Case No. 11-CA-010057, and Case No. 3HO-09-00326-CI, with no further action.**

### **Agenda Item 7 Continuing Medical Education (CME) Audit Update**

Ms. Stovern reported that all audited licensees have responded to the notice following the December 2012 renewal. Approximately six may be unable to comply with the audit and she is working on a resolution, either a consent agreement or surrender agreement.

In addition, there is one noncompliant audit from the 2010 renewal for which the Division Paralegal will be filing an accusation. The Paralegal position is currently vacant, and recruitment is under way. Ms. Stovern hopes that the new hire will be able to take audit referrals for the next renewal. The Board agreed and noted that it was not suitable to add this additional work to the already busy schedule of the Executive Administrator.

### **Agenda Item 8 Full Board Interviews**

Arthur Mark Taylor, DO

Dr. Taylor was present to discuss his license application with the Board. He declined the opportunity to enter into executive session to discuss the “yes” answers on his application regarding previous malpractice claims.

**Upon a motion duly made by Dr. Powers, seconded by Dr. Kohnen, and approved by roll call vote, it was:**

**RESOLVED to grant an unrestricted license to Arthur Mark Taylor, DO.**

**Roll Call Vote:**

**Dr. Roderer – Yea**

**Dr. Kohnen – Yea**  
**Mr. Luppen – Yea**  
**Ms. Millar – Yea**  
**Dr. Powers – Yea**  
**Dr. Resinger – Yea**  
**Mrs. Carlson – Yea**  
**Dr. Miller – Yea**

Yariv Cohen, MD

Dr. Cohen was present to discuss his license application with the Board. He declined the opportunity to enter into executive session to discuss the “yes” answers on his application regarding previous malpractice claims.

**Upon a motion duly made by Dr. Resinger, seconded by Ms. Millar, and approved by roll call vote, it was:**

**RESOLVED to grant an unrestricted license to Yariv Cohen, MD.**

**Roll Call Vote:**

**Dr. Roderer – Yea**  
**Dr. Kohnen – Yea**  
**Mr. Luppen – Yea**  
**Ms. Millar – Yea**  
**Dr. Powers – Yea**  
**Dr. Resinger – Yea**  
**Mrs. Carlson – Yea**  
**Dr. Miller – Yea**

**Agenda Item 14 Federation of State Medical Boards (FSMB)**

The following information from FSMB was included in the Board packet for further review.

- USMLE workshop
- Federation Bylaws adopted
- FSMB Board of Directors highlights
- Annual awards
- Call for committee appointments
- Call for nominations
- FSMB Journal of Medical Regulation
- USA Today article on medical boards
- Maintenance of Licensure update
- Model policy for the use of opioid analgesics
- New policy for treatment of chronic pain
- FCVS closed programs update
- Nominations for NCCPA Board of Directors
- E-news (July through September editions)

The Board designated Dr. Kohnen and Ms. Stovern to attend the FSMB annual meeting in April 2014. Ms. Stovern will also attend the concurrent Administrators in Medicine (AIM) meeting.

The Board determined to add to the agenda of the next meeting a discussion of the FSMB model policy on the use of opioid analgesics. Dr. Roderer will review the current Board guidelines on prescribing controlled substances for comment at the next meeting.

Ms. Stovern distributed an FSMB advocacy alert regarding telemedicine legislation introduced in Congress. The Board opposes the legislation and directed Ms. Stovern to draft a letter of opposition to the Alaska Representative, to be signed by the Board Secretary.

### **Agenda Item 13      Correspondence**

Ms. Stovern distributed a correspondence item from Dr. Creelman regarding Tri-Care refusing to cover his services due to license restrictions. The Board noted that they recognize his situation but have no influence or jurisdiction of Tri-Care policies.

The following correspondence was included in the Board packet for further review.

- Joseph Marzucco, PA-C provided an advance copy of article on the introduction of PAs in Alaska
- Division of Motor Vehicles provided a notice of federal rule re: physicians who perform physicals for Commercial Driver License holders
- News article re: signing death certificates
- Physicians for Responsible Opioid Prescribing provided an editorial on opioid prescribing
- Banoxycotin.com provided information re: petition to control Oxycontin
- American Association of Osteopathic Examiners (AAOE) provided an e-Bulletin newsletter
- Alaska Healthcare Commission provided their October meeting agenda and handouts
- Alaska Dept. of Health and Social Services provided Commissioner's Office Press Releases
- American Academy of Addiction Psychiatry provided a request for feedback on the National Action Plan for adverse drug event prevention
- American Telemedicine Association provided an announcement regarding their Fall Forum on September 8-10, 2013, and provided news bulletins regarding health reform

### **Agenda Item      Public Comment Forum**

Donna Carroll wanted to formally appeal the closure of a complaint she had filed against a physician. She was advised to make her appeal through the proper channels and not risk biasing the entire Board for any future action. She continued to air her complaints for the remainder of her allotted comment time.

Merry Carlson, Section Chief of Emergency Programs, Alaska Department of Health and Social Services provided information about their upcoming emergency response exercise in March 2014. She asked about emergency licensing and was provided information about the Board's courtesy license available for emergency situations under 12 AAC 40.045(b)(4). It was also noted that physicians could be prepared for emergency licensure by having an FCVS profile with the Federation of State Medical Boards, which would help to expedite their courtesy license application.

Thomas Meyer, representing the Paramedic Association of Alaska, commented on the following issues:

- Concern with television advertising for telemedicine;
- Proper notification to the Board when an MICP no longer has a supervising physician;
- Publication of new spinal protocols by Dr. Levy;
- Association continues to work toward an MICP seat on the Board;
- Continuing medical education (CME) requirements for MICP license renewal – at the last meeting the Board appointed Mr. Luppen and Ms. Stovern to work with Mr. Meyer on a proposal for Board consideration; and
- Alaska EMS Symposium scheduled for November 6-9, which will include category 1 CME.

## **Agenda Item 8 Statute/Regulation Updates**

### Regulation Updates

The Board has been working on regulations projects to establish:

- standards for the delegation of routine duties to unlicensed assistive personnel;
- procedures for Board recognition of federal licensing exemptions for practitioners in Tribal Health Programs; and
- provisions to allow some military training credit as meeting part of the postgraduate training required for licensure.

The Board is requesting legislative assistance regarding statutory authority for delegation of routine duties, and will continue with those regulations once that is established.

The Board has approved draft regulations regarding federal exemptions and military training credit, and expects them to be sent out by the Division for public comment soon.

### Legislative Updates

- Division fees – the Board previously reviewed HB 187 which was discussed during the Division Update agenda item. This is a Department project that defines how fees are set, and provides for investigative and legal costs from the general fund instead of through license fees. The Board had concerns with co-mingling expenses and/or revenues and wondered whether the proposal gives the Division too much responsibility and latitude, especially given the recent difficulties with budgeting and inability to provide requested reports and details. At the Board's direction, Ms. Stovern provided the proposal to the Alaska State Medical Association (ASMA) so that they and their legal counsel can analyze the bill properly.
- Telemedicine – the Board previously reviewed SB 80, which would allow for telemedicine practice without an in-person physician-patient relationship, which is contrary to current professional standards established by the Board. The Board took the following position on the bill and directed Ms. Stovern to notify the sponsor of the bill:

The sponsor of the bill, Senator Dyson, and his Chief of Staff, Chuck Kopp, were present to discuss the bill. Senator Dyson stated that his intent in introducing the bill was to provide health care to underserved people, including prison populations, remote communities, and those needing mental health care. He was concerned that many of these people have no health care available and was convinced that telemedicine would fill that need. He provided the Board with an article from Alaska Business Monthly regarding the current practice of telemedicine in Alaska.

The Board does recognize that telemedicine is practiced extensively in Alaska, due to the geographic diversity of the state. The difference between the proposed legislation and other types of telemedicine practiced legally in the state is the presence of an appropriate health care provider on the other side of the transaction (i.e.; with the patient) to assist the physicians with their examination and diagnosis processes. Without that element, the physician is relying only on patient-supplied information, which is a violation of current professional standards.

Board members expressed their support of the Senator's intent behind the bill. But they noted concerns with the language of the bill, which allows for telemedicine practice only by out-of-state physicians, for practice in any community, whether underserved or not, and seems to be at odds with the stated intent. They were also concerned with setting professional standards by statute, instead of allowing the Board to fulfill their mandate to set professional standards by regulation.

Senator Dyson thanked the Board for their feedback and stated that he would like to follow-up with some revisions and additional discussion with the Board.

### **Agenda Item**                      **New Business**

There was no new business for consideration.

The meeting was recessed at 4:20 p.m.

## **Friday, October 18, 2013**

### **Call to Order**

The meeting was called to order by David A. Miller, MD, Chair, at 8:32 a.m.

### **Roll Call**

Board members present:

David A. Miller, MD, Chair  
Cam Carlson, Public Member  
Elizabeth Kohnen, MD  
Kevin Luppen, PA-C

Kathleen Millar, Public Member  
David J. Powers, MD  
William W. Resinger, MD  
Grant T. Roderer, MD

Board staff present:

Debora Stovern, Executive Administrator  
Susan Winton, Senior Investigator  
Jay Paff, Investigator  
Dawn Hannasch, Licensing Examiner

There were no visitors present.

The Board discussed emergency procedures for meetings. Mr. Luppen volunteered to act as the safety officer for Board meetings.

### **Agenda Item 8 Statute/Regulation Updates (continued)**

As a follow-up to the Thursday discussion with Senator Dyson regarding SB 80 and the practice of telemedicine, the Board noted that it may be possible to fulfill the Senator's intent through regulation. It was suggested that an exception for underserved populations may be added to Professional Regulation 12 AAC 40.967(29). They directed Ms. Stovern to research and draft some language for consideration at the next Board meeting.

### **Agenda Item 15 Administrative Business**

#### **Financial Report**

Ms. Stovern distributed the updated financial report, including data through the end of FY 2013, as well as a report of the Board's direct expenditures, a separate breakdown of investigative costs, and a statistical analysis of cost per license.

The Board president noted that the Division was counting some licenses twice, which costs the Board a higher proportion of shared costs, which are based on license counts. The Board issues temporary permits upon approval by the Executive Administrator, which allows applicants to practice until the Board reviews and approves their permanent license. The Board does not charge an additional cost for the temporary permit, so the Division count of those as separate licenses creates an unfair expense to the Board. The Board will bring this issue to the attention of the Division Director during the Division Update agenda item.

#### **Executive Administrator's Report**

The Executive Administrator's Report was included in the Board packet for review, including an update on the following:

- Outreach efforts – Ms. Stovern met with the Board of the Alaska State Medical Association. At the last meeting the Board directed her to contact them with their comments and concerns, including:
  - Division fees under HB 187 – they were provided a copy of the proposal so that they and their legal counsel could analyze the bill properly – ASMA agreed to review and comment.
  - Statutory authority for delegation of routine duties – they were provided a copy of the draft language, which was also provided to Senator Olsen - ASMA agreed to assist with this legislative project. Dr. Miller and Dr. Kohnen agreed to be the Board contacts for questions or testimony on behalf of the Board.
  - Telemedicine under SB 80 – they were notified of Board concerns and their position in opposition of the bill – ASMA has similar concerns and will consider opposing the bill.
  - Consultation for opiate prescriptions under HB 53 – the Board has not taken a position, but has concerns with the current version of the bill, which were communicated to the sponsor of the bill

and to ASMA. ASMA and their legislative liaison believe that the bill will not pass during the upcoming legislative session.

- Participation in activities of national organizations – Ms. Stovern attended specialized training sponsored by FSMB and AIM for medical board executives; she attended several FSMB webinars (topics included national exam changes, NCCPA issues); she attended videocast meetings of the American Telemedicine Association (topics included state policy developments, healthcare reform, and the impact of telemedicine efforts); and she continues work with FSMB to implement the Uniform Application.
- Tracking of Board actions – a report of the Board’s third quarter 2013 actions was provided for Board review; the report included confirmation of appropriate reporting of all actions.
- Tracking of licensing process – statistics and a detailed spreadsheet covering processing of applications for the third quarter 2013 was provided for Board review.
- Regulations projects – at their previous meeting, the Board approved a regulations project regarding tribal health programs and military postgraduate training options which will be going out for public comment; the Board took a position on several items of pending legislation which was noticed to appropriate parties; and a request for assistance was sent regarding statutory authority for delegation of routine duties.
- Policy and procedure – the Board’s annual report was provided for further review; Ms. Stovern continues to revise and update the Board policies and procedures as changes are made, and updates and distributes the orientation manual to new Board members.

#### Review Minutes

The Board reviewed the minutes of their July meeting.

**Upon a motion duly made by Dr. Resinger, seconded by Mrs. Carlson, and approved unanimously, it was:**

**RESOLVED to approve the minutes of the July 18-19, 2013 meeting, as written.**

#### Meeting Scheduling

The Board confirmed the schedule for upcoming meetings:

- tentative January 9-10, 2014 teleconference
- March 6-7, 2014 in Fairbanks
- June 5-6, 2014 in Sitka
- August 14-15, 2014 in Nome
- November 6-7, 2014 in Anchorage

#### **Agenda Item 10 Full Board Interviews**

##### Brandon Emmett, MICP

Mr. Emmett was present to discuss his license application with the Board. He declined the opportunity to enter into executive session to discuss the “yes” answers on his application regarding his previous employment issues.

**Upon a motion duly made by Dr. Resinger, seconded by Dr. Powers, and approved by roll call vote, it was:**

**RESOLVED to grant an unrestricted MICP license to Brandon Emmett.**

**Roll Call Vote:**

**Dr. Resinger – Yea  
Mrs. Carlson – Yea  
Dr. Roderer – Yea  
Dr. Kohnen – Yea  
Mr. Luppen – Yea  
Ms. Millar – Yea  
Dr. Powers – Yea  
Dr. Miller – Yea**

**Jeanmarie Salinas, MD**

Dr. Salinas was present to discuss her license application with the Board.

**Upon a motion duly made by Dr. Roderer, seconded by Dr. Resinger, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Dr. Salinas.**

The Board entered executive session at 9:01 a.m.; staff remained for the session. The Board went back on the record at 9:06 a.m.

**Upon a motion duly made by Dr. Powers, seconded by Dr. Resinger, and approved by roll call vote, it was:**

**RESOLVED to grant an unrestricted license to Jeanmarie Salinas, MD**

**Roll Call Vote:**

**Mr. Luppen – Yea  
Ms. Millar – Yea  
Dr. Powers – Yea  
Dr. Resinger – Yea  
Mrs. Carlson – Yea  
Dr. Roderer – Yea  
Dr. Kohnen – Yea  
Dr. Miller – Yea**

**Timothy Walker Miller, DO**

Dr. Miller was present to discuss his license application with the Board.

**Upon a motion duly made by Dr. Powers, seconded by Mrs. Carlson, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Dr. Miller.**

The Board entered executive session at 9:08 a.m.; staff remained for the session. The Board went back on the record at 9:21 a.m.

**Upon a motion duly made by Mr. Luppen, seconded by Dr. Powers, and approved by roll call vote, it was:**

**RESOLVED to grant an unrestricted license to Timothy Walker Miller, DO.**

**Roll Call Vote:**

**Dr. Resinger – Yea  
Mrs. Carlson – Yea  
Dr. Roderer – Yea  
Dr. Kohnen – Yea  
Mr. Luppen – Yea  
Ms. Millar – Yea  
Dr. Powers – Yea  
Dr. Miller – Yea**

**Joseph James Krakker, DO**

Dr. Krakker was present to discuss his resident permit application with the Board; the permit was previously issued subject to his appearance before the Board.

**Upon a motion duly made by Dr. Roderer, seconded by Mr. Luppen, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c) for the purpose of discussing the application of Dr. Krakker.**

The Board entered executive session at 9:34 a.m.; staff remained for the session. The Board went back on the record at 9:40 a.m.

No further action was required by the Board.

**Agenda Item          Division Update**

Division Director Don Habeger joined the meeting by teleconference to discuss Board and Division issues. He provided an update on the following items:

- Financial report – the FY 2013 year-end report was distributed during agenda item 15. The Board expressed their concern with the Division "double counting" their temporary licenses for calculating their proportion of shared costs; Mr. Habeger will look into this issue and report back to the Board. The Board also requested detailed information about indirect costs; Mr. Habeger stated it was his goal to provide that information to Boards.
- 2012 audits – Mr. Habeger reported that one of the recommendations in the audit has been completed – the case management system deficiencies have been corrected.

- Naturopathy regulations – the Division has adopted regulations that clarify the prescriptive authority for Naturopaths is limited to homeopathic remedies; they will be effective 30 days after approval by the Lt. Governor.

### **Agenda Item 12 License Application Review**

Board members reviewed license application files.

The Board declined to take action on the following applications pending their appearance for a full Board interview or additional information for review:

- David Dwight Buckland, DO

**Upon a motion duly made by Dr. Resinger, seconded by Dr. Powers, and approved unanimously, it was:**

**RESOLVED to approve the following applicants for licensure in Alaska, subject to agreements adopted by the Board on October 17, 2013:**

*John R. Ditzler, MICP  
Frederick W. Mayer, MD*

**Upon a motion duly made by Dr. Resinger, seconded by Mr. Luppen, and approved unanimously, it was:**

**RESOLVED to approve the following physicians for licensure in Alaska, pending completion of their application file:**

*Arseneau, April Michelle  
Bane, Heather Elaine  
Bejes, Curtis Mitchell  
Bieging, Deborah Marie  
Bishop, Jonathan Edwards  
Blackmon, Kevin P  
Blalock, Richard  
Brinks, Mitchell Vaughn  
Britton, Robert Wayne  
Caldwell, Nicole Lynn  
Carrier, Valerie Elizabeth  
Chua, Joselita Uy  
Clift, Celina Marie  
Cockburn, Amber Nichole  
Coppola, Michael Patrick  
Cox, Patrick Russell  
Crews, Jennie Robertson  
Djukic, Serge  
Duttenhaver, John Raymond  
Farzad, Said*

*Floyd, Brian Raymond  
Ginder, Steven Russell  
Godale, Heather R.  
Hastreiter, Dawn Marie  
Hayflick, Susan Judith  
Ho, Wen-Huan Steven  
Howell, Melissa Lindsey  
Jackson, Keegan Marie  
Jones, Evan Matthew  
Kim, Kwanghee  
King, Derik Kent  
Leyshon, Tal Owen  
Martin, Taylor Kenneth  
Matthews, Tokunbo James  
McCain, Cameron Elinor  
McMahan, Adam Charlton  
Merriman, Laura S  
Motarjeme, Steven Cyrus  
Napoli, Nicholas Warren  
Nchama, Leah Kalinda*

*Orr, Robert Wetherell*  
*Padmanabhan, Sriranjani*  
*Pasternack, Tanya Lee*  
*Peterson, Matthew RoMell*  
*Pierce, Russell Scott*  
*Pisharody, Uma K*  
*Pletnikoff, Elise Marie*  
*Plett, Judith Anne*  
*Porter, Jessica Andrea*  
*Raval, Kaushik Jitendra*  
*Russell, John Charles*  
*Salas, Christopher Mark*  
*Schkrohowsky, Joshua Guenter*  
*Schweiger, Gregory Paul*  
*Scott, Charles Leon*  
*Shah, Rajvee Manjo*  
*Shaw, Gillian Sutcliffe*  
*Sherrick, Robert Chauncey*  
*Shively, Laura Louise*

*Slavkov, Rumen*  
*Small, Shiloh Nicole*  
*Smith, Mark Hamilton*  
*Sturgis, Charles David*  
*Susanto, Daniel*  
*Theobald, Shana Rae*  
*Tsai, Chun-Hui (Anne)*  
*Umakanthan, Janani*  
*Vandersee, Kimberly Lynn*  
*Vega, Irbert Luis*  
*VonderHaar, Elizabeth Kathleen*  
*Wagner, Andrew James*  
*Westman, David Gilbert*  
*Williamson, Richard Vernon*  
*Woo-Ming, Michael A*  
*Wright, Theodore Charles*  
*Yeager, Doyle*  
*York II, Gerald Edward*  
*Zonana, Jonathan*

**Upon a motion duly made by Dr. Resinger, seconded by Ms. Millar, and approved unanimously, it was:**

**RESOLVED to approve the following doctors of osteopathy for licensure in Alaska, pending completion of their application file:**

*Allen, Michael Steven*  
*Bassity, Corina*  
*Davis, Robert Warren*  
*Eversgerd, Jayson Lee*  
*Kissinger, Wendy A*  
*Miller, Brian Aaron*

*Neff, Michael Shawn*  
*Park, Joseph M*  
*Saunders, Kimberly Ann*  
*Shen, Cynthia S*  
*Stephenson, Maureen E*  
*Zink, Andrew Franklin*

**Upon a motion duly made by Dr. Resinger, seconded by Ms. Millar, and approved unanimously, it was:**

**RESOLVED to approve the following physician assistants for licensure in Alaska, pending completion of their application file:**

*Beeman, Sandra Lee*  
*Brauer, Patrick Lyndon*  
*Cook, Krista McCoy Warner*  
*Eckart, Mary Ann*  
*Jones, Benjamin Dwayne*  
*Lear, Vicki Lee*  
*Mc Coy, Sherri K*  
*Pollard, Heather Cherie*  
*Schafer, Scott William*

*Sedlacek, Brittany A*  
*Solano, Amalia Maria*  
*Spencer, Paul D*  
*Stevens, Milisha Helene*  
*Witteveen, Melissa Kate*

**Upon a motion duly made by Dr. Resinger, seconded Mrs. Carlson, and approved unanimously, it was:**

**RESOLVED to approve the following mobile intensive care paramedics for licensure in Alaska, pending completion of their application file:**

*Baumfalk, Tallan Hunter  
Bottorf, Carl S  
Longridge, Ian L  
Mattzela, Matthew Donald  
Roerick, Bryan Holliman  
Roorda, Jared Evan  
Speckman, John Edward  
Temple, Victor Graig  
Walls, Gregory Allen*

**Agenda Item            New Business**

There was no new business for consideration.

On behalf of the Board, Dr. Miller thanked Dr. Resinger for his service and commitment to the Board during his term.

**Adjournment**

There being no further business,

**Upon a motion duly made by Dr. Kohnen, seconded Mrs. Carlson, and approved unanimously, it was:**

**RESOLVED to adjourn the meeting of the Alaska State Medical Board.**

The meeting was adjourned at 10:50 a.m.

Respectfully submitted:

s/ \_\_\_\_\_  
Debora Stovern, Executive Administrator  
Alaska State Medical Board

3/7/14 \_\_\_\_\_  
Date

Approved:

s/ \_\_\_\_\_  
David A. Miller, President  
Alaska State Medical Board

3/7/14 \_\_\_\_\_  
Date