

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

**STATE MEDICAL BOARD**

**MINUTES OF MEETING  
May 5-6, 2016**

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, May 5-6, 2016 in Soldotna, Alaska.

**Thursday, May 5, 2016**

**Call to Order**

The meeting was called to order by Grant T. Roderer, MD, Chair, at 9:00 a.m.

**Roll Call**

Board members present:

Cam Carlson, Public Member  
Brück A. Clift, MD  
Craig Humphreys, MD  
Sai-Ling Liu, DO

Kevin Luppen, PA-C  
Joy M. Neyhart, DO  
Grant T. Roderer, MD

Public member Kathleen Millar was not able to attend the meeting.

Board staff present: Debora Stovern, Executive Administrator

There were no visitors present.

Mr. Luppen, Safety Officer, noted appropriate emergency exits and gathering location.

**Agenda Item 1      Review Agenda**

The Board reviewed the agenda; no changes were made.

**Agenda Item 2      Board Business**

**Announcements**

Dr. Roderer, Board president, welcomed new board members, Joy M. Neyhart, DO, and Brück A. Clift, MD. Ms. Stovern reviewed Board responsibilities and open meetings requirements.

### Ethics Reporting

There were no ethics conflicts to report.

### Delegation of Authority

In accordance with 12 AAC 40.910, the Board must take formal action annually to identify a designee to perform duties on behalf of the Board. The duties and authority of the designee is established by regulation, including the authority to approve temporary permits.

**Upon a motion duly made by Mrs. Carlson, seconded by Mr. Luppen, and approved unanimously, the Board appointed Executive Administrator Debora Stovern as the Board's designee under Professional Regulation 12 AAC 40.910.**

### Review Board Disciplinary Guidelines

The Board has well-established policies and procedures to investigate complaints and malpractice settlements, and take disciplinary action as appropriate. The Board has worked with its investigative staff to develop specific disciplinary guidelines in order to mete out consistent and effective sanctions when violations occur. During the Board's previous sunset audit, it was recommended that the Board review their Disciplinary Guidelines annually.

Board Disciplinary Guidelines were included in the Board packet for further review. Board members will review and provide recommendations or comments to Ms. Stovern for discussion at the next meeting.

Ms. Stovern proposed the addition of a "duty to report" category of complaint. The Board will consider that at their next meeting.

### Review Board Policies and Procedures

The Board routinely makes determinations on various application and practice matters; those determinations are compiled by the Executive Administrator. These Board Policies and Procedures are used by Board staff to provide consistent and effective support to the Board, and information to applicants, licensees, and the public. More complex procedures are compiled as Board Guidelines, which are published on the Board's website. During the Board's previous sunset audit, it was recommended that the Board review their Policies and Procedures annually.

Board Disciplinary Guidelines were included in the Board packet for further review. Board members will review and provide recommendations or comments to Ms. Stovern for discussion at the next meeting.

### Agenda Item 3 Continuing Medical Education (CME) Audit

Statistics for the audit from the last license renewal period were included in the board packet for further review. Ms. Stovern reported that she had completed review of CME documents for approval or referral of noncompliant audits to Division paralegal for action.

### **Agenda Item 4 Board Actions**

#### In the Matter of Case No. 2015-001699

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a physician

who failed to disclose material information on a new license application.

**Upon a motion duly made by Mr. Luppen, seconded by Dr. Humphreys, and approved by roll call vote, the Board adopted the imposition of civil fine agreement, Case No. 2015-001699, signed by Mark J. Pflieger, MD.**

**Roll Call Vote:**

Mrs. Carlson-Aye  
Dr. Humphreys-Aye  
Dr. Liu-Aye  
Mr. Luppen-Aye  
Ms. Millar-Absent  
Dr. Clift-Aye  
Dr. Neyhart-Aye  
Dr. Roderer-Aye

The adoption order was signed by the Chair.

**In the Matter of Case No. 2015-002110**

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a physician who failed to disclose material information on a resident permit application.

**Upon a motion duly made by Dr. Liu, seconded by Dr. Humphreys, and approved by roll call vote, the Board adopted the imposition of civil fine agreement, Case No. 2015-002110, signed by Julia Ling-Ling Hamilton, MD.**

**Roll Call Vote:**

Dr. Humphreys-Aye  
Dr. Liu-Aye  
Mr. Luppen-Aye  
Ms. Millar-Absent  
Dr. Clift-Aye  
Mrs. Carlson-Aye  
Dr. Neyhart-Aye  
Dr. Roderer-Aye

The adoption order was signed by the Chair.

**In the Matter of Case No. 2015-001299**

The Board reviewed a proposed consent agreement from an investigation of a physician who engaged in inappropriate physical and verbal contact with female patients. The agreement included sanctions consistent with Board disciplinary history and guidelines, including a reprimand, fine of \$25,000 (with 15,000 suspended), a 90-day license suspension, a three-Ayer probation, and additional education on ethics and boundaries.

Dr. Humphreys noted that he would recuse himself from the vote because he knows the respondent.

**Upon a motion duly made by Mr. Luppen, seconded by Mrs. Carlson, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Case No. 2015-001299.**

Board staff remained for the session. The Board entered executive session at 9:50 a.m.; and went back on the record at 10:12 a.m.

**Upon a motion duly made by Mr. Luppen, seconded by Mrs. Carlson, and approved by roll call vote, the Board adopted the consent agreement, Case No. 2015-001299, signed by Herbert Ortiz Bote, MD.**

**Roll Call Vote:**

Dr. Liu-Aye  
Mr. Luppen-Aye  
Ms. Millar-Absent  
Dr. Clift-Aye  
Mrs. Carlson-Aye  
Dr. Humphreys-Recused  
Dr. Neyhart-Aye  
Dr. Roderer-Aye

The Board noted that the additional education required under the consent agreement must be approved in advance by the Board's agent (the Board investigator) who is expected to work with the reviewing Board member for specific approval.

The adoption order was signed by the Chair.

**In the Matter of Case No. 2016-000255**

The Board reviewed a proposed license suspension agreement with a physician who was on probation and had received an alcohol assessment/evaluation with a recommendation to cease practice and seek professional treatment.

**Upon a motion duly made by Dr. Neyhart, seconded by Mr. Luppen, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Case No. 2016-000255.**

Board staff remained for the session. The Board entered executive session at 10:35 a.m.; and went back on the record at 10:42 a.m.

**Upon a motion duly made by Dr. Liu, seconded by Dr. Clift, and approved by roll call vote, the Board adopted the voluntary suspension of license, Case No. 2016-000255, signed by Jordan H. Greer, MD.**

**Roll Call Vote:**

Mr. Luppen-Aye

Ms. Millar-Absent  
Dr. Clift-Aye  
Mrs. Carlson-Aye  
Dr. Humphreys-Aye  
Dr. Liu-Aye  
Dr. Neyhart-Aye  
Dr. Roderer-Aye

The adoption order was signed by the Chair.

In the Matter of Case No. 2015-000324

**Upon a motion duly made by Dr. Neyhart, seconded by Mr. Luppen, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing investigative disciplinary cases.**

Board staff remained for the session. The Board entered executive session at 10:47 a.m.; and went back on the record at 11:01 a.m.

The Board determined to delay consideration of Case No. 2015-000324 until the afternoon session with the Investigative Unit.

In the Matter of Case No. 2015-001765

The Board reviewed a proposed imposition of a civil fine agreement from an investigation of a paramedic who had failed to disclose a conviction within the required timeframe. Mr. Luppen noted that he would recuse himself from the vote because he knows the respondent.

**Upon a motion duly made by Dr. Humphreys, seconded by Dr. Liu, and approved by roll call vote, the Board adopted the imposition of civil fine, Case No. 2016-000255, signed by Jack Anderson, MICP.**

**Roll Call Vote:**

Ms. Millar-Absent  
Dr. Clift-Aye  
Mrs. Carlson-Aye  
Dr. Humphreys-Aye  
Dr. Liu-Aye  
Mr. Luppen-Recuse  
Dr. Neyhart-Aye  
Dr. Roderer-Aye

The adoption order was signed by the Chair.

**Agenda Item 5 Board Review of Requests/Issues**

In the matter of Melodye L. Gilbert, PA-C

The Board reviewed a petition to terminate the probation required under the terms of her Consent

Agreement adopted by the Board at their February 5, 2015 meeting, due to successful completion of the terms of her New York Consent Order.

**Upon a motion duly made by Dr. Neyhart, seconded by Mrs. Carlson, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Case No. 2015-000434.**

Board staff remained for the session. The Board entered executive session at 11:05 a.m.; and went back on the record at 11:13 a.m.

**Upon a motion duly made by Dr. Humphreys, seconded by Mrs. Carlson, and approved by roll call vote, the Board adopted the proposed order to terminate probation for Ms. Gilbert, Case No. 2015-000434, as presented.**

**Roll Call Vote:**

Dr. Clift-Aye  
Mrs. Carlson-Aye  
Dr. Humphreys-Aye  
Dr. Liu-Aye  
Mr. Luppen-Recuse  
Ms. Millar-Absent  
Dr. Neyhart-Aye  
Dr. Roderer-Aye

The order was signed by the Chair.

**Agenda Item 6 Malpractice Report Review**

The Board reviewed malpractice reports, Case No. 3AN-13-6152CI, Case No. 13-2-02906-0, and Case No. 2AN-14-4858CI.

**Upon a motion duly made by Dr. Humphreys, seconded by Mrs. Carlson, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing malpractice reports.**

Board staff remained for the session. The Board entered executive session at 11:26 a.m.; and went back on the record at 11:31 a.m.

**Upon a motion duly made by Dr. Liu, seconded by Mrs. Carlson, and approved unanimously, the Board accepted malpractice reports, Case No. 3AN-13-6152CI, Case No. 13-2-02906-0, and Case No. 3AN-14-4858CI, with no further action at this time.**

### **Agenda Item 13      Federation of State Medical Boards update**

The Board discussed the annual meeting of the Federation of State Medical Boards (FSMB) held in April 2016, including keynote speech by the US Surgeon General Vivek H. Murthy, sessions on opioids, marijuana laws, electronic medical records, physician burnout, etc.

### **Recess for lunch**

The Board recessed for lunch at 11:55 a.m.  
The Board went back on the record at 1:05 p.m.

Board members present:

Cam Carlson, Public Member  
Brück A. Clift, MD  
Craig Humphreys, MD  
Sai-Ling Liu, DO

Kevin Luppen, PA-C  
Joy M. Neyhart, DO  
Grant T. Roderer, MD

Public member Kathleen Millar was not able to attend the meeting.

Board staff present: Debora Stovern, Executive Administrator; Angela Birt, Chief Investigator; Ed Riefle, Senior Investigator; July Lam, Investigator.

There were no visitors present.

### **Agenda Item 5      Investigative Unit**

#### **Overview of Investigative Process**

Chief Birt discussed the investigative process, Board conflicts when reviewing cases, the polling process for administrative subpoenas, and the polling process for Cease and Desist orders. An investigative flowchart and summary were included in the Board packet for further review.

#### **Investigative Report**

Chief Birt reviewed the investigative report provided to the Board, and noted changes in the format of the report. She reported that the goal is to close investigative items within 365 day; the average caseload is 179 days.

#### **Probation Report**

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

**Agenda Item 4 Board Actions (continued)**

The Board reviewed additional investigative and probation items.

**Upon a motion duly made by Dr. Humphreys, seconded by Mrs. Carlson, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing investigative matters.**

Board staff remained for the session. The Board entered executive session at 1:55 p.m.; and went back on the record at 2:30 p.m.

**In the matter of Peter J. Osterbauer, MD**

The Board reviewed a Division notice that was sent to Dr. Osterbauer regarding his violation of terms of his consent agreement resulting in the automatic suspension of his license, in accordance with the terms of the agreement.

**Upon a motion duly made by Dr. Humphreys, seconded by Dr. Liu, and approved by roll call vote, the Board approved the Division suspension of the license of Dr. Osterbauer, Cases No. 2016-000323 and 2014-000153, due to non-compliance with his consent agreement.**

**Roll Call Vote:**

Mrs. Carlson-Aye  
Dr. Humphreys-Aye  
Dr. Liu-Aye  
Mr. Luppen-Aye  
Ms. Millar-Absent  
Dr. Clift-Aye  
Dr. Neyhart-Aye  
Dr. Roderer-Recuse

**In the Matter of Case No. 2015-000324**

The Board reviewed a proposed consent agreement from an investigation of a physician who prescribed legend and controlled drugs to an extended family member without proper examination, diagnosis, recordkeeping, follow-up, etc. The agreement included sanctions consistent with Board disciplinary history and guidelines, including a reprimand, and fine of \$5,000.

**Upon a motion duly made by Mr. Luppen, seconded by Dr. Liu, and approved by roll call vote, the Board adopted the consent agreement, Case No. 2015-000324, signed by Patrick D. Brady, MD.**

**Roll Call Vote:**

Mrs. Carlson-Aye  
Dr. Humphreys-Aye  
Dr. Liu-Aye  
Mr. Luppen-Aye  
Ms. Millar-Absent

Dr. Clift-Aye  
Dr. Neyhart-Aye  
Dr. Roderer-Aye

The adoption order was signed by the Chair.

In the Matter of Case No. 2015-002049

Investigators provided materials for Board review in Case No. 2015-002049. The Board decided to delay consideration until Friday morning to allow Board members time to review the documents. Investigative staff will be available by teleconference.

Investigative staff departed from the meeting.

**Agenda Item 8 Full Board Interviews**

Donny D. Elshire, MD

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

**Upon a motion duly made by Dr. Humphreys, seconded by Mrs. Carlson, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the application of Dr. Elshire.**

Board staff remained for the session. The Board entered executive session at 2:46 p.m.; and went back on the record at 2:53 p.m.

**Upon a motion duly made by Dr. Humphreys, seconded by Mr. Luppen, and approved unanimously, the Board granted an unrestricted license to Donny D. Elshire, MD.**

Robin Michelle Ober, DO

Dr. Ober was present, along with attorney Howard Lazar, to discuss her license application with the Board.

**Upon a motion duly made by Dr. Liu, seconded by Mr. Luppen, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the application of Dr. Ober.**

Board staff and applicant's attorney remained for the session. The Board entered executive session at 2:55 p.m.; and went back on the record at 3:05 p.m.

**Upon a motion duly made by Dr. Liu, seconded by Mr. Luppen, and approved unanimously, the Board granted an unrestricted license to Robin Michelle Ober, DO.**

## **Agenda Item            Public Comment Forum**

There were no members of the public present to speak with the Board.

## **Agenda Item 10        Statute/Regulation Updates**

### Pending regulation projects:

Delegation to CMAs: The Board had previously adopted regulations setting standards for delegation of routine duties to unlicensed assistive personnel. Upon review by the Department of Law, it had been determined that a statute change is required in order to allow such delegation of routine duties. The Board has requested assistance from Senator Olsen and the Alaska State Medical Association to initiate a statute change. The Board will consider re-adopting the regulations once the legislation is enacted.

### Approved Regulation Projects:

Board had previously adopted regulations changes regarding reporting requirements and tribal health program exemptions. Ms. Stovern reported that the regulations were under review by the Department of Law.

Harriet Milks, Assistant Attorney General, joined the meeting by teleconference to discuss revisions proposed by Steven C. Weaver, Sr. Assistant Attorney General. Mr. Weaver had proposed a number of minor revisions to conform with drafting conventions, as well as proposing to disapprove and delete sections (b) and (c) in their entirety.

The Board noted their intent with section (b) was that this new regulations section not give the mistaken impression that practice under the federal exemption might allow general practice that actually requires an Alaska license. They requested that the section not be deleted, but that it be revised to clarify their intent and to remove any suggestion that practice under the federal exemption may be limited to only one tribal health program.

The Board was satisfied with the removal of section (c) to eliminate the unclear reporting requirement, and noted the removal of this section would not prevent reporting of practice matters to the tribal health program or to other state boards.

### Legislative information

Legislative guidance information from the Division was included in the Board packet for further review:

### Pending legislation

- The Board reviewed Senate Bill (SB)74 related to Medicaid reform, which includes telemedicine provisions of SB 98/ HB 278, a Division registry of telemedicine businesses, the PDMP provisions of SB 166, along with other provisions. The bill was passed by the Legislature on April 17, 2016, and was waiting transmittal to the Governor for signature.

The Board reviewed a draft implementation document prepared by the Division. It was noted that the Board has already issued guidelines regarding telemedicine practice and prescription of controlled substances. Those guidelines may be useful in drafting regulations needed to implement SB 74, as well as the Board position that is to be included in the required report to the legislature. The Board

directed Ms. Stovern to work with Dr. Roderer to draft information for Board consideration at the next meeting.

It was noted that the fiscal note for the bill provides for additional licensing and investigative staff to accommodate the increased volume of applications and enforcement anticipated as a result of the bill's passage.

- The Board reviewed Senate Bill (SB) 55, relating to the optometry scope of practice. They noted that the Alaska Society of Eye Physicians and Surgeons oppose the bill. The Board had previously drafted a position statement opposing the legislation. The bill was waiting for a hearing by the Senate Finance committee, and had not yet been heard in the House.
- The Board reviewed Senate Bill (SB) 14 and Senate Bill (SB) 29 relating to the appointment of a Mobile Intensive Care Paramedic (MICP) to the Medical Board. Both bills were waiting for hearings in Senate committees, and had not yet been heard in the House.

The Board had previously opposed SB 14 when it was revised to replace one of the two public members with an MICP member. The Board expressed the need for the public to be fully represented in the Board composition and does not support replacing a public member with an MICP member. The Board had determined that it would be neutral on a proposal to add an MICP member to the Board.

- The Board reviewed House Bill (HB) 237, which proposes to authorize the State Medical Board to participate in the Interstate Medical Licensure Compact. The bill was waiting for a hearing in the House Finance committee, and had not yet been heard in the Senate.

The Board had previously determined to support the bill, and agreed with the sponsor that participation in the Compact would be in the best interest of the state.

- The Board reviewed Senate Bill (SB) 113 and House Bill (HB) 215, companion bills which propose to expand access to experimental drugs by terminally ill patients. The bills were waiting for hearings in their respective committees of referral. The bills include language to prohibit disciplinary action by the Medical Board against physicians dispensing or administering such drugs, prevent hospitals and health facilities from restricting the use of such drugs, and establish immunity for the use of such drugs as long as informed consent was obtained.

The Board had previously determined that the legislation was in conflict with the physician oath to do no harm, and noted that it is not ethical to prescribe treatment that is not known to be beneficial to a patient. They noted that terminally ill patients who have exhausted other treatments currently have the option to participate in clinical trials for such experimental drugs. The clinical trials are conducted in a controlled setting, under established protocols with oversight, so that the results are useful in determining the future of the experimental drugs. The general use of experimental drugs may limit the effectiveness of established clinical trials. Given the existence of such clinical trials, it was also not clear what problem the bills are attempting to correct. The Board noted that there are too many variables to make a safe recommendation of such experimental drugs, and too much opportunity for harming patients. The Board suggested that the language of the bill is too broad and open-ended by allowing use of experimental drugs that are only in Phase 1 of clinical trials, and that it may be more appropriate to limit such use of experimental drugs to those in Phase 3 of clinical

trials. In addition, the Board opposes legislation that limits the ability of the Board to discipline physicians who practice outside of professional standards of care.

- The Board reviewed Senate Bill (SB) 23, which would provide certain immunities to health care providers, overdose program workers, and other persons, for the prescription, supply, possession, and use of opioid antidotes to patients suffering overdose of opioid drugs. The bill was passed by the Legislature on March 7, 2016, and signed by the Governor on March 16, 2016.

The Board had previously determined to support the bill.

- The Board reviewed House Bill (HB) 234, which would authorize insurance coverage for mental health telemedicine. The bill was passed by the Legislature on April 17, 2016, and was waiting transmittal to the Governor for signature.

The Board had previously taken a neutral position on this bill. They had noted that they continue to support telemedicine use in the treatment of mental health patients in remote communities, but have continued to oppose the expanded use of telemedicine in primary care.

- The Board reviewed House Bill (HB) 159, which would authorize insurance coverage for physician practice groups. The bill was waiting for a hearing by the House Labor and Commerce committee, and had not yet been heard in the Senate.

The Board had not to take a position on the bill, as they are more concerned with the standard of care provided to patients, not with how it is paid or covered by insurance.

The Board recessed at 4:30 p.m.

### **Friday, May 6, 2016**

#### **Call to Order**

The meeting was called to order by Grant T. Roderer, MD, Chair, at 9:05 a.m.

#### **Roll Call**

Board members present:

Cam Carlson, Public Member  
Brück A. Clift, MD  
Craig Humphreys, MD

Kevin Luppen, PA-C  
Joy M. Neyhart, DO  
Grant T. Roderer, MD

Physician member Sai-Ling Liu, DO, and Public member Kathleen Millar, were not able to attend the meeting.

Board staff present: Debora Stovern, Executive Administrator

There were no visitors present.

**Agenda Item 4 Board Actions (continued)**

Chief Investigator Angela Birt and Senior Investigator Ed Riefle joined the meeting by teleconference.

**In the Matter of Case No. 2015-002049**

The Board reviewed a petition for summary suspension from an investigation of unsafe prescribing practice regarding controlled drugs, and violation of practice and recordkeeping standards.

**Upon a motion duly made by Mrs. Carlson, seconded by Dr. Neyhart, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Case No. 2015-002049.**

Board staff remained for the session. The Board entered executive session at 9:10 a.m.; and went back on the record at 9:21 a.m.

The following proposed Board Order for Summary Suspension was read into the record:

Upon the petition of the State of Alaska, Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing (Division”) for Summary Suspension of Physician License, and upon the evidence presented by the Division, the Alaska State Medical Board (“Board”) finds that Dr. Mahmood Ahmad, M.D., poses a clear and immediate danger to the public health and safety if he continues to practice medicine. The Board hereby orders, pursuant to AS 08.64.331(c), the summary suspension of Mahmood Ahmad’s physician license in Alaska, number MED 5 7923.

It is further ordered that, Dr. Ahmad’s license to practice medicine in Alaska will remain suspended, until such time as Dr. Ahmad can demonstrate to the Board that he is fit to practice in a manner consistent with public health and safety.

This order shall become effective immediately upon approval by the Board.

**Upon a motion duly made by Dr. Neyhart, seconded by Mr. Luppen, and approved by roll call vote, the Board adopted the order for summary suspension of Dr. Ahmad’s license, Case No. 2015-002049, as read into the record.**

**Roll Call Vote:**

Dr. Liu-Absent

Mr. Luppen-Aye

Ms. Millar-Absent

Dr. Clift-Aye

Mrs. Carlson-Aye

Dr. Humphreys-Aye

Dr. Neyhart-Aye  
Dr. Roderer-Recuse

The adoption order was signed by the Chair.  
The investigative staff disconnected from the teleconference.

**Agenda item 11 Full Board Interviews:**

Duane E. Vanderslice, MD

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

**Upon a motion duly made by Mrs. Carlson, seconded by Mr. Luppen, and approved unanimously, the Board entered into executive session in accordance with AS 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the application of Dr. Vanderslice.**

Board staff remained for the session. The Board entered executive session at 9:37 a.m.; and went back on the record at 9:48 a.m.

**Upon a motion duly made by Dr. Humphreys, seconded by Dr. Neyhart, and approved by roll call vote, the Board granted an unrestricted license to Duane E. Vanderslice, MD.**

**Roll Call Vote:**

Mr. Luppen-Aye  
Ms. Millar-Absent  
Dr. Clift-Aye  
Mrs. Carlson-Aye  
Dr. Humphreys-Aye  
Dr. Liu-Absent  
Dr. Neyhart-Aye  
Dr. Roderer-Aye

Jeffrey Albrecht, PA-C

Mr. Albrecht was unable to appear for his interview and had rescheduled for the August 2016 meeting.

**Agenda Item 11 Division Update**

The following Division staff joined the meeting by teleconference to discuss Board and Division matters: Janey Hovenden, Division Director; Sara Chambers, Operations Manager; Martha Hewlett, Administrative Office; and Dawn Hannasch, Licensing Supervisor.

- Ms. Hewett reviewed the Board financial reports
- Ms. Chambers discussed electronic processes for licensing applications and renewals, management of documents, online status reports, and procurement of tablets for Board meetings.
- Ms. Chambers provided legislative updates and discussed the Division draft implementation guide for SB 74 Medicaid reform. She noted that the Division is expecting an increase in the volume of

physician license applications for telemedicine practice; the Division will evaluate application processes and assign additional staff as needed.

- Ms. Hovenden reported that HB 237 Interstate Medical Licensure Compact had generated some legal concerns, but expected it to be introduced again next Ayer.

The Board had questions about travel reimbursement delays, and delays in the travel approval process. Ms. Chambers provided a review of the travel approval process and will follow-up on specific concerns.

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

Information about the license application process and Board approval process was included in board packets for further review.

Board members reviewed license application files. The Board declined to consider the applications of Mark Edward Mitchell, MD, and MICP Andrew Bishop, pending further information.

**Upon a motion duly made by Dr. Neyhart, seconded by Mr. Luppen, and approved unanimously, the Board approved the following applicants for licensure in Alaska subject to an agreement adopted by the Board on May 5, 2016:**

*Mark John Pflieger, MD – physician license*  
*Julia Ling-Ling Hamilton, DO – resident permit*

**Upon a motion duly made by Dr. Dr. Neyhart, and seconded by Mrs. Carlson, and approved unanimously, the Board approved the following physicians for licensure in Alaska, pending completion of their application files:**

*Jeffrey Allgaier*  
*Benjamin Edward Atkinson*  
*Thomas Bassler*  
*Nils Becker*  
*Claire Louella Beiser*  
*Archit Bhatt*  
*Desiree Dana Brooks*  
*William Murray Buttner*  
*Jonathan Michael Chen*  
*Todd Czartoski*  
*James Francis Dana*  
*Christina Viola Darby*  
*Jason Eskew Dashow*  
*Devon Lynn Davis*  
*Brian Dawson*  
*Johnny Bill Delashaw*  
*Paul Frederick Edmonson*  
*Mark Jacob Eichler*  
*Michael David Eisenhauer*  
*Yukli Elliott*

*Christopher Anthony Ewing*  
*Christine Gal*  
*Aida Maria Gertz*  
*Mark Girguis*  
*Allen Alfred Goodwin*  
*Richard Joseph Harper*  
*Amy Joy Hatcher*  
*William Brendan Hayes*  
*Emily Waters Hogeland*  
*Rebecca Hopkinson*  
*Morton Isaac Hyson*  
*Hungxiu Ji*  
*Jeremy David Joslin*  
*Douglas Andrew Katz*  
*Stephen Asher Keck*  
*Kihan Kim*  
*John Andrew Lang*  
*Craig Leiland Lastine*  
*Ivan Stephen Lowenthal*  
*Vivek Manchanda*

*Christy Lee Martinez  
Robert Lee Mazor  
Seth Byron McCord  
David Michael McMullan  
Richard Kenneth Neahrng  
Uzoamaka Nwoye  
Romy Chung Ott  
Lester Permut  
James D Pister  
Ali Asim Pitafi  
Tasha Renee Powell  
Syed Moshin Qadri  
Steven Miles Rudnick  
Carol Lynn Rupprecht  
Victoria San Juan  
Steven Andrew Satterly  
Jochen Thorsten Schaefer  
David James Scordino*

*Thomas Marion Seay  
Pebbles Dakota Shanley  
Jeffrey Shuhaiber  
Richard Ernest Standaert  
Jay Dean Stearns  
Agnes Reka Stogicza  
Carl Tahn  
Hal Mark Tobias  
Katrin Tsigonis  
Scott Michael Vanderheiden  
Vishal Verma  
Thonas Alan Watters  
Ronald Dee Wheeler  
Barry James White  
Wojciech Krzysztof Wiszniewski  
Aaron Michael Wonnacott  
Scott Matthew Zelasko  
John Zurasky*

**Upon a motion duly made by Dr. Neyhart, seconded by Mrs. Carlson, and approved unanimously, the Board approved the following osteopathic physicians for licensure in Alaska, pending completion of their application files:**

*Craig Grason Carroll  
Melissa Ann DeWolfe  
Jeffrey Robert Hall  
Vanessa Rosalie Herring  
Jason Daniel Kehrer  
Joseph Walters Lavelle  
Amelia Louise Benton Lee  
Stuart Emil Marcotte  
Melanie Markarian  
Nicholas Dane Newbury  
Jessica Niewodowski*

*James Edward Roukema  
Hector Eduardo Salcedo-Dovi  
Parin Seakit  
David Joseph Shaw  
Ronald Douglas Tanner  
Dallas Edward Thompson  
Ryan Matthew Urbonas  
Jani Caroline Wilkerson  
Pamela Williams  
Harry Clement Yuan*

**Upon a motion duly made by Dr. Neyhart, seconded by Mr. Luppen, and approved unanimously, the Board approved the following podiatrist for licensure in Alaska, pending completion of the application file:**

*Karl David Johnson*

**Upon a motion duly made by Dr. Neyhart, seconded by Mr. Luppen, and approved unanimously, the Board approved the following physician assistants for licensure in Alaska, pending completion of their application files:**

*Prudence Jane Baugher*

*Andrew Cahn*

*Casey Lynn Doty  
James Morgan Freuler  
Linda Cheryl Haessler  
Eric William Kelleher  
Kristin Victoria Kinstrey*

*Jacob Andrew Loya  
Amber Mullinax  
David Michael Pruschki  
Benjamin Joseph Smith  
Michael David Wilhelm*

**Upon a motion duly made by Dr. Neyhart, seconded by Mr. Luppen, and approved unanimously, the Board approved the following mobile intensive care paramedics for licensure in Alaska, pending completion of their application files:**

*Holly Behrens  
Jacob Noah Daniell  
Jeremy Gimore Fernandes  
Grant Patrick Galvin  
Oleg Gerasimyuk  
Jacie Marie Henry  
Lisa Ann Inguli  
Jeffrey Scott Jones*

*Keeven Macik  
William Aaron Moser  
Andrew Robert Pantiskas  
Angelique Francesca Parrish  
Stephen Roy Scott  
Christopher Alan Wilkins  
Douglas Roderick Williams*

**Agenda Item            New Business**

There was no new business for consideration.

**Agenda Item 13        Federation of State Medical Boards (FSMB) updates**

The following FSMB items were included in the Board packet for further review:

- 1) Notice of annual meeting, April 28-30, 2016
  - a. Keynote speaker
  - b. Reference committees
- 2) Notice of meeting to discuss antitrust issues, March 8, 2016
- 3) Information on Interstate Medical Licensure Compact
- 4) Information on Public Citizen Report
- 5) Proposed position statements
- 6) Update on USMLE Step 2
- 7) Committee reports for 2016 House of Delegates meeting
  - a. Report from by-laws committee
  - b. Report from nominating committee
  - c. Info. on nominations by petition

- 8) FSMB Foundation newsletter
- 9) E-news (November - January editions)

### **Agenda Item 13      Correspondences**

The following correspondence was included in the Board packet for review:

- 1) Inquiry and information re: courtesy licenses and visiting team physicians – The Board determined that the response provided by Ms. Stovern was adequate and no further action was needed.
- 2) American Academy of Otolaryngic Allergy (AAOA) letter re: FSMB proposed position paper
- 3) American College of Mohs Surgery (ACMS) letter re: FSMB proposed position paper
- 4) American Osteopathic Association news releases
- 5) National Board of Osteopathic Examiners (NBOME) Annual Report
- 6) International Association of Medical Regulatory Authorities (IAMRA) newsletter, annual conference, call for abstracts
- 7) American Academy of Addiction Psychiatry (AAAP) notice of annual meeting
- 8) Accreditation Council for Continuing Medical Education (ACCME) updates and resources
- 9) State of Reform news
- 10) Alaska Department of Health and Social Services press releases
- 11) Citizen Advocacy Center – notice of webinars
- 12) American Telemedicine Association (ATA) news briefs

### **Agenda Item 15      Administrative Businesses**

#### **Financial Report**

The Board financial report for the third quarter of Fiscal Ayer 2016 and the Ayer-end financial report for Fiscal Ayer 2015 were included in the Board packet for review, along with the Division Annual Fiscal Report for Fiscal Ayer 2014. The Board noted that indirect detail information was not provided with the reports. The Board directed Ms. Stovern to obtain the detailed information for indirect expenditures on the last year-end report.

### Executive Administrator's Report

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

- Outreach efforts – Ms. Stovern responded to inquiries regarding application timeframe, and requests for expedited processing; she responded to inquiries regarding the Board's position on legislative proposals (telemedicine, interstate compact, opioid abuse, experimental drugs, etc.); she exchanged information with Alaska medical associations regarding legislative matters; and she responded to AIM inquiries/polls by other state boards.
- Participation in activities of national organizations – Ms. Stovern completed work with FSMB to launch the Uniform Application; she attended FSMB webinars (topics included exams, uniform application); she attended American Telemedicine Association (ATA) videocasts (topics included status of proposed telemedicine legislation, state policy developments, healthcare reform, and the impact of telemedicine efforts); and she attended CTeL webinars re: telehealth and e-health issues.
- Tracking of Board actions – a report of the Board's recent actions was provided for Board review.
- Tracking of licensing process - statistics and a detailed spreadsheet covering processing of recent applications was provided for Board review.
- Status of CME Audit – Ms. Stovern has been completing the audit of continuing medical education (CME) for the December 2014 renewals; she has reviewed the audit responses for approval and will refer noncompliant audits to Division paralegal for action.
- Status of regulations projects – the Board adopted regs regarding reporting requirements and tribal health program exemptions (the regulations are waiting for Department of Law review and filing). Ms. Stovern will continue to request assistance from the Alaska State Medical Association and interested legislators for the Board's request regarding statutory authority for delegation of routine duties.
- Board Policies and Procedures – Ms. Stovern continues to update the Board website as needed; she is working on updates and revisions to the applications forms; she continues to revise and update the Board policies and procedures as changes are made; she updates and distributes the orientation manual to new Board members; she worked with Department management and conducted research regarding legislation pertaining to the Medical Board and distributed Board positions statements on proposed legislation, as well as followed hearings, notified Board member as status, and coordinated Board member testimony at hearings; and she regularly attends Division meetings regarding Medical Board matters, legislative items, travel and hiring changes, the new database, policies, mission, and finances.

### Review Minutes

The Board reviewed the minutes of their last meeting.

**Upon a motion duly made by Mr. Luppen, seconded by Mrs. Carlson, and approved unanimously, the Board approved the minutes of the February 11-12, 2016 meeting.**

**Meeting Scheduling**

The Board confirmed the schedule for upcoming meetings:

- August 4-5, 2016 in Fairbanks
- November 3-4, 2016 in Anchorage

The board remains committed to holding meetings in as many geographical areas of the state as possible to facilitate access by the public. The Board conducts teleconference meetings throughout the year to consider uncomplicated or urgent investigative items. However, it is essential that the Board regularly meet in person to conduct complex business and address multiple topics, which is problematic by teleconference. Regular meetings typically include a number of topics that require in-person consideration, including disciplinary actions, malpractice reports, proposed legislation, and FSMB updates, conducting in-person applicant interviews, composing required reports to the Legislature and Governor’s Office, reviewing continuing medical education audit, and investigative and fiscal reports from Division staff.

Meetings are hosted by the local hospitals at no cost to the Board. In addition, the Board has a cumulative surplus per their financial reports, and is able to cover the cost of travel to their quarterly meetings.

**Adjournment**

There being no further business, the meeting was adjourned at 1:30 p.m.

Respectfully submitted:

Approved:

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

\_\_\_\_\_  
/s/  
Grant T. Roderer, MD, President  
Alaska State Medical Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date