

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

STATE MEDICAL BOARD

**MINUTES OF SPECIAL
TELECONFERENCE MEETING**

April 9, 2014

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a special teleconference meeting of the Alaska State Medical Board was held on Wednesday, April 9, 2014.

Call to Order

The meeting was called to order by David A. Miller, MD, Chair, at 2:02 p.m.

Roll Call

Board members present:

David A. Miller, MD, Chair
Cam Carlson, Public Member
Elizabeth Kohnen, MD
Sai-Ling Liu, DO

Kevin Luppen, PA-C
Kathleen Millar, Public Member
Grant T. Roderer, MD

Board member David J. Powers, MD, joined the meeting at 2:10pm.

Board staff present:

Debora Stovern, Executive Administrator
Susan Winton, Senior Investigator
Jay Paff, Investigator

The Board considered proposed actions presented by the Investigative Unit.

Upon a motion duly made by Ms. Millar, and 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 investigative matters.**

The Board entered executive session at 2:05 p.m.; Board staff remained for the session.
The Board went back on the record at 2:25 p.m.

In the Matter of Case No. 2014-000246

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 \$3500

(with \$1,000 suspended), a requirement to complete the deficient coursework, and a mandatory audit for the next two licensing renewals.

Upon a motion duly made by Mr. Luppen, seconded by Ms. Millar, and approved by roll call vote, it was:

RESOLVED to adopt the consent agreement, Case No. 2014-000246, signed by Brian J. Plasil, M.D.

Roll Call Vote:

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

The adoption order was signed by the Board Secretary.

In the Matter of Case No. 2013-002363

The Board reviewed a proposed agreement from an investigation of nondisclosure of information on a license application. The agreement included an imposition of civil fine of \$1,000.

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

RESOLVED to adopt the imposition of civil fine agreement, Case No. 2013-002363, signed by Juk L. Ting, DO.

Roll Call Vote:

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

The adoption order was signed by the Board Secretary.

In the Matter of Case No. 2014-000084

The Board reviewed a proposed agreement from an investigation of nondisclosure of information on a license application. The agreement included an imposition of civil fine of \$1,000.

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

RESOLVED to adopt the imposition of civil fine agreement, Case No. 2014-000084, signed by Phillip M. Grandstaff, MD.

Roll Call Vote:

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

The adoption order was signed by the Board Secretary.

In the Matter of Case No. 2014-000082

The Board reviewed a proposed agreement from an investigation of nondisclosure of information on a license application. The agreement included an imposition of civil fine of \$1,000.

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

RESOLVED to adopt the imposition of civil fine agreement, Case No. 2014-000082, signed by Paul G. Ottaviano, MD.

Roll Call Vote:

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

The adoption order was signed by the Board Secretary.

In the Matter of Case No. 2012-000922

The Board reviewed a proposed voluntary surrender agreement from an investigation of professional misconduct. The licensee has left the state and does not intend to return to practice in the State of Alaska. Certain conditions must be met in order to reapply for a license in the future.

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

RESOLVED to adopt the voluntary surrender agreement, Case No. 2012-000922, signed by Thomas C. Valley, MD.

Roll Call Vote:

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

The adoption order was signed by the Board Secretary.

In the Matter of Case No. 2012-001287

The Board reviewed a proposed agreement from an investigation of nondisclosure of Board action on a license renewal application. The agreement included an imposition of civil fine of \$1,000. Mr. Luppen 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. Roderer, seconded by Ms. Millar, and approved by roll call vote, it was:

RESOLVED to adopt the imposition of civil fine agreement, Case No. 2012-001287, signed by Michael J. Pomeroy, PA-C.

Roll Call Vote:

Ms. Millar – Yea
Dr. Powers – Yea
Dr. Liu – Yea
Mrs. Carlson – Yea
Dr. Roderer – Yea
Dr. Kohnen – Yea
Mr. Luppen – Recused
Dr. Miller – Yea

The adoption order was signed by the Board Secretary.

In the Matter of Case No. 2011-000930

The Board reviewed a proposed agreement from an investigation of prescribing controlled substances without an Alaska DEA registration on file with the Division. The agreement included an imposition of civil fine of \$1,000. Mr. Luppen 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 Mrs. Carlson, seconded by Dr. Roderer, and approved by roll call vote, it was:

RESOLVED to adopt the imposition of civil fine agreement, Case No. 2011-000930, signed by Minnie A. Mercer, PA-C.

Roll Call Vote:

Mr. Luppen – Recused
Ms. Millar – Yea
Dr. Powers – Yea
Dr. Liu – Yea
Mrs. Carlson – Yea
Dr. Roderer – Yea
Dr. Kohnen – Yea
Dr. Miller – Yea

The adoption order was signed by the Board Secretary.

In the Matter of Case No. 2013-002167

The Board reviewed a proposed agreement from an investigation of nondisclosure of Board action on a license renewal application. The agreement included an imposition of civil fine of \$1,000.

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

RESOLVED to adopt the imposition of civil fine agreement, Case No. 2013-002167, signed by Robert S. Smith, MD.

Roll Call Vote:

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

The adoption order was signed by the Board Secretary.

In the Matter of Case No. 2013-002168

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

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

RESOLVED to adopt the imposition of civil fine agreement, Case No. 2013-002168, signed by Claudette A. Zaremba, MD.

Roll Call Vote:

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

The adoption order was signed by the Board Secretary.

In the Matter of Case 2014-000229

The Board reviewed a proposed agreement with a licensee who failed to ensure a collaborative plan had been filed with the Division within the required timeframe. The agreement included an imposition of civil fine of \$1,000. Mr. Luppen 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. Kohnen, seconded by Mrs. Carlson, and approved by roll call vote, it was:

RESOLVED to adopt the imposition of civil fine agreement, Case No. 2014-000229 signed by Jill M. Johnson, PA-C.

Roll Call Vote:

Dr. Roderer – Yea
Dr. Kohnen – Yea
Mr. Luppen – Recused
Ms. Millar – Yea
Dr. Powers – Yea
Dr. Liu – Yea
Mrs. Carlson – Yea
Dr. Miller – Yea

The adoption order was signed by the Board Secretary.

Investigative query

Investigator Winton requested a poll of the Board for approval of a subpoena.

Upon a motion duly made by Ms. Millar, and 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 investigative matters.

The Board entered executive session at 2:35 p.m.; Board staff remained for the session. The Board went back on the record at 2:37 p.m.

There being no further business,

Upon a motion duly made by Ms. Millar, seconded by Mrs. Carlson, and approved unanimously, it was:

RESOVLED to adjourn the meeting of the Alaska State Medical Board.

The meeting was adjourned at 2:40 p.m.

Respectfully submitted:

Approved:

s/

Debora Stovern, Executive Administrator
Alaska State Medical Board

s/

David A. Miller, President
Alaska State Medical Board

6/5/2014

Date

6/5/2014

Date