

MINUTES
STATE BOARD OF MEDICAL EXAMINERS OF SOUTH CAROLINA

Board Meeting
February 5 – 7, 2007
Synergy Business Park
The Kingtree Building
110 Centerview Dr., Room 108
Columbia, South Carolina

MEETING CALLED TO ORDER

Dr. Louis E. Costa, II, President of the Board, called the regular meeting of the S.C. Board of Medical Examiners to order at 8:00 A.M., on Monday, February 5, 2007 at 110 Centerview Drive, Room 108, Columbia, South Carolina, with a quorum present. Dr. Costa announced the meeting was being held in accordance with the Freedom of Information Act by notice emailed to The State newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the Board's website and on the bulletin boards located at both of the main entrances of the Kingtree Building where the Board office is located.

Board members present for this meeting were:

Dr. Louis E. Costa, II, President, of Charleston
Dr. Stephen R. Gardner, Vice-President, of Greenville
Dr. Satish M. Prabhu, Secretary, of Columbia
Dr. David deHoll, of Iva
Mrs. Jackie D. Black, of Columbia
Dr. Donald W. Tice, of Myrtle Beach
Jim C. Chow, of Columbia
Dr. William M. Simpson, Jr., of Charleston

Members of the S.C. Department of Labor, Licensing and Regulation (LLR) staff participating at various times in the meeting included:

S.C. Board of Medical Examiners

Bruce F. Duke, Board Administrator
Mrs. Annette Disher, Assistant Administrator of Licensure
Mrs. Brenda Eason, Administrative Assistant, PA and RCP Licensure
Mrs. Donna Howard, Administrative Assistant, Physician Licensure
Ms. Thalia Miller, Administrative Assistant
Mrs. Melissa Fulton, Administrative Assistant

Office of General Counsel

Lynne Rogers, General Counsel
Richard P. Wilson, Deputy General Counsel
Marvin G. Frierson, Assistant General Counsel
Sheridan Spoon, Assistant General Counsel
Everett Dargan, M.D., Physician Analyst

Professional and Occupational Licensing (POL) Division
Shirley Robinson, Hearing Counsel

Director's Office
Mrs. Adrienne Youmans, Director

Office of Health and Medically Related Professions
Mrs. Ruby McClain, Assistant Deputy Director

Office of Investigations and Enforcement
Rion Alvey, Assistant Deputy Director
Mrs. Karen Newton, Administrative Coordinator
Mrs. Josie DeGennaro, Investigator
Mr. Mark Kelly, Investigator
Mrs. Cheryl McNair, Investigator
Larry Atkins, Deputy Chief
Kathy Prince, Deputy Chief

REVIEW/APPROVAL OF AGENDA

An agenda for this meeting was reviewed and approved.

REVIEW/APPROVAL OF MINUTES FROM NOVEMBER BOARD MEETING:

Dr. deHoll made a motion to approve the minutes. Dr. Tice seconded the motion and it was unanimously passed.

The Board reviewed the Consent Agenda and made the following decisions:

Dr. deHoll made a motion to approve the Consent Agenda and to carryover the PA portion of the consent agenda.. Dr. Prabhu seconded the motion and it was unanimously passed. The Committee recommendations from the Respiratory Care Committee and the Acupuncture Advisory Committee that were approved are as follows:

LLR-BOARD OF MEDICAL EXAMINERS
BOARD MEETING, February 5-7, 2007

DISCUSSION TOPIC: Recommendations from the Respiratory Care Committee Meeting, January 12, 2007

FROM: Paul Treffeisen, RCP, Chairman
SC Respiratory Care Committee

Members in attendance: Mr. Paul Treffeisen, RCP, Anderson; Mr. Ben F. Rogers, Easley; Vicki Evans, RCP, Charleston; Dr. James Barker, Columbia; Dr. Antine Stenbit, Charleston; Dr. James Fuller, Greenville; Ms. Tracy Fields, RCP, Florence; and Mr. James Woody, RCP, Belton.

ELECTION OF OFFICERS

The Committee elected the following individuals for the officer seats for 2007:

Mr. Paul Treffeisen was elected as Chairman

Dr. Antine Stenbit was elected as Vice-Chairman

Ms. Vicki Evans was elected as Secretary-Treasurer.

AGENDA TOPIC: APPLICANTS FOR PERMANENT LICENSURE

- | | |
|------------------------|-------------------------|
| 1. Bates, Kacey | 31. McMillan, Jessica |
| 2. Bavishi, Kavita | 32. Merritt, April |
| 3. Bridges, Kristine | 33. Miller, Jonathan |
| 4. *Brown, Sharmaine | 34. Moore, Brian |
| 5. *Browning, Patty | 35. Mosley, Nina |
| 6. Bucknor, Michelle | 36. Moss, Katherine |
| 7. Cade, Gerald | 37. Newton, Jessica |
| 8. Carpenter, Russell | 38. Nguyen, Eric |
| 9. Craven, Elinor | 39. Parrott, Dawn |
| 10. Edgerton, Jessica | 40. Peace, Roscoe |
| 11. Evans, Kia | 41. PePe, Erin |
| 12. Faler, Allen | 42. Proctor, Kayci |
| 13. Felder, Jacobey | 43. Redmond, Stacy |
| 14. Fludd, Michele | 44. Reed, LaTasha |
| 15. Gardner, Celestial | 45. Robertson, Diana |
| 16. Garrick, Amanda | 46. Rooks, Elizabeth |
| 17. Gorrin, Cynthia | 47. Scott, Deborah |
| 18. Graham, Stephanie | 48. Scott, Neil |
| 19. *Gray, Ralph | 49. Siney, Irma |
| 20. Harvey, Ashley | 50. *Spencer, Mark |
| 21. *Hicks, Gloria | 51. Stewart, Misty |
| 22. Highsmith, Wanda | 52. Stuckey, Shaunyetta |

- | | |
|------------------------|------------------------|
| 23. Jones, Evelyn | 53. Tan, Michelle |
| 24. Kelley, Erin | 54. Temples, Tara |
| 25. Knott, Whitney | 55. Thorne, Stacia |
| 26. Kopacko, Constance | 56. Towne, Linda |
| 27. Lollis, Jennifer | 57. Whitman, Stephanie |
| 28. Lupinski, Michael | 58. Wiancko, Julie |
| 29. Magill, Tracey | 59. *Willis, Tammy |
| 30. Matuscak, Lori | 60. Woody, Kearie |

The Committee reviewed the following six (6) individuals had “yes” answers on their application:

- a. **Ms. Sharmaine Brown, RCP** – Ms. Brown answered yes” on her application to

After review and discussion, Ms. Jones moved to recommend permanent licensure to Ms. Brown. Dr. Highland seconded the motion. The motion passed unanimously.

- b. **Ms. Patty Browning, RCP** - Ms. Browning answered yes” on her application to

After review and discussion, Mr. Evans moved to recommend permanent licensure to Ms. Browning. Dr. Highland seconded the motion. The motion passed unanimously.

- c. **Mr. Ralph Gray, RCP** – Mr. Gray answered yes” on his application to

After review and discussion, Mr. Evans moved to recommend permanent licensure to Mr. Gray. Dr. Highland seconded the motion. The motion passed unanimously.

- d. **Gloria Hicks, RCP--** Ms. Hicks answered yes” on her application to

After review and discussion, Dr. Highland moved to recommend permanent licensure to Ms. Hicks. Dr. Hollinger seconded the motion. The motion passed unanimously

- e. **Mr. Mark Spencer, RCP** – Mr. Spencer answered yes” on his application to

After review and discussion, Dr. Hollinger moved to recommend permanent licensure to Mr. Spencer. Dr. Highland seconded the motion. The motion passed unanimously.

- f. **Ms. Tammy Willis, RCP** – Ms. Willis answered yes” on his application to

After review and discussion, Ms. Evans moved to recommend permanent licensure to Ms. Willis. Ms. Jones seconded the motion. The motion passed unanimously

AGENDA TOPIC: UPDATE FROM NBRC – CONTINUING COMPETENCY PROGRAM

The committee was given a hand-out (attached) summarizing Continuing Competency Program requirements. Mr. Treffeisen gave a brief overview of the information.

NEXT MEETING DATE

The Committee's next meeting is Friday, April 13, 2007.

**LLR-BOARD OF MEDICAL EXAMINERS
BOARD MEETING, February 5-7, 2007**

**DISCUSSION TOPIC: Recommendations from the Acupuncture Committee Meeting
January 5, 2007**

**FROM: Martin Herbkersman, Acupuncturist, Chairperson
S.C. Acupuncture Advisory Committee**

Committee Members Present: Mr. Martin Herbkersman, Columbia; Mr. William Skelton, Columbia; Ms. Gina Campano, Columbia and Dr. Gary Nestler, Charleston (via telephone).

AGENDA TOPIC: Committee Chairman's Report

Mr. Herbkersman asked about the complaint process. Bruce Duke gave the committee an overview of the process, stating that all complaints are submitted to General Counsel for review and investigation. If further action is needed, the complaint will continue to the IRC and finally to the Committee, if necessary. Rick Wilson added that complaints are confidential in nature and should not be discussed in committee meetings.

The committee reviewed a letter from Jose Rivera-Garcia, written to Louis E. Costa, II, DMD, MD, President of the Board of Medical Examiners, dated May 3, 2006. After a brief discussion, it was decided that a letter should be sent from the Board Administrator. Mr. Herbkersman made the following motion:

Motion: Draft a letter to Mr. Rivera-Garcia requesting that he adhere to the law as it is written.

Mr. Skelton seconded the motion, which passed.

AGENDA TOPIC: Advisory Committee Nominations

Due to the fact that if Mr. Skelton recused himself from the voting process, there would not be a quorum, the selection of committee members was tabled to the next meeting.

AGENDA TOPIC: APPLICANTS FOR A PERMANENT LICENSE

There were no applicants.

Action Items for next meeting:

1. Bruce Duke will find out from OGC how many pending complaints are on file for acupuncturists and report to the committee.

2. Mr. Duke will draft a letter to Jose Rivera-Garcia concerning his request.

NEXT MEETING DATE

The next Acupuncture Committee meeting is scheduled for Friday, April 6, 2007 at 10:00.

FINAL ORDER HEARINGS

A motion was made and passed for the Board to go into Executive Session to conduct Final Order Hearings. Each hearing was held in Executive Session, and a transcript of each hearing, as well as the Board's Final Order, are on file at the Board Office. No votes were made or actions taken while the Board was in Executive Session. **A motion was made and passed to return to Public Session and the Board voted on the following sanctions after each Final Order Hearing:**

**Angel Perez, M.D. of Columbia, S.C. – FINAL ORDER HEARING
2004-349**

Dr. Prabhu made a motion that the Respondent has violated the Medical Practice Act. The motion was seconded by Mrs. Black and all Board members were in favor.

1. The Respondent has violated Medical Practice Act
2. Public Reprimand
3. Respondent must pay fine in the amount of \$2,000 plus court cost within six months.

The motion carries.

**Dan Brown, R.C.P. of Florence, S.C. – FINAL ORDER HEARING
2006-132**

Dr. Prabhu made a motion that was seconded by Mrs. Black and unanimously passed to approve the following sanction:

1. The Respondent has violated Medical Practice Act
2. Revocation of license.

Motion carries.

**Peter Zvejnieks, M.D., of Blythewood, S.C. FINAL ORDER HEARING
2006-95**

Dr. Prabhu made a motion that was seconded by Dr. deHoll and unanimously passed to approve the following sanction:

1. Respondent has violated Medical Practice Act.
2. Public Reprimand
4. Respondent must pay court costs within six months.
5. Respondent must continue in R.P.P. indefinitely.

Motion carries.

**Sam Vetro, M.D. of Little River, S.C. FINAL ORDER HEARING
2005-40**

Carry over to future Board meeting.

**Stephen P. Regec, M.D. of DuBois, PA
Applicant for Licensure**

Dr. Costa made a motion to grant an unrestricted License. Motion was seconded by Dr. Simpson. All in favor.

Motion Carries.

**Timothy Hodges, M.D., of Bourbonnais, IL
Applicant for Licensure**

Dr. Costa made a motion to grant an unrestricted License. Motion was seconded by Dr. Simpson. All in favor.

Motion Carries.

Ferenc Korompai, M.D., of Temple, TX
Applicant for Licensure

Dr. Gardner made a motion to grant a full licensure pending an interview and meeting the remainder of the criteria. Motion was seconded by Dr. Simpson. All in favor.

Motion Carries.

RECESS AND RECONVENE

The Board recessed at 5:00 P.M. and reconvened Tuesday, February 6, 2006 at 8:00 A.M. with a quorum present.

Discussion Topic (H) Change May 2007 Board meeting dates:

Bruce Duke advised the Board of the need to change the May 2007 Board meeting due to a conflict with the Federation National convention. All in favor to change the dates to April 30 – May 2, 2007.

Jimmy D. Fowler, M.D., of Union, S.C. FINAL ORDER HEARING
2005-208

Dr. Prabhu made a motion that was seconded by Dr. Simpson to approve the following sanction:

1. Indefinite suspension.
2. Respondent must pay court cost of \$103.00 within a period of six months.
3. Suspension will be lifted if Respondent completes an approved prescribing course, ethics course, maintain CME adequate to be eligible for re-certification by the American Board of Family Medicine and a post licensure evaluation of competency.

All Board members were in favor.

Motion carries.

Thomas Upshaw, M.D., of Charleston, S.C. Request for License to be reinstated 2004-111

Dr. Prabhu made a motion that was seconded by Dr. Chow to approve the following:

Lift the suspension with the following conditions:

1. Continued treatment with Dr. Burke with monthly assessments and quarterly reports.
2. Practice site must be approved by the Board before starting to work.
3. Continued restrictions allowing the Respondent to see only female patients above 65 years old and males over 18 years of age.
4. Continued participation in R.P.P. indefinitely.

All Board members were in favor.

Motion carries.

2001-146

Dr. Prabhu made a motion that was seconded by Dr. Simpson to approve the following:

1. Grant the request for dismissal of the complaint.

Dr. Chow, Dr. Costa, Dr. Simpson and Dr. deHoll are in favor. Dr. Tice, Mrs. Black and Dr. Prabhu are opposed.

With a vote four to three the motion carries.

Allan Walls, M.D., of Columbia, S.C. FINAL ORDER HEARING 2004-392

Dr. deHoll made a motion that was seconded by Dr. Simpson to approve the following sanction:

1. Indefinite suspension.
2. The Board will consider return to practice in a board-approved practice setting.

3. Indefinite monitoring by R.P.P. with terms agreeable to the Board.
4. Respondent must agree to surrender and not reapply for D.E.A license
5. Respondent must successfully complete and approved ethics course before consideration to return to practice.
6. Respondent must pay a fine in the amount of \$25,000 within the next two years.

All Board members were in favor.

Motion carries.

**LLR-BOARD OF MEDICAL EXAMINERS
BOARD MEETING, FEBRUARY 5-7, 2007**

**DISCUSSION TOPIC: Recommendations from the PA Committee Meeting
January 5, 2007**

**FROM: Harold Harvey, P.A., Chairperson
S.C. Physician Assistant Committee**

The Committee members present were as follows: Mr. Harold Harvey, of Hampton, Chairman; Dr. William Hueston; Mt. Pleasant; Mr. Reamer Bushardt; Charleston; Ms. Lisa Sand, Columbia and Dr. Stephen Gardner, Greenville; Graham Adams, Chapin; and Dr. Richard Rhodes, Charleston.

NOMINEES FOR COMMITTEE SEATS

Nominated for the following seats for 2007 were:

Chairman—Harold Harvey, PA

Vice-Chairman—Lisa Sand, PA

Secretary-Treasurer---Reamer Bushardt, PA

AGENDA TOPIC: REVIEW OF SCOPE OF PRACTICE GUIDELINES

The Committee reviewed the Scope of Practice Guidelines for the following PAs:

1. Virginia Blease, PA
2. Jennifer Farres, PA
3. Carrie Hawkins, PA
4. Nancy Bailey, PA
5. Crystal DeVivo, PA
6. Meredith Ditzel, PA
7. Darlene Fisher, PA
8. Jennifer Flynn, PA
9. Jacquelyn Gibbons, PA
10. Cara Goldberg, PA
11. 11 Martha Green, PA
12. James Grimes, PA
13. Jennifer Henson, PA
14. Tonya Humphreys, PA
15. Heather Joye, PA
16. Phyllis Kutch, PA
17. Robert McKenna, PA
18. Anna McKie, PA
19. Kristin Meyer, PA
20. Mary Phillips, PA
21. Steven Price, PA
22. Christina Skipper, PA
23. Amy York, PA
24. Maureen Bailey, PA
25. Emily Bagwell, PA
26. Diane Busch, PA
27. Kevin Harmon, PA
28. Brandy Perry, PA
29. Crispin Reeves, PA
30. Madelyn Serina, PA
31. Rebecca Zerwick, PA
32. Terry Clark, PA
33. Jessamyn Deemer, PA
34. Linda Hubbard, PA
35. Buddy Davis, PA
36. Kenya Fernandes-Briggs, PA
37. Elizabeth Kryway, PA
38. Wayne Mounts, PA
39. Karen Goodale, PA
40. Brandy Perry, PA
41. Keith Remo, PA
42. Angela Watkins, PA
43. Eric Carandang, PA
44. Julie Dukes, PA
45. Beth Edwards, PA
46. Melissa Loeffler, PA
47. Jonathan York, PA
48. Kristen Giet, PA

After careful review and discussion, Dr. Hueston made a motion to approve the forty-eight (48) Scope of Practice Guidelines as recorded above. Dr. Gardner seconded the motion. The motion passed.

The following Scope of Practice Guidelines were approved pending additional information and/or clarification:

- 1) Ms. Sand discussed Blair Dobson, PA Scope of Practice. Ms. Dobson submitted two scope of practice guidelines (IM/CV). Ms. Dobson is currently practicing in an CD/TS practice. Ms. Sand made a motion to deny this scope pending clarification on the guidelines submitted. Dr. Gardner seconded the motion. The motion passed.
- 2) Ms. Sand discussed Melinda Hight, PA Scope of Practice Guidelines. Ms. Sand made a motion to deny Ms. Hight's scope of practice pending the supervisory statement. Dr. Hueston seconded the motion. The motion passed. (Ms. Hight provided supervisory statement on January 11, 2007)
- 3) Ms. Sand discussed Jennifer Neuman's Scope of Practice Guidelines. Ms. Neuman currently practices in a Radiology practice.

Ms. Sand made a motion to deny this scope pending clarification and/or documentation of her request for Lumbar Puncture under Flourosopic guidance and joint injections (GAD) and clarification on the request for Sentinal Lymph Node injections "not" localized. Dr. Gardner seconded the motion. The motion passed.

AGENDA TOPIC: CONFIRMATION OF OJT, REQUEST FOR OJT AND ADDITIONAL TASKS

Christopher Stephanoff, P.A. and his supervising physician, Dr. Douglas Michaelsen HEM/ON in Charleston, SC.

The Committee reviewed a request from Dr. Douglas Michaelsen for on-the-job training to allow Mr. Stephanoff to perform Bone Marrow Biopsies.

Dr. Hueston made a motion to approve this request with documentation of assisting with five (5), observing five (5) and performing five (5) procedures under the supervision of Dr. Michaelsen before Mr. Stephanoff may begin performing this procedure. Mr. Bushardt seconded the motion. The motion passed.

AGENDA TOPIC: REQUEST FOR OFF-SITE

The following applications were submitted for consideration for off-site practice:

Sarah Ledford, P.A. and her supervising physician, Dr. William Clark (FP) of Williston, SC submitted an Off-site application to work in Wagener, SC. The distance for this request is approximately 41 minutes and/or 27 miles.

After careful review and discussion of Ms. Ledford's request for off-site practice, Dr. Gardner moved to approve the request based Ms. Ledford's experience and Scope of Practice Guidelines submitted. Mr. Bushardt seconded the motion.

Cornell Caviness, P.A. and his supervising physician, Dr. Thomas Crosby (FP) of Georgetown, SC submitted an Off-site application to work in Hemingway, SC. The distance for this request is approximately 33 minutes and/or 26 miles.

After careful review and discussion of Mr. Caviness's request for off-site practice, Ms. Sand moved to approve the request based Mr. Caviness's experience and Scope of Practice Guidelines submitted. Dr. Hueston seconded the motion.

Glenda Minter, P.A. and her supervising physician, Dr. J. Vance VanDerGriff (FP) of Georgetown, SC submitted an Off-site application to work in Hemingway, SC. The distance for this request is approximately 33 minutes and/or 26 miles.

After careful review and discussion of Ms. Minter's request for off-site practice, Dr. Hueston moved to approve the request based Ms. Minter's experience and Scope of Practice Guidelines submitted. Ms. Sand seconded the motion.

DISCUSSION OF THE FEDERATION CREDENTIALS VERIFYING SERVICE (FCVS)

At the Board's request, the Committee reviewed information on the service that is being offered by the FCVS. The FCVS obtains direct, primary source verification of credentials in identity, Academic Education, PA Program Education, Postgraduate Training and NCCPA Certification/Examination history.

Applicants, who utilize the FCVS service, establish a permanent, lifetime portfolio of primary-source verified credentials. These documents can be used throughout the applicant's career for state licensure, hospital privileges, and employment and professional memberships. Ms. Sand made a motion to accept this as information and Dr. Hueston seconded the motion.

DISCUSSION OF VACANT COMMITTEE SEAT

The Committee reviewed a letter of interest from Dr. Jack Scheuer, Jr. to serve as a physician member on the Physician Assistant Committee. Dr. Scheuer is a Board Certified Internal Medicine physician currently practicing at Sentinel Health Partners which employs several physician assistants.

Dr. Rhodes made a motion to nominate Dr. Scheuer for the physician seat on the Committee and Mr. Adams seconded the motion. The motion passed.

DISCUSSION OF PHYSICIAN ASSISTANT INTERVIEWS

Dr. Gardner discussed the personal interview process for physician assistant and made a motion to recommend to the Board, the permission for physician interviewers, in their discretion, to waive the live interview for approval of relationships between experienced supervising physicians (primary or alternate) and Physician Assistant, if they both have been through the interview process before or served for two years or more as an alternate supervisor. In those situations, the interview could be conducted by telephone or waived altogether in the physician member's discretion.

NEXT COMMITTEE MEETING DATE

The next Physician Assistant Committee meeting is scheduled for Friday, April 6, 2007 at 2:00 P.M.

Dr. Prabhu made a motion to accept the PA portion of the consent agenda. Dr. deHoll seconded the motion. All in favor.
Motion Carries.

Joe Turner, N.P., of Mt. Pleasant, S.C.

Request to allow work farther than 45 miles from supervisor

Dr. Costa advised that the board would be instituting a committee to gather information. The board will decide in the near future on a decision as to the request.

Ann Lee, N.P., of Mt. Pleasant, S.C.

Request to allow work farther than 45 miles from supervisor

Dr. deHoll made a motion that was seconded by Mrs. Black to approve the following:

1. Approve proposal to extend the 45-mile limit within a district.

All Board members were in favor except Dr. Simpson and Dr. Tice. Motion carries.

Guy D. Murphy, M.D., of Kenilworth, NJ
Applicant for Licensure

Dr. Prabhu made a motion to grant a full licensure pending an interview and meeting the remainder of the criteria. Motion was seconded by Dr. Gardner All in favor.

Motion Carries.

Randal Betz, M.D., of Philadelphia, PA
Applicant for Licensure

Dr. deHoll made a motion to grant a full licensure pending an interview and meeting the remainder of the criteria. Motion was seconded by Dr. Tice. All in favor.

Motion Carries.

GENERAL COUNSEL REPORTS

Lynne Rogers, LLR's General Counsel gave the Board an overview of how the Office of Investigations and Enforcement was formed and the problems discovered regarding the backlog of Medical Board cases.

A motion was made and passed for the Board to go into Executive Session to review the General Counsel reports. No votes were made or actions taken while the Board was in Executive Session.

A Motion was made and passed for the Board to return to Public Session.

DISMISSALS

Dr. Gardner made a motion that was seconded by Dr. Prabhu and unanimously passed approving the following cases for dismissal pursuant to the recommendation of LLR's General Counsel that there is a lack of sufficient evidence to warrant a formal complaint:

2003-137	2006-210	2004-245	2004-348	2005-19	2005-35
2005-51	2005-66	2005-77	2005-103	2005-167	2005-195
2005-199	2005-206	2005-240	2005-278	2005-281	2005-301
2005-302	2005-326	2005-330	2005-355	2005-365	2006-18
2006-64	2006-127	2006-134	2006-136	2006-156	2006-158
2006-169	2006-172	2006-231	2006-238	2006-241	2006-248
2006-252	2006-253	2006-280	2006-298	2006-342	2006-346

2006-357 2006-370 2006-380 2006-381 2006-404 2006-411
2006-436 2006-437

LETTERS OF CAUTION

Dr. Gardner made a motion that was seconded by Dr. Hubbard and unanimously passed to issue a Letter of Caution in the following cases:

2005-123 2005-277 2005-311 2006-15 2006-69 2006-262
2006-400 2006-406 2006-423

FORMAL COMPLAINTS

Dr. Gardner made a motion that was seconded by Dr. deHoll and unanimously passed to authorize the issuance of a Formal Complaint pursuant to the recommendation of LLR's General Counsel that there is sufficient evidence to warrant formal proceeding in the following cases:

2004-38 2005-218 2006-496

CASES ON APPEAL

In Executive Session, the Board reviewed the cases that are now on appeal and received specific briefings from Mrs. Rogers.

COMPLIANCE REPORT

The Board received as information a list of monitoring cases that have been determined as being non-compliant. The Office of General Counsel is currently working on these cases to bring them up-to-date.

LICENSEES BEING MONITORED

The Board received as information a list of all the licensees currently being monitored by the Board.

STATISTICAL REPORTS ON COMPLAINTS

The Board received as information the following statistical reports:

MEDICAL BOARD COMPLAINTS RECEIVED 1/1/05 – 12/31/05

Alleged Issue	Total	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Alcohol and Other Substance Abuse	3	2	1		
Allowing Unlicensed Person to Practice	4	2	1	1	
Disclosure of Patient Information	5		1	2	2
Drug Violation	10	2	4	2	2

Failure to Maintain/Provide Records	13	1	5	5	2
Insurance Fraud (Non-Govt or Private Insurance)	2			2	
License Action by Fed State Local Licensing Auth	2				2
Loss of Hospital Privileges	1			1	
Medication Errors	1			1	
Mental Disorder	1		1		
Mental Incompetence	1			1	
No Jurisdiction	2		1		1
Patient Neglect/Abandonment	11	3	1	5	2
Prescribing Matters	8	3	4	1	
Sanctioned by Other Board	5	1		2	2
Sexual Misconduct	5		1	2	2
Sub-Standard Patient Care	124	38	23	28	35
Unlicensed Practice	13	4	5	3	1
Unprofessional Conduct	88	39	19	19	11
Violation of Final Order/Agreement	2			1	1
TOTALS	301	95	67	76	63
Cases Pending as of 12/31/05	451				

MEDICAL BOARD COMPLAINTS CLOSED 1/1/05 – 12/31/05

Resolution	Total	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Administrative Dismissal	27	7	4	10	6
Cease and Desist	1				1
Complaint Dismissed with No Action Taken	15		4	2	9
Consent Agreement/Private	2			1	1
Consent Agreement/Public	1		1		
Dismissed (Licensee)	164	45	35	47	37
Dismissed (Unlicensed)	1		1		
Final Order	7			3	4
Letter of Caution	13	2		1	10
No Issue Found	1	1			
No Jurisdiction	2				2
Private Reprimand	3		3		
Public Reprimand	5		1	4	
Stay of Suspension	1				1
TOTALS	243	55	49	68	71

FORMAL COMPLAINTS AUTHORIZED 1/1/06 – 12/31/06

Alleged Issue	Number
Alcohol and Other Substance Abuse	4
Disclosure Violation	1
Drug Violation	3
Prescribing Matters	8
Sanctioned by Other Board	7

Sub-Standard Patient Care	15
Unlicensed Practice	1
Unprofessional Conduct	8
Violation of Final Order/Agreement	4
Sexual Misconduct/Boundary Issues	2
TOTALS	53

MEDICAL BOARD PANEL HEARINGS HELD 1/1/06 – 12/31/06	
Alleged Issue	Number
Alcohol and Other Substance Abuse	1
Criminal Conviction	1
Insurance Fraud	1
Loss of Hospital Privileges	1
Prescribing Matters	1
Substandard Patient Care	2
Unprofessional Conduct	1
TOTALS	9

TEMPORARY SUSPENSION/ EVALUATION ORDERS ISSUED 1/1/06 – 12/31/06		
Alleged Issue	Temporary Suspension	Evaluation Order
Alcohol or Substance Abuse	7	1
Criminal Conviction	1	
Patient Neglect/Abandonment		1
Prescribing Matters	1	
Sexual Misconduct/Boundary Issues	1	
Unprofessional Conduct	1	1
Violation of Final Order/Agreement	10	
TOTALS	21	1

REQUESTS TO WITHHOLD IDENTITY OF COMPLAINANTS 1/1/06 – 12/31/06		
Alleged Issue	Withhold Identity	Do Not Withhold Identity
Improper Supervision		3
Substandard Patient Care		2
Unprofessional Conduct	1	
Totals	1	5

MEDICAL BOARD COMPLAINTS RECEIVED 1/1/06 – 12/31/06					
Alleged Issue	Total	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Allowing Unlicensed Person to Practice	6	2	3	1	1
Criminal Conviction	2	2			

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Criminal Conviction Not Classified	1			1	
Disclosure of Patient Information	7	4	3		3
Discriminatory Misleading False Deceptive Advertise	1		1		3
Drug Violation	14	7	4	3	
Failure to Maintain/Provide Records	12	5	4	3	
Insurance Fraud (Medicaid or Other Fed Gov Prog)	1			1	
Insurance Fraud (Non-Govt or Private Insurance)	3	1	2		
License Action by Fed State Local Licensing Auth	1		1		
Loss of Hospital Privileges	2	1	1		1
No Issue Found	6	2	4		
Other (Not Classified)	1	1			2
Patient Neglect/Abandonment	28	9	8	11	11
Prescribing Matters	8	1	7		
Prescription Fraud	2		2		1
Sanctioned by Other Board	5	1	3	1	
Sexual Misconduct	6	3	1	2	38
Sub-Standard Patient Care	138	49	38	51	3
Unlicensed Practice	2	2	3	1	3
Unprofessional Conduct	49	15	13	21	18
Violation of Final Order/Agreement	10	5	2	3	
TOTALS	397	111	100	101	85

MEDICAL BOARD COMPLAINTS CLOSED					
1/1/06 – 12/31/06					
Resolution	Total	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Administrative Dismissal	18	1		10	7
Cease and Desist	4				4
Complaint Dismissed with No Action Taken	6	2	4		
Consent Agreement/Private	4		3	1	
Consent Agreement/Public	26		9	7	10
Dismissed (Licensee)	188	44	53	49	42
Dismissed (Unlicensed)	1	1			
Final Order	23	5		18	
Letter of Caution	19	4	3	3	9
No Issue Found	11	1	9		1
Private Reprimand	2	2			
Public Reprimand	15	12		2	1
Relinquish License	7	2		5	
Revocation	4	1	2	1	
Suspension	2	2			
TOTALS*	332	77	83	96	76

*These numbers do not reflect cases closed on previous computer system

RECESS AND RECONVENE

The Board recessed at 5:00 P.M. and reconvened Wednesday, February 7, 2006 at 8:00 A.M. with a quorum present.

Discussion Topic (B) Interview Administrative Change:

Annette Disher advised the Board of the proposed change the interview process. The proposal was to scan the full application packets and have them available to the board members on the Medical Board notebook. This proposal was opposed by Dr. Gardner and the matter was tabled for the time being.

Discussion Topic (D) Laser and Intense Pulsed Light Therapy Policy:

Bruce Duke and Rick Wilson advised the Board of Laser and Intense Pulsed Light Therapy Policy. All in favor.

Roger E. Adler, M.D., of Manning, S.C.
2006-48 Request to Reinstate License

Dr. Prabhu made a motion that was seconded by Dr. deHoll and unanimously passed to approve the following:

1. Respondent must continue with the September 20th Order of the Board to include satisfactory completion of ABEL treatment for Professional Sexual Misconduct to the satisfaction of the Board.

Motion carries.

2005-124

Dr. Prabhu made a motion that was seconded by Dr. Simpson and unanimously passed to approve the following sanction:

1. Respondent to continue indefinite suspension until his case on appeal is decided for further consideration by Board.

Motion carries.

Discussion Topic (E) Request for a Board member to speak at the SC Medical Staff Services meeting

Bruce Duke asked that Dr. Gardner speak at this meeting. Dr. Gardner agreed and Medical Board staff to provide Dr. Gardner with additional information regarding organization.

William G. Kodzai, M.D., of Charlotte, N.C.
Applicant for Licensure

Respondent withdrew application.

Darryl Sugar, M.D., Seneca, S.C. FINAL ORDER HEARING
2006-454

Dr. Prabhu made a motion that was seconded by Dr. Tice and unanimously passed to approve the following sanction:

1. Respondent has violated the Medical Practice Act.
2. Public Reprimand
3. Respondent must pay a fine of \$1,000 plus court cost, within six months
4. Indefinite participation in R.P.P. program.

Dr. Costa made an amendment that the suspension be terminated and license fully enacted.

Motion carries.

Carlos A. Cerruto, M.D., of Dallas, TX
Applicant for Licensure

Dr. deHoll made a motion to hold application until the Board receives information regarding the applicant's pathology board tests. Motion was seconded by Dr. Tice All in favor except Dr. Gardner.

Motion Carries.

Applicant for Licensure

Dr. Prabhu made a motion for the Respondent to pursue further training rehabilitation for improving cognitive rehabilitation. Respondent granted a limited license for training purposes, restricted site-specific. Motion was seconded by Dr. Simpson. All in favor.

Motion Carries.

2002-33

Request to be released from terms and conditions

Gardner made a motion to continue the terms and conditions of the 2003 Order from this Board pending further information or terms and conditions from the state of Georgia, which may include a release from their agreement.. Motion was seconded by Dr. deHoll. All in favor.

Motion Carries.

Werner S. Haddon, M.D., of Raleigh, NC FINAL ORDER HEARING
2006-300

Dr. Prabhu made a motion that was seconded by Dr. Chow and unanimously passed to approve the following sanction:

1. Respondent has violated Medical Practice Act.
3. Public Reprimand
4. Respondent must pay court costs in the amount of \$128.75.
5. Suspension lifted.
6. Respondents' therapist must submit quarterly reports to the Board.

Motion carries.

Discussion Topic (F) Interpretation of 40-47-32 D(11):

Bruce Duke and Rick Wilson asked the Board for their interpretation of 40-47-32 D(11). The Board decided that it was to include 150 hours/3years with 75% of that being in the specialty. Dr. deHoll is to work with Rick to draft and will email the information to all board members.

Discussion Topic (C) Board Retreat 2007:

It was decided that previously Dr. Kraikit had expressed a desire to organize this retreat and since Dr. Kraikit was not present it would be held over to a future board meeting.

DISCUSSION TOPICS.

During the two days of the regular meeting, the following discussion topics were reviewed:

(A) Committee Reports

1. Legislative Impact Committee – *Costa, Gardner, Prabhu, Black*
2. Medical Practice Advisory Committee – (meeting only when needed) *Prabhu, Kraikit, Gardner, Black, Tice*
3. Recovering Professional Program Advisory Committee - *Prabhu*
4. Office Based Surgery Ad Hoc Committee – *Costa, Prabhu,*
5. Editorial Committee – *Costa, Prabhu, Gardner*
6. Executive Committee – *Costa, Prabhu, Gardner, Rick Wilson, Bruce Duke*
7. Maxillofacial & Oral Surgery Ad Hoc Committee - *Prabhu, Costa, Gardner*
8. Professional Licensure & Responsibility Education Committee – *Kraikit, Hildebrand, Prabhu, Rick Wilson, Andrew Savage, Esquire*
9. Medical Practice Act (MPA) Revision Committee- *All Board members*
10. Physician Delegation of Permanent Cosmetic Application Ad hoc Committee – *Costa*
11. Athletic Trainers Committee – *Gardner*
12. Continuing Medical Education Committee – *Hubbard, Kraikit*
13. Surgical Technologists/First Assistant Legislative Committee – *Gardner (chair), Prabhu, Reba Revan, Maggie Harvey*

(B) Interview Administrative Change– *Bruce Duke*

(C) Board Retreat- *Bruce Duke*

(D) Laser and Intense Pulsed Light Therapy Policy - *Bruce Duke and Rick Wilson*

(E) Request for a Board member to speak at the South Carolina Medical Staff Service meeting - *Bruce Duke*

(F) Interpretation of 40-47-32 D(11)- *Bruce Duke and Rick Wilson*

(G) Quarterly Malpractice Report - *Bruce Duke*

(H) Change May 2007 Board meeting dates - *Bruce Duke*

ADJOURNMENT.

There being no additional business the meeting was adjourned at 6:00 P.M. on Wednesday, February 7, 2007

Respectfully submitted,

Bruce F. Duke
Board Administrator

BFD/maf