

**EXECUTIVE SESSION MINUTES**  
**STATE BOARD OF MEDICAL EXAMINERS OF SOUTH CAROLINA**  
**February 1, 2016**

Board Meeting  
Synergy Business Park  
The Kingstree Building  
110 Centerview Dr., Room 108  
Columbia, South Carolina 29210

**MEETING CALLED TO ORDER**

Dr. Stephen Gardner, President of the Board, called the regular meeting of the S.C. Board of Medical Examiners to order at 8:10 A.M., on Monday, February 1, 2016, at 110 Centerview Drive, Room 108, Columbia, South Carolina, with a quorum present. Dr. Gardner 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 Kingstree Building where the Board office is located.

Board members present for this meeting were:

Dr. Stephen Gardner, of Greenville, President  
Dr. Jeff Welsh, of Columbia, Vice President  
Dr. Robert Turner, of Florence, Secretary  
Dr. Jim Chow, of Columbia  
Dr. Mike Vasovski, of Aiken  
Dr. Anne Cook, of Anderson  
Dr. Daniel Saad, of Greer  
Dr. Stephen Schabel, of Charleston  
Dr. James Hubbard, of Rock Hill

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

Sheridon Spoon, Board Administrator  
April Koon, Administrative Coordinator  
Elizabeth Harrison, Administrative Assistant  
Brenda Eason, Administrative Assistant  
Candace Gunter, Administrative Assistant  
Connie Flanery, Administrative Assistant  
Latonea Jones, Administrative Assistant  
Debra Wade, Administrative Assistant  
Vanessa Oliver, Temporary Administrative Assistant

Office of Disciplinary Counsel

Patrick Hanks, Office of Disciplinary Counsel  
Megan Flannery, Assistant Disciplinary Counsel  
Prentiss Shealey, Assistant Disciplinary Counsel

Office of Advice Counsel

Darra Coleman, Chief Advice Counsel  
Adam Russell, Advice Counsel

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**REVIEW/APPROVAL OF AGENDA**

Dr. Cook made a motion to approve the agenda for this meeting. Dr. Turner seconded the motion. All in favor. Motion carries.

**REVIEW/APPROVAL OF MINUTES FROM NOVEMBER 2-4, 2015 BOARD MEETING**

After considering recommendations, additions, deletions and corrections, a motion was made to approve the November 2-4, 2015 minutes by Dr. Hubbard and seconded by Dr. Welsh. The motion and the minutes were unanimously passed.

**JOINT PHARMACIST ADMINISTERED IMMUNIZATION PROTOCOL**

Teresa Foo, MD, MPH Chair of the Joint Pharmacist Administered Immunization Protocol Committee spoke to the Board to discuss updates to the current protocol. Dr. Schabel made a motion to approve the updated protocol. Dr. Hubbard seconded the motion. All in favor. Motion carries.

**SOUTH CAROLINA PRESCRIPTION MONITORING PROGRAM UPDATE**

Christie Frick, RPH, SC DHEC, Bureau of Drug Control, Director of Prescription Monitoring Program spoke to the Board about the updates to the Prescription Monitoring Program.

**TELEMEDICINE DISCUSSION**

A motion was made by Dr. Turner and seconded by Dr. Cook to approve all telemedicine companies that were recommended for approval by the Telehealth Committee. All in favor. Motion carries.

Companies included:

Carena Telemedicine  
Doctor on Demand  
MedCallAssist  
Carolina Health Systems

**1. PRESENTATION FROM SCHOOL-BASED TELEMENTAL HEALTH, MUSC**

Dr. McElligott, Medical Director of Telehealth at MUSC, presented updates to their telemedicine model for School-Based Telemental Health, MUSC to the Board. Dr. Cook made a motion for Dr. McElligott to submit updated protocols and guidelines and refer to Telehealth Committee from approval of updated protocols. Dr. Turner seconded the motion. All in favor. Motion carries.

**2. PRESENTATION FROM MYIDEALDOCTOR**

Christian Stagler, Esquire, presented updates on the telemedicine model for MyIdealDoctor to the Board. Dr. Turner made a motion for approval of this telemedicine model. Dr. Cook seconded the motion. All in favor. Motion carries.

**SC MEDICAL ASSOCIATION CME COMPLIANCE REPORT**

Todd Atwater, CEO, SCMA updated the Board on the 2015-17 CME compliance report. Accepted as information.

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## **PROPOSAL TO LICENSE ELECTROLOGISTS**

Ann Morris, CPE, President, SC Association of Electrologists addressed the Board concerning proposed legislation to license electrologists in South Carolina under the Medical Board's jurisdiction. A motion was made by Dr. Turner for the Board to take this under advisement and for Ms. Morris to keep the Board advised of the legislative progress. Motion was seconded by Dr. Cook. All in favor. Motion carries.

## **LEGISLATIVE UPDATE**

Holly Beeson, Attorney with the Office of Communications and Government Affairs with LLR updated the Board on bills that impact the board and the medical community.

## **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 the Board's Final Order is on file at the Board Office. After testimony for each case, the Board entered a private deliberative session. 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:**

### **2010-287**

#### **Final Order Hearing**

Dr. Cook made a motion as follows:

- Respondent has violated the Medical Practice Act
- Private Reprimand
- Fine of \$5,000 to be paid within six months
- Cost of \$468.76 to be paid within six months
- Complete Prescribing Course approved by the Board within six months
- Complete Recordkeeping Course approved by the Board within six months

Dr. Schabel seconded the motion

All in favor

Motion carries

### **Robert Walker, MD**

#### **2012-328**

#### **Final Order Hearing**

Dr. Cook made a motion as follows:

- Respondent has Violated the Medical Practice Act
- Public Reprimand
- Fine of \$2,500 to be paid within six months
- Cost of \$243.00 to be paid within six months
- Complete a 10 hour course of Category 1 CME in Medical Ethics to be completed within six months

Dr. Welsh seconded the motion

All in favor

Motion carries

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**Stephen Kroll, MD**

**2012-9**

**Final Order Hearing**

Dr. Schabel made a motion to grant the request of respondent, accept the retirement of his medical license permanently in SC and to withdraw the MOA.

Dr. Saad seconded the motion

All in favor

Motion carries

**Lance Lowe, MD**

**2015-1**

**Final Order Hearing**

Dr. Cook made a motion as follows:

- Respondent has Violated the Medical Practice Act
- Public Reprimand
- Cost of \$200.00 to be paid within six months

Dr. Welsh seconded the motion

Dr. Saad abstained

Motion carries

**Reginald Mickel, RCP**

**Applicant for reactivation of licensure / Prior Discipline**

Dr. Hubbard made a motion to allow Mr. Mickel to proceed with reactivation of his license when he passes the national certification exam. Mr. Mickel must remain in RPP for a period of five years and must return to the Board should he desire release from these terms and conditions.

Dr. Turner seconded the motion.

All in favor

Motion carries

**Camille Mills, MD**

**2010-332**

**Final Order Hearing**

Dr. Saad made a motion to allow respondent to withdraw the MOA and proceed to a panel hearing at respondent's request.

Dr. Schabel seconded the motion

All in favor

Motion carries

**Titus Caddell, MD**

**Request to lift restrictions of Final Order**

Dr. Schabel made a motion to allow respondent to withdraw the request to lift restrictions.

Matter continued.

Dr. Saad seconded the motion

Motion carries

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**2012-471**

**Final Order Hearing / Request for release from terms and conditions**

Dr. Cook made a motion as follows:

- Respondent has Violated the Medical Practice Act
- Private Reprimand
- Cost of \$360.00 to be paid within six months
- Continued enrollment in the Senior RPP program
- Continued quarterly evaluation and reports from Atlantic Psychiatric Consultants
- Semi-annual polygraph submitted to the Board every six months

Dr. Turner seconded the motion

All in favor

Motion carries

**John Siddens, DO**

**Request for release of Final Order**

Dr. Welsh made a motion to release respondent from Final Order

Dr. Cook seconded the motion

All in favor

Motion carries

**Edwin Gandy, MD**

**Request for release of Final Order**

Dr. Turner made a motion as follows:

- Lift restriction on prescribing controlled substances
- Work schedule to be extended to a 48-hour work week
- Quarterly reports from Lake City Hospital or any subsequent place of employment to be submitted to the Board with the need for 100% compliance for balancing the PMP and the emergency room log with no outside-the-emergency-room prescribing that isn't located on the log
- Must notify the Board immediately and seek approval for any new worksite location

Dr. Cook seconded the motion

All in favor

Motion carries

**A motion was made by Dr. Welsh and seconded by Dr. Saad to adjourn at 8:37 pm**

**Reconvened at 8:15 am Tuesday February 2, 2016**

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## **OIE REPORT**

Pat Hanks, Office of Disciplinary Counsel (ODC) presented the ODC Report to the Board. He stated they have 97 cases amongst three attorneys. 21 of those cases are pending Final Order; seven pending Final Order Drafting; they have closed 43 cases and the remainder cases are in the process of being presented to the Board.

Althea Myers, Chief Investigator for Office of Investigations presented the Investigative Review Committee's Report along with the statistical report. Mrs. Myers noted that key number 56 of the report has been pulled for further action by Office of Disciplinary Counsel. Mrs. Myers along with staff spent time briefing the Board on the investigators at LLR and their training along with how each department at LLR works together in the investigative and disciplinary process.

### **Dismissals**

63 Cases were presented and approved for dismissal. Dr. Hubbard moved to accept the recommendations and Dr. Chow seconded the motion and the Board unanimously approved the recommendations.

### **Formal Complaints**

9 Cases were presented for formal complaint. Dr. Hubbard moved to accept the recommendations Dr. Welsh seconded the motion and the Board unanimously approved the recommendations.

### **Letters of Caution**

16 Cases were presented for a letter of caution. A motion was made by Dr. Cook to approve the letters of caution. Dr. Welsh seconded the motion. Dr. Hubbard abstained. Motion carries.

### **David Vincent Rhodes, MD**

#### **2011-219**

#### **Final Order Hearing**

Dr. Cook made a motion as follows:

- Respondent has violated the Medical Practice Act
- Public Reprimand
- Permanent Revocation of medical license

Dr. Vasovski seconded the motion

Dr. Turner opposed

Motion carries

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**Stephen Lloyd, MD**

**2015-179**

**Final Order Hearing**

Dr. Cook made a motion as follows:

- Respondent has violated the Medical Practice Act
- Public Reprimand
- Respondent may not practice medicine on family members past or present
- Complete a prescribing course approved by the Board within six months
- Continue chaperoning arrangement as stated in reinstatement order for a period of six months
- Pay cost of \$1,895.00 to be paid within six months

Dr. Schabel seconded the motion

All in favor

Motion carries

**Jeffrey Anglen, MD**

**Applicant for licensure**

Dr. Hubbard made a motion to allow applicant to proceed with licensure. Dr. Saad seconded the motion. All in favor. Motion carries.

**Applicant for licensure**

Dr. Gardner made a motion for a private order to defer application for licensure until applicant takes and passes the Internal Medical Board Certification exam. The President of the Board may review the application after passage of the exam and give approval. Applicant must continue enrollment in RPP and continue psychotherapy for PTSD and other related conditions with Dr. Book or a psychiatrist approved by the Board with quarterly reports to the Board.

Dr. Schabel seconded the motion.

All in favor

Motion carries

**Request to be released from terms and conditions**

Dr. Saad made a motion as follows:

- To follow the directions delineated in Dr. Rachael's recommendations which include respondent must have a chaperone with female patients and document their presence during the patient encounters according to the AMA Guidelines and Code of Ethics
- Respondent shall have a physician mentor /supervisor whom he can discuss difficult or challenging patients with that can assist improving insight of high risk situations
- Respondent must undergo a polygraph examination every six months as an additional monitoring tool. Specifically he must be asked questions relative to any inappropriate sexual behavior with patients during those times.
- Respondent must demonstrate clinical competency, either by way of obtaining a residency with a reinstatement of his license or enter the PACE Program and document to the satisfaction of the Board that he is fit to practice medicine.

Dr. Schabel seconded the motion

All in favor/Motion carries

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**William Huntington, MD**

**Applicant for licensure**

Dr. Gardner made a motion to allow applicant to proceed with licensure. Dr. Welsh seconded the motion.

All in favor  
Motion carries

**Edmond Brown, MD**

**Applicant for licensure**

Dr. Gardner made a motion to defer licensure until applicant takes and passes the SPEX exam. He must also complete the FSMB online course on opioid prescribing. Must have practice site approved by the Board with a supervising physician with quarterly reports to the Board. Dr. Welsh seconded the motion.

All in favor  
Motion carries

**CME Documentation CE Broker/ Dylan Sitterle, LLR**

Mr. Sitterle gave a brief presentation on the CE Broker program offered by LLR. The Board accepted the information and took the matter under advisement.

**Vernon Johnson, MD**

**Applicant for licensure**

Dr. Turner made a motion to allow applicant to proceed with licensure. Dr. Welsh seconded the motion.

Dr. Cook and Dr. Hubbard abstained  
Motion carries

**James Persky, MD**

**Applicant for 14 day licensure**

Applicant did not appear for the hearing.

**David Weitzman, MD**

**Applicant for licensure**

Dr. Gardner made a motion to defer application until applicant completes one year postgraduate training that is ACGME- approved. The President of the Board may then authorize the applicant to proceed with licensure. Dr. Welsh seconded the motion.

All in favor  
Motion carries



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**Applicant for licensure**

Dr. Gardner made a motion to allow applicant to proceed with temporary licensure. Must submit a psychiatric evaluation and treatment plan prior to permanent licensure and provide quarterly reports to the Board thereafter. Dr. Welsh seconded the motion.

All in favor  
Motion carries

**Richard Eaton, MD**

**Applicant for licensure**

Dr. Gardner made a motion to allow applicant to proceed with licensure. Dr. Welsh seconded the motion.

All in favor  
Motion carries

**Request for reconsideration of Order**

Dr. Gardner made a motion as follows:

- Respondent must continue under psychiatric care with quarterly reports to the Board
- Respondent must obtain an independent evaluation by a psychiatrist approved by the Board to determine her fitness to practice regarding possible professional misconduct. This report will be available to when it is completed so that he may continue treatment and/or alter treatment as indicated by that evaluation
- Respondents request for modification of the order to a private reprimand is denied

Dr. Cook seconded the motion  
All in favor  
Motion carries

**PHYSICIAN ASSISTANTS ADVISORY COMMITTEE RECOMMENDATIONS**

Sheridon Spoon, Administrator of the Medical Board presented recommendations from the January 8, 2016 Physician Assistant Committee meeting. After considering the recommendations, additions, deletions and corrections, Dr. Hubbard made a motion to approve the recommendations. Motion was seconded by Dr. Cook. All in favor. Motion carries.

**RESPIRATORY CARE PRACTITIONERS COMMITTEE RECOMMENDATIONS**

Sheridon Spoon, Administrator of the Medical Board presented recommendations from the January 15, 2016 Respiratory Care Practitioners Committee meeting. After considering the recommendations, additions, deletions and corrections, Dr. Cook made a motion to approve the recommendations. Motion was seconded by Dr. Welsh. All in favor. Motion carries.

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## **PRESIDENT AND ADMINSTRATOR REMARKS**

### **President's Report**

Stephen Gardner reported the following:

**Physician Assistants Prescribing Fentanyl Patches:** The president recognized Lisa Thomson of DHEC who shared information with the board on this issue. Clarification and documentation was provided regarding transdermal administration of Fentanyl. The board determined is within the parameters of the practice act for Physician Assistants along with oral and parenteral administration, subject to the standard of care. DHEC and the Pharmacy Association will update their web information accordingly.

**Request for approval of University of Kentucky College of Pharmacy Immunization Training Program:** This program was approved by the board according the joint approval protocol with the Board of Pharmacy.

**Applicant Interview Process:** The ad hoc committee consisting of Drs. Chow, Cook and Saad was engaged to move forward on this issue.

**Federation of State Medical Boards Licensing Compact:** Dr. Gardner advised the members to educate themselves about the compact. This topic will be addressed at the FSMB conference in April 2016.

**Report regarding Healthcare Collaborative Committee:** Met and formed a subcommittee to further address the county detention center issue.

**Revision of Advisory Opinion regarding prescribing considerations for hospice providers:** Discussion and an executive session followed at the conclusion of which the board determined that after 14 days the physician must examine the patient and not depend solely on examination and documentation by nursing staff or other delegated personnel. Revisions to the advisory opinion will reflect the board's position.

**Governor's Task Force on Domestic Violence:** Alex Imgrund of the Office of Disciplinary Counsel informed the board that the Task Force has a website including llronline.com and a spreadsheet of resources which is broken down by county. LLR will also do an e-blast conveying the Task Force information to licensees.

Dr. Gardner concluded by engaging a discussion with the members present to be mindful of the agenda item time allotted and to endeavor to focus their questioning in both license and disciplinary cases. A brief discussion followed regarding the need for expert reviewers as presented earlier during the OIE report.

### **Administrator's Report**

Sheridon Spoon reported the following:

**FSMB Annual Conference:** will be held in San Diego April 28-30, 2016. Dr. Gardner and Mr. Spoon were approved to attend;

**State Ethics Commission:** reminded the board members to file their Statement of Economic Interests report with the State Ethics Commission by the deadline of March 30<sup>th</sup>, 2016.

**Reporting of Board Actions:** this question was deferred as it arose from Dr. Schabel who was away from the meeting at this time.

**Board adjourned 7:55pm on Tuesday, February 2, 2016**

**Respectfully Submitted**

**April Koon**

**Administrative Coordinator**

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