

THE SOUTH CAROLINA BOARD OF MEDICAL EXAMINERS
SYNERGY BUSINESS PARK, KINGSTREE BUILDING, ROOM 108
110 CENTERVIEW DRIVE, COLUMBIA
SOUTH CAROLINA 29210

November 4-6, 2019 Minutes

Monday, November 4, 2019

Review and adoption of Agenda. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

Approval of August 5-6, 2019 minutes. Motion Dr. Cook. Second Dr. Franga. Motion carried.

Approval of October 3, 2019 Special Called Meeting minutes. Motion Dr. Cook. Second Dr. Franga. Motion carried.

Approval of excused absences [Dr. Januchowski-November 5th after 4:30; Dr. Schabel-November 6th, after 2:30pm, Dr. Cook-Nov. 4th and 6th, after 5pm., Dr. Wright-November 6th after 5pm, Dr. Chow-November 5th after 3pm and November 6th after 5p.m.] Motion Dr. Wright. Second Dr. Dilts. Motion carried.

Introduction of Dion Franga, M.D., newly-elected member from Congressional District 6. The board recognized and welcomed its newly-elected member representing Congressional District 6, Dion L. Franga, M.D.

President's Report – Jeffrey A. Welsh, M.D.

1. Legislative Update-Katie Phillips, LLR Director of Governmental Affairs, appearing. Ms. Phillips updated the board on several pending bills of interest including the fetal heartbeat, genetic counselors licensing, the interstate licensure compact, access to birth control via pharmacies [similar to vaccine protocol, medical marijuana and the palliative care/hospice bill].
2. Election of Officers-the board conducted election of officers, which were Dr. Welsh, President, Dr. Cook, Vice-President and Dr. Schabel, Secretary.
3. S.C. Medical Association CME Compliance Report, Margie Heggie, CEO, S.C. Medical Assn., appearing. Ms. Heggie appeared and updated the board that SCMA will continue to offer its 2-hour course and provided its biennial CME compliance report. Ms. Heggie also briefly mentioned the legislative activities of the Association.
4. Questions regarding office-based surgery procedures- Meredith Sella, Counsel for Health Regulation, Maggie Murdock, Bureau of Healthcare Planning and Construction, Charlene Bell, Bureau of Health Facilities Licensing, appearing. Representatives from DHEC brought a question to the board regarding DHEC's licensing process for ambulatory surgery facilities in relation to the board's regulation of office-based surgery and whether resources may be available to resolve questions about which regulations apply. After discussion, the board formed a subcommittee consisting of Drs. Franga, Wright and advice counsel to study these questions further and report to the board at the February 2020 meeting.
5. RPP Senior Monitoring Program- Revisions to Senior Monitoring Program Agreement and Eligibility Requirements, Robyn Madden, Esq., Special Counsel/Administrative Coordinator, South Carolina Recovering Professional Program, appearing. Ms. Madden provided a written handout for information outlining three scenarios under which the board is asked to consider whether a board appearance is required to be released from RPP.
6. Update concerning DHEC/DEA requirements for PA Controlled Substance prescriptive authority approval, Debbie Black, DEA, Meredith Sella, DHEC, Counsel for Health Regulation, appearing. Agent Black brought forward questions to board involving conforming the PA Scope of Practice Addendum to reflect that while PAs may prescribe controlled substances and may also practice via telemedicine, a board appearance is required for a PA to prescribe controlled substances via telemedicine. The PA Scope of Practice Addendum

will be updated to reflect this requirement and the addendum is also provided by the PA to DHEC as part of the DHEC/DEA to prescribe controlled substances.

7. Travel authorization for the National RX Drug Abuse and Heroin Summit in Nashville, TN April 13-16, 2020. The board approved Ms. Coleman to attend this conference.
8. *Executive session to provide legal advice regarding communication received by the Board*
9. Board Member Training-The board received training and written materials in Ethics and Legal issues provided by the Office of Advice Counsel and the Office of Disciplinary Counsel.

Administrator's Report – Sheridan Spoon, Administrator

1. Physician Assistant Advisory Committee-Mr. Spoon advised that the committee is recommending to the board two rather than four meetings per year. The board accepted the proceedings and licensure applications of the committee. Dr. McCallum and Ms. Gillespie are recently appointed. Motion Dr. Schabel. Second Dr. Cook. Motion carried.
2. Respiratory Care Practitioner Advisory Committee- The board accepted the proceedings and licensure applications of the committee. Motion Dr. Wright. Second Dr. Schabel.
3. Acupuncture Advisory Committee-Leslie Jafarace, L.Ac. appeared and addressed the committee. The board accepted the proceedings and licensure applications of the committee. Ms. Jafarace noted that the committee and the board staff are working on clarification of the requirements for the Auricular Therapy license. At the most recent committee meeting, Mr. John Howard provided additional information concerning the certification requirements for this license since they are not identified in statute and there is a low number of certification programs nationwide. Motion Dr. Cook. Second Dr. Franga. Motion carried.
4. Elections update -District 1 and District 6-These two elections are ongoing. The District 1 and District 6 petition deadline is November 11, 2019. As of this date, there is one petitioner for each district. The board requested an answer to the question regarding the District 6 petition in the event there were not 50 signatures.
5. CE Broker Update-The board discussed CE Broker which is offered to medical board licensees and a way to track their CME. The basic account is free. Approximately 2300 licensees have enrolled. Dr. Cook indicated she had received feedback from physicians enrolled that they were directed to a higher level account. Mr. Spoon will follow-up with CE Broker on this.
6. 2020 Statement of Economic Interests filing deadline. Early reminder: Deadline-March 30, 2020. The board received as information this filing requirement.
7. Military Spouse Licensure fee issue and temporary license language in statute. After consideration, the board determined not to modify the requirements for this license.
8. Medical Disciplinary Commission-Consideration of appointment [Andrew D. Clark, M.D. of Anderson, S.C., District 3] the board appointed Dr. Clark to serve on the MDC. Motion Dr. Schabel. Second Dr. Wright.
9. Board member contact information update and designation of legislative contact and back-up legislative contact. Mr. Spoon distributed the board contact information and asked each member to update their information. The board designated Drs. Welsh and Cook as primary and back-up legislative contacts.

Monday, November 4, 2019

Petition for Release from terms and conditions. Granted. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

Petition for Release from terms and conditions. Granted. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

HAMMETT, David H., M.D., of Columbia, S.C., 2013-307, Petition for Reconsideration of board order
Petition for Reconsideration of board order is denied. Motion Dr. Schabel Second Dr. Wright. Motion carried.

PATEL, Kevin V., M.D. of Napierville IL, 2018-398, MOA
MOA is accepted and the board finds Dr. Patel violated the Medical Practice Act
and the sanction is a public reprimand, investigative costs of \$200 within six
months, that he not have prescribing authority for schedule two or three controlled substances until further
order of this board, and that he may not petition for any change in this order for no less than one year.
Motion Dr. Schabel. Second Dr. Cook. Motion carried.

MOA
Letter of Caution. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

MOA
Dismissal. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

NASON, Barron S., M.D. of Isle of Palms, S.C., 2015-60, MOA
The Memorandum of Agreement is accepted. Public reprimand.
Respondent must complete a Recordkeeping course approved by the Board within six
months and pay investigative costs of \$505. The Board reserves the right to do random chart audits of his
practice at for appropriateness of both billing, documentation and appropriateness of examinations. Motion Dr.
Schabel. Second Dr. Howell. Motion carried. Motion carried.

MOA
Letter of Caution. Motion Dr. Chow. Second Dr. Schabel. Motion carried.

Public Comment/Recess

Tuesday, November 5, 2019

Office of Disciplinary Counsel and Office of Investigations and Enforcement Report

Pat Hanks, Office of Disciplinary Counsel, Gregg Hinson, Office of Investigations and Enforcement

In addition to the case statistics and training received by OIE staff, there were 71 Dismissals, 33 Letters of Caution, 16 Formal Complaints and 1 Dismissal with an Order to Cease and Desist.

Motion to accept Dismissals-Motion by Dr. Cook. Second by Dr. Schabel. Motion carried.

Motion to accept Letters of Caution- Motion by Dr. Januchowski. Second by Dr. Howell. Motion carried.

Motion to accept Formal Complaints- Motion by Dr. Januchowski. Second by Dr. Wright. Motion carried.

Motion to accept Order to Cease and Desist Motion by Dr. Januchowski. Second by Dr. Schabel. Motion carried.

MOA

Dismissal. Motion Dr. Howell. Second Dr. Schabel. Motion carried.

MOA

Dismissal. Motion Dr. Schabel. Second Dr. Cook. Motion carried.

CAMERON, Robert A. M.D., of Broomall, PA, Applicant for Licensure

Approved for licensure without condition. Motion Dr. Cook. Second Dr. Schabel. Motion carried.

MOA

Private reprimand. Payment of investigative costs and completion of a prescribing course within six months approved by the Board. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

ALHATOU, Mohammed I., M.D of Orangeburg, S.C., 2017-501, Petition for Reinstatement

Petition granted. The order of temporary suspension is lifted. Lifting of the temporary suspension will be without prejudice to the State, in regard to any future action. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

MOA

Letter of Caution. Motion Dr. Schabel. Second Dr. Januchowski. Motion carried.

MOA

Continued. Motion Dr. Dilts. Second Dr. Wright. Motion carried.

MOA

Letter of Caution. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

MOA

Letter of Caution Motion Dr. Schabel. Second Dr. Januchowski. Motion carried.

Public Comment/Recess

Wednesday, November 6, 2019

LECHE, Blake C., M.D., of Simpsonville, S.C., 2018-324, MOA
Public Reprimand. Respondent may never supervise a mid-level practitioner in South Carolina. Respondent may not prescribe scheduled narcotics. \$25,000.00 civil penalty to be paid within six months. Motion Dr. Schabel. Second Dr. Mills-Floyd. Motion carried.

WINGATE, Cheryl B., M.D. of Milledgeville, Ga., 2015-192, 2018-48, MOA
License in South Carolina shall remain inactive until she demonstrates to the Board ongoing competence by a year's unrestricted practice under an unrestricted license in another state. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

Petition to be released from terms and conditions. Granted. Motion Dr. Schabel, Second Dr. Cook. Motion carried.

CHAPMAN, William J. D.O., of Charleston, WV, Applicant for Licensure
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

HOUSTON, Brian D., M.D., of Morgantown, WV, Applicant for Licensure
Approved for licensure without condition. Motion Dr. Cook. Second Dr. Schabel. Motion carried.

MOA
Private reprimand and completion of a board-approved recordkeeping course within six months. Motion Dr. Wright. Second Dr. Januchowski. Motion carried.

SUNDEM, Leigh T., M.D. of Las Vegas, NV, Applicant for Licensure
Approved for licensure without condition. Motion Dr. Cook. Second Dr. Howell. Motion carried.

MOA
Letter of Caution. Motion Dr. Cook. Second Dr. Mills-Floyd. Motion carried.

Panel Report and Recommendations
Private reprimand. Completion of a opioid prescribing course approved by the Board within three months. Motion Dr. Cook. Second Dr. Howell. Motion carried.

WILLIAMS, Charles H., M.D. of Flowood, MS, 2013-5, Panel Report and Recommendations
Permanent Revocation. Motion Dr. Cook. Second Dr. Howell. Motion carried.

Public Comment/Adjournment

UPCOMING MEETINGS:

February 3-5 2020
May 4-6, 2020
August 3-5, 2020
November 2-4, 2020