

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

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Meeting Minutes

**Monday, November 2, 2020**

Review and adoption of Agenda; Approval of August 2020 meeting minutes  
Review and approval of excused absences [Dr. Januchowski after 4pm on Monday]  
Motion Dr. Schabel. Second Dr. Cook. Motion carried.

[\*2021 Meeting Dates: February 1-3, May 3-5. August 2-4, and November 1-3]

President's Report-Jeff A. Welsh, M.D.

1. Advisory Opinion on Co-prescribing and Dispensing of Opioid Antagonists. After discussion, the board will issue an advisory opinion on this subject at the request of the Governor.
2. Discussion: flu vaccines and anticipated COVID vaccine activities; allowing appropriately supervised certified medical assistants to administer flu and/or COVID vaccines to adults, Edward Bender, General Counsel & Executive Director of Regulatory Affairs, South Carolina Hospital Association  
After extended discussion and an executive session, the board passed a motion as follows: Medical assistants with current certification with documented training in intramuscular injections may administer flu and Covid vaccines with a physician physically present at the facility where the CMA is administering the Covid-19 or flu vaccine as long as the Covid public health emergency is in effect. Motion Dr. Wright. Second Dr. Dilts. Motion carried.
3. Request for waiver of USMLE Step 2CS for SC Limited license applicants, Donna H. Kern, MD, Senior Associate Dean for Medical Education, MUSC. After discussion, the board determined that passage of USMLE Step 2 as a requirement for SC limited licensure is waived during the pendency of the emergency declaration and thereafter not required for limited licensure.
4. CPEP presentation-Bill O'Neill, Director, Outreach and Communications, Center for Personalized Education for Physicians. Mr. O'Neill provided an overview of the mission and services offered which the board received as information.
5. Report from board stem cell committee, Dr. Chow, Dr. Wright, Dr. Kowalski. The board received an update on this committee's work so far and the issues the committee has researched.
6. American Board of Urgent Care Medicine (ABUCM) request for recognition of board certification, Dr. Franz Ritucci, ABUCM President, appearing. The board heard a presentation from those appearing making this request. The board accepted the presentation as information and took the request under advisement.
7. Legislative Update-Katie Phillips, LLR Director of Governmental Affairs, appearing. Ms. Phillips provided an overview of legislative activity and bills of interest to the board including Pharmacist-Administered Flu Vaccine to Persons under 12 Years Old and electronic prescribing.
8. Update on referral of questions from DHEC to LLR and/or Board of Medical Examiners for *ad hoc* committee consideration consisting of Drs. Franga and Wright and Office of Advice Counsel regarding clarification of Ambulatory Surgical Facility versus Office-Based Surgery Procedures. The *ad hoc* committee reported they had not received further questions from DHEC. Initiatives such as a registration form and an e-blast to licensees also will be implemented.

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9. Health Care Collaborative Committee-Low-Dose Ketamine Advisory Opinion, for approval. After discussion, the board passed a motion to approve this opinion for publication. Motion Dr. Wright. Second Dr. Franga. Motion carried.
  10. FSMB Annual Meeting, Minneapolis, MN, April 29-May 1, 2021. This conference will be held April 29-May 1, 2021.
  11. Election of Officers. The board elected Dr. Cook, Dr. Schabel and Dr. Januchowski as President, Vice-President and Secretary respectively.
  12. Elections Update- The petition deadline for Districts 2, 5, 7, and the DO seat is November 30, 2020. The board also determined that the prior petition received for District 6 would be accepted and the nominee, Dr. Dion Franga submitted for appointment.

Administrator's Report – Sheridan Spoon, Administrator

1. Physician Assistant Advisory Committee-No meeting held since this committee now only meets twice a year.
2. Respiratory Care Practitioner Advisory Committee- After discussion the board approved the proceedings of the October 2020 RCP Advisory Committee which included a recommendation to the board to eliminate the three references being required for RCP licensure since these were not specifically required by statute. Motion Dr. Dilts. Second Dr. Cook. Motion carried.
3. Acupuncture Advisory Committee - After discussion, the board approved the minutes and proceedings of the Acupuncture Advisory Committee. Motion Dr. Franga. Second Dr. Dilts. Motion carried.

2018-191, MOA [closed hearing]

The MOA is accepted. Respondent has violated the medical practice act as to incorrectly completing his renewal form. Private reprimand. Civil penalty of \$750.00 and investigative costs of \$60.00 to be paid within six months. Motion Dr. Schabel. Second Dr. Dilts. Motion Carried.

THIYAGARAJAH, Aathirayen, M.D. of Greenville, S.C., 2015-57, MOA [closed hearing]

The MOA is accepted. Respondent has violated the medical practice act. Public Reprimand. Civil Penalty of \$10,000 and a recordkeeping course and prescribing course to be completed in 6 months. Motion Dr. Schabel. Second Dr. Franga. Motion carried.

MCCUTCHEN, William, D.O. of Wagram, N.C., 2017-213 MOA [closed hearing]

The MOA is accepted. Respondent has violated the medical practice act. Revocation of License. Motion Dr. Schabel. Second Dr. Franga. Motion carried.

Request to prescribe controlled substances via telemedicine, Christopher Pelic, M.D., Medical Director Telepsychiatry, MUSC. After discussion, the board did not make a motion on this item.

ROBINSON, Kenneth E., Sr., M.D. of Charleston, S.C. 2017-553, MOA [closed hearing]

The MOA is accepted. Respondent has violated the medical practice act. Public reprimand. Investigative costs of \$2,407.00. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

2017-665, MOA

The MOA is accepted. Respondent has violated the medical practice act. Private reprimand. Investigative costs of \$400 and a recordkeeping course and prescribing course to be completed in 6 months. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

2016-529, MOA

Dismissal. Motion Dr. Schabel. Second Dr. Franga. Motion carried.

HANLEY, Timothy I., RCP, of Salisbury, NC, 2017-547, Final Order Hearing  
Revocation of License. Motion Dr. Wright. Second Dr. Howell. Motion carried.

KERR, John M., Jr., M.D. of Abingdon, Va., Applicant for Licensure  
Approved for licensure without condition. Motion Dr. Cook. Second Dr. Schabel. Motion carried.

DEAN, Kimberly B., M.D. of Aiken, S.C., Applicant for Licensure  
Approved for licensure without condition. Motion Dr. Cook. Second Dr. Schabel. Motion carried.

GILBERT, Stewart D., Jr., M.D. of Atlanta, Ga., Applicant for Licensure  
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

TURNER, Marjorie P., M.D. of Goose Creek, S.C., Applicant for Licensure  
Application is deferred until applicant becomes board-certified. Motion Dr. Schabel. Second Dr. Cook. Motion carried.

MARINER, David R., M.D. of Dallas, TX, Applicant for Licensure  
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

COLLINS, Hampton W., IV, M.D. of Birmingham, AL, Applicant for Licensure [closed hearing]  
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

PEPPERCORN, Robert M., M.D. of Yuba City, CA, Applicant for Licensure  
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

**Tuesday, November 3, 2020**

8:30 a.m.

Office of Disciplinary Counsel and Office of Investigations and Enforcement Report [Closed Session]  
Pat Hanks, Office of Disciplinary Counsel, Gregg Hinson, Office of Investigations and Enforcement

In addition to presentation of the case statistics and training received by OIE staff, Mr. Hinson presented as follows

Dismissals: 50  
Dismissal with Cease and Desist: 1  
Formal Complaint: 19  
Letter of Caution: 12  
Reconsideration – Letter of Caution: 1

Motion to accept Dismissals-Motion by Dr. Januchowski. Second by Dr. Cook. Motion carried.  
Motion to accept Letters of Caution- Motion by Dr. Januchowski. Second by Dr. Cook. Motion carried.  
Motion to accept Formal Complaints- Motion by Dr. Dilts. Second by Dr. Januchowski. Motion carried.  
Motion to accept Cease and Desist- Motion by Dr. Januchowski. Second by Dr. Chow. Motion carried.

ANULIGO, Kenechi E., M.D. of Charleston, S.C., Applicant for Licensure  
Approved for licensure without condition. Motion Dr. Cook. Second Dr. Howell. Motion carried.

ALBERTO, Susan L., M.D. of Statesville, NC, Applicant for Licensure  
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Cook. Motion carried.

2019-568, MOA [closed hearing]

The MOA is accepted. Respondent has violated the medical practice act.

Reinstatement of license with the following conditions: Private Reprimand. Practice hours limited to 40 hours per week at a location approved by the Board. May petition after six months to change the hours requirement. \$60 in investigative costs due in six months. Motion Dr. Schabel. Second Dr. Cook. Motion carried.

CAHAN, Benjamin, M.D. of Statesboro, GA., Applicant for Licensure

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

CASTELLO, Michael G., D.O. of Beckley, WV, Applicant for Licensure

Applicant did not appear.

DE HAVEN, Ruth S., M.D. of Charleston, S.C., 2018-283, MOA

The MOA is accepted. Respondent has violated the medical practice act. Public reprimand and a referral of the investigative material to DHEC. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

2016-272, MOA [closed hearing]

The MOA is accepted. Respondent has violated the medical practice act. Private Reprimand. Investigative costs of \$167 and completion of a recordkeeping course approved by the Board in six months. Motion Dr. Schabel. Second Dr. Dilts. Motion carried.

2017-30 MOA [closed hearing]

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

2017-497, MOA [closed hearing]

The MOA is accepted. Respondent has violated the medical practice act. Private reprimand. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

2018-224, MOA [closed hearing]

The MOA is accepted. Respondent has violated the medical practice act. Private reprimand. Investigative costs of \$505.00. Complete a recordkeeping course within 6 months. Motion Dr. Schabel. Second Dr. Chow. Motion carried.

2015-436, 2015-477, 2015-440, Petition to be released from terms and conditions [closed hearing]

Petition is granted. Motion Dr. Schabel. Second Dr. Cook. Motion carried.

*Public Comment*

*-Adjourn-*

