

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

Meeting Called to Order

Public notice of this meeting was properly posted at the South Carolina Board of Medical Examiners Office, Synergy Business Park, Kingstree Building 110 Centerview Drive Columbia, SC 29211 and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Monday, February 7, 2022

Review and approval of November 2021 and January 2022 minutes deferred until tomorrow February 8, 2022. Motion Dr. Schabel. Second Dr. Howell. Motion Carried.

Review and approval of agenda. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

Review and approval of excused absences. The board excused the following absences: Dr. Franga – February 8 (AM session); Dr. Schabel – February 8 (after 4PM)]. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

President's Report – Anne G. Cook, M.D.

1. Legislative Update – Katie Phillips, LLR Director of Governmental Affairs, appearing and presenting. Ms. Phillips provided an update to the Board regarding legislative items of interest including: Certificate of Need Program Repeal, medical cannabis, anesthesiology assistant ratio changes, health services for a minor without parental consent, abortion, medical ethics and diversity, reporting Parkinson's Disease to MUSC, narcotic treatment programs, and Athletic Trainer scope of practice. No motions made.
2. SC Medical Association – Holly Pisarik – Postponed until Tuesday, February 8, 2022.
3. Proposed Continued Education Requirements for Potential Regulation for Academic Licensees – Bob Horner, Esquire, appearing and presenting. No motion made.
4. Appointment to HCC – Bob Horner, appearing and presenting. The Board of Pharmacy has requested the appointment of 2-3 Board Members to the HCC Meeting. Dr. Wright and Dr. Root volunteered their participation. No motion made.
5. Amendment of Prior Motions – Bob Horner, appearing and presenting. Protected information was found at least once in Board Meeting Minutes from May 2017, November 2018, August 2019 and February 2020. Mr. Horner suggested redacting the protected information from the minutes. The Board approved Mr. Horner's suggestion. Motion Dr. Schabel. Second, Dr. Howell. Motion carried.
6. Statement of Economic Interest Reminder – Deadline March 30, 2022
7. FSMB Annual Meeting, New Orleans, LA, April 28-30, 2022. After discussion, the Board approved the following people's attendance to the FSMB Annual Meeting: Bob Horner, Maggie Murdock, Prentiss Shealey, and one Board Member. Motion Dr. Schabel. Second Dr. Howell. Motion carried.

Administrator's Report – Maggie Murdock, Board Administrator

1. PA Committee – Discussed January 14, 2022 Committee Meeting. 233 new licenses were issued at the meeting. No motion made.
2. RCP Committee – Discussed January 14, 2022 Committee Meeting. 75 new licensees were issued at the meeting. Dr. Paoletti resigned from the Committee, and Dr. Arguta was approved to replace him. No motion made.
3. Acupuncture Committee – No recent meetings, next meeting scheduled for April 18, 2022. No updates.
4. Anesthesiology Assistant Committee – No meeting's scheduled. No updates.
5. Election Update – Discussed election for four different seats: At large, District 3, District 5 and District 4. No motion made.
6. Meeting Dates for 2022 - Presented, no motion made.

BARNETT, Andrietta W., APRN and CRAWFORD, Benjamin, D.O. Telemedicine/Rx Request [Closed hearing]

Petition denied on the grounds that a doctor cannot prescribe schedule II or III drugs to a patient where the doctor-patient relationship was established solely via telemedicine. Motion Dr. Root. Second Dr. Schabel. Motion carried.

ITALIA, Hiren, M.D. with SuperPill, Telemedicine/Rx Request

Petition denied on the grounds that doctor-patient relationship cannot be established via questionnaire. Motion Dr. Wright. Second Dr. Schabel. Motion carried.

HERDEGEN, James J. Jr., M.D. of Riverside, IL, Applicant for licensure

Approved for licensure without condition. Motion Dr. Franga. Second Dr. Schabel. Motion carried. [Dr. Wright abstained from voting due to having a common employer]

2019-511, SOF [Closed hearing]

Board accepted the SOF, and found the physician was not in violation of the Medical Practice Act. Motion Dr. Januchowski. Second Dr. Schabel. Motion carried.

ROSS, Janice E., M.D. of Charleston, SC, 2020-314, MOA [Closed hearing]

MOA accepted. Respondent was found in violation of Medical Practice Act 110 (B) (17) and (B) (24). Public reprimand. Respondent to pay \$500 in costs and a \$1,000 fine. Motion Dr. Januchowski. Second Dr. Schabel. Motion carried.

2020-203, SOF [Closed hearing]

Board dismissed the complaint. Motion Dr. Root. Second Dr. Franga. Motion carried.

ROLEY, Laurie Theriot, M.D. & Willet, Sherryi, APRN et al., Telemedicine Request for Interim Hospice Motion to extend telemedicine 14-day rule to 30 days, if the patient is seen by telemedicine within 48 hours with the condition of a progress report in six months Dr. Cook. Second Dr. Wright. Motion carried.

JORGENSEN, Douglas J., D.O. of Landrum, SC, Application for Licensure

Motion to not consider candidate for licensure in South Carolina, until the licensee clears up disciplinary matters in another state Dr. Januchowski. Second Dr. Schabel. Motion carried.

JAH, Fatimah O., M.D. of Orlando, FL, Renewal Application Review [Virtual]

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

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WASHBURN, Nathan A., D.O. of Flushing, NY, Application for Licensure [Virtual]
Approved for licensure without condition. Motion Dr. Dilts. Second Dr. Schabel. Motion carried.

THAKUR, Anand C., M.D. of Clinton Township, MI, Application for Licensure [Virtual]
Approved for licensure without condition. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

Tuesday, February 8, 2022

Review and approval of November Medical Board Minutes, Respiratory Care Committee Minutes, and PA Committee Minutes. Motion Dr. Schabel. Second Dr. Wright. Motion carried.

Office of Disciplinary Counsel and Office of Investigations and Enforcement Report – Patrick Hanks and Amanda Branham appearing and presenting. In addition to presenting the case statistics and training, Ms. Braham also presented 42 Dismissals, 14 Letters of Caution and 10 Formal Complaints.

Motion to accept Dismissals with exception of two presented Dr. Schabel. Second Dr. Wright. Motion carried.

Motion to accept Letters of Caution with exception of two presented Dr. Wright. Second Dr. Dr. Schabel. Motion carried.

Motion to move one of the suggested LOC candidates to a systems warning Dr. Cook. Second Dr. Schabel. Motion carried.

Motion to move one of the suggested LOC candidates to a formal complaint Dr. Schabel. Second Dr. Howell. Motion carried.

Motion to accept Formal Complaints Dr. Schabel. Second Dr. Dilts. Motion carried.

ODC Kraikit Report – Prentiss Shealey, Esquire, presented four cases to the Board. After discussion, the Board approved the recommendations of Ms. Shealey to send Letters of Caution. Motion Dr. Schabel. Second Dr. Januchowski. Motion carried.

Peer Review Actions topic presented by Patrick Hanks, Esquire, no motion made.

President's Report (Revisited)

2. SC Medical Association – Presented by Holly Pisarik. SC Medical Association submitted an ARPA Funds request to implement mental health counseling for physicians experiencing mental health issues related to COVID-19 response. No motions made.

PLANNED PARENTHOOD – Katherine Farris, M.D. and Natalie Frazier, C.N.M., Request approval for Telemedicine

After discussion, the Board accepted the petition with the stipulation that patients must be over 18 and establish in person care before Testosterone can be prescribed via telemedicine. Additionally, a written request must be submitted by each provider who wishes to be granted these permissions. Motion Dr. Wright. Second Dr. Schabel. Motion carried.

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DRAGO, Paul C., M.D. of Greenville, SC, Request Reinstatement of License [Closed hearing]
Board approved a pathway to reinstatement including passing a clinical skills assessment program and practice site approval. Motion Dr. Cook. Second Dr. Schabel. Motion carried.

FISCHBACH, Gary T., M.D. of North Augusta, SC, 2020-313, PANEL REPORT [Closed hearing]
Public reprimand. Physician to be assessed investigative costs, cost of transcription at hearing, and fined \$7,500. Fine is to be paid within three months. Motion Dr. Schabel. Second Dr. Januchowski. Motion carried.

BLALOCK, Cynthia A., M.D. of North Charleston, SC, 2018-525, SOF
Stipulation of Fact was accepted, and Respondent was found in violation of Medical Practice Act 40-47-110(B)(9) and (B)(17). Respondent issued a \$1,000 fine, \$1,400 costs, record keeping course, and a public reprimand. Motion Dr. Januchowski. Second Dr. Schabel. Motion carried.

HENSEL, Jr., John M., M.D. of Mount Pleasant, SC, 2020-258, MOA [Closed hearing]
MOA accepted. Public reprimand. Costs of \$3,171 and \$15,000 fine delegated to the physician. Plastic surgeon peer review to be done as well as annual office-based surgical accreditation over the next two years. Motion Dr. Januchowski. Second Dr. Schabel. Motion carried.

2017-232 & 2017-259, PETITION HEARING [Closed hearing]
Release physician from terms and conditions known to the Respondent and the Board. Motion Dr. Franga. Second Dr. Schable. Motion carried.

2019-133, SOF [Closed hearing]
Motion to continue physician's suspension until his license application in Massachusetts is fully adjudicated. Motion Dr. Januchowski. Second Dr. Schabel. Motion carried.

2019-482, SOF [Closed hearing]
Motion to accept SOF, and find the physician is not in violation of the Medical Practice Act. Motion Dr. Januchowski. Second Dr. Mills-Floyd. Motion carried.

2014-365, MOA [Closed hearing]
Motion to dismiss MOA. Motion Dr. Mills-Floyd. Second Dr. Cook. Motion carried.

2019-257, SOF [Closed hearing]
Board accepted SOF, and did not find the physician's actions to be in violation of the medical practice act. Letter of caution to be issued. Motion Dr. Januchowski. Second Dr. Dilts. Motion carried.

2021-159, MOA [Closed hearing]
MOA accepted. Private reprimand. Physician is to have job site changes approved by the board, and is to continue with RPP as directed. Motion Dr. Januchowski. Second Dr. Write. Motion carried.

Public Comment

-Adjourn-