

THE SOUTH CAROLINA BOARD OF MEDICAL EXAMINERS
MONDAY, MAY 1, 2023 – TUESDAY, MAY 2, 2023 AT 8:30A.M.
SYNERGY BUSINESS PARK, KINGSTREE BUILDING, ROOM 108
110 CENTERVIEW DRIVE,
COLUMBIA, SOUTH CAROLINA 29210

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 29210 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.

BOARD MEMBERS PRESENT:

Anne G. Cook, MD, President
Stephen I. Schabel, MD, Vice President
Ronald P. Januchowski, DO, Secretary
Christopher C. Wright, MD
Robert Kosciusko, MD
Jennifer R. Root, MD
Theresa R. Mills-Floyd, MD
Richard R. Howell, MD
George S. "Scot" Dilts, MD
Dion Franga, M.D.

SCDLLR STAFF PRESENT:

Bob Horner, Esq., Office of Advice Counsel
Maggie Murdock, Esq., Board Administrator
Katie Phillips, Dir. of Governmental Affairs, Office of Communication & Governmental Affairs
Katie Harlacher, Program Coordinator
Pat Hanks, Esq., Office of Disciplinary Counsel
Rowland P. Alston, III, Esq., Office of Disciplinary Counsel
Prentiss Shealey, Esq., Office of Disciplinary Counsel
Tina L. Brown, Esq., Office of Disciplinary Counsel
Casey Smith, Esq. Office of Disciplinary Counsel
Shanika Moore, Esq., Office of Disciplinary Counsel
Sonya Morse, Paralegal, Office of Disciplinary Counsel
Donnell Jennings, Esq. Asst. Dep. Dir. of Enforcement, Office of Investigation & Enforcement
Amanda Branham, Chief Investigator, Office of Investigations & Enforcement
Byron Ray, Program Coordinator, Office of Investigations & Enforcement
Jennifer Harris, Investigator, Office of Investigations & Enforcement
Xavier Keitt, Division of operations technology and security

REPORTED BY:

Tina F. Behles, CVR-M

CALL TO ORDER

Dr. Cook called the meeting to Order at 8:32 a.m. on Monday, May 1, 2023.

REVIEW AND APPROVAL OF EXCUSED ABSENCES

No absences reported. No motions made.

APPROVAL OF FEBRUARY 2023 MINUTES

Motion to approve February Minutes, Dr. Schabel. Second, Dr. Wright. Motion carried.

REVIEW AND ADOPTION OF AGENDA

Motion to approve agenda, Dr. Wright. Second, Dr. Schabel. Motion carried.

PRESIDENT'S REPORT

Legislative Update – Katie Phillips, LLR Director of Governmental Affairs, provided a legislative update. No motions made.

Anesthesiologist's Assistant Committee: Requests for New Committee Members – Discussed need for new Anesthesiologist's Assistant Committee members. Discussed Dr. Root as the Board representative for the committee. Motion to approve Dr. Root as the Anesthesiologist's Assistant Committee representative, Dr. Wright. Second Dr. Schabel. Motion carried.

Update on Order of Appointment – Discussed the transfer of patient records. Motion to add records custodian questions to licensing applications, Dr. Franga. Second, Dr. Root. Motion carried.

Discussion: Continuing Education requirements for Opioids – Motion to approve SCBME Statement on CME Hours on Controlled Substances, Dr. Franga. Second, Dr. Schabel. Motion carried.

Discussion: Joint Podiatric Surgery Advisory Committee appointment – Presented. No motions made.

ADMINISTRATOR'S REPORT

Physician Assistant Advisory Committee – No recent meetings. Next meeting scheduled for July 14, 2023

Respiratory Care Practitioner Advisory Committee – April 2023 meeting cancelled due to lack of quorum. Next meeting scheduled for July 14, 2023.

Acupuncture Advisory Committee – April 2023 meeting cancelled due to lack of quorum. Next meeting scheduled for September 18, 2023

Election Update – No Updates.

Discussed remaining meeting dates for 2023: August 7-8, and November 6-7.

PA Scopes: Adding Supervising Physician Practice Address – Discussion deferred for later meeting.

RFA Questions for Initial and Renewal Applications – Discussed. No motions made.

Designation of Responsible Party for Medical Records Pursuant to Chapter 81-1 – Discussed during President’s Report.

Motion to executive session, Dr. Schabel. Second, Dr. Franga. Motion carried.
Motion out of executive session, Dr. Schabel. Second Dr. Dilts. Motion carried.

VOGLE, VICTORIA, D.O., APPLICANT

Motion to approve application for licensure, Dr. Root. Second, Dr. Franga. Motion carried.

HOSSEINI SHARIFI, SEYED HOSSEIN, M.D. ACADEMIC APPLICANT APPEARING WITH DEPARTMENT CHAIR. [WEBEX]

Motion into executive session, Dr. Wright. Second, Dr. Dilts. Motion carried.
Motion out of executive session, Dr. Schabel. Second, Dr. Root. Motion carried.

Motion that respondent be allowed to pursue a limited license for training for the next 12 months after which time he can reappear before the Board to request an Academic License, Dr. Januchowski. Second, Dr. Howell. Motion carried.

BROWN, TRAESA, M.D. CASE NO. 2021-41 & 2021-91 FINAL ORDER HEARING [RESPONDENT NOT PRESENT] [CLOSED]

Motion to closed session, Dr. Schabel. Second, Dr. Root. Motion carried.
Motion to executive session, Dr. Wright. Second, Dr. Dilts. Motion carried.
Motion out of executive session, Dr. Januchowski. Second, Dr. Howell. Motion carried.

Panel findings accepted, Respondent violated the Medical Practice Act. Board also determined Respondent was in violation of 40-47-110 (B)(20). Respondent’s license was indefinitely suspended, and a Board appearance is required prior to any reinstatement. Respondent assessed costs of \$240 as well as a \$10,000 fine. Motion, Dr. Januchowski. Second, Dr. Howell. Motion carried.

MEDASIC PROVIDERS, TELEMEDICINE REQUEST – RAVI PATEL, D.O., NANCY PATEL, D.O., AND RYAN SATTAR, APN, APPEARED IN PERSON; ZACKERY COOPER, MSN, RN, BRANDI MOORE, PA, HAILEY LANDFORD, APN, AND MORGAN SMITH APPEARED VIA WEBEX

Motion to open session, Dr. Wright. Second, Dr. Howell. Motion carried.

Requested waiver to provide TELEMAT services to inmates in halfway homes for opioid use disorder. Motion to approve waiver, Dr. Wright. Second, Dr. Schabel. Motion carried.

CASE NO. 2018-312 MOA FINAL ORDER HEARING [CLOSED]

Motion to closed session, Dr. Schabel. Second, Dr. Kosciusko. Motion carried.
Motion to executive session, Dr. Wright. Second, Dr. Schabel.
Motion out of executive session, Dr. Wright. Second, Dr. Schabel.

MOA accepted. Respondent violated the Medical Practice Act, specifically Sections 40-47-110 (B)(13) and (18). Respondent issued a private reprimand, \$313 in costs, and a four-hour boundary course

approved by the Board within six months. Motion, Dr. Januchowski. Second, Dr. Schabel. Motion carried.

BRADLEY, COLLEEN, P.A., TELEMEDICINE REQUEST

Motion to open session, Dr. Dilts. Second, Dr. Root. Motion carried.
Board discussed waiver. No motions made.

CASE NO. 2019-18 MOA FINAL ORDER HEARING [CLOSED]

Motion to closed session, Dr. Franga. Second, Dr. Januchowski. Motion carried.
Motion to executive session, Dr. Januchowski. Second, Dr. Schabel. Motion carried.
Motion out of executive session, Dr. Schabel. Second, Dr. Howell. Motion carried.

Motion to reject the MOA and issue a Letter of Caution to Respondent, Dr. Januchowski. Second, Dr. Wright. In favor: Dr. Wright, Dr. Januchowski, Dr. Schabel, Dr. Kosciusko, Dr. Root. Motion did not pass.

Motion to reject the MOA and dismiss the case, Dr. Januchowski. Second, Dr. Mills-Floyd. In favor: Dr. Wright, Dr. Januchowski, Dr. Kosciusko, Dr. Root, Dr. Mills-Floyd, and Dr. Cook. Opposed by: Dr. Schabel, Dr. Franga and Dr. Howell. Dr. Dilts abstained. Motion carried.

MAHMOOD, AMMAR OBAID, M.D. APPLICANT

Motion to open session, Dr. Schabel. Second Dr. Kosciusko. Motion carried.
Motion to executive session, Dr. Wright. Second, Dr. Januchowski. Motion carried.
Motion out of executive session, Dr. Schabel. Second, Dr. Howell. Motion carried.

Motion to proceed with licensure, Dr. Wright. Second, Dr. Schabel. Motion carried.

RUBIO, ROBERTO, M.D., APPLICANT

Motion to proceed with licensure, Dr. Januchowski. Second, Dr. Schabel. Motion carried.

GREEN, ROLAND JR., M.D., CASE NO. 2021-122 MOA FINAL ORDER HEARING [WEBEX][CLOSED]

Motion to closed session, Dr. Schabel. Second, Dr. Januchowski. Motion carried.
Motion to executive session, Dr. Franga. Second, Dr. Howell. Motion carried.
Motion out of executive session, Dr. Root. Second, Dr. Howell. Motion carried.

MOA accepted. Respondent issued a public reprimand and may apply for reinstatement after submitting 40 hours of category I CME and passing the SPEX exam. After reinstatement Respondent will not be allowed to provide care via telemedicine for three years. Motion, Dr. Januchowski. Second, Dr. Schabel. Motion carried.

CASE NO. 2021-25 MOA FINAL ORDER HEARING [CLOSED]

Motion to executive session, Dr. Wright. Second, Dr. Januchowski. Motion carried.

Motion out of executive session, Dr Wright, Second Dr. Schabel. Motion carried.

MOA accepted. Respondent issued a private reprimand, costs of \$1,180, a two hour course in prescribing and a two hour course in record keeping. Motion, Dr. Januchowski. Second, Dr. Schabel. Motion carried.

APPLICANT #1, APPEARANCE RELATED TO REACTIVATION [CLOSED]

Motion to affirm previous order of the Board, Dr. Franga. Second, Dr. Schabel. Motion carried.

RECESS

Motion to open session, Dr. Schabel. Second, Dr. Cook. Motion carried.

Motion to recess, Dr. Franga. Second, Dr. Schabel. Motion carried.

CALL TO ORDER

Motion to return to open session, Dr. Schabel. Second, Dr. Wright. Motion carried.

Meeting called to order by Dr. Cook at 8:30a.m. on Tuesday, May 2, 2023.

ODC/OIE REPORT – PAT HANKS, ESQ., ODC, AND AMANDA BRANHAM, OIE

Motion to closed session, Dr. Schabel. Second, Dr. Root. Motion carried.

Investigation and Enforcement Board Report – Amanda Branham, ODC, presented a total of 98 cases.

Dismissals

64 dismissals were presented to the Board. Motion to accept the dismissals with exception of one, Dr. Januchowski. Second, Dr. Wright. Motion carried.

Letters of Caution

25 letters of caution were presented to the Board. Motion to approve Letters of Caution, with the exception of those changed by the Board, Dr. Januchowski. Second Dr. Wright. Motion carried.

Reconsiderations

One reconsideration was presented to the Board. Motion to accept the change, Dr. Kosciusko. Second, Dr. Schabel. Motion carried.

Formal Complaints

8 Formal Complaints were presented to the Board. Dr. Januchowski motion to approve. Second Dr. Schabel. Motion proved.

Kraikit Report – Prentiss Shealey, Esq., ODC

Motion to accept cases, Dr. Dilts. Second, Dr. Franga. Motion carried.

CVS PRESENTATION REGARDING VIRTUAL PRIMARY CARE (VPC) PRACTICE – DR. DAVID FAIRCHILD, TRAVIS DAYHUFF, ESQ., AND KATIE MESZAROS, ESQ.

Motion to open session, Dr. Wright. Second, Dr. Franga. Motion carried.

No motions made.

CASE NO. 2019-354 MOA FINAL ORDER HEARING [CLOSED]

Dr. Cook recused herself from the hearing.

Motion to closed session, Dr Wright. Second, Dr. Franga. Motion carried.

Motion to executive session, Dr. Franga. Second, Dr. Wright. Motion carried.

Motion out of executive session, Dr Wright. Second, Dr. Franga. Motion carried.

MOA accepted. Respondent was issued a private reprimand, costs of \$2,550 a two hour recordkeeping course, and a two hour geriatric polypharmacy course. Respondent's practice site and hours must be approved by the Board with return to practice. Motion, Dr. Januchowski. Second, Dr. Wright. Motion carried.

CASE NO. 2020-32 MOA FINAL ORDER HEARING [CLOSED]

Motion to executive session, Dr. Wright. Second, Dr. Howell. Motion carried.

Motion out of executive session, Dr. Franga. Second, Dr. Root. Motion carried.

Motion to accept MOA and issue a private reprimand, Dr. Januchowski. Second, Dr. Howell. Dr. Franga abstained from voting. Motion carried.

CASE NO. 2020-155 MOA FINAL ORDER HEARING [CLOSED]

Motion to return to closed session, Dr. Schabel. Second, Dr. Root. Motion carried.

Motion to executive session, Dr. Schabel. Second, Dr. Wright. Motion carried.

Motion out of executive session, Dr. Wright. Second, Dr. Schabel. Motion carried.

Respondent did not violate the Medical Practice Act. Respondent to be issued a Letter of Caution. Motion, Dr. Januchowski. Second, Dr. Wright. Opposed by Dr. Franga, and Dr. Mills-Floyd. Motion carried.

2018-27 MOA FINAL ORDER HEARING [CLOSED]

Motion to executive session, Dr. Wright. Second, Dr. Schabel.

Motion out of executive session, Dr. Schabel. Second, Dr. Mills-Floyd.

MOA accepted, respondent has violated the Medical Practice Act. Respondent issued a private reprimand and costs of \$859. Motion, Dr. Januchowski. Second, Dr. Schabel. Motion carried.

CHARLESTON VA MEDICAL CENTER PALLIATIVE CARE, TELEMEDICINE REQUEST [WEBEX] – REBECCA ORR, ANP-BC, ROBERT LAKE, M.D., RICHARD THOMPSON, M.D., ILANA STOL, M.D., AND JOHN FRANKLIN, M.D.

Motion to open session, Dr. Schabel. Second, Dr. Franga. Motion carried.

Motion to grant the waiver, Dr. Root. Second, Dr. Franga. Motion carried.

CASE NO. 2020-135 FINAL ORDER HEARING [CLOSED]

Case continued.

CASE NO. 2021-279 SOF FINAL ORDER HEARING [CLOSED]

Motion to closed session, Dr. Schabel. Second, Dr. Root. Motion carried.

Motion to executive session, Dr. Wright. Second, Dr. Schabel. Motion carried.

Motion out of executive session, Dr. Schabel. Second, Dr. Howell. Motion carried.

Motion to find respondent in violation of the Medical Practice Act, specifically 40-47-110 (B)(18), and issue a Public Reprimand and costs of \$500, Dr. Januchowski. Second Dr. Kosciusko. In favor: Dr. Franga, Dr. Cook, Dr. Kosciusko, Dr. Wright. Opposed: Dr. Dilts, Dr. Howell, Dr. Januchowski, Dr. Schabel, Dr. Root, and Dr. Mills-Floyd. Motion did not carry.

Motion to find the respondent in violation of the Medical Practice Act, specifically 40-47-110 (B)(18), issue a private reprimand with costs of \$500 and a \$2,000 fine, Dr. Januchowski. Second, Dr. Schabel. Opposed by: Dr. Franga and Dr. Kosciusko. Motion carried.

PEER, PETER MCKINLEY, M.D., APPLICANT FOR LICENSURE

Motion to open session, Dr. Schabel. Second, Dr. Wright. Motion carried.

Motion to proceed with licensure, Dr. Wright. Second Dr. Dilts. Motion carried.

CASE NO. 2020-86 MOA [CLOSED]

Motion to closed session, Dr. Schabel. Second, Dr. Dilts. Motion carried.

Motion to executive session, Dr. Wright. Motion not carried.

Motion to accept expert opinion, find the respondent not in violation of the Medical Practice Act, and issue a letter of caution, Dr. Dilts. Second, Dr. Franga. Motion carried.

Motion to open session, Dr. Schabel. Second, Dr. Januchowski. Motion carried.

SMITH, HEATHER, P.A. APPLICANT [WEBEX] [CLOSED]

Motion to closed session, Dr. Root. Second, Dr. Schabel. Motion carried.

Motion to executive session, Dr. Schabel. Second, Dr. Howell. Motion carried.

Motion out of executive session, Dr. Schabel. Second, Dr. Howell. Motion carried.

Motion to allow PA to continue with licensure under conditions known to applicant and the Board, Dr. Januchowski. Second, Dr. Howell. Motion carried.

ADJOURNMENT

Motion to open session, Dr. Franga. Second, Dr. Mills-Floyd. Motion carried.

Motion to adjourn at 6:07p.m., Dr. Franga. Second, Dr. Schabel. Motion carried.