

STATE BOARD OF MEDICAL EXAMINERS OF SOUTH CAROLINA

May 2-3, 2016

MINUTES

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 8:26 A.M., on Monday, May 2, 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

The board excused the absence of Dr. Stephen Schabel, of Charleston and 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

Elizabeth Harrison, Administrative Assistant

Office of Disciplinary Counsel

Patrick Hanks, Office of Disciplinary Counsel

Megan Flannery, Assistant Disciplinary Counsel

Prentiss Shealey, Assistant Disciplinary Counsel

Shanika Johnson, Assistant Disciplinary Counsel

Office of Advice Counsel

Darra Coleman, Chief Advice Counsel

Adam Russell, Advice Counsel

REVIEW/APPROVAL OF AGENDA

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

REVIEW/APPROVAL OF MINUTES FROM FEBRUARY 1-2, 2016 BOARD MEETING

After considering recommendations, additions, deletions and corrections, a motion was made to approve the February 1-2, 2016 minutes by Dr. Saad and seconded by Dr. Turner. The motion and the minutes were unanimously passed.

LEGISLATIVE UPDATE

Holly Beeson and Rebecca Leach, Office of Communications and Government Affairs with LLR updated the Board on bills that impact the board and the medical community, the legislative cross-over date and various bills or the legislature's discussion of or related to marijuana, nursing, telemedicine, contact lenses, abortion, birthing centers, Epi-pens, compounding, and domestic violence.

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:

Final Order and Application Hearings, Monday May 2, 2016

WALTER BRANCH MD-APPLICANT FOR LICENSURE

-APPLICATION WITHDRAWN

JOSEPH KRATZER, MD-APPLICANT FOR LICENSURE

-MOTION-ALLOW DR. KRATZER TO PROCEED WITH LICENSURE WITHOUT CONDITION. DR. GARNDER. SECOND DR. TURNER. MOTION CARRIES.

CASE 2012-481

-MOTION-MOA ACCEPTED. DISMISSAL DR. COOK. SECOND DR. SAAD. MOTION CARRIES.

IONNNIA LIVADITIS MD- APPLICANT FOR LICENSURE

-MOTION-ALLOW DR. LIVADITIS TO PROCEED WITH LICENSURE WITHOUT CONDITION. DR. GARNDER. SECOND DR. TURNER. MOTION CARRIES.

CASE 2010-297, MOA

-MOTION-MOA ACCEPTED. DISMISSAL. DR.VASOVSKI. SECOND DR. COOK. MOTION CARRIES.

MARK FRANCO, MD 2013-152, MOA

-MOTION-MOA ACCEPTED. HAS VIOLATED THE MEDICAL PRACTICE ACT, PUBLIC REPRIMAND. INDEFINITE SUSPENSION. CONDITIONS FOR REINSTATEMENT INCLUDE BUT ARE NOT LIMITED TO AN APPEARANCE BEFORE THE BOARD WITH PROOF OF COMPETENCE SUFFICIENT TO ENSURE THE SAFE PRACTICE OF MEDICINE, COSTS OF \$340.00 PAYABLE WITH ONE YEAR. DR. TURNER SECOND DR. COOK MOTION CARRIES.

EDNALIZ RODRIGUEZ-MEDINA MD- APPLICANT FOR LICENSURE

-MOTION-APPLICATION DEFERRED UNTIL SUCH TIME AS APPLICANT CAN MEET THE STATUTORY REQUIREMENTS FOR LICENSURE. DR. COOK. SECOND DR. CHOW. MOTION CARRIES.

ISABELLA ADJINAH MD- APPLICANT FOR LICENSURE

MOTION-ALLOW DR. ADJINAH TO PROCEED WITH LICENSURE WITHOUT CONDITION. DR. VASOVSKI. SECOND DR. SAAD. MOTION CARRIES.

RICHARD OSTER, DO- APPLICANT FOR LICENSURE

MOTION-ALLOW DR. OSTER TO PROCEED WITH LICENSURE WITHOUT CONDITION. DR. WELSH. SECOND DR. SAAD. MOTION CARRIES.

JOSEPH HOYLE MD- APPLICANT FOR LICENSURE

MOTION-ALLOW DR. HOYLE TO PROCEED WITH LICENSURE WITHOUT CONDITION. DR. GARDNER. SECOND DR. WELSH. MOTION CARRIES.

SCOTT SMITH MD- APPLICANT FOR LICENSURE

MOTION-ALLOW DR. SMITH TO PROCEED WITH LICENSURE WITHOUT CONDITION. DR. VASOVSKI. SECOND DR. SAAD. MOTION CARRIES.

ANTONIO LAUDITO- APPLICANT FOR REACTIVATION

MOTION-ALLOW DR. LAUDITO TO PROCEED WITH LICENSE REACTIVATION WITHOUT CONDITION. DR. TURNER. SECOND DR. SAAD. MOTION CARRIES.

At 6:26 pm, a motion was made by Dr. Welsh and seconded by Dr. Saad to recess and reconvene on Tuesday, May 3, 2016.

The board reconvened at 8:15 am, Tuesday May 3, 2016 for the second day of its May 2016 regular meeting.

OIE/ODC REPORT

Prentiss Shealey, Office of Disciplinary Counsel (ODC) presented the ODC Report to the Board in Pat Hank's absence. In addition to the ODC statistics, Ms. Shealey mentioned the issue of physician office closing and patient access to records when the licensee is no longer in possession of the records and instead a records management company is.

Althea Myers, Chief Investigator for Office of Investigations presented the Investigative Review Committee's Report along with the statistical report. Ms. Myers along briefed the Board on their investigator's training and how each department at LLR works together in the investigative and disciplinary process.

Dismissals

67 cases were presented and approved for dismissal. Dr. Welsh moved to accept the recommendations and Dr. Turner seconded the motion and the Board unanimously approved the recommendations.

Formal Complaints

14 cases were presented for formal complaint. Dr. Saad moved to accept the recommendations Dr. Welsh seconded the motion and the Board unanimously approved the recommendations.

Letters of Caution

29 cases were presented for a letter of caution. A motion was made by Dr. Cook to approve the letters of caution. Dr. Saad seconded the motion. Motion carries.

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Final Order and Application Hearings, Tuesday May 3, 2016

PETITION FOR REINSTATEMENT 2014-14

[HEARING CLOSED UPON MOTION OF ODC]

MOA 2014-531

[HEARING CLOSED UPON MOTION OF ODC]

ROGER M PHILLIPS MD 2014-351 PANEL REPORT

[RESPONDENT DID NOT APPEAR AFTER PROPER TO NOTICE TO DO SO]

MOTION-REVOCATION OF LICENSE. DR. WELSH. SECOND DR. SAAD. MOTION CARRIES UNANIMOUSLY.

MOA 2015-124

[HEARING CLOSED UPON MOTION OF ODC]

MARK P SPENCER, RCP 2013-324

[CONTINUANCE GRANTED BY THE BOARD IN THIS MATTER]

2016-217

[HEARING CLOSED UPON MOTION OF ODC]

COMMITTEE REPORTS AND RECOMMENDATIONS

PHYSICIAN ASSISTANTS ADVISORY COMMITTEE

Sheridon Spoon, Administrator of the Medical Board presented recommendations from the April 15th 2016 Physician Assistant Committee meeting. After considering the recommendations, additions, deletions and corrections, Dr. Cook made a motion to approve the recommendations. Motion was seconded by Dr. Saad. All in favor. Motion carries.

RESPIRATORY CARE PRACTITIONERS COMMITTEE

Sheridon Spoon, Administrator of the Medical Board presented recommendations from the April 22, 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.

PRESIDENT AND ADMINSTRATOR REMARKS

President's Report

Dr. Gardner reported the following:

1. Interstate Licensure Compact update
2. Applicant Interviews *Ad Hoc* Committee report [Drs. Chow, Cook and Saad] status
3. IRC member-Timothy Kowalski, D.O. Board approval to serve as IRC member
4. FSMB Annual Conference, San Diego CA, April 28-30, 2016-approved Dr. Gardner, Darra Coleman and Sheridon Spoon to attend
5. Opioid Prescribing Mentors/Prescription Drug Abuse Summit/CDC Guidelines for Prescribing Opioids for Chronic Pain
6. PDMP Mandatory Usage Policy: Bryan Amick, SCDHHS, Christy Frick, SCDHEC-appeared and provided an update on this program
7. HealthCare Collaborative Committee-In-patient use of low-dose Ketamine @ Roper St. Francis-discussion
8. S.C. Domestic Violence Task Force-updated provided by Dr. Gardner, Dr. Saad and Alex Imgrund.

Administrator's Report

Sheridon Spoon reported the following:

1. PA]Physician Assistant, [RCP] Respiratory Care Practitioner Advisory Committee report and recommendations were approved as amended.
2. District 1 Election is being conducted. Medical Disciplinary Commission Update: District 3 Appointment- Arthur Jordan, M.D. District 4-Timothy Dancy, William B. Jones, Ashish Shanbhag-replacement. These MDC members were appointed. District 6-vacant as to board member and MDC; BME Public members is addressed by the Office of the Governor
3. CME Audit/ CE Broker-progress on these two items is ongoing.
4. Compliance Report-Elizabeth Harrison briefed the board on the compliance process.
5. E-blast-Contact information and other items will be included in the next e-blast
6. 2017 Board Meeting Dates-were approved.

The board adjourned 8:22 pm on Tuesday, May 3, 2016

Minutes Submitted by Sheridan Spoon, Administrator