

**PUBLIC SESSION MINUTES**  
**STATE BOARD OF MEDICAL EXAMINERS OF SOUTH CAROLINA**  
**October 31-November 1, 2011**

Board Meeting  
Synergy Business Park  
The Kingtree Building  
110 Centerview Dr., Room 108  
Columbia, South Carolina

**MEETING CALLED TO ORDER**

Dr. Louis E. Costa, II, President of the Board, called the regular meeting of the S.C. Board of Medical Examiners to order at 8:00 A.M., on Monday, October 31, 2011, at 110 Centerview Drive, Room 108, Columbia, South Carolina, with a quorum present. Dr. Costa 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 Kingtree Building where the Board office is located.

Board members present for this meeting were:

Dr. Louis E. Costa, II, President, of Charleston  
Dr. Stephen R. Gardner, of Greenville  
Dr. David deHoll, of Iva  
Dr. Jim Chow, of Columbia  
Dr. James L. Hubbard, of Rock Hill  
Dr. Robert T. Ball, Jr., of Charleston  
Dr. Robert E. Turner, of Florence  
Dr. Jeff Welsh, of Columbia

Members of the S.C. Department of Labor, Licensing and Regulation (LLR) staff participating at various times in the meeting included:

Bruce F. Duke, Board Administrator  
April Dorroh, Program Assistant  
Brenda Eason, Administrative Assistant  
Ieshia Watson, Administrative Assistant  
Laura McDaniels, Administrative Assistant  
Kathy Burgess, Administrative Assistant  
Connie Flannery, Administrative Assistant  
Latonea Jones, Administrative Assistant

Office of General Counsel

Melina Mann, General Counsel  
Patrick Hanks, Assistant General Counsel  
Lil Ann Gray, Assistant General Counsel  
Suzanne Hawkins, Assistant General Counsel

Office of Advice Counsel

Sheridon Spoon, Advice Counsel  
Dean Grigg, Advice Counsel

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## **REVIEW/APPROVAL OF AGENDA**

An agenda for this meeting was reviewed and approved.

## **REVIEW/APPROVAL OF MINUTES FROM AUGUST 2011 BOARD MEETING:**

After considering recommendations, additions, deletions and corrections, a motion was made to approve the minutes by Dr. deHoll. Dr. Welsh seconded the motion and the minutes were unanimously passed.

## **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 a transcript of each hearing, as well as the Board's Final Order, are 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:**

**Thomas E Hawkey, M.D.**

**2010 – 190**

**Final Order Hearing**

A motion was made by Dr. Ball as follows:

- **Accept Memorandum of Agreement**
- **Public Reprimand**
- **Pay Court Cost of \$1,327.00**
- **Pay fine of \$ 10,000.00**
- **Suspension of License stayed upon payment of cost and fine**
- **Indefinite contract with RPP which would immediately report to the Board any deviation from recovery. Any violation of the above will result in revocation of license**

Motion was seconded by Dr. Hubbard

Motion carries

## **ELECTRO-ACUPUNCTURE AND TRIGGER POINT THERAPY USING ACUPUNCTOSCOPE**

Mr. Duke presented a request to the Board from John E. Bullock, MD. Dr. Bullock, a retired physician living in Utah asked the Board to grant him permission to use electro-acupuncture and trigger point therapy on his immediate family members while visiting in South Carolina. Dr. Bullock does not hold a license to practice medicine or acupuncture in South Carolina.

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After a thorough discussion by the Board, Dr. Ball moved that the Board allow Dr. Bullock to use trigger point therapy using only pressure but to deny his request to use electro-acupuncture. Dr. deHoll seconded and the motion was passed unanimously.

## **I-SELECT PILOT PROGRAM PROPOSAL**

Scott Richardson and John Joseph representing I-SELECT appeared and spoke about their proposed pilot project. Mr. Richardson indicated that the business model for I-SELECT is to facilitate a more efficient and hopefully more appropriate treatment of non emergent care for the underserved population in South Carolina.

He told the Board there were between 700,000 and 800,000 people who are underserved in South Carolina and that the I-SELECT business model could save money but also get these individuals medical care they would not otherwise receive. Moreover he emphasized there was no incentive for I-SELECT physicians to write prescriptions as the physicians did not receive reimbursement for writing prescriptions. He also said this holds true for I-SELECT itself.

Mr. Richardson told the Board that the I-SELECT model could help drive individuals in to a medical home. Dr. Costa asked how the I-SELECT model would help drive patients to a medical home and how the proposed pilot program might produce outcome based data that would help shoe the program's success.

Mr. Joseph told the Board each Medicaid patient is assigned a primary care physician and I-SELECT would have that information and would contact each Medicaid patient and make them aware of their alternatives to utilizing the emergency room by telling the patients the contact information for their own particular primary care physician.

He also told the Board when a patient called, I-SELECT would contact the primary care physicians' office and schedule an appointment for the patient if the patient's condition was not of an emergent nature. Mr. Joseph emphasized that in this pilot program I-SELECT's primary job is to act as a triage mechanism to either get the patient to the emergency room or have them see their primary care physician. However, I-SELECT would be in a position to provide a consultation to the patient and/or to the primary care physicians if that was determined to be the best course of action by the PCP.

Dr. deHoll asked if I-SELECT had considered a mechanism whereby the PCPs involved in this pilot would be educated as to how the program would work. Mr. Joseph responded in the affirmative and said there would be an intensive effort to let them know what their role in the program would be.

Dr. Costa indicated the Board was concerned with the issue of possible overprescribing of antibiotics and wanted to assure ISELECT would adhere to the NCQA parameters for prescribing antibiotics. Dr. Cupstid, representing the South Carolina Academy of Family Physicians said the temptation considering the telephonic aspect of the pilot did cause concern of physicians going outside the guidelines. Dr. Ball emphasized the need for particular attention being paid in the education efforts of participating physicians with this

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aspect of prescribing. Mr. Joseph said that all ISELECT physicians would need to comply with the NCQA procedures and guidelines.

Dr. Gardner stated he would like to see an emphasis by ISELECT on developing criteria for success of the pilot project and what the relevant matrix would be to use and to measure whether the program is successful or not. Dr. Ball added the Board is really interested in knowing what the clinical outcomes of the pilot program are. The Board concluded this discussion at 4:32 pm on October 31, 2011 with the understanding of continuing on November 1, 2011.

The Board resumed discussion on this topic on November 1, 2011 and Dr. Ball made the following motion:

Approve the ISELECT MD Pilot Program contingent upon a Board of Medical Examiners approved set of validation data criteria for clinical outcomes which include (but are not necessarily limited to:

- Demonstration of access to the underserved Department of Health and Human Services population,
- Demonstration of cost- effectiveness (expediency),
- Patient follow-up rates and satisfaction survey results from patients and physicians which include (but not limited to) prescribing safety, adverse events, and antibiotic use.

Dr. deHoll seconded the motion and it was passed unanimously by the Board.

William Ong Chu, M.D.  
Applicant for Licensure

Dr. Welsh made a motion to allow applicant to proceed with licensure.  
Motion was seconded by Dr. deHoll  
Motion carries

Gina M Alexander-Berrios, NP-C  
Request for exemption to the 45 mile requirement for physician supervision

Dr. deHoll made a motion to grant the request for exemption to the 45 mile requirement for physician supervision.  
Motion seconded by Dr. Gardner  
Motion carries

David D Vormohr, M.D.  
Request to amend Final Order

Dr. Gardner made a motion that Dr. Vormohr present the Board with affidavits that are notarized from all eight patients that were seen without proper supervision stating they were not harmed by Dr. Vormohr.

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**Motion seconded by Dr. Chow**  
**Motion carries**

**ADJOURN**

**At 5:45 pm Dr. Gardner made a motion to adjourn. Dr. Turner seconded the motion and it was unanimously passed.**

**RECONVENE**

**The Board reconvened at 8:15 am on Tuesday, November 1, 2011.**

**Philip Neeley, M.D.**  
**Applicant for Licensure**

**Dr. Welsh made a motion to allow applicant to proceed with licensure.**  
**Motion seconded by Dr. Hubbard**  
**Motion carries**

**Daniel R Crow, M.D.**  
**2009 – 62**  
**Final Order Hearing**

**A motion was made by Dr. Chow as follows:**

- **Accept Memorandum of Agreement**
- **Public reprimand**
- **Pay court cost of \$521.85**
- **License suspended stayed upon payment of costs**
- **Continued indefinite enrollment with RPP**

**Motion was seconded by Dr. Welsh**  
**Motion carries**

**Phillip W Tolman, PA**  
**2010 – 309**  
**Final Order Hearing**

**A motion was made by Dr. Gardner as follows:**

- **Accept Memorandum of Agreement**
- **Public Reprimand**

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- **Completion of all recommended educational and procedural recommendations of BMI; including a board-approved course; a site-specific board-approved practice**
  - **Pay investigative cost of \$2,057.80**
  - **Quarterly reports from Dr. Ward must be presented to the Board**
  - **Reappearance of Mr. Tolman in one year before the Board**

**Motion was seconded by Dr. deHoll**

**Motion carries**

**Raymond S Fryrear II, M.D**

**Applicant for Licensure**

**Dr. Ball made a motion to allow applicant to proceed with licensure**

**Motion was seconded by Dr. Turner**

**Motion carries**

**Michael Chandler, M.D.**

**Request to be released from Terms and Conditions**

**Dr. Chow made a motion to grant the request for release**

**Motion seconded by Dr. deHoll**

**Motion carries**

**William S Cooley Jr, M.D.**

**Applicant for Licensure**

**Dr. Hubbard made a motion to allow applicant to proceed with licensure**

**Motion was seconded by Dr. deHoll**

**Motion carries**

**Adanma Mbadinuju, M.D.**

**Request to supervise Physician Assistants**

**Dr. Gardner made a motion to deny the request to supervise Physician Assistants in South Carolina until such time that she will be able to prove either safety or performance on her part over a period of time or increase site supervision for the Physician Assistant where she will be working.**

**Motion seconded by Dr. Ball**

**Motion carries**

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**Keith Menes, M.D.**  
**Applicant for Licensure**

**Dr. Chow made a motion to allow applicant to proceed with licensure**

**Motion was seconded by Dr. Gardner**

**Motion carries**

**PROPOSED BILL**

**Mr. Duke addressed the Board about a proposed bill drafted by Senator Bryant, that among other things, would reduce the fine for practicing on a lapsed license from \$1,000 per month to \$250 per month and provide a 30 day grace period after the license has lapsed to renew without penalty.**

**After a lengthy discussion, the Board indicated the current law has been effective as a deterrent to renewing late and practicing on a lapsed license. However, the Board indicated it would be satisfactory to send physicians renewing their licenses on line a confirmation number indicating their successful renewal as suggested in the proposed bill.**

**PA ADVISORY COMMITTEE RECOMMENDATIONS**

**Dr. Gardner presented the recommendations from the October Physician Assistants Advisory Committee. After discussion Dr. Turner moved and Dr. Hubbard seconded the motion to accept the recommendations. The report was unanimously approved by the Board.**

**RCP ADVISORY COMMITTEE RECOMMENDATIONS**

**Mr. Duke presented the recommendations from the October Respiratory Care Practitioners' Advisory Committee. After discussion Dr. Gardner moved and Dr. Hubbard seconded the motion to accept the recommendations. The report was unanimously approved by the Board.**

**OGC-OIE REPORT**

**Mr. Faglie appeared and gave the Board an update on the Office of Investigation and Enforcement.**

**Recommendation from IRC for Dismissal**

**Cases 1-29**

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**Dr. Hubbard moved to accept and Dr. Welsh seconded the motion**  
**All in Favor**  
**Motion Carries**

**Recommendation from IRC for Formal Complaint**

**Cases 31- 48**

**Dr. Hubbard moved to accept and Dr. Turner seconded the motion**  
**All in Favor**  
**Motion Carries**

**Recommendation from IRC for Letters of Caution**

**Cases 49-51**

**Dr. Hubbard moved to accept and Dr. deHoll seconded the motion**  
**All in favor**  
**Motion Carries**

**ADJOURN**

**THE BOARD ADJOURNED AT 5:45 pm**

**Respectfully Submitted**  
**Bruce Duke**  
**Administrator**



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