

NEBRASKA BOARD OF MEDICINE AND SURGERY

MEETING MINUTES

October 11, 2019

ROLL CALL

The meeting of the Board of Medicine and Surgery was called to order by Chairperson, Todd W. Stull, MD, at 9:05 a.m. on October 11, 2019, in the Staybridge Room, Staybridge Suites, 2701 Fletcher Avenue, Lincoln, Nebraska. The following members answered the roll call:

Todd Stull, MD, Chairperson
John Massey, MD, Vice-Chairperson
Maria Michaelis, MD, Secretary
Mark Goodman, MD
Merle Henkenius
Jeffrey Howorth
Brian Keegan, MD
Jodanne Hedrick, DO

Absent: None

A quorum was present and the meeting convened.

Also present to participate in the meeting: Jesse Cushman, Program Manager, Jan Gaden-Harris, Health Licensing Coordinator, Licensure Unit; Mindy Lester, Assistant Attorney General; Mark Meyerson, Jeff Newman, Kathleen Krueger, Mendy Mahar-Clark and Trevor Klaassen, Investigators with the Investigation Unit; Anna Harrison, Compliance Monitor, from Licensing and Investigations.

Dr. Stull announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

PUBLIC STATEMENT(S)

Dr. Jawed Ehsan was present to address the Board regarding his initial application for a physician license.

REVIEW OF AGENDA

Goodman moved, seconded by Keegan to approve adoption of the agenda with the Chair having the authority to rearrange agenda items as needed. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

Additions, Modification, Reordering

The Board requested that the following applications be removed from the consent agenda:

Counce, Charles, DO – Initial Physician application
Ehsan, Jawed, MBBS - Initial Physician application
Paz-Esquerre, Arturo, MD - Initial Physician application
Redwood, Stanley, MD - Initial Physician application & Locum Tenens application
Rodriguez, Dagoberto, MD - Initial Physician application

Adoption of Consent Agenda

Howorth moved, seconded by Goodman, to approve the consent agenda as amended. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

APPROVAL OF MINUTES OF THE MEETING

Massey moved, seconded by Goodman to approve the minutes for August 16, 2019 as presented. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW – CLOSED SESSION

Hedrick moved, seconded by Michaelis, to go into closed session at 9:34 a.m. for the purpose of review and discussion of investigative reports, disciplinary reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

Massey recused himself from the meeting at 9:35 a.m.
Massey returned to the meeting at 9:45 a.m.

Board recessed for a Break at 10:45 a.m.
Board Reconvened 10:55 a.m.

Massey moved, seconded by Goodman, to open the session at 12:48 p.m. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

APPLICATION REVIEW – OPEN SESSION

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Physician and Osteopathic Physician Initial Application(s) (6) – CONSENT

Physician and Osteopathic Physician Initial Application(s) (5)

COUNCE, CHARLES, DO - application for a license to practice medicine and surgery. Goodman moved, seconded by Massey, to table for request of additional information. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

EHSAN, JAWED, MBBS - application for a license to practice medicine and surgery. Massey moved, seconded by Goodman, to recommend denial of a license. Denial of a license was based on disciplinary action in another state. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

PAZ-ESQUERRE, ARTURO, MD - application for a license to practice medicine and surgery. Goodman moved, seconded by Keegan, to table for request of a pre-licensure investigation. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

REDWOOD, STANLEY, MD - application for a license to practice medicine and surgery. Goodman moved, seconded by Howorth, to table for request of a pre-licensure investigation. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

RODRIGUEZ, DAGOBERTO, MD - application for a license to practice medicine and surgery. Massey moved, seconded by Henkenius, to table for request of a pre-licensure investigation. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

Physician and Osteopathic Physician Locum Tenens Application(s) (1)

REDWOOD, STANLEY, MD - application for a license to practice medicine and surgery as a Locum Tenens. Goodman moved, seconded by Howorth, to table for request of a pre-licensure investigation. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

E-Mail Ballot(s) Since the Last Meeting

Since their last meeting, the Board voted via e-mail ballots:

HOOVER, LANCE RANDAL, MD – application for a license to practice medicine and surgery. The Board voted for approval of the issuance of the license on September 3, 2019.

ADA Compliant Application Question - Review of the newly proposed language that would revise the Section III on the physician license application(s) to be compliant with the ADA (American Disability Act)
The Board voted for approval of the proposed language, September 6, 2019

PHARMACEUTICAL CARE AGREEMENT(S) (12) – CONSENT

REGULATIONS UPDATES

The proposed draft regulations for Title 172 NAC, Chapter 88, Professional and Occupational Licensure for the Practice of Medicine and Surgery were reviewed at a Public Hearing held on October 7, 2019. Hearing comments were submitted and reviewed.

Goodman moved, seconded by Hedrick to approve adoption of the proposed draft regulations. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

Amy Reynoldson, Executive Vice President with the NMA (Nebraska Medical Association) was present to give the Board updates from the NMA. Amy told the Board that the NMA is currently developing a Wellness Program as a resource for coaching or mentoring to address controlled substance abuse and mental health for licensed health care professionals. Many other states have similar programs, at present Nebraska only has the NE LAP (Nebraska Licensee Assistance Program).

FYI(S)

NCCAOM (National Certification Commission for Acupuncture and Oriental Medicine) Summer 2019 Newsletter
The Board had no comments regarding the newsletter.

SCHEDULE FOR BOARD MEETINGS IN 2020

Due to the heavy volume of investigation cases and application reviews that the Board is required to review, the Board has decided to schedule additional meetings during the course of the calendar year 2020. Once the meeting dates have been set the schedule will be published on the DHHS website.

PRESENTATION OF SERVICE AWARDS

Merle Henkenius, Public Member of the Board was presented with the “Admiralship Award with the Great Navy of the State of Nebraska” awarded by the Governor’s office along with a Plaque from the Board and a Certificate of Service from the Department.

Merle has served the Medicine and Surgery Board for twelve years, from November 19, 2007 to November 30, 2019.

The Board of Medicine and Surgery and the Department of Health and Human Services extend their deepest appreciation to Merle for his service to the State of Nebraska. Merle's presence at the Board meetings will be greatly missed.

ADJOURNMENT

There being no further business, Goodman moved, seconded by Massey to adjourn the meeting at 1:15 p.m. Voting aye: Goodman, Hedrick, Henkenius, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

Respectfully submitted,

signature available upon request

Maria Michaelis, MD, Secretary
Board of Medicine and Surgery