

NEBRASKA BOARD OF MEDICINE AND SURGERY

MEETING MINUTES

December 6, 2019

ROLL CALL

The meeting of the Board of Medicine and Surgery was called to order by Chairperson, Todd W. Stull, MD, at 9:00 a.m. on December 6, 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
Jeffrey Howorth
Jodanne Hedrick, DO
Brian Keegan, MD

Absent: None

A quorum was present and the meeting convened.

Also present to participate in the meeting: Jesse Cushman, Program Manager, Jan Gadeken-Harris, Health Licensing Coordinator, Licensure Unit; Mindy Lester, Assistant Attorney General; Mark Meyerson, Jeff Newman, Kathleen Krueger, Carla Cue 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.

REVIEW OF AGENDA

Howorth moved, seconded by Massey to approve adoption of the agenda with the Chair having the authority to rearrange agenda items as needed. Voting aye: Goodman, Hedrick, 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:

Al-Kahlout, Omar, MD – Initial Physician application
Mok, Charles Donald, DO - Initial Physician application
Paz-Esquerre, Arturo, MD - Initial Physician application
Redwood, Stanley, MD - Initial Physician application & Locum Tenens application
Zohny, Zohny, MD - Initial Physician application
Kutty, Ahmed, MBBS – Physician Reinstatement Application
Priebe, David, MD – Physician Reinstatement Application
Conroy, Sean, PA-C – Physician Assistant Reinstatement Application

Adoption of Consent Agenda

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

PUBLIC STATEMENT(S)

Dr. Charles Mok was present to address the Board regarding his Re-application for an Initial Physician license.

FSMB (FEDERATION OF STATE MEDICAL BOARDS) PRESENTATION

Jeffrey Carter, MD, FSMB Liaison Director for the State of Nebraska along with Michael Dugan, MBA, CIO/SVP Operations for the FSMB were in attendance to meet with the Board members and to share the goals of the Liaison Program and the functions of the FSMB.

FSMB Vision: The FSMB is an innovative leader, helping state medical boards shape the future of medical regulation by protecting the public and promoting quality health care.

FSMB Mission: The FSMB serves as the voice for state medical boards, supporting them through education, assessment, research and advocacy while providing services and initiatives that promote patient safety, quality health care and regulatory best practices.

Dr. Carter recommended that the Board members review the “Policy on Physician Wellness and Burnout”. It was adopted by the FSMB House of Delegates in April 2018. The emphasis is on “Shared Accountability Approach” to physician wellness. The Goals of Recommendations are:

- Encourage physicians to seek help early
- Remove stigma associated with acknowledging a need for help
- Improve physician well-being
- Change perception of medical board role as always punitive
- Promote understanding of “Duty to Report” to assist earlier intervention
- Improve quality of care delivered to patients
- Support public protection efforts of state medical boards

Mr. Dugan noted that FSMB includes services for Physicians, Member Boards and Credentialing. The FCVS profiles and the Physician Data Center are of great importance for the Board and the Department.

Federation Credentials Verification Service (FCVS)

- Primary Source and Physician Provided Information Verification
- Processes Certified by NCQA
- Permanent Credentials Repository for 220,000+ Physicians
- Promotes License Portability
- New Service for Boards: NPDB Query Now Available

Physician Data Center

- Central repository for disciplinary sanctions, licensure information and specialty board certification data for physicians and physician assistants
- Data Sources
 - State Medical Boards
 - Department of Defense (DOD)
 - Office of Inspector General (OIG)
 - International Licensing Authorities
 - American Board of Medical Specialties (ABMS)
 - American Osteopathic Association (AOA)
 - CMS - National Provider Identifier (NPI)
- NPDB Self Query in Development

Communicate with FSMB and see how they may be of service to you:

- *Journal of Medical Regulation*
- FSMB Annual Report
- *Newsline* and *eNews*
- Regulatory Trends and Actions
- Website – www.fsmb.org

- Advocacy Newsletter
- Twitter – @TheFSMB
- Facebook

The Medicine and Surgery Board and the Department would like to THANK Dr. Carter and Mr. Dugan for taking their time to visit Nebraska. All those in attendance were definitely energized by the information shared.

REGULATIONS UPDATE

The proposed Draft Regulation changes for Title 172 NAC Chapter 87 Practice of Surgical First Assistant were presented and discussed by the Board.

Goodman moved, seconded by Michaelis to accept the proposed Draft Regulations for Title 172 NAC Chapter 87 Practice of Surgical First Assistant as presented. Voting aye: Goodman, Hedrick, 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. The 106th Legislature, 2nd Session will convene January 8, 2020. Amy advised the Board regarding several new bills that will be presented and those that the NMA will be supporting.

APPROVAL OF MINUTES OF THE MEETING

Hedrick moved, seconded by Michaelis to approve the minutes for October 11, 2019 as presented. Voting aye: Goodman, Hedrick, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

Board recessed for a Break at 10:39 a.m.
Board Reconvened 10:44 a.m.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW – CLOSED SESSION

Hedrick moved, seconded by Michaelis, to go into closed session at 10:45 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, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

Keegan recused himself from the meeting at 11:23 a.m.
Keegan returned to the meeting at 11:24 a.m.

Massey moved, seconded by Howorth, to open the session at 12:36 p.m. Voting aye: Goodman, Hedrick, 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) (1) – CONSENT

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

AL-KAHLOUT, OMAR, MD - 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, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

MOK, CHARLES DONALD, DO - application for a license to practice medicine and surgery. Goodman moved, seconded by Hedrick, to recommend issuance of a license. Voting aye: Goodman, Hedrick, 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. Massey moved, seconded by Goodman, to recommend issuance of a limited license. The limitation would prohibit the practice of any surgical procedures. Voting aye: Goodman, Hedrick, 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 recommend denial of a license. The basis for this denial is refusal to cooperate or failure to furnish requested information during a licensing investigation by the Department. Voting aye: Goodman, Hedrick, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

ZOHNY, ZOHNY, MD - application for a license to practice medicine and surgery. Goodman moved, seconded by Howorth, to recommend issuance of a license. Voting aye: Goodman, Hedrick, 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 locum tenens license to practice medicine and surgery. Goodman moved, seconded by Howorth, to recommend denial of a license. The basis for this denial is refusal to cooperate or failure to furnish requested information during a licensing investigation by the Department. Voting aye: Goodman, Hedrick, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

Physician and Osteopathic Physician Reinstatement Application(s) (2)

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

PRIEBE, DAVID, MD - application for a reinstatement license to practice medicine and surgery. Goodman moved, seconded by Hedrick, to recommend issuance of a reinstatement license. Voting aye: Goodman, Hedrick, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

Physician Assistant Reinstatement Application(s) (1)

CONROY, SEAN, PA-C - application for a reinstatement license to practice medicine and surgery as a Physician Assistant. Goodman moved, seconded by Hedrick, to recommend issuance of a reinstatement of the Physician Assistant license. Voting aye: Goodman, Hedrick, Howorth, Keegan, Massey, Michaelis and Stull. Voting nay: none. Absent: none. Abstain: none. Motion carried.

PHARMACEUTICAL CARE AGREEMENT(S) (12) – CONSENT

FYI (S)

- A. FSMB - Applications for Committee Appointments 2019-2020, appointment application deadline December 31, 2019. Dr. Michaelis commented that she has submitted an application and is waiting to be notified if she has been accepted for a committee.
- B. FSMB – Nominations for FSMB Elected Offices 2019-2020 – submit nominations by December 31, 2019. The Board had no comments.
- C. FSMB – Nominations for Awards Recognizing Excellence in Medical Regulation – submit nominations by December 31, 2019. The Board had no comments.
- D. FSMB – 2020 Annual Meeting April 30-May 2, 2020 at the Manchester Grand Hyatt in San Diego, CA. Dr. Keegan and Dr. Stull have expressed interest in attending the meeting.

ADJOURNMENT

There being no further business, Howorth moved, seconded by Hedrick to adjourn the meeting at 12:40 p.m. Voting aye: Goodman, Hedrick, 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