

NEBRASKA BOARD OF MEDICINE AND SURGERY

MEETING MINUTES

August 26, 2016

ROLL CALL

The meeting of the Board of Medicine and Surgery was called to order by Chairman, Carl Smith, MD, at 9:00 a.m. on August 26, 2016, in the Lighthouse Room, Country Inn & Suites, 5353 N 27th Street, Lincoln, Nebraska. The following members answered the roll call:

Carl Smith, MD, Chairman
Mark Goodman, MD, Vice-Chair
Todd Stull, MD, Secretary
Merle Henkenius
Jeff Howorth
Karen Higgins, MD
Michael Bittles, MD
Judith Scott, DO

A quorum was present and the meeting convened.

Also present to participate in the meeting: Kathie Lueke, Program Manager, Kelli Dalrymple, Health Licensing Coordinator, Licensure Unit; Mindy Lester, Assistant Attorney General, Jeff Newman, Investigator; Kathleen Krueger, Investigator, Dennis Scott, Investigator, Carla Cue, Investigator, Russell Fosler, Program Manager, Investigations Unit; Suzanna Glover-Etrich, Department Legal Counsel, Teresa Hampton, Department Legal Counsel, Anna Harrison, Compliance Monitor, Licensure Unit.

REVIEW OF AGENDA

Adoption of Agenda

Howorth moved, seconded by Goodman, to approve adoption of the agenda. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

APPROVAL OF MINUTES OF THE MEETING

Higgins moved, seconded by Howorth, to approve the minutes of the meeting for June 17, 2016, as presented. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

COMMENTS TO BOARD BY APPLICANT(S)

Stull left the meeting at 9:02 am.

Dr. Scott Strasburger, presented comments to the Board.

Stull returned to the meeting at 9:10 am.

Dr. Edward Picardi presented comments to the Board.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW

Goodman moved, seconded by Howorth, to go into closed session at 9:18 a.m. for the purpose of review of investigational and disciplinary reports and other closed session items as identified on the agenda. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

Stull left the meeting at 9:18 am.

Glover-Etrich left the meeting at 9:18 am.

Howorth left the meeting at 9:21 am
Lester left the meeting at 9:29 am.
Hampton left the meeting at 10:10 am.
Glover-Ettrich, Howorth, Lester and Stull returned to the meeting at 10:10 am.
Glover-Ettrich left the meeting at 10:16 am.
Smith left the meeting at 10:18 am.
Smith returned to the meeting at 10:21 am.
Stull, Howorth, Glover-Ettrich and Lester returned to the meeting at 10:21 am.

Howorth moved, seconded by Goodman, to open the session at 10:24 a.m. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE

Physician and Osteopathic Physician Application(s)

GROSS, ANDREW - application for a license to practice medicine and surgery. Higgins moved, seconded by Goodman, to recommend issuance of license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

Physician Reinstatement Application(s)

PICARDI, EDWARD - application for reinstatement of a license to practice medicine and surgery. Higgins moved, seconded by Howorth, to recommend issuance of license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

Physician Reinstatement after Discipline Application(s)

STRASBURGER, SCOTT - application on reinstatement after discipline. Bittles moved, seconded by Scott, based on recent convictions and licensure discipline history to reinstate the license on probation for five years with standard probationary terms and conditions; comply with treatment recommendations of treatment provider(s); submit to EtG/EtS testing and drug screens before any surgical procedure; test will need to be obtained and verified by the Head Nurse Manager of the facility where the procedure is taking place; the test shall be submitted to the Compliance Monitor the same day; provide a copy of probationary terms and conditions to facilities and the facility will need written verification that they have received it. Voting aye: Bittles, Goodman, Scott, Higgins and Henkenius. Voting nay: Smith. Abstain: Howorth and Stull. Absent: none. Motion carried.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW - Continued

Howorth moved, seconded by Higgins, to return to closed session at 10:30 a.m. for the purpose of review of investigational and disciplinary reports and other closed session items as identified on the agenda. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

Goodman and Lester left the meeting at 11:04 am.
Goodman and Lester returned to the meeting at 11:06 am.

Howorth moved, seconded by Scott, to open the session at 11:09 a.m. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE - Continued

Physician and Osteopathic Physician Application(s)

CO, EDGIE - application for a license to practice medicine and surgery. Scott moved, seconded by Stull, to recommend issuance of license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

JACOBSON, DAVID - application for a license to practice medicine and surgery. Stull moved, seconded by Bittles, to recommend issuance of license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

PHILBRICK, SAMUEL - application for a license to practice medicine and surgery. Bittles moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

PONNIAH, ASHOK - application for a license to practice medicine and surgery. Scott moved, seconded by Howorth, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

POWELL, AUDREY - application for a license to practice medicine and surgery. Howorth moved, seconded by Bittles, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

SEVY, JUSTIN - application for a license to practice medicine and surgery. Stull moved, seconded by Howorth, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

TAYLOR, BEATRICE - application for a license to practice medicine and surgery. Scott moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

ISAWI, HANNY - application for a license to practice medicine and surgery. Higgins moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

JOSHI, NALINAKSHA - application for a license to practice medicine and surgery. Howorth moved, seconded by Goodman, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

KAZANIKOVA, GALINA - application for a license to practice medicine and surgery. Howorth moved, seconded by Scott, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

LIBERSTEIN, ALLA - application for a license to practice medicine and surgery. Goodman moved, seconded by Howorth, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

PERSONS, CHARLES - application for a license to practice medicine and surgery. Howorth moved, seconded by Higgins, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

Physician Assistant Applications(s)

WILDMAN, MARK - application for a license to practice as a physician assistant. Higgins moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

WELCH, DAVID - application for a license to practice as a physician assistant. Stull moved, seconded by Scott, to recommend issuance of a license. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

Physician Reinstatement after Discipline Application(s)

RIGLER, DONALD - application on reinstatement after discipline license to remove limitation of not prescribing controlled substances. Higgins moved, seconded by Scott, to approve request for removal of limitation. Voting aye: Higgins, Howorth, Stull, Scott, Smith and Henkenius. Voting nay: Bittles. Abstain: Goodman. Absent: none. Motion carried.

SURGICAL FIRST ASSISTANT DRAFT REGULATIONS

Howorth moved, seconded by Goodman to approve the Draft Regulations for Surgical First Assistants with the change of CE requirement hours to 40. Voting aye: Bittles, Higgins, Howorth, Stull, Goodman, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried.

PHARMACEUTICAL CARE AGREEMENTS

The Board has no comments or concerns with the agreements.

REPORT ON 2016 AMA ANNUAL MEETING

Dale Mahlman, from Nebraska Medical Association provide an overview for the Board.

FSMB TELEMEDICINE MODEL POLICY

The Board had no discussion.

MEDICAL BOARD EXPECTATIONS FOR PHYSICIANS RECOMMENDING MARIJUANA

The Board had no discussion.

ADJOURNMENT

There being no further business, Howorth moved, seconded by Goodman, to adjourn the meeting at 10:48 a.m. Voting aye: Bittles, Howorth, Stull, Goodman, Higgins, Smith, Scott and Henkenius. Voting nay: none. Absent: none. Motion carried

Respectfully submitted,

signature available upon request

Todd Stull, Secretary
Board of Medicine and Surgery