

# **West Virginia Board of Medicine**

**Annual Report to the Legislature  
July 1, 2017 through June 30, 2019**



**West Virginia Board of Medicine  
101 Dee Drive, Suite 103  
Charleston, West Virginia 25311  
(304) 558-2921  
[www.wvbom.wv.gov](http://www.wvbom.wv.gov)**

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Executive/Management Committee	429
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Physician Assistant Committee	677
Licensure Committee	709
Legislative Committee	815
Executive/Management Committee	881
Complaint Committee	912
Board	962



# State of West Virginia *Board of Medicine*

KISHORE K. CHALLA, MD, FACC  
PRESIDENT

CATHERINE C. SLEMP, MD, MPH  
SECRETARY

101 Dee Drive, Suite 103  
Charleston, WV 25311  
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ASHISH P. SHETH, MD  
VICE PRESIDENT

MARK A. SPANGLER, MA  
EXECUTIVE DIRECTOR

## CERTIFICATION

Pursuant to W. Va. Code §30-1-12(b), I do hereby certify that the following *West Virginia Board of Medicine 2017 through 2019 Biennial Report to the Legislature* is a true assessment of the activities of the West Virginia Board of Medicine.

A handwritten signature in blue ink, appearing to read "Kishore K. Challa", written over a horizontal line.

Kishore K. Challa, MD, FACC  
President



# State of West Virginia *Board of Medicine*

**KISHORE K. CHALLA, MD, FACC**  
PRESIDENT

**CATHERINE C. SLEMP, MD, MPH**  
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Pursuant to W. Va. Code §30-1-12(b), I do hereby certify that the following *West Virginia Board of Medicine 2017 through 2019 Biennial Report to the Legislature* is a true assessment of the activities of the West Virginia Board of Medicine.

  
\_\_\_\_\_  
Catherine C. Slemp, MD, MPH  
Secretary

## Receipts and Disbursements

	Fiscal Year 2018	Fiscal Year 2019
<b>RECEIPTS</b>		
Licensure applications, registrations and renewals	\$1,855,045.00	\$1,901,580.00
Examination fees, if applicable	\$0.00	\$0.00
Other fees	\$38,270.00	\$56,716.74
Fines and penalties*	\$18,750.00	\$20,950.00
Expense reimbursements from disciplinary actions	\$204.90	\$0.00
Grants, special appropriations or other sources of revenue not from fees	\$0.00	\$5,000.00
Total receipts	\$1,921,787.57	\$1,984,246.74
<b>DISBURSEMENTS</b>		
Personal services**	\$1,076,429.51	\$1,161,517.91
Board member per diem compensation	\$44,400.00	\$39,148.40
Travel expenses and automobile mileage	\$42,695.56	\$30,449.40
Professional contracts	\$85,396.62	\$99,503.94
Rent	\$174,377.00	\$169,866.24
Office supplies	\$25,029.55	\$29,222.45
Postage	\$20,064.34	\$20,169.23
Entertainment and hosting	\$3,972.48	\$4,414.37
Insurance	\$8,757.00	\$10,088.00
Bank costs	\$39,252.46	\$45,521.53
Total disbursements	\$1,994,006.76	\$1,609,901.47

\* All fines and penalties are transferred to the state's General Fund.

\*\* Includes benefits.

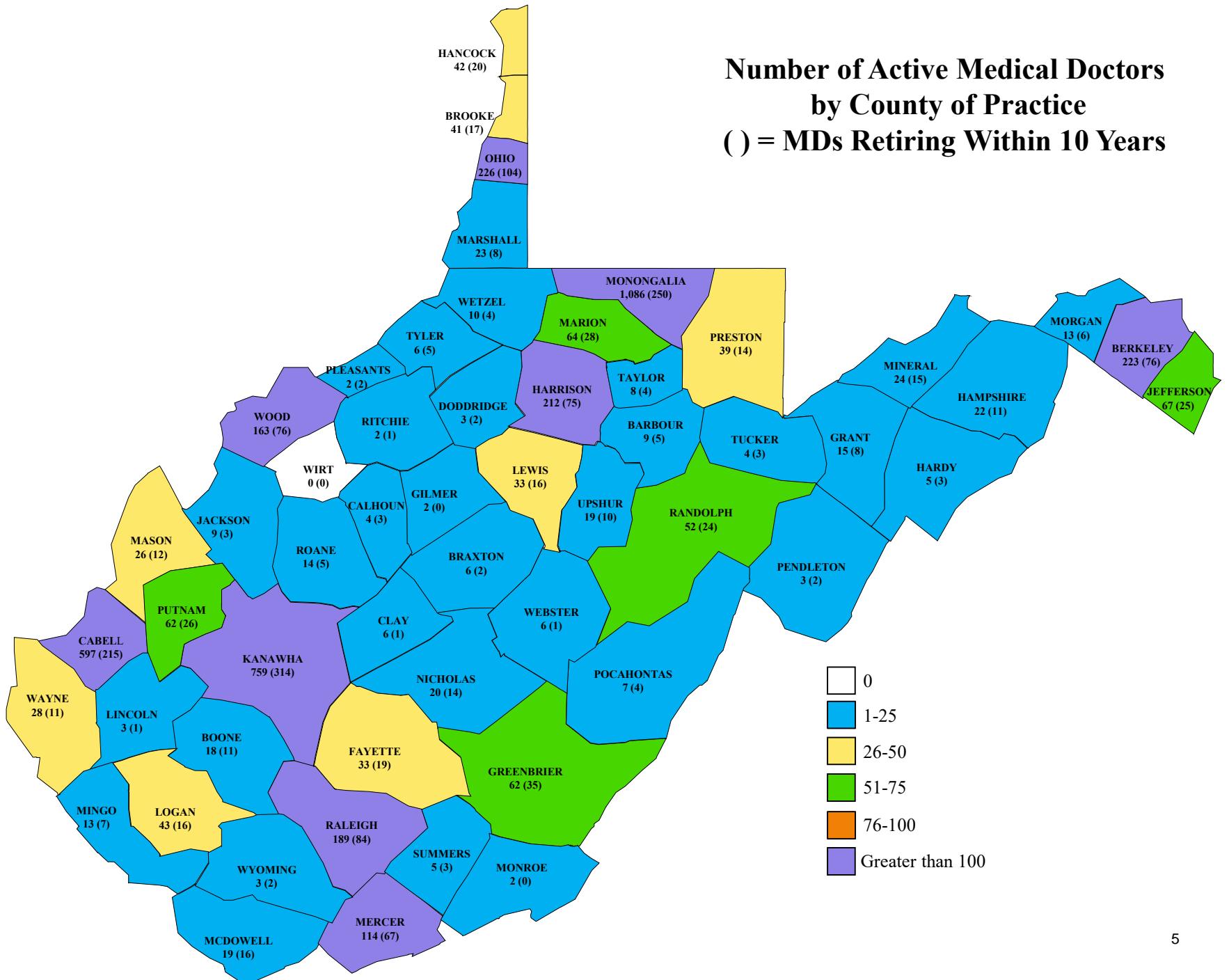
## Summary of Licensure Activity Licenses, Certifications, and Registrations Issued Between July 1, 2017 and June 30, 2019

Newly Licensed Medical Doctors (MDs)	1478
Newly Licensed Podiatric Physicians (DPMs)	18
Newly Licensed Physician Assistants (PAs)	206
Medical Corporations	32
Professional Limited Liability Companies	48
Special Volunteer Medical Licenses	1
Extraordinary Circumstance Medical Licenses	2
Medical School Faculty Limited Licenses	5
Veterans Nursing Home Facility Licenses	0
Active Duty Military or Spouses	2
Controlled Substance Dispensing	98
<b>Total Licensure as of June 30, 2019</b>	
Medical Doctors Practicing in WV	4,466
Medical Doctors Practicing Out-of-State	2,741
Total Number of Medical Doctors	7,207
Podiatric Physicians Practicing in WV	82
Podiatric Physicians Practicing Out-of-State	44
Total Number of Podiatric Physicians	126
Physician Assistants Practicing in WV	956
Interstate Medical Licenses Compact (IMLC) Licenses Issued	167
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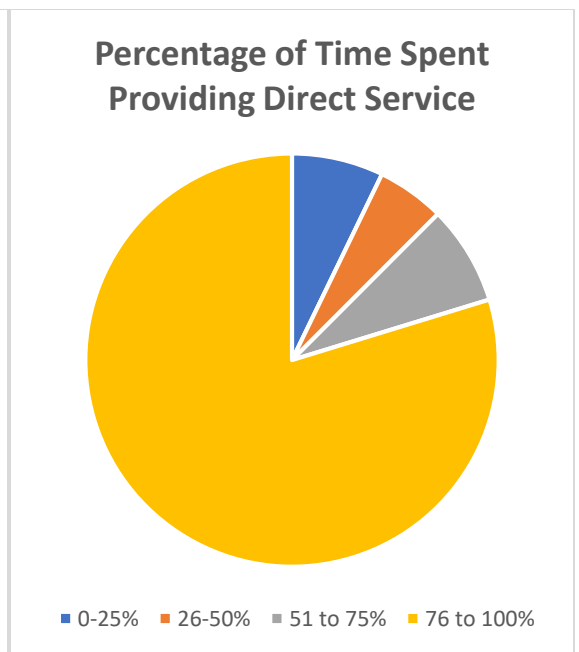
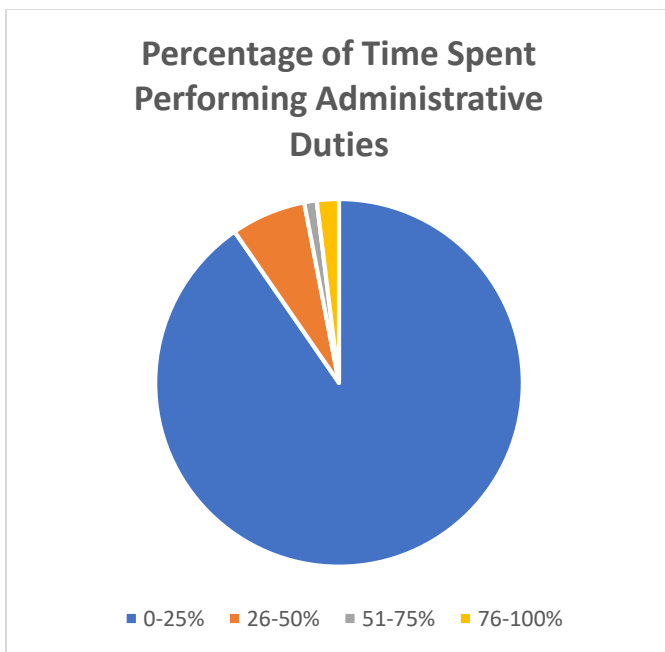
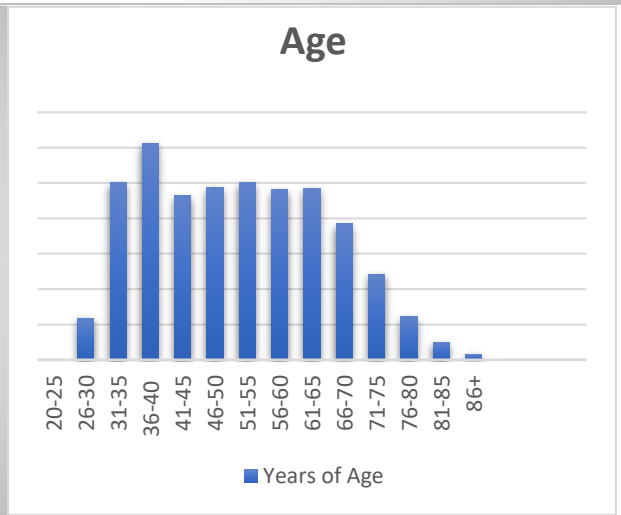
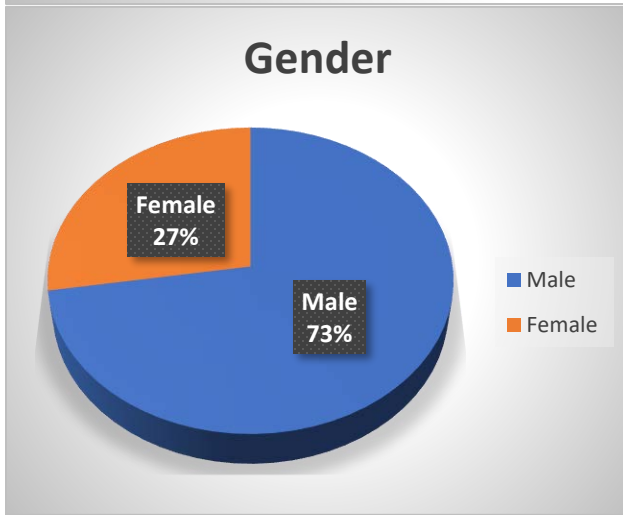
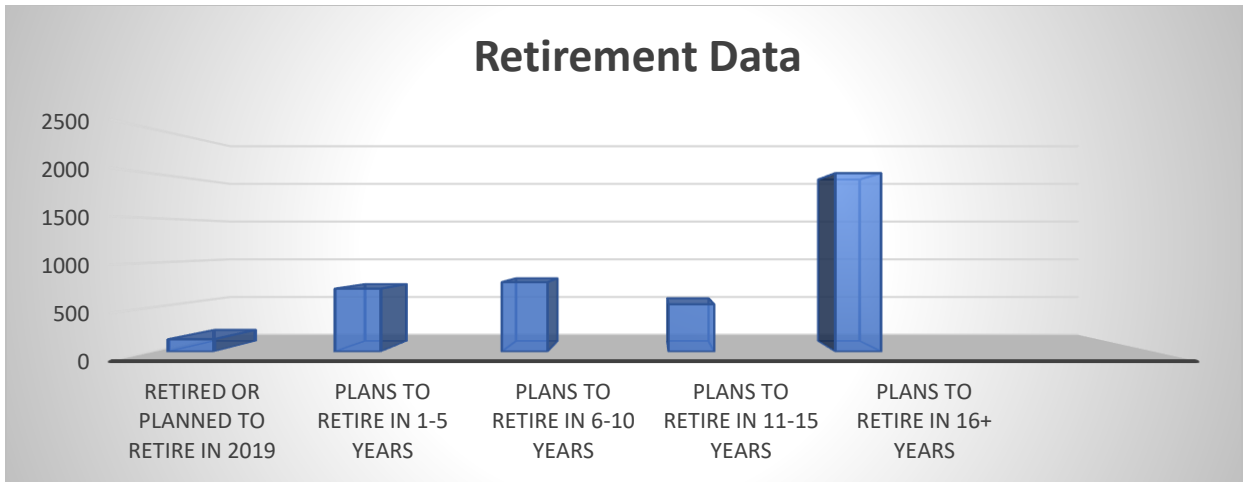


# Number of Active Medical Doctors by County of Practice

( ) = MDs Retiring Within 10 Years



# Medical Doctor Practice Demographics



## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
28954	Mir Ali		Abbas Khan	
27618	Mohamad	Bashar	Abdelfattah	
27965	Ahmed	Rabie	Abdelkarim	
27808	Abdelhai		Abdelqader	
28243	Jad	M.	Abdelsattar	
28468	Yasir		Abdul Ghaffar	
28469	Matthew	Joseph	Abel	
28562	Edward		Abell	
28684	Iryna		Aberkorn	
27809	Ayesha		Abid	
27984	Romy		Abou Mrad	
28470	Rachel		Abou Mrad	
28921	Ashraf	Yehia Youssef	Abou-El-Ezz	
28561	Zenoun	Omar	Abouzelam	
27906	Andrew	Jacob	Abraham	
28463	Stanley	Francis	Abramski	
28589	Lina	May	AbuJamra	
27619	Salim	Salaheddin	Abunnaja	
27985	Nazir	Ahmed	Adam	
28579	Francis	Michael	Adams	
28244	Samuel	Schoen	Adams	
27810	Avram	Eli	Adelman	
29075	Adesoji	Adeolu	Adenigbagbe	
27620	Shubash		Adhikari	
28136	Anil		Agarwal	
27878	Ankush		Agarwal	
28237	Hem	Chand	Aggarwal	
28432	Nitin	Naresh	Aggarwal	
28471	Maria	Isabel	Aguilar	
28590	Kelly	Melissa	Aguilar	
28472	Shamsher	Singh	Ahluwalia	
29088	Hamad		Ahmad	
28685	Imad		Ahmado	
28955	Haroon		Ahmed	
28825	Faith	Aiguekeagbon	Aimua	
27621	Tazeem	Ahmad	Aizad	
28113	Esther	S. V.	Ajjarapu	
28576	Linus	Ngante	Akamangwa	
28238	Jalal	Ud-din	Akbar	
27986	Michelle	N.	Akiko	
28826	Ahlim	M Omer A	Al Sanani	
28956	Yasir	Haitham Jasim	Al-Azzawi	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
28957	Saif	Falah	Al-Najafi	
28580	Kalil	Ibrahim	Al-Nassir	
28958	Saif	Ahmad Mefleh	Al-Qatarneh	
27811	Halima		Al-Qawasmi	
28686	Fathia	Anwar Bader	AlFakeri	
28114	Mohammed	Abdulaziz	AlJasmi	
27622	Tasneem	Saleh	Alaqzam	
28245	Heidar	Jasim	Albandar	
28246	Ridwaan		Albeiruti	
27623	Deborah	Louise	Albert	
28247	Ali	Makki	Aldawood	
28827	Douglas	James	Alden	
28416	Mohamed		Alfaris	
28248	Hani	Abdulmajeed	Alhamoud	
28578	Ayoob		Ali	
28591	Pascal		Aliihnuai Atanga	
27624	Sami	Mohammed D	Aljohani	
27812	Jeffrey	Todd	Allgaier	
28816	Jerry	Alvin	Allison	
27884	Gilbert		Almaraz	
28057	Amro		Almradi	
27987	Heba		Almutairi	
28249	Pedro	Alberto	Alonso	
28426	Mohammed	Salah R.	Alreshidan	
27892	Khalil	Mohammad	Alsoutary	
28959	Laith	Rafi	Altaweel	
28042	Amjad	Hassan	Alwaal	
27988	Jasmine	M.	Aly	
28960	Khalid	Saleh J	Alyami	
28828	Amar	Muniyappa	Amaresh	
28250	Eden	Tsehay	Amdemichael	
28559	Muhammad		Amer	
28592	Magid	Hashim	Amer	
28593	Saad	Muhammad	Amin	
27989	Md. Shahrier		Amin	
28251	Erin	Ashley	Amini	
28252	Annahita		Amireskandari	
28137	Farzad		Amiri	
28058	Stuart	Douglas	Anderson	
28594	Michelle	Raney	Angeline	
27625	Terence	Tsiambuom	Anguh	
28829	Johat		Aponte	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
27626	Jeffrey	Paul	Appel	
28687	Nicholas	James	Aquino	
28595	Ruta		Arays	
28817	Tommeka	Michele	Archinard	
27813	Eric	James	Arehart	
27814	Smitha		Arekapudi	
28652	Casandra		Arevalo Marcano	
28059	Jaime	Sa Moreira De	Argila	
27815	Jourdan	Tyler	Aromin	
28830	Mack	Joe	Arroliga	
28831	William	James	Artrip	IV
28253	Kousalya		Arunagiri	
28060	Sadaf		Ashfaq	
28254	Isaac	Vernon	Ashley	
27627	Joshua	Aubrey	Atkinson	
28803	Nana	Frema	Atuahene	
28473	Troy	Earl	Aubel	
28474	Rami	Mahfouz	Ausi	
28596	Cengiz		Aygun	
28061	Achuta	Ram	Aynampudi	
28475	Muhammad	Adnan	Aziz	
28255	Varun	Mohan	Badami	
28663	Scott	Garret	Baginski	
28138	Soon		Bahrami	
27628	Aneeqah		Baig	
28688	Madhu	Satya	Bajaj	
28961	Vijender	Singh	Bajwa	
28597	Kenneth	John	Baker	
27629	Daniel	Mark	Baker	
28476	Janna	Elizabeth	Baker Rogers	
27990	Nicolas		Bakinde	
28563	Yokesh		Balaraman	
28962	Alfred		Balasa	
28256	Jasminka	Lijic	Balderacchi	
27816	Sudarshan		Balla	
27991	Ghassan	Salim Issa	Bandak	
28062	Jeffrey	Brian	Banyas	
27630	Karen	Patricia	Barr	
28257	Emad	Wagdi	Barsoum	
28689	Aimee	Michelle	Barton	
28258	Elmira	Sadeghi	Basaly	
28963	Muhammad	Asif	Bashir	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
28140	Elizabeth	Marianne	Bass	
28598	Ulas	Darda	Bayraktar	
27992	Thomas	Richard	Beaver	
28141	Bonny	Lorraine	Beck	
28477	Lakshmi	Reddy	Beeravolu	
27631	Mary	Jeannette	Begole	
27803	Jacob	M.	Behrens	
28832	Jean-Edson		Belcourt	
28964	Christopher	Lloyd	Bellew	
27632	Laima	Pauliukonis	Bendel	
27633	Assia		Benhacene	
28965	Jacqueline	Ann Marie	Benjamin	
27993	Ethan	Michael	Benning	
27800	David	Austin	Bennion	Jr.
28555	Claire	Marie	Bentley	
27634	Andrew	John	Berardinelli	
28448	Kathleen	Mary	Berchermann	
28259	Jay		Berdia	
28261	Evan	Michael	Berger	
28260	Robert		Berger	
28142	Katherine	Beckett	Berger	
28262	Alexandra	Marie	Berguer	
27994	Jonathan	David	Bernard	
28554	Jane	Ilana	Bernstein	
28263	Wayne	Jefferson	Berry	III
28833	Lonnie	Lee	Berry	
28143	Michael	D.	Berven	
27635	Lee	Walker	Beville	III
28479	Christopher	Scott	Bewley	
28573	Vijay	Rajendra	Bhat	
28834	Parth	Jayprakashbhai	Bhatt	
28480	Rodney		Biglow	
28835	Lynsey	Allen Smith	Biondi	
28599	Richard	Earl	Bird	
28966	Joseph	Allen	Blackmon	
27636	Will	Owen	Blankenship	
28584	Rebecca	Jean	Blatt	
27888	Albert	Mark	Bleggi	
28264	Steven	Benjamin	Bleyl	
28049	Jennifer	Kim	Bogan	
28967	Kevin		Bogdansky	
27995	Christie		Boils	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
28197	Marlana	Sheridan	Bollinger	
28265	Pavankumar		Bommasamudram	
29092	Allyn	Harris	Bond	
27996	Naveen	Kumar Reddy	Bondalapati	
28063	Brian	Anthony	Boone	
27637	Phillip	Andrew	Bostian	
28481	Thomas	David	Bourne	
28675	Mary	Jane	Bovo	
27997	Charles	Edward	Boyd	Jr.
28600	Phillip	Snowden	Brackin	
28601	Timothy	Michael	Bradley	
27638	John	Paul	Brady	IV
28119	Billy	N.	Bravo	
27639	Anthony		Brehm	
28968	Daniel	James	Breznau	
28969	Olubusola	Abiye	Brimmo	
28144	Anthony	Michael	Briningstool	
28465	John	Edward	Britt	
27998	Yulia		Bronstein	
27640	Douglas	Paul	Brooks	
28145	Benjamin	Keith	Brooks	
28266	Jacqueline	Carrie	Brown	
27907	Sherry	Bernita	Brown	
27641	Merritt	Weaver	Brown	III
27642	Thomas	William	Brown	
27643	Alysia	Dawn	Browne	
27644	Aaron	Matthew	Brownfield	
27817	Keisha	Kadesha	Bryant	
28690	Krystal	Claire	Buchanan	
28651	Derek	Scott	Buck	
28482	Ryan	Rahym	Budwany	
28802	Elizabeth	Hauslein	Buell	
28790	Percival	Ofrecio	Buenaventura	
27645	Hazim	Said	Bukamur	
28970	Rebecca	Jane	Burke	
27793	Kyle	Matthew	Burner	
28971	Harumi	Uchida	Burns	
28483	Patrick	Russell	Burnside	
28267	Neil	Amdur	Busis	
28836	Atif		Butt	
27963	Scott	Wilbert	Caldwell	
27983	John	David	Campbell	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
28268	John	Vincent	Campo	
28146	Thomas	Darrell	Carico	
27966	Beverly	Ann	Carl	
28940	Daniel	Joseph	Carlin	Jr.
28269	Nicole	Lynn	Carlson	
28837	Anna	Lynne	Carpenter	
28270	Melissa		Carr	
28691	Rogelio	Luis	Carrera	
28271	Stephen	Brent	Carroll	
28692	Phillip	Eugene	Carron	
28272	Katherine	Hannah	Carruthers	
27818	Rafael		Cartagena	Jr.
28789	Susan	Leontyne	Carter	
28420	Gregory	Dale	Casey	
27646	Antonio		Cassara	
28273	Elaine	Ann	Cassidy	
28484	Ekaterina	Borisovna	Castano	
28274	Rudolph	Joseph	Castellani	Jr.
28125	Michael	Tinamisan	Catausan	
28428	Richard	Henry	Catlett	III
27647	Karyn	Emmanuel	Catt	
28602	Monica	Maria	Cerone	
28558	Yvana		Cespedes Rockley	
27819	Binu	Thomas	Chacko	
28275	Jesse	Randall	Chaffin	
28276	Zakeih		Chaker	
28603	Melina	Dias	Chan	
28693	Jesse	Limmon	Chang	
28694	Josya-Gony		Charles	
28972	Perveen	Kaur	Chattha	
28277	Parag	Narendra	Chaudhari	
28838	Vishy		Chaudhary	
28278	Fahad		Chaudhary	
28695	Scott	Brian	Chelemer	
28414	Yi-Wen		Chen	
28464	Virginia	Pearson	Cheng	
28112	Cletus		Cheyuo	
28669	Terry	Chris	Chiganos	Jr.
28696	Kaleena	Christine	Chilcote	
28279	Nicholas	Michael	Chill	
27908	Egya	Nyameke	Chinbuah	
28973	Vijayalakshmi		Chinta	



## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
28604	Timothy	Paul	Chizmar	
28605	Parina	Gupta	Cho	
28064	Joseph Lin-Yun		Chow	
28974	Tarika	Sejal	Chowdhary	
28839	Monica		Chowdhry	
28147	Antonios	Emanuel	Chryssos	
28485	Ifeanyichukwu	Gabriel	Chukwuma	
28148	Craig	Daniel	Clark	
28316	Kerry	Ann Guyer	Clarke	
27820	Mackenzie	James	Clarkson	
27999	Frederick	Paul	Clayton	
28948	Pamela	Potter	Clegg	
28975	Emily	Ann	Clemetson	
28149	Mircea	N.	Coca	
27648	Jonathan		Cohen	
28280	Matthew	Scott	Coleman	
28000	Richard		Colletti	
27978	James	Ivan	Collins	
27909	Roslinde	Mary	Collins-Gibbard	
27649	Jacob	Matthew	Conjeski	
28840	William	Patrick	Conroy	
28281	Alexander	David Bryant	Conti	
28841	Deborah	Jo	Conway	
28697	Shane	Edward	Cook	
28282	Jodi	Paige	Cook	
27650	Benjamin	Charles	Cook	
28413	Ruthie	Shannon	Cooper	
28150	Neil	Russell	Copeland	
27651	Graham	Michael	Cormack	
27910	Adam	Ransford	Corman	
28698	Raul	Gustavo	Corredor	
28842	Jesse	Newton	Cottrell	
27652	Joseph	Anthony	Couvillon	
28283	Michael		Cowher	
28411	Marcus	Felix	Cox	
28419	Matthew	Ramey	Craig	
27900	Joseph	Thomas	Crepps	Jr.
28284	Chad	Barrett	Crigger	
28065	Kristen	Marie	Critelli	
28843	Emily	Ellen	Crocetti	
28699	John	William	Cronin	
28285	Michael	Ray	Crum	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
28649	Sebastian	Francis	Cruz-Schiavone	
28151	Jonathan	David	Cuda	
28486	Amanda	Sue	Cuda	
27821	Courtney	Anne	Cundiff	
28700	Jennifer	Lori	Cunningham-Farbstein	
28701	Kirstie	Lynn	Cutlip	
28421	David	Joseph	Cygan	
27653	Aman		Dabir	
28976	Nour		Daboul	
28286	Tamer	A.	Dabous	
27654	Jessica	Simone Butler	Daigle	
29093	Kristen	Marjorie	Dall-Winther	
28844	Catherine	Isabel	Dalton	
28152	Heman	Kirit	Dave	
28606	Kristin	Hillari	Davis	
28977	Megan	Dawn	Davis	
28487	Charles	Donavan	Davis	
27822	Sean	Germaine	Davis	
28056	Cedric	Emden	Davis	II
28845	Steven	Quinton	Davis	
28846	Hassan		Dbouk	
28702	Guy	Elise Constant	De Gent	
27911	Jason	Wayne	DeBerry	
28682	Dennis		DeJesus	
28488	Stephen	Ellis	Deci	
28978	Gerard		Deib	
28424	John		Della Badia	Jr.
28979	Sarah	Lynn	Dennemeyer	
28001	Scott	Allen	Deppe	
28980	Anand	Rajendra	Desai	
28703	Atiya	Fatima	Dhala	
28287	Dili		Dhanani	
28288	Christina	Marie	DiCarlo	
28981	Adriana	Roma	Diakiw	
27912	Amy	R.	Diamond	
28289	David	Hueglin	Dickey	
28153	Marek	Tadeusz	Didluch	
27823	Brian	Zachary	Dilcher	
27807	Shelia	Diane	Dillard	
27913	Farid	Ud	Din	
28982	Michael		Dinkels	
28489	Ronald	Fitzjohn	Dixon	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
27655	Angela		Dolganiuc	
28823	Patrick	McCullough	Dom	
28290	Nadia	Vanessa	Dominguez Molina	
28443	Lisa	Maria	Dorsey-Bornfreedom	
28291	Arie	Pablo	Dosoretz	
27656	Matthew	David	Dothager	
28939	Michelle	Lynne	Dougherty	
28983	Zakiya	Veronica	Douglas	
27914	Jimmy		Doumit	
28984	Gordon	Hunter	Downie	
28002	John	Joseph	Doyle	
27657	Maggie	Marie	Driscoll	
27658	Kevin	Albert	Driver	
28985	Malvin	Coleman	Driver	Jr.
28292	Lauren	Marie	Dudas	
27915	Stephanie	Erlynn	Dunkle-Blatter	
28607	Chad	Brian	Dunn	
27797	Anil	Kumar	Dutt	
28815	John	Patrick	Dutton	
28490	Kayla	Saunders	Duvall	
28986	Zeljko		Dvanajscak	
28422	Brian	Schmid	Dye	
28450	Ana	Maria	Echenique	
27916	Thomas	Francis	Eckert	
28293	Cedric		Edwards	
27917	Kenneth	James	Egli	
27659	Frances	Lim	Eizember	
28922	Cherif	M.	El Younis	
28704	Ahmad Ramy	Abdelrahman Ibrahim	Elashery	
28066	Melanie	Chang	Elchico	
28847	Gina	Adel	Elhammady	
27824	Hussam	Mohamed Aly Iskander	Elkamberg	
28806	Richard	Wesley	Ellison	
28154	Susan	Victoria	Ellor	
28987	Entesar	F M	Elsaady	
28705	Osama		Elsallabi	
28294	Douglas	Matthew	Elwood	
28491	Milroy	Saverianayagam	Emmanuel	
28295	Bradley	Matthew	End	
28848	David	Michael	Erani	
28988	Robert	Alexander	Erdin	III
28067	Karen	Darfler	Ernst	

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License Number	First Name	Middle Name	Last Name	Suffix
28155	Cherie	Darlene	Ertha	
28296	Erik	Anthony Osin	Escuro	
28608	Miguel	Antonio	Espinal Santos	
27825	Nevine	Albert Naguib	Estaphan	
27660	David	Ernesto	Estrada Trejo	
27661	Aaron	Michael	Evans	
28706	Nonso	Andrew	Ezema	
28609	Avi		Factor	
28003	Paul	K.	Fadakar	
28492	Uzma	Shamim	Faheem	
28427	Nadia	A.	Falah	
28610	Justine	Anne	Falcone	
27662	Emmanuel		Faluade	II
28156	Kirmanj	Muhammad	Faraj	
29073	Ruxandra		Faraon-Pogaceanu	
28668	Joseph	Christopher	Farmer	
27663	Thomas	Grayson	Farrah	II
28423	Sherif	Albert	Felix	
28661	Eric	Richmond	Fenn	
28654	Michael	Scott	Fenster	
28707	Edward	Richard	Ferguson	Jr.
28068	Lora	Beth	Fetty	
28212	Mark	Daniel	Fierro	
29087	Jonathan	Andrew	Figg	
29076	Bryan	Ross	Fine	
27794	Steven	Michael	Fish	
28708	Beth	Ann	Fisher	
28611	Michael	John	Flaherty	
27826	Michael	James	Fleming	
27918	William	Albert	Fogle	
27664	Gwendoline	Akwen	Fonebi	
28493	John	Pegram	Ford	
28709	Dee	Walker	Ford	
27961	Mariecken	Verspoor	Fowler	
27665	David	Dale Johnson	Francke	Sr.
27967	Julia	Bess	Frank	
28297	Jessica	Elizabeth	Frey	
28157	Linda	Ann	Friehling	
27919	Ted	David	Friehling	
28043	David	B.	Fromberg	
28989	Rebecca	Lauren	Furby	
28298	Marian		Gaber Saad	

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License Number	First Name	Middle Name	Last Name	Suffix
27666	Gustavo Andres		Gabino Miranda	
28158	Gayle	Ann	Galan	
27827	Valerie	Bianca	Galvan Turner	
28159	Juanita		Garces	
27828	Chanel	Amber	Garcia	
27667	Elizabeth		Garcia Lopez de Victoria	
28990	Santiago	Augusto	Garcia Merino	
28849	Sheila	Marie	Garcia Santana	
28299	James	Estes	Gardiner	
28230	Kavita		Garg	
27904	Narendra	K.	Garg	
27829	Shweta		Garg	
28612	Galal	Younis	Gargodhi	
27920	James	Lawrence	Gates	
28850	David	Allen	Gay	
27668	Christina	Sharon	Geatrakas	
27669	Binyam		Gebremedhin	
27882	Derik	Josef	Geist	
28991	Nigussie	Alemu	Geleta	
28613	Jack	Jay	Gelman	
28160	Salwa	Morcos	Gendi	
28614	Lynda-Marie	Serene Eunice	George	
28710	Erika	Antoinette	Gerz	
28069	Deborah	Lynn	Gever	
28494	Ammar		Ghanem	
28992	Mona		Ghias	
28300	Maha	Yehia	Ghosn	
27670	Shelana	Marie	Gibbs-McElvy	
28711	James	William	Gigantelli	Jr.
28945	Lawrence	Gordon	Gill	III
28993	Tama	Evelyn	Gillis	
28301	Lauren	Victoria	Gioia	
28161	Christopher	Alan	Gisler	
28302	Karen	Hyatt	Gladden	
28004	Daniel	Matthew	Glass	
28303	David	Michael	Glener	
28437	Akshay		Goel	
28453	David	Joel	Goldberg	
28712	Uri	Aaron Laufer	Goldberg	
28304	Inna	Elizabeth	Goldberg	
28994	Lidiya	Anatolyevna	Golub	
27886	Joel	Eleazar	Gomez	

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License Number	First Name	Middle Name	Last Name	Suffix
28807	Muhammad	Khalid	Gondal	
28005	Celsio	Emil	Gonzalez	
28305	Ana	Maria	Gonzalez Cadavid	
28557	Anika	Saran	Goodwin	
28306	Rajesh		Gopalarathinam	
28495	Wayne	Houston	Gordon	
28851	Aarti		Goswami	
27921	Celine	Rani	Gounder	
28496	Michael	Stephen	Grabinski	
28615	John	Kent	Granger	
29090	Eric	James	Gratias	
27830	Martin	Panczel	Graumann	
28213	Christopher	Paul	Graviss	
28616	Bradley	Wayne	Gray	
27831	Thomas	John	Green	
28307	Michael	David	Greene	II
28070	Peter	Louis	Griffin	
28054	Mark	Nutter	Griffith	
28995	Andrew	Thomas Liao	Griffith	
28162	Kenneth	Alan	Griggs	
28713	Alina	Maria	Grigore	
28308	Brian	Thomas	Grisez	
27969	Michal		Gross	
28239	Jeffrey	Wayne	Grossman	
28006	Robert		Grover	
28714	Soleyah	Caridad	Groves	
28310	Emily	Kent	Groves	
28309	Jeffrey	Brooks	Groves	
27671	Kristen	Rae	Grubb	
28715	Alemeshet	Yami	Gudeta	
28852	Racine	Shmay	Gue	
28311	Luciana	Maria	Guerra	
27968	Manuel	Carlos	Guerrero	
28312	Darrius	Patrick	Guiden	
28314	Amy	Jo	Guido	
28313	John	Michael	Guido	
28315	Sandra	Abreu	Guidry	
28617	Zartash		Gul	
28716	Richa		Gupta	
28164	Shipra		Gupta	
29089	Neetu		Gupta	
28163	Priyadarshan		Gupta	

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License Number	First Name	Middle Name	Last Name	Suffix
27672	Sumeet	Kumar	Gupta	
28497	Jose		Gutierrez Contreras	
28618	Luke	Gregory	Gutwein	
27673	Mackenzie	Jo	Gwynne	
28007	Ferenc	Emil	Gyulai	
28071	Tuan	Xuan	Ha	
28498	Kelsey	Lynn	Haarbauer	
28996	Benjamin	Davis	Hackett	
28217	Gita		Haddadi	
27674	Morgan	Cheatham	Haile	
28317	Said		Hajouli	
28952	Amy	Denise	Halanski	
28318	Samuel	George	Hall	
28460	Hisham	Doud	Hamam	
28938	Malik	Moh'd Saleh	Hamdan	
28853	Yasmin	Shamshuddin	Hamirani	
28717	Tariq	Abdelrahim Faris	Hammad	
27832	Walid	Mohamed Fawzy Mohamed	Hammad	
28120	Curtis	Scott	Hammerman	
28951	Kendra	Marie	Hammond	
28319	Mehenaz	Adly	Hanbazazh	
28320	Sean	Matthew	Hanlon	
28718	Tara	Melgary	Hansen	
28719	Joseph	Andrew	Hansroth	
28805	Moneera	Nur	Haque	
28044	Sai	Praveen	Haranath	
28321	Brock	Andrew	Hardin	
28997	Jason	Holmes	Harms	
28322	Cecilia	Velarde	Harrington	
28129	John	David	Harrington	
28619	Bill	Herbert	Harris	
27973	Robert	Roy	Harris	
28998	Keith	Iverson	Harrop	II
28499	Muhammad	Yousuf	Hasan	
27981	Carol	Ann	Hasenyager	
28564	Mandana		Hashefi	
28072	Dona	Tawfig	Hasou	
28047	Johara	Adam	Hassan	
28720	Iman	Abdel Meguid	Hassan	
28854	Arash		Hassantoufighi	
28134	Heather	Dawn	Hawthorne	

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License Number	First Name	Middle Name	Last Name	Suffix
27675	Heather	Kaiser	Hayanga	
27676	Peimei		He	
28323	Damian	Alexander	Hegsted	
28500	Patrick	Glen	Henderson	
28676	Ronak	Dana	Hendry	
28073	Tia		Heng	
28008	Randolph	Alexander	Hennigar	
28809	Clarence	Richard	Henriksen	III
27677	Christina	Ann	Hensley	
28324	Matthew	David	Hermann	
28074	Richard	Manalo	Hidalgo	
28325	Deborah	Lynette	Hill	
27678	Garick	David	Hill	
28620	Todd	H.	Hillman	
28009	David	Miguel	Hinkle	
27679	Brace	Leland	Hintz	
28621	Hao	Chih	Ho	
28999	Mary Theresa	Vu	Hoang	
28721	Gaylord	Thomas	Hoffert	
28075	Todd	Mark	Hoffman	
27680	Matthew	Timothy	Hoffman	
27833	Susan	Lindsay	Hollander	
29077	Robert	Lynn	Horne	
27681	Michael	Vernon	Horner	Jr.
28214	John	Willard	Horns	
27834	Kristan	Michelle	Hornsby	
28165	Srilekha	Sudha	Hota	
28166	Bruce	Oliver	Hough	
28560	Nina	Roberta	House	
28076	Farnaz		Houshmand	
28501	Philip	Justin	Howard	
27922	Keith	Andre	Howell	
27682	Matthew	Gregory	Hudkins	
28010	Mary	Wood	Huff	
28681	Elizabeth	Chandler Williams	Hughes	
29000	Miriam	Bryna	Hulkower	
28722	Edward	Howard	Hurley	
29001	Iliana	Samara	Hurtado Rendon	
28467	Fatima		Hussain	
27802	Maryum		Hussain	
27683	Jeremy	Daniel	Hustead	
28502	Grace	Autumn	Hutcheson	



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License Number	First Name	Middle Name	Last Name	Suffix
28326	Amy	Ketcham	Hwang	
28653	John	Wagdy William Fahim	Ibrahim	
28327	Michael	Castillo	Ilagan	
29002	Jorge	Luis	Infante	
28167	Ronald	Jay	Innerfield	
28723	Mark	Ainsley	Innis	
28077	Viacheslav		Iremashvili	
27684	Affan	Bin	Irfan	
28724	Warren		Isakow	
28503	Shoji		Ishigami	
28824	Tanzeel		Islam	
28078	Tina		Islam	
29003	David	Curtis	Ison	
28504	Hirenkumar	Damjibhai	Italia	
27685	Mihaela		Ivan	
29004	Erik	John	Iversen	
28855	Henry	John	Iwinski	Jr.
28571	Hari	Varda	Iyengar	
28856	Romel		Izquierdo Mera	
28116	Linda	Carol	Jackson	
27686	Laura	Elizabeth Evans	Jackson	
27835	Sneha		Jacob	
28725	Jeffrey	Phillip	Jacobs	
27896	Richard	Randall	Jacobs	
28328	Thomas	Michael	Jaffe	
28726	Simha	Vivek	Jagadeesh	
28011	Ishrat		Jahan	
28048	Vikas		Jain	
27687	Priya	Kumari	Jain	
27688	John	Andrew	Jakob	
28727	Bchara		Janadri	
27890	Victor		Jaramillo	
28168	Vishal	Hitendrabhai	Jariwala	
28215	Casey	John	Jason	Jr.
28791	Bernard	Stanley	Jay	
28812	Jerri	Lynne	Jensen	
27689	Dustin	Lee	Johnson	
28329	Roy	Lee	Johnson	III
28728	Tonya	Lynne	Johnson	
29005	Jennifer	Burke	Johnson	
27690	Charles	Edward	Johnson	
28012	Ryan	Edward	Johnson	

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License Number	First Name	Middle Name	Last Name	Suffix
28622	Brendan	Adam	Jones	
28216	Kim	Bridgette	Jones-Fearing	
27880	Dhruv		Joshi	
27975	Alexandar		Jovanovich	
27836	Rudy	Jewan	Judhan	
28792	Noormahal		Kabani	
29006	Yasser		Kabbani	
28729	Bruce	Alan	Kaczmarek	
29007	Madhavi		Kadiyala	
28330	Suha	Muftah	Kadura	
28730	Thomas	Heller	Kalb	
28505	Priyanka		Kalidindi	
27879	Sunil	Gurudas	Kamat	
28857	Amir	Shahzad	Kamran	
28331	Dinesh Kumar		Kanagasabapathy Kannabhiran	
28923	Ioanna		Kanellitsas	
29008	Samia	Yaqub	Kanooz	
28013	Mohit		Kapoor	
27691	Hemamalini		Karpurapu	
29086	Peter	Alan	Karth	
27692	LakshmiPriya		Kasirajan	
28731	Courtney	Molnar	Kassar	
27693	Alexander	Steve	Katcheves	
28732	Flora		Katsnelson	
28570	Guy	Edward	Katz	
28332	Geoffrey	Randall	Kaump	
28858	Sayanika		Kaur	
29009	Flora	Diemi	Kayfan	
28733	John	Athanasios	Kazianis	
28581	Salman		Kazim	
28506	Brian	Scott	Kendall	
28442	Angela	Marie	Kerchner	
28333	Ermelinda		Kerpi	
28425	Matthew	Guy	Kestenbaum	
29074	Syed	Arsalan	Khalid	
28337	Safi	Ullah	Khan	
28335	Adil	Haleem	Khan	
27694	Muhammad-Usman		Khan	
28334	Ahmad		Khan	
28336	Muhammad	Zia Ul Islam	Khan	
27695	Samira		Khan	

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License Number	First Name	Middle Name	Last Name	Suffix
29010	Sajeel	Rehmat	Khan	
27837	Nadia	N.	Khan	
28014	Akhtar	Sultan	Khan	
28734	Urooj		Khan	
28735	Faisal	Abdulah	Khasawneh	
28736	Murad	Ma'An Hanna	Kheetan	
28338	Nesreen	Salim	Khraisha	
28339	Imtiaz		Khurshid	
28859	Katrin		Kiavash	
28624	Theodore	William	Kieffer	
28340	Patrick	Sarapol	Kietrsunthorn	
28737	Edward	Francis	Kilb	III
27696	Brian	Alan	Kilgore	
28079	Susanne	Sugeen	Kim	
28242	Min	Sang	Kim	
28507	Cathy	Lee	Kim	
28625	Joseph	Hyoung Uk	Kim	
28341	Mikhail	Davidovich	Kirnus	
29011	Christina	Nichole	Kitsos	
28738	Vanessa		Kitzis	
28947	Paul	Eric	Koch	
27972	Robert	Paul	Kocher	
28342	Christopher	Roman	Koebele	
28343	James	Robert	Koepke	
28739	Jaromir		Kohout	
28015	Kevin	Michael	Kollins	
28344	Grace	Iyabo	Komolafe	
28040	Ali		Kooshkabadi	
28860	Isabelle	Catherine	Kopec	
28345	George	Kirenga	Koromia	
28169	Russell	Oliver	Kosik	
27697	Viral	Dilip	Kothari	
27838	Jude	David	Kotsko	
28346	Caitlin	Marie	Kowcheck	
28127	Omar		Krad	
27799	Joseph	Gordon	Krainin	
28582	Laurie	Lynn	Kreiter	
28016	Sonia	Nagesh	Krish	
28861	Raju	Prasad	Krishna	
28415	Nico	Dorfling	Kristen	
28740	Thomas	Patrick	Krupica	Jr.
28170	Richard	Scott	Krupkin	

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License Number	First Name	Middle Name	Last Name	Suffix
29012	Ryan	Patrick	Kuhnlein	
27905	Madhuresh		Kumar	
27839	Mukesh		Kumar	
28508	Bhavani	Shankar Prasad	Kundeti	
28017	Michael	Benjamin	Kuperman	
27840	David	Howard	Kupferberg	
28862	Henry	Michel	Kurban	
28347	Sara		Kurian	
28509	Mehmet	Talha	Kutlu	
28678	Tommy	Junyoung	Kwak	
28080	Jacob	Keenon	LaBahn	
28018	John	James	LaFerla	
27698	Marlon	Amos	Labi	
28510	Amit	Parsottam	Ladani	
27699	Peter	Ping-Kwong	Lai	
28045	Dianah	Thelma	Lake	
28348	Jusjit		Lalli	
28511	James	Christian	Lamousin	
29013	Mariana	Milena	Lanata Piazzon	
29014	Mark	Karim	Lane	
28863	Fawn	Michelle	Langerman	
28349	Erin	Eaton	Langford	
28942	Daniel	Dmitry	Langleben	
28350	Joanne	Elizabeth	Lapetina	
28351	Krista	Nicole	Larson	
27841	Scott	Christopher	Lastrapes	
28019	Benjamin	Lee	Lasure	
28417	Samuel	Chi Hei	Lau	
27700	Karena	Gildea	Lawrence	
28626	Leah	Carol	Laxson	
28020	Andrew	Toan	Le	
28627	Huy	Quang	Le	
28352	Stephanie	Jo	LeMaster	
28741	Barbara	Y.	Lee	
28864	Rebecca	J.	Lee	
28819	Gene	Hyung	Lee	
27842	Brent	Robert	Lee	
28021	Allen	Sanghun	Lee	
29015	Mark	Steven	Lee	
28512	Mark	Robert	Lee	
28742	Jacqueline	Kathleen	Lekostaj	
27843	Susan	Ellen	Lenahan	

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License Number	First Name	Middle Name	Last Name	Suffix
29016	Alyson	Margaret	Leo	
28240	King	Swee	Leong	
28865	Gayatri	Wallata-Zion Kamala	Lessey	
28115	Gary	Saint Aubyn	Letts	
27701	Richard	W.	Leung	
28081	Andrew	David	Levin	
27923	Myron	Arnold	Levine	
27702	Jan		Levora	
28082	Diana	Patricia	Lewis	
28743	Li		Li	
28455	Jinping		Li	
29017	Arnold	Lawrence	Licht	
28814	Jeffrey	Lawrence	Lieberman	
29018	Scott	Mitchell	Lieberman	
28353	Daniel	Jacob	Liechti	
28452	Robert	Luther	Lile	
29019	Gowtham	Roy	Lingamaneni	
28513	Nathaniel	Shay	Linger	
28354	Benjamin	Edward	Liss	
28241	Patricia	Lynn	Little	
28574	Davis		Liu	
27844	Jeffrey	Felice	Liubicich	
28744	Donald	Paul	Lombardi	
28355	Ahmad Naeem		Lone	
28418	Robert	Aaron	Looper	
28628	Jorge	Ivan	Lopez	
27703	Eric	Mark Jaurigue	Lopez	
29020	Alyssa	Marie	Lorenze	
29085	Joey	Vinoj	Louis	
28514	Leena	Thomas	Lourduraj	
28356	Adam	Michael	Lubert	
27891	Ever		Luizaga Coca	
27845	Lisa	Schiller	Lull	
28650	Adam		Lundy	
28357	Hao	Anh	Ly	
29021	Mark	Andrew	Lyerly	
28130	Jane	Eleanor	Lykins	
28226	Toks	Ebiyon	Macarthy	
28745	Zeba		Madni	
27796	Musadag	Mamoun	Mahgoub	
28629	Patricia	Kathleen	Mahoney	
28804	Martin		Maimon	

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License Number	First Name	Middle Name	Last Name	Suffix
28866	Fadi		Makari	
28515	Devan	Narendra	Makati	
27704	Asifa	Mahboob	Malik	
28746	Venkateswara	Rao	Malineni	
28747	Midhun		Malla	
29022	Ashwin	Kumar	Mani	
28748	Suresh	Kumar	Manickavel	
27705	Abdul		Mannan	
29023	Jean	Andre	Marcelin	Jr.
27924	Iacob		Marcovici	
27925	Elisa		Marcuccio	
28358	Charles	Vasanth	Marcus	
27706	Sarah	Ruth	Mardanlou	
28459	Haytham	Ezzat	Maria	
27901	Allan	Steven	Marks	
28808	Geoffrey	Allan	Martin	
28359	Andrew	Scott	Martin	
27902	Leigh	Jennifer	Marvin	
28360	Muhammad		Masab	
28022	Scott	Frank	Mastores	
29024	Margaret	Mary	Mathewson	
28657	Jonathan	Lee	Mathis	
28516	Thomas	Frederick	Mauger	
27790	Samih	Kasim	Mawari	
28749	John	Patrick	Mawn	
28171	Elizabeth	Jane	May	
28750	Erika	Ryan	Maynard	
28236	Steven	Robert	Maynard	
28517	Teresa	Marie	Mazur	
27707	Pamela	Patricia	Mazza	
27846	Ryan	Kent	McBeth	
28800	Diane	Whelton	McCarthy	
28023	Paul	Joseph	McCarthy	
28556	Thomas	Dickson McKellar	McCloy	
29025	Casey	Kathleen	McCluskey	
27974	Sarah	M.	McCollester	
28232	Kristin	Renee	McCoy	
28658	Mark	William	McCurry	
28361	David	Michael	McDermott	
28953	Monica	Lee	McDonald	
28575	Virginia	Herbert	McDougall	
29026	Sara	Annette	McGuire	

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License Number	First Name	Middle Name	Last Name	Suffix
29027	Ryan	Stephen	McGuire	
28867	Bruce	Lee	McHam	
27926	Kelly	Lynn	McLain	
27847	Nathanael	David	McLeod	
27708	Brent	Michael	McMillion	
28751	Janet	Marie	McNaughton	
27927	Elizabeth	Anne	McQuade	
27805	Gina	Alexandra	McRae	
28818	Amanda	Marie	McSweeney	
29028	Sowmini		Medavaram	
28868	Mina	Mecheal Benjamin	Mehanni	
28813	Samuel	Harry	Mehr	
27709	Rashi		Mehta	
28362	Devanshi		Mehta	
27928	Lubna	Shafiq Naim	Mehyar	
28869	Lin		Mei	
28752	Margaret	Leigh	Meldrum	
28870	Hal	Steven	Meltzer	
28139	Cortney	Ballengee	Menchini	
28053	Gary	Stewart	Meredith	
29029	Samuel	Andrew	Merrill	
29030	Laura	Jean	Merrill	
28051	James	Albert	Meserow	
28871	Richard	Alan	Meter	
27710	Abdul	Rahman	Miah	
28583	Paul	Oskar	Michels	
28024	Edward	Louis	Middleman	
28753	Anthony	Michael	Migura	
28172	Bruce	McNeil	Milburn	Jr.
28518	Martha	Nelly	Millan Sanchez	
27791	Audrey	Nicole	Miller	
28173	Stephen	Lawrence	Miller	
28222	Mark	Daniel	Miller	
28872	Konstantin		Millerman	
28655	Michael	Gordon	Millin	
27887	Santiago		Miro	
29031	Jacob	Albert	Misenheimer	
28431	Chaitanya		Mishra	
28083	Richard	Alexander	Misiaszek	
27929	Mark	Michael	Mitros	
27711	Abhinav		Mittal	
29032	Lavinia	Petruta	Mitulescu	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
27848	Roger	Michael	Moczygemba	
28928	Raja	Nanda Gopal	Mogallapu	
28126	Kinila	T.	Mohan	
27849	Atif	Zaher	Mohiuddin	
28934	Ishtiaque	Hossain	Mohiuddin	
28874	Nathaniel	Joseph	Mohney	
28673	Alex	Shokouhi	Mohseni	
29033	Carlos		Molina	
28224	Alddo	Antonio	Molinar	
27930	Spyridon		Monastiriotis	
28875	Girish	Rudra Naik	Mood	
27931	Fletcher	Brady	Moore	
28630	Tanner	Mattson	Moore	
27971	Carisa	Hines	Moore	
27804	Joyce	Geneva	Moore	
28218	Melissa	Ann	Moore	
28876	Robert	Mark	Mordkin	
28084	Alicia	Ann	Morgan	
28754	Jimmy	Joe	Morrison	
28793	John	Daniel	Morrissey	Jr.
27712	Benjamin	Douglas	Moser	
27850	Ghassan	Toufic	Moufarrege	
28519	Houda	Elaine	Mouradian-Al Tawil	
27713	John	E.	Mourany	
29034	Fahd		Mousa	
28447	John	Nicholas	Moustoukas	
28877	Ryan	David	Muchow	
27714	Michael	Vaughn	Muench	
28520	Ian		Mukand-Cerro	
29082	Bertrand	Njume	Mukete	
28932	Sanjoydeb		Mukherjee	
28229	Diana	Whiteman	Muldrow	
28521	Mary	Elizabeth	Mullins	
27715	Muhammad	Bilal	Munir	
28050	Ibrahim	Abu	Munkaila	
28878	Charles	Tonderai	Mupamombe	
28623	Janani		Murali	
27932	Dewey	Scott	Murphy	
28522	Francis	Raymond	Murphy	
27883	Abdullahi	Mohamad Mukhtar	Musa	
28041	Kelsey	Aleen	Musgrove	
28085	William	Stuart	Musser	



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License Number	First Name	Middle Name	Last Name	Suffix
27716	George	Sunil	Muthalakuzhy	
28363	Andrew	Dolphus	Myers	
28667	Vishwanatha	Subramanya	Nadig	
29035	Nandita	Ramananda	Nadig	
28174	Marco		Naguib	
27717	Niru	Nazmun	Nahar	
28755	Frederick	Ki-In	Nahm	
28756	Myung	Hee	Nam	
28025	Veena		Nandwani	
29036	Syed	Anser Ali	Naqvi	
28175	Suman		Narasimhamurthy	
28659	Hussain	Mohammad H.	Naseri	
28523	Khaled		Nashar	
29080	Ryan	Barret	Natale	
27718	Sujai	Deep	Nath	
27719	Ankit		Nayyar	
28176	Arbi		Nazarian	
28631	Inmaculada	Andeme	Ncogo Alene	
28364	Farley	Berry Graden V.	Neasman	III
27720	Grant	Alexander	Neely	
28365	Isabela	Victoria	Negrin	
29084	Timothy	James	Neher	
27851	Jessica	Marie	Neidhardt	
28445	Gregory	Arnold	Nelcamp	
27721	Amit		Newatia	
28086	Vivien	Louise Ruth	Newbold	
28565	Michael		Ng	
28672	Anna	Ngoc	Nguyen	
28524	Elena	Yen-Vi	Nguyen	
28879	Minh	Duc	Nguyen	
28366	Chong	Hwan	Nicholls	
28177	Matthew	David	Nicholls	
27852	Hormuz	Adil	Nicolwala	
28757	David	Mark	Nierman	
28367	Paymon		Nikfarjam	
28368	Nilay		Nirdosh	
28178	Matthew	David	Nitz	
28924	Chukwuemeke	Oscar	Nkadi	
27722	Mary	Ngaleu	Nkamany	
27723	George	Michael	Northrup	
28632	Diane	Kay	Noyes	
28758	Francis	David Rwampame	Ntimba	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
27724	Daniel	Columcille	O'Brien	
27725	Brighid	Moran	O'Donnell	
27933	Cindy	Marie	O'Neal	
28880	Patrick	Francis	O'Neil	
27885	Martin	John	Oates	
28881	Stephen	Gbejule	Odaibo	
28369	Rufina	Nwanneka	Odigwe	
29037	Temitayo	Akinsode	Ogundipe	
28087	Ajitesh		Ojha	
28882	Gbemisola	Mayokun	Olayemi	
28883	Dane	Christopher	Olevian	
28088	Annette	Corinne	Olin	
28633	Ryan	Keith	Olson	
27726	Jim	Oritsetimeyin	Omatseye	Jr.
28884	Joanne	Mary	Ondrush	
28525	Elizabeth	Anyaeibu	Onugha	
27853	Sunny	Nduka	Onuigbo	
28089	Francis	Onwudimisho	Onwochei	
29079	Kathryn	Elizabeth	Oppenlander	
28090	Cletus	Kobiah	Oppong	
28370	Atousa		Ordobazari	
28885	Dragana		Orlovic	
28131	Rastislav		Osadsky	
28371	Mohammed	Ahmed Abdel Salam	Osman	
27727	Michael	Cecil	Ost	
28665	Cornell	Jacobus	Overbeeke	
27934	Clayton	Justus	Overton	III
28526	Christopher	Ryan	Oxner	
28634	John	Anthony	Ozolek	
28759	Roshan	Balakrishna	Pai	
28235	Butchi	Babu	Paidipaty	
28760	Aimee	Soyun	Paik German	
29038	Joel	Robert	Palko	
28372	Alan	D. Brownfield	Palo	
28886	Rahul	Kanhaiya Lal	Pandey	
27903	Meenakshi		Pandit	
27789	Ragesh		Panikkath	
28761	Sukhbir	Singh	Pannu	
27854	Ravikanth		Papani	
28179	Orestis		Pappas	
28444	Samuel	Joon	Park	
27893	Jason	Alexis	Parker	

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License Number	First Name	Middle Name	Last Name	Suffix
28941	Alexander	Webb	Parr	
27855	Michael	Patrick Howard	Parrino	
27728	Kylie	Lenae	Parrish	
28586	Terry	Eugene	Parsons	
29039	Hemant	A.	Patani	
27729	Kinjan	Pankajkumar	Patel	
27935	Paulina	Narendra	Patel	
28091	Rahul	Nileshkumar	Patel	
28762	Kiran	Navin	Patel	
29040	Sheetal	Haresh	Patel	
28373	Visad	Bipin	Patel	
29041	Chetan	Narendra	Patel	
28763	Bankim	Udayan	Patel	
28374	Kamal		Patel	
28930	Amar	Raju	Patel	
28092	Casey	Dawn	Patick	
28764	Allamprabhu	Sahebgouda	Patil	
27936	Eltanya	Angelita	Patterson	
28093	James	Willis	Patterson	
28527	Sunil	Darshan	Paudel	
28181	Claire	Elizabeth	Paxton	
28180	David	Matthew	Paxton	
27730	Andrew	Nathaniel	Payne	
28182	Lucas	Benjamin	Payor	
29042	Yehuda	Edo	Paz	
29043	Cornell		Pearcy	
28412	Nathan	Timothy	Pearson	
28569	Mark	Walter	Penn	
27894	Brannon	Phillip Dumag	Peralta	
28231	Keith	Edward	Pereira	
28765	Ramayee		Periakaruppan	
29044	Steven	Davis	Perry	
29045	Muhammad	Ijaz	Pervez	
28183	Colleen	Megan	Pettrey	
28887	Kimberly	Marie	Pezzone	
28375	Krista	S.	Pfaendler	
29046	Gregory	John	Pfister	
27731	Nicolas		Phan	
28376	Daniel	Joseph	Phelan	
28528	Karen	Gale	Phillips	
27856	Jason	Raine	Pickett	
28664	Rebecca	Anne	Pifer	

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License Number	First Name	Middle Name	Last Name	Suffix
28439	Asti		Pilika	
27937	Adriano		Piris	
28234	Ali	Asim	Pitafi	
27732	Mark	Christopher	Plumby	
27733	Tal		Pollak	
28798	William	Richard	Poller	
27938	Edward	Charles	Poole	
28377	James	Kenneth	Popovich	
28529	Darin	Arthur	Portnoy	
28055	Troy	Lane	Potthoff	
27734	Atul		Poudel	
28184	Behdod		Poushanchi	
27980	Maitreyi	Ramrao	Prabhu	
28766	Bala		Prakash	
28185	Apoorv		Prasad	
28026	Alan	Goodale	Pratt	
28466	Brian	Keith	Privett	
28821	Garri		Priyampolskiy	
28888	Vincent	William	Prusick	
28929	Luis	Alberto	Puchi	
27939	Bernard Joseph	Navarro	Pulido	
29047	Anand	Joseph	Pullapilly	
27735	Rupeena		Purewal	
28094	Phillip	Ryan	Purnell	
28530	Mohamedtauqir	Mohamedyakub	Puthawala	
28890	William	Kimberly	Raboff	
28095	Kristina	Kimberley	Rached	
28891	Sneha	Nanjundiah	Raghunath	
29078	Ebad	Ur	Rahman	
28434	Sarah		Rahman	
28767	Nagarajan		Ramakrishnan	
27736	Dileep		Raman	
28531	Narayanan		Ramesh	
27940	Peter		Ramos	
28378	Tamra	Ishan Jayendra	Ranasinghe	
27857	William	Thoburn	Randazzo	
29048	Lynsey	Erin	Rangel	
28532	Saleem		Raslan	
28533	Yasha		Rastgar	
28937	Ijaz		Rasul	
27858	Sulaiman	Aziz	Rathore	
29049	Nagamanikkam		Ravichandran	

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License Number	First Name	Middle Name	Last Name	Suffix
28186	Wasiq	Faraz	Rawasia	
28451	Nita		Ray Chaudhuri	
29050	Jennifer	Swisher	Real	
28187	Travis	Logan	Rearick	
27941	Srikar	Thummala	Reddy	
28647	Srinivas	Parvathareddy	Reddy	
29051	Sean	Ryan	Regner	
28096	Azeem	Abdul	Rehman	
28188	Andrew	Mark	Reibach	
28635	David	Christopher	Reilly	
27859	Tom	E.	Reinsel	
27737	Alexandra	Holly	Reynolds	
28027	Ali	R.	Rezai	
28768	Lisa		Rho	
28028	David	Howard	Rich	Jr.
28769	Scott	Burgess	Richards	
27964	Kayla	Donn	Richardson	
28656	John	Michael	Richmond	
28379	Robert	Steven Walter	Riddick	
28588	Velisar	Laurian	Rill	
28436	Scott	Kain	Rineer	
28801	Francisco	Rafael	Rivera Pabon	
28189	Syed	Muhammad Azfar	Rizvi	
28132	Lee	Douglass	Roberson	
27738	Harold	Gene	Roberts	Jr.
28456	Catherine	Celeste	Roberts	
28029	Edmond	Alan Vernon	Roberts	
28811	Michael	Bruce	Robins	
28568	Suzette	Adele	Robinson	
28892	Janet	Frances	Robinson Waters	
28534	Liliana		Robles	
28135	Adam	Justin	Rodos	
28433	Alexis	Marco	Rodriguez	
28679	Scott	Taggart	Roethle	
28380	Lauretha	Uzoamaka	Rogers	
27739	Jennifer	Ann	Rokosz	
28796	Annie	Heffernan	Rominger	
28381	Anthony	Mohammad	Roohollahi	
28430	Nico	Desiree	Roscoe	
28190	Brian	Edwin	Rose	
28770	Paul		Rosen	
28191	Neil	Bruce	Rosenshein	

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License Number	First Name	Middle Name	Last Name	Suffix
28097	Gary	Dean	Ross	
28535	Barbra	Aileen	Ross	
28435	Nassir		Rostambeigi	
28660	Li		Roters-Ouyang	
27860	Richard	Brian	Rothman	
27861	Eden	Maria	Rouse	
29052	James	William	Roy	
28030	Aviral		Roy	
27898	George	Barrett	Rudy	
28382	Carlos	Alberto	Rueda Rios	
28893	Ronald	Joseph	Ruszkowski	
28223	Matthew	Scott	Ruyle	
28383	Lunden	Liston	Ryan	
28894	Marwan	Saad Mohamad	Saad	
28895	Rachel	Emily	Sackrowitz	
27942	Umama		Sadia	
28771	Mohammad	Hassan	Saeed	
27862	Monica	Lisa	Saenz	
27740	Azize		Sahin	
28794	Adarsh		Sahni	
28896	Pooja		Sahni	
28384	Ankit		Sakhuja	
28897	Shameen	Abdul	Salam	
27943	Stephanie	Ann	Salas	
28636	Kamaldeen	Rizvie	Saldin	
29053	David	Roberto	Saldivar	
28098	Jawad	Ahmed	Salim	
28898	Tarek	Hamad Soliman	Salman	
27741	Muhammad		Salman	
28385	Daniel		Salmeron	
27742	Ambiga		Samiappan	
28637	Mathew	Puthenparampil	Samuel	
28677	Alicia	Kim	Sanchez	
28219	Terry	Gene	Sanders	II
28192	Amit	Arun	Sangave	
27863	Arunkumar		Sanjeevi	
27743	Spoorthi	Kiran	Sankineni	
28031	Rupali		Saraiya	
27864	Donald	Lee	Sargent	
28193	Mahdis		Sarrafi	
27944	Nishanth		Sasidharan Nirmala	
28899	Anurag		Satsangi	

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License Number	First Name	Middle Name	Last Name	Suffix
28386	Adil		Sattar	
28900	Nabeel	Jalal	Sawaged	
29091	Norman	Avery	Scarborough	
27744	Matthew	Joseph	Schessler	
27962	Adam	Hubert	Schindzielorz	
27745	Brian	James	Schleter	
27746	Todd	William	Schlossman	
28387	Carl	Richard	Schmidt	
28577	Anthony	Louis	Schmidt	
28440	Diane	Rose	Schmidt-Krings	
28228	Alexis	Udall	Schmitt	
28225	David	Douglas	Schram	
27865	Rebecca	Lauren	Schulman	
28388	Charles	Leroy Frederick	Schultz	
28772	Kathleen	Susan	Schwabenbauer	
28901	Mitchell	Lonny	Schwartz	
27866	Andrew	William	Schwartz	
28950	Edward	William	Schwartz	
27945	Frank	Duncan	Scott	IV
28032	Grant	Robert	Scott	
28194	Katherine	Blaney	Seachrist	
27946	David	Edward	Seaman	
28195	Sonya	Colleen	Seccurro	
28052	Nirupama		Seemaladinne	
28389	Thomas	Joseph	Seery	
28122	Molly	Elizabeth	Seidler	
29094	Saman	Ali	Selahi	
28118	Marcjonathan		Serota	
28666	Niranjan		Seshadri	
28536	Sarah	Page	Sexton	
28902	Maziar		Seyedian	
28390	Arsalan	Qazi	Shabbir	
28903	Mazin		Shackour	
28904	Sumaira		Shafi	
28099	Asad		Shafiq	
27747	Kuldeep	Bharat	Shah	
28949	Ravi	Jatin	Shah	
28905	Kavit	Bhartendu	Shah	
28196	Rohan	Vipulkumar	Shah	
28822	Asha	Patel	Shah	
27748	Sardar	Musa	Shah-Khan	
28906	Moazzam		Shahzad	

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License Number	First Name	Middle Name	Last Name	Suffix
28537	Qudsia	W.	Shaikh	
28670	Ehab	Mostafa	Shalaby	
28391	Ali	Hussein	Shams	
27749	Sohaib	Z.	Shamsi	
27947	George	Harry	Shanlikian	
28392	Kevin	James	Shannon	
28907	Glenn	Iver	Sharfin	
27948	Khalid	Saud	Sharif	
28908	Sunil		Sharma	
27750	Shree	Gopal	Sharma	
29054	Cindy	Sue Soto	Shavor	
27949	Zubeda	Begum	Sheikh	
28538	Jason	Yue	Shen	
28221	David		Shi	
27950	Brandon	Scott	Shiflett	
28773	Gary	Weifeng	Shih	
28539	Jennifer	Catherine	Shippy	
27877	Aaron	Daniel	Shmookler	
28393	Munira	Jamoliddinovna	Shodikulova	
27751	Katelyn	Marie	Shoe	
27867	Jason		Shou	
28046	Bipin	Lal	Shrestha	
28638	Arpan		Shrivastava	
27752	Daniel	Jordan	Shubert	
29055	Afsoun	Mohammadi	Sichani	
28639	Imran	Mohiuddin	Siddiqui	
28935	Ethan	Harold	Silver	
27753	Martine	Tamara	Silver	
29056	Andrew	Edward	Simays	
29057	Reagan	Loftin	Simpson	
27754	Reddy	Sreenivas	Singasani	
28033	Kartik		Singh	
28395	Dharampreet		Singh	
28034	Meenu		Singh	
28394	Jatinder		Singh	
27616	Rahul	Prasad	Sinha	
28396	John Kennedy Sydney		Sir Philip	
28640	Eric	Bruce	Sklar	
28909	Peter	Jeffrey	Sloane	
27951	Laura	Austin	Slusher	
28441	Kevin	Sanford	Smith	
28933	Robert	Terry	Smith	



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License Number	First Name	Middle Name	Last Name	Suffix
28540	John	F.	Smith	Jr.
28198	Robert	Paul	Smith	
28774	Mark	Winston	Smith	
28541	Scott	Russell	Soerries	
29058	Steven	Craig	Solik	
28100	Sanaz	Nicky	Soltani	
29059			Sonikpreet	
29060	Cynthia	Marie	Soriano	
27895	Gregory	Lynn	Spears	
28542	Gregory	Lee	Spears	
28462	Richard	Victor	Spera	Jr.
27868	Suppiramaniam		Sreeharikesan	
28397	Srividhya		Sridharan	
28775	Sriraman		Srinivasan	
29061	Shitiz	Kumar	Sriwastava	
29081	Lara	Saleh	Srouji	
28101	Josif		Stakic	
28925	Michael	Lawrence	Stanchina	
28910	LaWanna	Marie	Starks	
27795	Jason	Clark	Statler	
28035	Gerasimos	Stefanatos	Stavens	
28776	Lon	Robert	Steinberg	
28199	Anthony	Francis	Steratore	
28911	Orli		Stern	
28036	Joel	Benjamin	Stern	
27755	Madison	Anne	Sternberg	
28200	Levi	Daniel	Stevens	
28912	Jeremy	Patrick	Stich	
28458	Leland	Carpenter	Stillman	
28037	Robert	Fraser	Stokes	
28683	James	Edwin	Stone	
28398	Timothy	Noah	Stooksberry	
28795	Mitchell	Brandon	Stotland	
28449	Todd	Willis	Stull	
27756	Alfred	Bailey	Stump	III
28680	Umashankar		Subramaniam	
27757	Navin	Kumar	Subrayappa	
29083	Yong	Duk	Suh	
28201	Suraj		Suku	
28641	Scott	James	Sullivan	
27758	Gregory	Thomas	Summers	
28543	YuanYuan		Sun	

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License Number	First Name	Middle Name	Last Name	Suffix
28777	Rael	David	Sundy	
27792	Srinivas		Sunkara	
27759	Lindsay	Leigh	Sunzeri	
27760	Stephen	David	Surgenor	
28233	Joan	Hazel	Sutcliffe	
28913	Sanjay		Suwal	
27869	Randy	Lee	Swackhammer	
27761	David	Samuel	Tager	
28461	Timothy	Scott	Talbot	
28102	Constance	Roseann	Tambakis-Odom	
27762	Venkata	S. M. S. K.	Tamma	
27870	Mary Aldrene	Lee	Tan	
28133	Diya	Hassan	Tantawi	
28931	John	Stanley	Taras	
28820	Angie	Rosanne	Taras	
28399	Mohamed	Abdulkafi Ragab	Tashani	
27763	Ariela	Sarah	Taub	
29062	Barbara	Elaine	Taylor	
28642	Frehiwot	Derbew	Temesgen	
28202	Bonnie	Heather	Templeton	
28103	Jhapat	Bahadur	Thapa	
28944	Chet	Allen	Tharpe	Jr.
28203	Parthasarathy	Deenadayalan	Thirumala	
27764	Shanti	Sengamalam	Thirumalai	
28778	David	Brandon	Thomas	Jr.
27899	David	Elmer	Thomas	
28779	Andrew	David	Thompson	
28643	Arthur	Sterling	Ticknor	
28946	William	Scott	Timothy	
27765	Ron		Tintner	
27798	Wayne	Ernest	Tobin	
27982	Benjamin	Teong	Toh	
28123	Brett	Alan	Tomlin	
29063	Dimitrios		Topalidis	
28544	Ahmet		Toparli	
28400	Justin	Carrick	Torosian	
29064	Mazen		Toushan	
27766	Yara	Elizabeth	Tovar Marmolejo	
28454	Kimberly	Arlene	Townsend-Scott	
28204	Jacklyn	Bichthuy	Tran-Nguyen	
27767	Talitha	Skory	Travis	
28104	Gregory	Todd	Trecha	

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License Number	First Name	Middle Name	Last Name	Suffix
29065	Kevin	Kernan	Trice	
29066	Richa		Tripathi	
28674	Holmes	Russell	Troutman	
28429	James		Tseng	
28205	Sean	Robert	Tubens	
28914	Sunita		Tulachan	
28401	Steven	Roger	Turley	
27768	Jennifer	Sarah	Turner	
27952	Meghan	Thompson	Turner	
27953	Anne-Marie		Turnier	
28915	Tina	Chen	Twu	
27769	James	Edward	Tylke	
28926	Chioma	Vivian	Udogu	
27770	Imdad		Ullah	
27771	Arif	Suhail	Usmani	
27772	Sujit		Vakkalanka	
28124	Honorio	Manuel	Valdes Murua	
28545	Sherley	Rose	Valdez Arroyo	
28546	Jason	Bennard	Van Antwerp	
27773	Lee	Aaron	Van Horn	
28644	Dennis	William	Vane	
28567	Kyle	Benton	Varner	
28547	Jayson	Francis	Varughese	
28780	Archana		Vasudevan	
28206	Wallisa	Tejarnette	Vaughn	
28662	John	Henry	Velyvis	
28105	Neil	Alden	Venard	
28781	Ramesh		Venkataraman	
28402	Venkat	Raghavender Reddy	Venna	
27970	Pieter	Alexander	Verhoeven	
28645	Nitin		Verma	
27774	Sandhya		Vethachalam	
28038	Malavika	Aniruddha	Vidwans	
28403	Xavier		Villa	
27775	Patrick	David	Vincent	
27776	Quynh	Van Ngoc	Vo	
27871	Hang	Thanh	Vu	
28572	John	Hai Nhu	Vu	
27954	Andrew	William	Vucelik	
28782	Srikrishna		Vulava	
28783	Barryton	Decruse	Waanbah	
28548	Patrick	Louis	Wagner	

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License Number	First Name	Middle Name	Last Name	Suffix
28799	Rachel	Miriam	Wagner	
28121	Lloyd	David	Wagner	
27872	Kate	Marie	Waldeck	
28549	Priyanka	Kim	Wali	
28927	Omer		Wali	
28438	William	Rost	Walker	
27777	Gregory	Brett	Walker	
28550	Garrett	Douglas	Walters	
29067	Hailong		Wang	
27976	Clifford	Tau	Wang	
28106	Sam	Obi	Wanko	
27897	James	Matthew	Wantuck	
28784	Michael	Mundy	Ward	
27873	Richard	James	Ward	
27874	Richard	Mark	Wardell	
28785	Jennifer	Tumulty	Wargo	
28404	Richard	Francis	Warren	
27778	Ward	Randall	Warren	
27779	Jon	Freeman	Watchko	
28646	David	John	Watts	
28551	Ella	Mae	Webster	
28552	Daniel	Jay	Weinberg	
27955	Robert	Edward Peter	Weir	
28457	Lee	Edward	Weiss	
28207	Jeffrey	Lawrence	Werchowski	
27780	Betsy	Jane	Wernli	
28936	Daniel	Benjamin	Westawski	
27781	Charles	William	Westin	
28107	Kylen	Pierce	Whipp	
28405	Kimara	Helen	Whisenant	
27806	Jermaine	Kyong	White	
27956	Kevin	Daniel	White	
27957	Danielle	Holley	Whitley	
28108	Authrine	Chevanne	Whyte	
29068	Megan	Dunnigan	Willard	
28406	Andrea	Caterina Susanne	Willeitner	
27958	Carlin	Arel	Williams	
27782	Anthony	Joseph	Willis	
28587	Charles	Richard	Wilson	
28786	Duane	Charles	Wilson	
28916	Lawrence	Eugene	Wilson	Jr.
28109	Jon	Daniel	Wilson	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
28407	Kathleen	DePonte	Witt	
28553	Gordon	Keith	Wolfe	
27889	Dean	Eric	Wolz	
28917	Matthew	Harry	Wong	
27783	Terry	Dale	Wood	
28110	William	Leicester	Woodard	Jr.
28918	Kerri	Michelle	Woodberry	
27881	Stephanie	Anne	Wright	
28943	Seth	Warren	Wright	
28585	Judy	Yun-Lun	Wu	
27784	Gary		Wu	
27875	Vander	Mark	Wynn	
28446	Gabriel	Elia	Yacob	
28919	Emad	Nasr	Yacoub	
27785	Rama Krishna		Yalamanchili	
29069	Doris		Yang	
28408	Tembele	Tara	Yangandawele	
28208	Philip	Matthew	Yargosz	
28111	Paul	Andrew	Yates	
29070	Irving		Ye	
27959	David	Li-Ten	Yeh	
27786	Chong	Kun	Yi	
28409	Joon	Hyung	Yim	
28566	Ramon	Reyes	Ymalay	
28671	Jessica	Sonita	Yoon	
27960	Rebekah	Lynn	Young	
27617	Ilene	Susan	Young	
28227	Bradley	Nels	Younggren	
27977	Nancy	Hany	Youssef	
27787	Bilal	Khan	Yousufzai	
27801	Mark	Daniel	Yovichin	
28920	Joseph	Abraham	Zacharias	
28873	Vikram	Philip	Zadoo	
28889	Samrah		Zaigham	
27788	Jennifer	Shin	Zank	
28797	Joseph	Anthony	Zaremba	
28039	Ernesto	Gustavo	Zavaleta	
28410	Patrick	Francis	Zazzaro	
28128	Irfan		Zeb	
27876	Timothy	Gerald	Zelenak	
28220	Matthew	Steven	Zell	
28117	David	Julius	Zelman	

## Medical Doctors Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
28209	Yosaf		Zeyed	
28787	Amy	Hnin	Zhang	
28210	Sasa		Zivkovic	
28788	Christian	Westcott	Zoeller	
29071	William	Earl	Zoesch	
28211	Candace	Folley	Zubricky	
28648	Cheryl	Elaine	de Zayas	
29072	John	Ananda	van Aalst	

## Number of Active Medical Doctors by West Virginia County of Practice and by Primary Specialty as of June 30, 2019

<b>Barbour County</b>	
Anatomic/Clinical Pathology	1
Emergency Medicine	2
Family Practice	4
General Practice	1
Internal Medicine	1
<b>Berkeley County</b>	
Addiction Medicine	1
Anatomic/Clinical Pathology	2
Anesthesiology	7
Cardiovascular Disease	4
Child and Adolescent Psychiatry	1
Clinical Pathology	1
Cosmetic Surgery	1
Dermatology	2
Diagnostic Radiology	2
Emergency Medicine	10
Endocrinology Diabetes and Metabolism	3
Family Practice	44
Forensic Pathology	1
Gastroenterology	2
General Practice	1
General Preventive Medicine	1
General Surgery	5
Geriatric Medicine (Internal Medicine)	1
Gynecology	3
Hematology/Oncology	4
Hospitalist	4
Infectious Disease	1
Internal Medicine	34
Internal Medicine/Pediatrics	3
Interventional Cardiology	3
Medical Oncology	1
Neonatal-Perinatal Medicine	1
Nephrology	4
Neurological Surgery	2
Neurology	4
None	1
Obstetrics & Gynecology	14
Occupational Medicine	1
Ophthalmology	6
Otolaryngology	2
Pain Management	1
Pediatrics	8

Physical Medicine & Rehabilitation	2
Plastic Surgery	1
Psychiatry	17
Pulmonary Critical Care Medicine	2
Radiation Oncology	3
Radiology	3
Rheumatology	1
Thoracic Surgery	1
Unspecified	1
Urgent Care Medicine	3
Urology	3
<b>Boone County</b>	
Dermatology	1
Emergency Medicine	3
Family Practice	5
General Practice	2
Internal Medicine	3
Pediatrics	1
Psychiatry	1
Pulmonary Critical Care Medicine	1
Unspecified	1
<b>Braxton County</b>	
Emergency Medicine	1
Family Practice	3
General Surgery	1
Internal Medicine	1
<b>Brooke County</b>	
Anesthesiology	3
Family Practice	5
General Surgery	1
Hematology/Oncology	1
Hospitalist	2
Internal Medicine	10
Interventional Cardiology	1
Nephrology	2
Neurology	1
Obstetrics & Gynecology	4
Orthopedic Surgery	1
Otolaryngology	2
Plastic Surgery	1
Psychiatry	1
Pulmonary Disease	1
Rheumatology	1
Thoracic Surgery	1



Urology	3
<b>Cabell County</b>	
Abdominal Radiology	2
Addiction Medicine	1
Allergy	2
Allergy & Immunology	2
Anatomic Pathology	2
Anatomic/Clinical Pathology	7
Anesthesiology	22
Cardiothoracic Surgery	3
Cardiovascular Disease	12
Child Neurology	2
Child and Adolescent Psychiatry	2
Clinical Cardiac Electrophysiology	1
Complex General Surgical Oncology (Surgery)	1
Critical Care Medicine (Anesthesiology)	2
Critical Care Medicine (Internal Medicine)	2
Critical care medicine (Emergency Medicine) Dermatology	1
Diagnostic Radiology	5
Emergency Medicine	19
Endocrinology Diabetes and Metabolism Family Practice	28
Gastroenterology	6
General Practice	78
General Surgery	8
Geriatric Medicine (Internal Medicine)	2
Gynecological Oncology	17
Gynecology	4
Hand Surgery	2
Head & Neck Surgery	1
Hematology/Oncology	1
Hospice & Palliative Medicine (Family Medicine)	1
Hospitalist	3
Infectious Disease	1
Internal Medicine	11
Internal Medicine/Pediatrics	5
Interventional Cardiology	75
Maternal & Fetal Medicine	10
Medical Oncology	5
Neonatal-Perinatal Medicine	3
Nephrology	5
Neurological Surgery	2
Neurology	6
	9
	11

Neurotology (Otolaryngology)	1
None	1
Obstetrics & Gynecology	34
Occupational Medicine	3
Ophthalmic Plastic and Reconstructive Surgery	1
Ophthalmology	14
Orthopedic Surgery	23
Other	1
Otolaryngology	4
Pain Management	1
Pain Medicine	1
Pediatric Cardiology	2
Pediatric Critical Care Medicine	2
Pediatric Hematology/Oncology	1
Pediatric Orthopedics	1
Pediatric Surgery (Surgery)	2
Pediatrics	36
Physical Medicine & Rehabilitation	3
Plastic Surgery	5
Plastic Surgery (Head and Neck)	1
Psychiatry	34
Pulmonary Critical Care Medicine	7
Pulmonary Disease	2
Radiation Oncology	4
Radiology	6
Reproductive Endocrinology	1
Rheumatology	2
Sports Medicine (Family Practice)	1
Surgery	1
Surgical Oncology	1
Thoracic Surgery	3
Trauma Surgery	1
Urgent Care Medicine	1
Urology	9
Vascular Surgery	1
Vascular and Interventional Radiology	4
<b>Calhoun County</b>	
Family Practice	1
Internal Medicine	2
Nephrology	1
<b>Clay County</b>	
Family Practice	5
General Practice	1
<b>Doddridge County</b>	

Family Practice	2
Internal Medicine	1
<b>Fayette County</b>	
Diagnostic Radiology	2
Emergency Medicine	4
Family Practice	11
General Practice	1
General Surgery	3
Internal Medicine	7
Ophthalmology	1
Other	1
Pediatrics	2
Urgent Care Medicine	1
<b>Gilmer County</b>	
Pediatrics	1
Sports Medicine (Family Practice)	1
<b>Grant County</b>	
Emergency Medicine	2
Family Practice	4
General Surgery	2
Internal Medicine	3
Obstetrics & Gynecology	1
Orthopedic Surgery	1
Pediatrics	1
Psychiatry	1
<b>Greenbrier County</b>	
Anatomic Pathology	1
Anatomic/Clinical Pathology	3
Anesthesiology	2
Cardiovascular Disease	4
Critical Care Medicine (Internal Medicine)	1
Dermatology	1
Emergency Medicine	1
Endocrinology Diabetes and Metabolism	1
Family Practice	2
Gastroenterology	2
General Surgery	3
Geriatric Medicine (Family Practice)	1
Hospice & Palliative Medicine	1
Hospitalist	1
Internal Medicine	13
Interventional Cardiology	1
Nephrology	1
Neurological Surgery	1

Obstetrics & Gynecology	4
Ophthalmology	1
Orthopedic Surgery	1
Otolaryngology	1
Pediatric Pulmonology	1
Pediatrics	5
Psychiatry	1
Pulmonary Critical Care Medicine	1
Radiation Oncology	1
Radiology	2
Sleep Medicine	1
Urology	3

### **Hampshire County**

Anatomic/Clinical Pathology	1
Dermatology	1
Emergency Medicine	6
Family Practice	2
General Practice	2
Gynecology	1
Internal Medicine	7
Orthopedic Surgery	2

### **Hancock County**

Anatomic/Clinical Pathology	2
Anesthesiology	1
Cardiothoracic Surgery	1
Dermatology	1
Emergency Medicine	2
Endocrinology Diabetes and Metabolism	1
Family Practice	4
Gastroenterology	1
General Surgery	4
Internal Medicine	6
Internal Medicine/Pediatrics	1
Obstetrics & Gynecology	2
Ophthalmology	1
Orthopedic Surgery	2
Pain Management	1
Pediatrics	4
Plastic Surgery	1
Psychiatry	2
Pulmonary Disease	1
Radiology	2
Urology	2

### **Hardy County**

Family Practice	3
Obstetrics & Gynecology	1
Pediatrics	1
<b>Harrison County</b>	
Addiction Medicine	1
Allergy & Immunology	1
Anatomic/Clinical Pathology	5
Anesthesiology	8
Cardiothoracic Surgery	1
Cardiovascular Disease	9
Dermatology	4
Diagnostic Radiology	3
Emergency Medicine	16
Endocrinology Diabetes and Metabolism	3
Family Practice	36
Gastroenterology	2
General Practice	2
General Surgery	7
Hematology/Oncology	2
Hospitalist	4
Internal Medicine	34
Internal Medicine/Pediatrics	1
Medical Oncology	2
Nephrology	2
Neurological Surgery	2
Neurology	4
Obstetrics & Gynecology	4
Ophthalmology	8
Orthopedic Surgery	4
Other	1
Otolaryngology	3
Pain Management	1
Pediatrics	8
Physical Medicine & Rehabilitation	2
Plastic Surgery	1
Psychiatry	15
Pulmonary Critical Care Medicine	1
Pulmonary Disease	3
Radiation Oncology	2
Radiology	2
Rheumatology	1
Sleep Medicine	1
Thoracic Surgery	1
Urgent Care Medicine	1

Urology	2
Vascular Surgery	2
<b>Jackson County</b>	
Emergency Medicine	2
Family Practice	2
General Surgery	1
Internal Medicine	1
Obstetrics & Gynecology	1
Orthopedic Surgery	1
Pediatrics	1
<b>Jefferson County</b>	
Abdominal Radiology	1
Diagnostic Radiology	1
Emergency Medicine	10
Family Practice	28
General Surgery	4
Geriatric Medicine (Family Practice)	1
Hospitalist	2
Internal Medicine	4
Neurology	1
Obstetrics & Gynecology	1
Ophthalmology	2
Orthopedic Surgery	3
Pediatrics	4
Public Health and General Preventive Medicine	1
Radiology	1
Rheumatology	1
Sports Medicine (Family Practice)	1
Vascular Surgery	1
<b>Kanawha County</b>	
Addiction Medicine	1
Adolescent Medicine (Family Medicine)	1
Adolescent Medicine (Internal Medicine)	1
Allergy	2
Allergy & Immunology	4
Anatomic Pathology	7
Anatomic/Clinical Pathology	18
Anesthesiology	37
Cardiothoracic Surgery	5
Cardiovascular Disease	17
Child Neurology	1
Child Abuse Pediatrics	1
Child and Adolescent Psychiatry	3
Clinical Cardiac Electrophysiology	2

Colon & Rectal Surgery	3
Craniofacial Surgery	1
Critical Care Medicine (Internal Medicine)	8
Dermatology	5
Developmental-Behavioral Pediatrics	1
Diagnostic Radiology	21
Emergency Medicine	28
Emergency Medical Services	2
Endocrinology Diabetes and Metabolism	9
Family Practice	70
Forensic Pathology	4
Gastroenterology	7
General Practice	5
General Surgery	32
Geriatric Medicine (Family Practice)	1
Geriatric Medicine (Internal Medicine)	2
Gynecological Oncology	2
Gynecology	3
Hematology/Oncology	14
Hospitalist	11
Infectious Disease	6
Internal Medicine	104
Internal Medicine/Pediatrics	7
Interventional Cardiology	8
Legal Medicine	1
Medical Oncology	2
Neonatal-Perinatal Medicine	4
Nephrology	8
Neurological Surgery	5
Neurology	15
Obstetrics & Gynecology	30
Occupational Medicine	2
Ophthalmology	24
Oral & Maxillofacial Surgery	4
Orthopedic Surgery	16
Orthopedic Surgery of the Spine	2
Otolaryngology	12
Pain Management	2
Pediatric Cardiology	3
Pediatric Critical Care Medicine	1
Pediatric Emergency Medicine (Emergency Medicine)	1
Pediatric Endocrinology	2
Pediatric Gastroenterology	1
Pediatric Hematology/Oncology	2

Pediatric Nephrology	3
Pediatric Pulmonology	1
Pediatric Surgery (Surgery)	2
Pediatrics	48
Physical Medicine & Rehabilitation	4
Plastic Surgery	13
Psychiatry	39
Public Health and General Preventive Medicine	4
Pulmonary Critical Care Medicine	8
Pulmonary Disease	2
Radiation Oncology	7
Radiology	7
Reproductive Endocrinology	1
Rheumatology	3
Surgery	3
Surgical Critical Care (Surgery)	1
Surgical Oncology	1
Thoracic Surgery	2
Transplant Surgery	1
Trauma Surgery	2
Unspecified	2
Urgent Care Medicine	1
Urology	7
Vascular Surgery	6
<b>Lewis County</b>	
Family Practice	7
General Surgery	1
Internal Medicine	6
Obstetrics & Gynecology	5
Orthopedic Surgery	3
Otolaryngology	1
Pediatrics	3
Psychiatry	5
Pulmonary Disease	1
Urology	1
<b>Lincoln County</b>	
Family Practice	2
Internal Medicine	1
<b>Logan County</b>	
Addiction Psychiatry	1
Anatomic/Clinical Pathology	1
Anesthesiology	1
Cardiovascular Disease	1
Emergency Medicine	4



Family Practice	6
General Practice	1
General Surgery	1
Hematology/Oncology	1
Internal Medicine	11
Internal Medicine/Pediatrics	2
Medical Oncology	1
Neurology	1
Obstetrics & Gynecology	2
Ophthalmology	1
Orthopedic Surgery	1
Pediatrics	4
Psychiatry	1
Pulmonary Critical Care Medicine	1
Urology	1
<b>Marion County</b>	
Anesthesiology	2
Cardiovascular Disease	1
Dermatology	1
Diagnostic Radiology	7
Emergency Medicine	5
Family Practice	13
General Practice	2
General Surgery	4
Internal Medicine	8
Internal Medicine/Pediatrics	1
Obstetrics & Gynecology	4
Orthopedic Surgery	4
Other	1
Pediatrics	5
Psychiatry	3
Radiology	3
<b>Marshall County</b>	
Emergency Medicine	1
Family Practice	5
General Practice	1
General Surgery	4
Internal Medicine	3
Internal Medicine/Pediatrics	1
Obstetrics & Gynecology	1
Ophthalmology	2
Orthopedic Surgery	1
Otolaryngology	1
Pediatrics	1

Pulmonary Disease	1
Urology	1
<b>Mason County</b>	
Cardiovascular Disease	1
Diagnostic Radiology	1
Family Practice	2
General Practice	2
General Surgery	2
Hospitalist	1
Internal Medicine	6
Internal Medicine/Pediatrics	1
Nephrology	1
Obstetrics & Gynecology	2
Orthopedic Surgery	1
Otolaryngology	1
Pediatrics	4
Urology	1
<b>McDowell County</b>	
Anatomic/Clinical Pathology	1
Emergency Medicine	3
Family Practice	3
General Practice	5
General Surgery	2
Internal Medicine	1
Obstetrics & Gynecology	1
Pediatrics	2
Pulmonary Disease	1
<b>Mercer County</b>	
Allergy & Immunology	1
Anatomic/Clinical Pathology	6
Anesthesiology	8
Cardiovascular Disease	2
Child and Adolescent Psychiatry	1
Diagnostic Radiology	7
Emergency Medicine	7
Emergency Medical Services	1
Endocrinology Diabetes and Metabolism	1
Family Practice	8
Gastroenterology	1
General Practice	4
General Surgery	6
Hematology/Oncology	2
Hospitalist	2
Internal Medicine	13

Interventional Cardiology	1
Medical Oncology	1
Nephrology	3
Neurology	3
Obstetrics & Gynecology	5
Ophthalmology	3
Oral & Maxillofacial Surgery	1
Orthopedic Surgery	5
Otolaryngology	1
Pediatrics	5
Physical Medicine & Rehabilitation	2
Psychiatry	5
Pulmonary Disease	1
Radiation Oncology	2
Radiology	3
Urgent Care Medicine	1
Urology	2
<b>Mineral County</b>	
Emergency Medicine	7
Family Practice	8
General Practice	1
General Surgery	3
Internal Medicine	2
Orthopedic Surgery	1
Pediatrics	1
Urology	1
<b>Mingo County</b>	
Cardiovascular Disease	1
Emergency Medicine	3
Family Practice	4
General Surgery	1
Internal Medicine	1
Pediatrics	1
Urology	2
<b>Monongalia County</b>	
Abdominal Radiology	5
Addiction Medicine	2
Adolescent Medicine (Internal Medicine)	3
Adolescent Medicine (Pediatrics)	1
Adult Reconstructive Orthopedics	1
Allergy & Immunology	3
Anatomic Pathology	3
Anatomic/Clinical Pathology	25
Anesthesiology	72

Blood Banking/Transfusion Medicine	1
Cardiothoracic Surgery	10
Cardiovascular Disease	30
Child Neurology	6
Child and Adolescent Psychiatry	3
Clinical Cardiac Electrophysiology	4
Clinical Genetics	1
Clinical Pathology	2
Critical Care Medicine (Internal Medicine)	3
Critical Care Medicine (Neurological Surgery)	1
Dermatologic Surgery	4
Dermatology	15
Dermatopathology	1
Diagnostic Radiology	23
Emergency Medicine	62
Endocrinology Diabetes and Metabolism	3
Family Practice	67
Female Pelvic Medicine & Reconstructive Surgery	1
Gastroenterology	14
General Practice	1
General Surgery	33
Geriatric Medicine (Internal Medicine)	1
Gynecological Oncology	3
Gynecology	2
Head & Neck Surgery	3
Hematology (Pathology)	1
Hematology/Oncology	19
Hospitalist	5
Infectious Disease	6
Internal Medicine	134
Internal Medicine/Pediatrics	23
Interventional Cardiology	5
Maternal & Fetal Medicine	2
Medical Genetics	2
Medical Management	1
Medical Oncology	3
Neonatal-Perinatal Medicine	6
Nephrology	8
Neurological Surgery	16
Neurology	40
Neuroradiology	2
Nuclear Radiology	1
Obstetrics & Gynecology	33
Occupational Medicine	6

Ophthalmic Plastic and Reconstructive Surgery	1
Ophthalmology	40
Oral & Maxillofacial Surgery	1
Orthopedic Surgery	41
Orthopedic Surgery of the Spine	2
Orthopedic Trauma	1
Orthopedics Foot and Ankle	1
Otolaryngology	21
Pain Management	2
Palliative Medicine	1
Pediatric Anesthesiology (Pediatrics)	2
Pediatric Cardiology	9
Pediatric Cardiothoracic Surgery	2
Pediatric Critical Care Medicine	5
Pediatric Endocrinology	2
Pediatric Gastroenterology	4
Pediatric Hematology/Oncology	1
Pediatric Infectious Disease	1
Pediatric Nephrology	2
Pediatric Ophthalmology	2
Pediatric Orthopedics	1
Pediatric Otolaryngology	1
Pediatric Pulmonology	2
Pediatric Surgery (Surgery)	2
Pediatrics	59
Phlebology	1
Physical Medicine & Rehabilitation	6
Plastic Surgery	7
Plastic Surgery Within the Head and Neck	1
Psychiatry	46
Public Health and General Preventive Medicine	1
Pulmonary Critical Care Medicine	12
Pulmonary Disease	6
Radiation Oncology	8
Radiology	23
Reproductive Endocrinology	1
Rheumatology	5
Sleep Medicine	1
Sports Medicine (Internal Medicine)	1
Sports Medicine (Orthopedic Surgery)	1
Surgery	5
Surgical Oncology	5
Thoracic Surgery	3
Transplant Surgery	1

Trauma Surgery	3
Urology	13
Vascular Surgery	6
Vascular and Interventional Radiology	2
<b>Monroe County</b>	
General Surgery	1
Psychiatry	1
<b>Morgan County</b>	
Emergency Medicine	4
Family Practice	3
General Surgery	2
Internal Medicine	3
Pediatrics	1
<b>Nicholas County</b>	
Diagnostic Radiology	1
Family Practice	12
General Surgery	1
Internal Medicine	1
Obstetrics & Gynecology	1
Pediatrics	2
Surgery	1
Urology	1
<b>Ohio County</b>	
Adolescent Medicine (Family Medicine)	1
Adult Cardiothoracic Anesthesiology (Anesthesiology)	1
Allergy & Immunology	1
Anatomic/Clinical Pathology	6
Anesthesiology	12
Cardiothoracic Surgery	3
Cardiovascular Disease	6
Child Neurology	1
Child and Adolescent Psychiatry	2
Colon & Rectal Surgery	2
Dermatology	2
Diagnostic Radiology	6
Emergency Medicine	15
Endocrinology Diabetes and Metabolism	3
Family Practice	33
Gastroenterology	4
General Surgery	6
Gynecology	2
Hand Surgery	1
Hematology/Oncology	4
Hospitalist	3

Infectious Disease	2
Internal Medicine	18
Interventional Cardiology	2
Maternal & Fetal Medicine	1
Medical Oncology	4
Nephrology	2
Neurological Surgery	2
Neurology	5
Obstetrics & Gynecology	12
Ophthalmic Plastic and Reconstructive Surgery	1
Ophthalmology	7
Orthopedic Surgery	6
Orthopedic Trauma	1
Otolaryngology	2
Pain Management	1
Pediatric Endocrinology	1
Pediatric Ophthalmology	1
Pediatric Pulmonology	1
Pediatrics	10
Phlebology	1
Physical Medicine & Rehabilitation	3
Plastic Surgery	6
Psychiatry	4
Pulmonary Critical Care Medicine	1
Pulmonary Disease	2
Radiation Oncology	3
Radiology	10
Surgery	1
Thoracic Surgery	1
Urology	1
<b>Pendleton County</b>	
Family Practice	2
Pediatrics	1
<b>Pleasants County</b>	
Family Practice	1
Internal Medicine	1
<b>Pocahontas County</b>	
Emergency Medicine	3
Family Practice	2
General Surgery	1
Internal Medicine	1
<b>Preston County</b>	
Emergency Medicine	3
Family Practice	15

General Practice	2
General Surgery	1
Internal Medicine	9
Internal Medicine/Pediatrics	2
Neurology	1
Obstetrics & Gynecology	1
Orthopedic Surgery	1
Pediatrics	2
Psychiatry	1
Pulmonary Critical Care Medicine	1
<b>Putnam County</b>	
Allergy & Immunology	1
Anesthesiology	2
Cardiovascular Disease	2
Emergency Medicine	1
Facial Plastic Surgery	1
Family Practice	22
General Surgery	1
Hospitalist	1
Internal Medicine	5
Internal Medicine/Pediatrics	1
Medical Oncology	1
Nephrology	1
Neurology	1
Neurology/Diagnostic Radiology	1
Neuroradiology	1
Obstetrics & Gynecology	2
Occupational Medicine	1
Ophthalmology	1
Palliative Medicine	1
Pediatric Ophthalmology	11
Psychiatry	1
Sports Medicine (Family Practice)	1
Urology	2
<b>Raleigh County</b>	
Addiction Medicine	1
Anatomic Pathology	1
Anatomic/Clinical Pathology	2
Anesthesiology	9
Cardiothoracic Surgery	2
Cardiovascular Disease	10
Clinical Pathology	1
Dermatologic Surgery	1
Dermatology	1



Dermatopathology	2
Diagnostic Radiology	6
Emergency Medicine	17
Family Practice	16
Gastroenterology	5
General Practice	4
General Surgery	8
Gynecology	1
Hematology/Oncology	5
Infectious Disease	2
Internal Medicine	30
Internal Medicine/Pediatrics	1
Nephrology	3
Neurology	4
Neurotology (Otolaryngology)	1
Obstetrics & Gynecology	10
Ophthalmology	3
Orthopedic Surgery	10
Orthopedic Surgery of the Spine	1
Otolaryngology	2
Pediatrics	10
Phlebology	1
Physical Medicine & Rehabilitation	1
Psychiatry	6
Pulmonary Disease	2
Radiation Oncology	2
Radiology	4
Rheumatology	1
Urology	1
Vascular Surgery	2
<b>Randolph County</b>	
Anatomic/Clinical Pathology	1
Anesthesiology	2
Cardiovascular Disease	3
Diagnostic Radiology	1
Emergency Medicine	6
Family Practice	13
Gastroenterology	1
General Surgery	4
Head & Neck Surgery	1
Hematology/Oncology	2
Internal Medicine	6
Medical Oncology	1
Obstetrics & Gynecology	3

Ophthalmology	1
Orthopedic Surgery	2
Pediatrics	2
Pulmonary Critical Care Medicine	1
Radiation Oncology	1
Urology	1
<b>Ritchie County</b>	
Family Practice	1
Internal Medicine	1
<b>Roane County</b>	
Cardiovascular Disease	1
Emergency Medicine	2
Family Practice	5
General Surgery	1
Internal Medicine	1
Internal Medicine/Pediatrics	1
Pediatrics	1
Physical Medicine & Rehabilitation	1
Psychiatry	1
<b>Summers County</b>	
Cardiovascular Disease	1
Emergency Medicine	1
General Practice	1
Internal Medicine	1
Medical Oncology	1
<b>Taylor County</b>	
Anatomic/Clinical Pathology	1
Emergency Medicine	1
Family Practice	3
General Practice	1
Internal Medicine	1
Psychiatry	1
<b>Tucker County</b>	
Emergency Medicine	1
Family Practice	2
Internal Medicine	1
<b>Tyler County</b>	
Emergency Medicine	3
Family Practice	1
General Practice	2
<b>Upshur County</b>	
Cardiovascular Disease	1
Emergency Medicine	2
Family Practice	4

General Practice	1
General Surgery	1
Internal Medicine	1
Neurology	1
Obstetrics & Gynecology	2
Ophthalmology	1
Pediatrics	2
Psychiatry	2
Surgery	1
<b>Wayne County</b>	
Anatomic/Clinical Pathology	1
Cardiovascular Disease	1
Diagnostic Radiology	1
Family Practice	9
General Surgery	3
Internal Medicine	7
Internal Medicine/Pediatrics	1
Neurology	1
Obstetrics & Gynecology	1
Pediatrics	1
Psychiatry	1
Pulmonary Disease	1
<b>Webster County</b>	
Family Practice	2
General Practice	1
Pediatrics	1
Radiology	2
<b>Wetzel County</b>	
Family Practice	7
General Practice	1
Internal Medicine	1
Pediatrics	1
<b>Wood County</b>	
Addiction Medicine	1
Adolescent Medicine (Internal Medicine)	1
Anatomic/Clinical Pathology	4
Anesthesiology	7
Cardiovascular Disease	4
Critical Care Medicine (Internal Medicine)	1
Dermatology	3
Diagnostic Radiology	3
Emergency Medicine	7
Endocrinology Diabetes and Metabolism	1
Family Practice	34

Gastroenterology	1
General Practice	1
General Surgery	3
Gynecology	1
Head & Neck Surgery	1
Hematology/Oncology	3
Hospitalist	4
Infectious Disease	1
Internal Medicine	22
Internal Medicine/Pediatrics	3
Interventional Cardiology	2
Medical Oncology	1
Neurological Surgery	3
Neurology	3
None	1
Obstetrics & Gynecology	5
Ophthalmology	5
Orthopedic Surgery	4
Otolaryngology	1
Pain Medicine (Physical Medicine & Rehab)	1
Pediatrics	5
Physical medicine & Rehabilitation	1
Psychiatry	9
Pulmonary Critical Care Medicine	2
Pulmonary Disease	1
Radiation Oncology	2
Radiology	5
Rhematology	1
Urgent Care Medicine	1
Urology	3
Vascular Surgery	1
<b>Wyoming County</b>	
Family Practice	1
General Practice	1
General Surgery	1

## Number of Active Out-of-State Medical Doctors by State of Residence and by Primary Specialty as of June 30, 2019

ALABAMA	
Anatomic/Clinical Pathology	2
Dermatopathology	1
Diagnostic Radiology	1
Emergency Medicine	3
Family Practice	1
Hospitalist	1
Internal Medicine	3
Neurology	1
Ophthalmology	1
Pediatric Anesthesiology (Pediatrics)	1
Psychiatry	1
Radiology	1
Sleep Medicine	1
ALASKA	
Anesthesiology	1
Emergency Medicine	1
Family Practice	1
Pediatrics	1
ARIZONA	
Anatomic Pathology	2
Anatomic/Clinical Pathology	2
Anesthesiology	1
Dermatopathology	1
Diagnostic Radiology	12
Emergency Medicine	1
Family Practice	3
Forensic Pathology	1
Internal Medicine	4
Medical Toxicology (Emergency Medicine)	1
Ophthalmology	1
Pediatric Gastroenterology	1
Psychiatry	2
Radiology	7
Surgery	1
Surgical Oncology	1
Urology	1
ARKANSAS	
Addiction Medicine	1
Anatomic Pathology	4
Anatomic/Clinical Pathology	9
Anesthesiology	1

Cardiothoracic Surgery	1
Clinical Pathology	1
Emergency Medicine	1
Family Practice	1
General Surgery	1
Neuropathology	1
<b>CALIFORNIA</b>	
Anatomic Pathology	1
Anatomic/Clinical Pathology	5
Anesthesiology	3
Cardiovascular Disease	1
Dermatology	4
Dermatopathology	1
Diagnostic Radiology	5
Emergency Medicine	6
Family Practice	19
General Surgery	2
Hematology (Pathology)	2
Hospice & palliative medicine (internal medicine)	1
Hospitalist	1
Internal Medicine	13
Internal Medicine/Pediatrics	2
Molecular Genetic Pathology (Pathology)	1
Neurology	2
Neurology/Diagnostic Radiology/Neuroradiology	1
Obstetrics & Gynecology	2
Occupational Medicine	2
Ophthalmology	2
Orthopedic Surgery	2
Pediatrics	4
Plastic surgery within the head and neck (plastic surgery)	1
Psychiatry	5
Radiation Oncology	2
Radiology	5
Sleep Medicine	2
<b>COLORADO</b>	
Anesthesiology	1
Clinical Pathology	1
Critical Care Medicine (Internal Medicine)	1
Dermatology	2
Diagnostic Radiology	2
Emergency Medicine	4
Family Practice	1
General Surgery	1

Internal Medicine	1
Occupational Medicine	1
Physical Medicine & Rehabilitation	1
<b>CONNECTICUT</b>	
Anatomic Pathology	3
Anatomic/Clinical Pathology	3
Clinical Pathology	1
Internal Medicine/Pediatrics	1
Neurology	1
Orthopedic Surgery	1
Psychiatry	1
<b>DELAWARE</b>	
Cardiovascular Disease	1
Emergency Medicine	1
Internal Medicine	1
Neurological Surgery	1
<b>DIST OF COLUMBIA</b>	
Cardiothoracic Surgery	1
Cardiovascular Disease	1
Emergency Medicine	2
Family Practice	1
Hospitalist	1
Internal Medicine	2
Neurology	2
Psychiatry	2
<b>FLORIDA</b>	
Anatomic/Clinical Pathology	7
Anesthesiology	19
Cardiovascular Disease	3
Clinical Cardiac Electrophysiology	1
Clinical Pathology	1
Dermatologic Surgery	2
Dermatology	1
Dermatopathology	5
Diagnostic Radiology	9
Emergency Medicine	12
Family Practice	15
Gastroenterology	2
General Surgery	2
Hematology (Pathology)	1
Hematology/Oncology	2
Hospitalist	2
Infectious Disease	2
Internal Medicine	13

Internal Medicine/Pediatrics	1
Interventional Cardiology	2
Nephrology	4
Neurological Surgery	1
Neurology	4
Obstetrics & Gynecology	1
Ophthalmology	1
Orthopedic Surgery	3
Other	1
Pediatric Surgery (Surgery)	1
Pediatrics	8
Physical Medicine & Rehabilitation	1
Plastic Surgery	2
Psychiatry	10
Pulmonary Disease	2
Radiation Oncology	2
Radiology	4
Sports Medicine (Orthopedic Surgery)	1
Urgent Care Medicine	1
Urology	1

## GEORGIA

Anatomic Pathology	2
Anatomic/Clinical Pathology	4
Cardiothoracic Surgery	1
Cardiovascular Disease	1
Critical Care Medicine (Internal Medicine)	1
Dermatopathology	4
Diagnostic Radiology	4
Emergency Medicine	3
Family Practice	7
Gastroenterology	1
General Surgery	2
Hospitalist	2
Internal Medicine	7
Molecular Genetic Pathology (Pathology)	1
Neurology	2
Obstetrics & Gynecology	2
Orthopedic Surgery	1
Physical Medicine & Rehabilitation	1
Plastic Surgery	1
Psychiatry	4
Public Health and General Preventive Medicine	1
Radiology	6
Thoracic Surgery	1



Vascular Surgery	2
<b>HAWAII</b>	
Family Practice	1
Internal Medicine	2
Neuroradiology	1
Urgent Care Medicine	1
<b>IDAHO</b>	
Diagnostic Radiology	22
Family Practice	1
Neurological Surgery	1
Psychiatry	1
Radiology	3
<b>ILLINOIS</b>	
Anatomic/Clinical Pathology	9
Anesthesiology	2
Cardiovascular Disease	1
Clinical Cardiac Electrophysiology	1
Clinical Pathology	1
Emergency Medicine	5
Family Practice	3
General Surgery	4
Internal Medicine	9
Interventional Cardiology	1
Neurological Surgery	2
Obstetrics & Gynecology	1
Other	1
Pediatric Critical Care Medicine	1
Pediatrics	1
Plastic Surgery	1
Psychiatry	2
Pulmonary Disease	1
Radiology	1
Sleep Medicine	1
Thoracic Surgery	1
<b>INDIANA</b>	
Anatomic Pathology	1
Anatomic/Clinical Pathology	6
Anesthesiology	1
Clinical Pathology	1
Cytopathology	1
Diagnostic Radiology	1
Emergency Medicine	1
General Practice	1
General Surgery	2

Infectious Disease	1
Internal Medicine	2
Internal Medicine/Pediatrics	1
Medical Oncology	1
Obstetrics & Gynecology	1
Occupational Medicine	1
Ophthalmology	1
Orthopedic Trauma	1
Plastic Surgery	1
Radiation Oncology	2
Radiology	1
Surgical Critical Care (Surgery)	1
Thoracic Surgery	1
Urgent Care Medicine	1
<b>IOWA</b>	
Anesthesiology	1
Critical Care Medicine (Internal Medicine)	1
Diagnostic Radiology	1
Family Practice	1
Ophthalmology	1
Pediatrics	1
Rheumatology	1
<b>KANSAS</b>	
Anesthesiology	1
Emergency Medicine	1
Family Practice	1
Internal Medicine	1
Interventional Cardiology	1
Radiology	1
<b>KENTUCKY</b>	
Abdominal Radiology	1
Anatomic Pathology	1
Anatomic/Clinical Pathology	8
Anesthesiology	3
Cardiovascular Disease	8
Child and Adolescent Psychiatry	1
Clinical Cardiac Electrophysiology	1
Critical Care Medicine (Internal Medicine)	1
Dermatopathology	2
Diagnostic Radiology	9
Emergency Medicine	5
Family Practice	8
General Practice	1
General Surgery	4

Hand Surgery	1
Hematology/Oncology	1
Internal Medicine	7
Interventional Cardiology	1
Neonatal-Perinatal Medicine	1
Neurology	1
Occupational Medicine	1
Ophthalmic plastic and reconstructive surgery	1
Ophthalmology	2
Orthopedic Surgery	6
Pediatric Emergency Medicine (Pediatrics)	1
Pediatrics	3
Physical Medicine & Rehabilitation	1
Plastic Surgery within the Head & Neck	1
Psychiatry	5
Pulmonary Critical Care Medicine	1
Pulmonary Disease	1
Radiation Oncology	4
Radiology	2
Rheumatology	1
Sports Medicine (Family Practice)	1
Trauma Surgery	1
Urology	1
Vascular Surgery	1
Vascular and Interventional Radiology	1
<b>LOUISIANA</b>	
Anatomic Pathology	2
Anatomic/Clinical Pathology	1
Anesthesiology	1
Family Practice	2
General Surgery	1
Hematology (Pathology)	1
Neurological Surgery	1
Obstetrics & Gynecology	1
Orthopedic Surgery	1
Urgent Care Medicine	1
<b>MAINE</b>	
Anesthesiology	1
General Surgery	1
<b>MARYLAND</b>	
Allergy	2
Allergy & Immunology	1
Anatomic/Clinical Pathology	8
Anesthesiology	4

Cardiovascular Disease	5
Clinical Pharmacology	1
Dermatology	1
Dermatopathology	1
Diagnostic Radiology	4
Emergency Medicine	17
Emergency medical services	1
Family Practice	12
General Practice	1
General Surgery	2
Gynecological Oncology	1
Hematology/Oncology	1
Hospitalist	3
Internal Medicine	16
Nephrology	3
Neurological Surgery	1
Neurology	14
Neuroradiology	1
Obstetrics & Gynecology	1
Occupational Medicine	5
Ophthalmology	8
Orthopedic Surgery	8
Orthopedic Trauma	1
Otolaryngology	1
Pain Management	1
Pain Medicine	1
Pediatrics	2
Physical Medicine & Rehabilitation	1
Psychiatry	5
Public Health and General Preventive Medicine	1
Pulmonary Critical Care Medicine	3
Pulmonary Disease	2
Radiation Oncology	2
Radiology	2
Reproductive Endocrinology	1
Sleep Medicine	1
Thoracic Surgery	1
Transplant Surgery	1
Unspecified	1
Urology	1
Vascular Surgery	1
Vascular and Interventional Radiology	2
<b>MASSACHUSETTS</b>	
Anatomic Pathology	2

Anatomic/Clinical Pathology	5
Anesthesiology	2
Dermatopathology	2
Emergency Medicine	1
Endocrinology Diabetes and Metabolism	1
Family Practice	16
General Preventive Medicine	1
Internal Medicine	7
Neonatal-Perinatal Medicine	1
Pediatrics	2
Psychiatry	2
Radiology	1
<b>MICHIGAN</b>	
Abdominal Radiology	1
Anatomic/Clinical Pathology	1
Critical Care Medicine (Internal Medicine)	1
Diagnostic Radiology	3
Emergency Medicine	3
Family Practice	2
Internal Medicine	1
Neonatal-Perinatal Medicine	1
Neurological Surgery	1
Neurology	3
Occupational Medicine	4
Ophthalmology	1
Orthopedic Surgery	1
Physical Medicine & Rehabilitation	1
Surgery	1
<b>MINNESOTA</b>	
Abdominal Radiology	1
Cytopathology	1
Diagnostic Radiology	98
Family Practice	1
Internal Medicine	1
Psychiatry	2
Vascular Surgery	1
<b>MISSISSIPPI</b>	
Diagnostic Radiology	1
Family Practice	1
General Surgery	1
Internal Medicine	3
<b>MISSOURI</b>	
Abdominal Radiology	1
Anesthesiology	2

Cardiothoracic Surgery	1
Critical Care Medicine (Anesthesiology)	2
Critical Care Medicine (Internal Medicine)	34
Diagnostic Radiology	6
Emergency Medicine	4
Family Practice	4
General Practice	1
General Surgery	1
Hospitalist	2
Internal Medicine	6
Nephrology	1
Pediatrics	2
Radiology	9
Surgical Critical Care (Surgery)	1
<b>MONTANA</b>	
General Surgery	2
Orthopedic Surgery	1
<b>NEBRASKA</b>	
Diagnostic Radiology	7
Internal Medicine	1
Nuclear Medicine	1
Obstetrics & Gynecology	1
Psychiatry	1
<b>NEVADA</b>	
Anatomic/Clinical Pathology	1
Cardiovascular Disease	1
Emergency Medicine	1
Family Practice	2
Internal Medicine	10
Psychiatry	1
Radiology	1
<b>NEW HAMPSHIRE</b>	
Anatomic/Clinical Pathology	1
Anesthesiology	1
Diagnostic Radiology	1
Emergency Medicine	2
General Practice	1
Internal Medicine	1
Pediatrics	1
Radiology	1
Thoracic Surgery	1
<b>NEW JERSEY</b>	
Anatomic/Clinical Pathology	6
Anesthesiology	1

Diagnostic Radiology	2
Emergency Medicine	2
Family Practice	3
Hematology (Pathology)	2
Hematology/Oncology	2
Internal Medicine	4
Neurological Surgery	1
Obstetrics & Gynecology	1
Psychiatry	1
Radiology	3
<b>NEW MEXICO</b>	
Cardiovascular Disease	1
Diagnostic Radiology	1
Emergency Medicine	1
Ophthalmology	1
<b>NEW YORK</b>	
Anatomic Pathology	7
Anatomic/Clinical Pathology	14
Anesthesiology	4
Cardiovascular Disease	1
Cytopathology	2
Dermatology	1
Diagnostic Radiology	9
Emergency Medicine	2
Family Practice	1
Forensic Pathology	1
General Practice	1
General Surgery	1
Hematology (Pathology)	1
Infectious Disease	1
Internal Medicine	10
Neurology	2
Neuropathology	4
Obstetrics & Gynecology	2
Ophthalmology	2
Otolaryngology	1
Pediatrics	1
Physical Medicine & Rehabilitation	1
Psychiatry	6
Radiology	1
Rheumatology	1
Urology	1
<b>NORTH CAROLINA</b>	
Anatomic Pathology	1

Anatomic/Clinical Pathology	8
Anesthesiology	13
Cardiovascular Disease	2
Child and Adolescent Psychiatry	2
Clinical Neurophysiology	1
Clinical Pathology	1
Dermatopathology	6
Diagnostic Radiology	2
Emergency Medicine	13
Family Practice	3
Forensic Pathology	1
General Practice	1
General Surgery	5
Gynecology	1
Hospice & palliative medicine	1
Hospitalist	2
Internal Medicine	11
Maternal & Fetal Medicine	1
Neurological Surgery	1
Neurology	1
Obstetrics & Gynecology	1
Orthopedic Surgery	2
Pediatrics	2
Psychiatry	8
Pulmonary Critical Care Medicine	1
Pulmonary Disease	1
Radiology	2
Reproductive Endocrinology	1
Vascular and Interventional Radiology	1
<b>NORTH DAKOTA</b>	
Critical Care Medicine (Internal Medicine)	1
Family Practice	2
<b>NOVA SCOTIA</b>	
Otolaryngology	1
<b>OHIO</b>	
Abdominal Radiology	1
Addiction Medicine	1
Adult Congenital Heart Disease	1
Adult Reconstructive Orthopedics	1
Allergy & Immunology	3
Anatomic Pathology	4
Anatomic/Clinical Pathology	17
Anesthesiology	15
Cardiothoracic Surgery	5



Cardiovascular Disease	9
Child and Adolescent Psychiatry	2
Clinical Cardiac Electrophysiology	2
Clinical Pathology	1
Critical Care Medicine (Internal Medicine)	1
Dermatology	5
Dermatopathology	12
Diagnostic Radiology	28
Emergency Medicine	26
Emergency medical services	1
Family Practice	23
Gastroenterology	8
General Practice	2
General Surgery	10
Geriatric Psychiatry	1
Gynecological Oncology	1
Gynecology	1
Hematology/Oncology	5
Internal Medicine	34
Nephrology	4
Neurological Surgery	1
Neurology	7
Obstetrics & Gynecology	12
Ophthalmology	8
Orthopedic Surgery	9
Otolaryngology	3
Pain Management	1
Pain medicine (physical medicine & rehabilitation)	2
Pediatric Cardiology	13
Pediatric Gastroenterology	1
Pediatric Infectious Disease	1
Pediatric Nephrology	1
Pediatric Surgery (Surgery)	1
Pediatric Urology	1
Pediatrics	12
Physical Medicine & Rehabilitation	1
Plastic Surgery	3
Psychiatry	8
Pulmonary Disease	3
Radiation Oncology	2
Radiology	6
Rheumatology	1
Sports Medicine (Family Practice)	1
Surgery	1

Urgent Care Medicine	1
Urology	3
Vascular Surgery	2
<b>OKLAHOMA</b>	
Anatomic/Clinical Pathology	4
Diagnostic Radiology	1
Family Practice	1
Infectious Disease	1
Internal Medicine	1
Orthopedic Surgery	1
<b>ONTARIO</b>	
Anatomic/Clinical Pathology	1
Family Practice	1
Neurology	2
Orthopedic Surgery	1
Psychiatry	2
<b>OREGON</b>	
Diagnostic Radiology	2
General Practice	1
Occupational Medicine	1
Physical Medicine & Rehabilitation	1
<b>PENNSYLVANIA</b>	
Abdominal Radiology	2
Allergy & Immunology	1
Anatomic Pathology	2
Anatomic/Clinical Pathology	6
Anesthesiology	20
Blood Banking/Transfusion Medicine	2
Cardiothoracic Surgery	1
Cardiovascular Disease	3
Child Neurology	1
Child and Adolescent Psychiatry	2
Clinical Cardiac Electrophysiology	2
Clinical Pathology	3
Cosmetic Surgery	1
Critical Care Medicine (Internal Medicine)	1
Dermatology	4
Dermatopathology	6
Diagnostic Radiology	41
Emergency Medicine	23
Family Practice	13
Gastroenterology	3
General Surgery	7
Geriatric Medicine (Internal Medicine)	1

Hematology/Oncology	9
Hospice & palliative medicine	1
Hospitalist	4
Infectious Disease	1
Internal Medicine	23
Interventional Cardiology	1
Maternal & Fetal Medicine	1
Medical Oncology	3
Medical Toxicology (Emergency Medicine)	2
Musculoskeletal Radiology	1
Neonatal-Perinatal Medicine	13
Nephrology	4
Neurological Surgery	6
Neurology	26
Obstetrics & Gynecology	8
Occupational Medicine	2
Ophthalmology	12
Orthopedic Surgery	11
Orthopedic Surgery of the Spine	2
Other	1
Otolaryngology	2
Otology/Neurotology	1
Pain Management	1
Pediatric Cardiology	8
Pediatric Dermatology	2
Pediatric Gastroenterology	2
Pediatric Nephrology	2
Pediatric Orthopedics	1
Pediatric Pulmonology	1
Pediatric Rehabilitation Medicine	1
Pediatric Rheumatology	1
Pediatric Surgery (Surgery)	1
Pediatrics	16
Physical Medicine & Rehabilitation	5
Plastic Surgery	2
Psychiatry	8
Radiation Oncology	2
Radiology	14
Rheumatology	1
Sleep Medicine	1
Surgery	1
Surgical Critical Care (Surgery)	1
Thoracic Surgery	1
Urgent Care Medicine	1

<b>PUERTO RICO</b>	
Internal Medicine	1
<b>RHODE ISLAND</b>	
Anatomic/Clinical Pathology	1
Internal Medicine	1
<b>SOUTH CAROLINA</b>	
Adolescent Medicine (Internal Medicine)	1
Anatomic/Clinical Pathology	1
Anesthesiology	3
Diagnostic Radiology	3
Emergency Medicine	4
Emergency medical services	1
Family Practice	1
Hospitalist	1
Internal Medicine	6
Medical Oncology	1
Neurology	1
Obstetrics & Gynecology	3
Occupational Medicine	1
Ophthalmology	1
Orthopedic Surgery	1
Pediatric Critical Care Medicine	1
Pediatrics	1
Phlebology	1
Psychiatry	1
Radiation Oncology	1
<b>SOUTH DAKOTA</b>	
Anesthesiology	4
Critical Care Medicine (Internal Medicine)	9
Critical care medicine (emergency medicine)	1
Emergency Medicine	1
Internal Medicine	13
Pulmonary Critical Care Medicine	1
<b>TENNESSEE</b>	
Anatomic Pathology	5
Anatomic/Clinical Pathology	9
Anesthesiology	4
Child Neurology	2
Clinical Pathology	1
Dermatopathology	1
Diagnostic Radiology	3
Emergency Medicine	15
Family Practice	6
General Practice	1

General Surgery	3
Geriatric Medicine (Internal Medicine)	1
Hematology (Pathology)	2
Hospitalist	1
Internal Medicine	2
Neonatal-Perinatal Medicine	4
Nephrology	1
Neurology	15
Obstetrics & Gynecology	2
Ophthalmology	2
Orthopedic Surgery	2
Other	1
Pediatric Hematology/Oncology	1
Pediatrics	1
Psychiatry	1
Public Health and General Preventive Medicine	1
Radiology	2
Thoracic Surgery	2
<b>TEXAS</b>	
Abdominal Radiology	1
Anatomic/Clinical Pathology	12
Anesthesiology	7
Cardiothoracic Surgery	1
Child Neurology	1
Clinical Neurophysiology	1
Critical Care Medicine (Internal Medicine)	1
Dermatology	1
Dermatopathology	1
Diagnostic Radiology	18
Emergency Medicine	9
Family Practice	6
Hospitalist	2
Internal Medicine	16
Interventional Cardiology	1
Neonatal-Perinatal Medicine	1
Nephrology	2
Neurology	3
Obstetrics & Gynecology	1
Ophthalmology	4
Pediatric Nephrology	1
Pediatrics	3
Psychiatry	4
Radiation Oncology	1
Radiology	5

Thoracic Surgery	1
<b>UTAH</b>	
Cardiovascular Disease	1
Diagnostic Radiology	2
Emergency Medicine	1
Endocrinology Diabetes and Metabolism	1
Family Practice	1
General Surgery	1
Hematology (Pathology)	1
Internal Medicine	2
Medical Genetics	1
Nephrology	1
Neurology	1
Obstetrics & Gynecology	1
Psychiatry	1
Radiation Oncology	1
Radiology	1
<b>VERMONT</b>	
Emergency Medicine	1
Sleep medicine (psychiatry & neurology)	1
<b>VIRGIN ISLANDS</b>	
Orthopedic Surgery	1
<b>VIRGINIA</b>	
Abdominal Radiology	1
Anatomic Pathology	5
Anatomic/Clinical Pathology	8
Anesthesiology	18
Cardiothoracic Surgery	1
Cardiovascular Disease	22
Clinical Cardiac Electrophysiology	1
Clinical Pathology	1
Critical Care Medicine (Anesthesiology)	1
Critical Care Medicine (Internal Medicine)	14
Dermatology	1
Dermatopathology	2
Diagnostic Radiology	18
Emergency Medicine	49
Emergency medical services	1
Endocrinology Diabetes and Metabolism	1
Family Practice	22
Female pelvic medicine & reconstructive surgery (obstetrics & gynecology)	1
Forensic Pathology	1
Forensic Psychiatry	1
Gastroenterology	1

General Practice	1
General Preventive Medicine	1
General Surgery	6
Geriatric Medicine (Family Practice)	1
Gynecology	2
Hematology/Oncology	2
Hospitalist	5
Internal Medicine	18
Interventional Cardiology	2
Maternal & Fetal Medicine	1
Musculoskeletal Radiology	1
Neurology	44
Obstetrics & Gynecology	2
Occupational Medicine	2
Orthopedic Surgery	3
Otolaryngology	5
Otology/Neurotology	1
Pain Management	1
Pediatric Cardiology	1
Pediatric Critical Care Medicine	1
Pediatric Surgery (Surgery)	1
Pediatrics	7
Physical Medicine & Rehabilitation	1
Plastic Surgery	2
Psychiatry	28
Pulmonary Critical Care Medicine	2
Pulmonary Disease	4
Radiation Oncology	1
Radiology	18
Rheumatology	1
Selective Pathology	1
Surgery	1
Surgical Oncology	1
Urology	1
Vascular Surgery	2
Vascular and Interventional Radiology	1
<b>WASHINGTON</b>	
Adolescent Medicine (Family Medicine)	1
Anatomic Pathology	1
Anesthesiology	1
Cardiovascular Disease	1
Clinical Neurophysiology	1
Dermatology	1
Diagnostic Radiology	1

Emergency Medicine	7
Family Practice	16
General Practice	1
General Surgery	1
Hematology/Oncology	1
Hospitalist	2
Internal Medicine	3
Interventional Cardiology	1
Neurology	1
Pediatric Surgery (Surgery)	1
Pediatrics	1
Psychiatry	1

#### WISCONSIN

Allergy & Immunology	1
Anatomic Pathology	1
Anesthesiology	2
Child and Adolescent Psychiatry	1
Clinical informatics (pathology)	1
Dermatology	1
Diagnostic Radiology	1
Emergency Medicine	3
General Surgery	1
Internal Medicine	6
Neurology	3
Obstetrics & Gynecology	1
Orthopedic Surgery	2
Plastic Surgery	1
Psychiatry	2
Thoracic Surgery	2
Urology	1

#### WYOMING

Anatomic/Clinical Pathology	1
Emergency Medicine	1
Family Practice	1
Gastroenterology	1
Internal Medicine	1
Neurological Surgery	1
Obstetrics & Gynecology	1



**Complaints - Medical Doctors  
Received Between July 1, 2017 and June 30, 2019 That Resulted in Board Action**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
17-138-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	01/09/2018	01/09/2019	01/02/2018	Administrative Fine/Monetary Penalty
17-168-W	Malpractice or failure to practice acceptably, Professional incompetence	03/10/2018	03/10/2019	01/28/2019	Education and Training Required, Public Reprimand
17-171-W	Exercising influence for sexual activity with patient, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Violation of laws, rules and orders	03/28/2018	03/28/2019	04/24/2018	Public Reprimand, Suspension of License
17-176-H	Malpractice or failure to practice acceptably	04/10/2018	04/10/2019	03/05/2019	Limitation or Restriction on License/Practice
17-181-W	Disciplinary action in another state/license denial	05/12/2018	05/12/2019	01/14/2019	Admin. Fine/Monetary Penalty & Another Action
17-191-W	Failure to keep written records justifying treatment, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	05/12/2018	05/12/2019	08/30/2018	Limitation or Restriction on License/Practice, Public Reprimand
18-002-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/18/2018	Admin. Fine/Monetary Penalty & Another Action
18-009-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/18/2018	Administrative Fine/Monetary Penalty
18-014-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	06/27/2018	Admin. Fine/Monetary Penalty & Another Action

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18-017-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/24/2018	Admin. Fine/Monetary Penalty & Another Action
18-023-N	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	07/04/2018	07/04/2019	05/03/2019	Limitation or Restriction on License/Practice
18-033-K	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	8/16/2018	8/16/2019	04/03/2019	Suspension of License
18-044-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-045-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-047-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-048-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/13/2018	Admin. Fine/Monetary Penalty & Another Action
18-051-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-053-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-054-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/13/2018	Administrative Fine/Monetary Penalty, Public Reprimand

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
18-056-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	11/08/2018	Other License Action
18-059-W	False reporting/failing to file required report, Unprofessional, unethical conduct	9/11/2018	9/11/2019	06/27/2018	Admin. Fine/Monetary Penalty & Another Action
18-060-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	10/18/2018	Administrative Fine/Monetary Penalty
18-061-W	Violation of laws, rules and orders	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-079-W	Conviction: felony, moral turpitude, relation to practice, Prescribing other than in good faith in accord with medical standards, Violation of laws, rules and orders	11/6/2018	11/6/2019	11/13/2018	Voluntary Surrender of License
18-110-W	Disciplinary action in another state/license denial, Failure to keep written records justifying treatment, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Unprofessional, unethical conduct -- Violating dispensing rule, Violation of laws, rules and orders	1/8/2019	1/8/2020	03/11/2019	Revocation of License

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
18-128-W	Conviction: felony, moral turpitude, relation to practice, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Issuing grossly improbable statements deceiving public, Violation of laws, rules and orders	2/14/2019	2/14/2020	03/13/2019	Public Reprimand
18-132-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	01/14/2019	Administrative Fine/Monetary Penalty
18-134-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	01/14/2019	Administrative Fine/Monetary Penalty
18-135-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	01/14/2019	Administrative Fine/Monetary Penalty
18-136-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse	2/14/2019	2/14/2020	01/14/2019	Limitation or Restriction on License/Practice
18-157-W	Malpractice or failure to practice acceptably, Professional incompetence	3/27/2019	3/27/2020	10/10/2018	Voluntary Surrender of License
19-039-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Violation of laws, rules and orders	9/10/2019	9/10/2020	06/04/2019	Suspension of License

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Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due	Board Order Date	Disposition
19-042-W	Conviction: felony, moral turpitude, relation to practice, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	9/10/2019	9/10/2020	05/20/2019	Voluntary Surrender of License

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
17-135-W	Failure to perform statutory or legal obligation, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally	01/09/2018	01/09/2019	05/07/2018
17-136-W	Disciplinary action in another state/license denial, Licensing application, renewal: false statements, Unprofessional, unethical conduct	01/09/2018	01/09/2019	09/11/2017
17-139-W	Malpractice or failure to practice acceptably	01/09/2018	01/09/2019	11/13/2017
17-141-W	Deceptive representations in practice, Failure to perform statutory or legal obligation, Unprofessional, unethical conduct	01/09/2018	01/09/2019	03/19/2018
17-142-Y	Malpractice or failure to practice acceptably	01/03/2018	01/03/2019	11/13/2017
17-143-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	01/05/2018	01/05/2019	11/13/2017
17-144-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	01/10/2018	01/10/2019	11/13/2017
17-146-W	Licensing application, renewal: false statements, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	02/03/2018	02/03/2019	01/08/2018
17-148-D	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	01/18/2018	01/18/2019	11/13/2017
17-149-H	Malpractice or failure to practice acceptably	01/28/2018	01/28/2019	01/08/2018
17-150-M	Malpractice or failure to practice acceptably	01/31/2018	01/31/2019	11/13/2017
17-152-B	Malpractice or failure to practice acceptably	02/03/2018	02/03/2019	11/13/2017
17-153-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	02/15/2018	02/15/2019	11/13/2017
17-154-O	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	02/16/2018	02/16/2019	11/13/2017
17-155-F	Unprofessional, unethical conduct	02/25/2018	02/25/2019	01/08/2018
17-162-M	Unprofessional, unethical conduct	03/03/2018	03/03/2019	11/13/2017
17-164-W	Malpractice or failure to practice acceptably	03/10/2018	03/10/2019	01/08/2018

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17-165-W	Malpractice or failure to practice acceptably	03/10/2018	03/10/2019	01/08/2018
17-166-W	Disciplinary action in another state/license denial, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	03/10/2018	03/10/2019	01/08/2018
17-167-W	Licensing application, renewal: false statements, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	03/10/2018	03/10/2019	11/13/2017
17-169-F	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	03/11/2018	03/11/2019	01/08/2018
17-170-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	03/07/2018	03/09/2019	01/08/2018
17-172-W	Malpractice or failure to practice acceptably	03/21/2018	03/21/2019	01/08/2018
17-173-H	Malpractice or failure to practice acceptably	03/25/2018	03/25/2019	03/12/2018
17-174-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	04/04/2018	04/04/2019	03/19/2018
17-175-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	04/10/2018	04/10/2019	03/19/2018
17-177-H	Malpractice or failure to practice acceptably	04/12/2018	04/12/2019	03/19/2018
17-178-W	Malpractice or failure to practice acceptably	04/16/2018	04/16/2019	11/05/2018
17-179-V	Unprofessional, unethical conduct	04/13/2018	04/13/2019	01/08/2018
17-180-W	Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	05/12/2018	05/12/2019	07/09/2018
17-183-W	Malpractice or failure to practice acceptably	05/12/2018	05/12/2019	03/19/2018
17-184-W	Malpractice or failure to practice acceptably	05/12/2018	05/12/2019	03/19/2018
17-185-W	Malpractice or failure to practice acceptably, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	05/12/2018	05/12/2019	03/19/2018
17-186-W	Malpractice or failure to practice acceptably, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	05/12/2018	05/12/2019	03/19/2018

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17-188-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Violation of laws, rules and orders	05/12/2018	05/12/2019	11/05/2018
17-189-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	05/12/2018	05/12/2019	05/20/2019
17-190-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	05/12/2018	05/12/2019	03/19/2018
17-192-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct	05/12/2018	05/12/2019	07/09/2018
17-194-F	Malpractice or failure to practice acceptably	05/06/2018	05/06/2019	03/19/2018
17-195-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	05/07/2018	05/07/2019	05/07/2018
17-196-M	Knowing delegation of responsibilities to one unqualified, Malpractice or failure to practice acceptably	05/13/2018	05/13/2019	03/19/2018
17-198-B	Malpractice or failure to practice acceptably	05/17/2018	05/17/2019	01/14/2019
17-199-T	Unprofessional, unethical conduct	05/21/2018	05/21/2019	03/19/2018
17-200-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	05/27/2018	05/27/2019	03/19/2018
17-201-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	05/29/2018	05/29/2019	05/20/2019
17-202-N	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/06/2018	06/06/2019	03/19/2018
17-203-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/11/2018	06/11/2019	05/07/2018
17-204-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/14/2018	06/14/2019	07/09/2018



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17-205-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/27/2018	06/27/2019	07/09/2018
18-001-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/29/2018	06/29/2019	07/09/2018
18-005-W	Malpractice or failure to practice acceptably	07/07/2018	07/07/2019	05/07/2018
18-010-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	03/19/2018
18-012-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	03/19/2018
18-016-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	11/05/2018
18-018-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	03/19/2018
18-019-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	03/19/2018
18-020-W	Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Failure to report licensee in violation of Medical Practice Act, Violation of laws, rules and orders, Willful violation of confidential communication	07/07/2018	07/07/2019	03/19/2018
18-024-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	07/16/2018	07/16/2019	07/09/2018
18-026-M	Malpractice or failure to practice acceptably	7/22/2018	7/22/2019	05/07/2018
18-027-W	Exercising influence for sexual activity with patient, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/25/2018	7/25/2019	11/05/2018
18-028-M	Malpractice or failure to practice acceptably	7/29/2018	7/29/2019	05/07/2018
18-029-C	Unprofessional, unethical conduct	7/31/2018	7/31/2019	07/09/2018
18-030-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/31/2018	7/31/2019	05/07/2018
18-031-S	Unprofessional, unethical conduct	8/6/2018	8/6/2019	05/07/2018
18-032-B	Malpractice or failure to practice acceptably	8/16/2018	8/16/2019	07/09/2018
18-034-N	Malpractice or failure to practice acceptably	8/21/2018	8/21/2019	07/09/2018

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18-035-Z	Unprofessional, unethical conduct	8/21/2018	8/21/2019	07/09/2018
18-036-C	Unprofessional, unethical conduct	8/26/2018	8/26/2019	09/09/2018
18-037-W	Malpractice or failure to practice acceptably	8/26/2018	8/26/2019	07/09/2018
18-039-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	8/28/2018	8/28/2019	01/14/2019
18-040-B	Unprofessional, unethical conduct	9/2/2018	9/2/2019	07/09/2018
18-042-W	Malpractice or failure to practice acceptably	9/11/2018	9/11/2019	09/09/2018
18-043-W	Malpractice or failure to practice acceptably, Professional incompetence, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	9/11/2018	9/11/2019	07/09/2018
18-046-W	Malpractice or failure to practice acceptably	9/11/2018	9/11/2019	07/09/2018
18-049-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	07/09/2018
18-055-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse	9/11/2018	9/11/2019	07/09/2018
18-057-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	07/09/2018
18-062-F	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/8/2018	9/8/2019	09/09/2018
18-063-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/12/2018	9/12/2019	07/09/2018
18-064-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/12/2018	9/12/2019	09/09/2018
18-065-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/12/2018	9/12/2019	05/07/2018
18-066-C	Malpractice or failure to practice acceptably	9/22/2018	9/22/2019	07/09/2018
18-067-C	Malpractice or failure to practice acceptably	9/22/2018	9/22/2019	07/09/2018
18-069-T	Malpractice or failure to practice acceptably	9/26/2018	9/26/2019	09/09/2018
18-070-R	Malpractice or failure to practice acceptably	10/2/2018	10/2/2019	07/09/2018
18-071-G	Malpractice or failure to practice acceptably	10/9/2018	10/9/2019	07/09/2018
18-072-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/10/2018	10/10/2019	07/09/2018

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18-073-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/10/2018	10/10/2019	07/09/2018
18-074-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/11/2018	10/11/2019	07/09/2018
18-075-D	Malpractice or failure to practice acceptably	10/12/2018	10/12/2019	09/09/2018
18-077-W	Violation of laws, rules and orders	11/6/2018	11/6/2019	07/09/2018
18-078-W	Violation of laws, rules and orders	11/6/2018	11/6/2019	01/14/2019
18-080-W	Violation of laws, rules and orders	11/6/2018	11/6/2019	11/05/2018
18-082-W	Violation of laws, rules and orders	11/6/2018	11/6/2019	01/14/2019
18-083-W	Prescribing other than in good faith in accord with medical standards, Violation of laws, rules and orders	11/6/2018	11/6/2019	11/05/2018
18-084-W	Prescribing other than in good faith in accord with medical standards, Violation of laws, rules and orders	11/6/2018	11/6/2019	03/11/2019
18-085-D	Unprofessional, unethical conduct	10/30/2018	10/30/2019	09/09/2018
18-086-R	Unprofessional, unethical conduct	11/7/2018	11/7/2019	09/09/2018
18-087-D	Unprofessional, unethical conduct	11/7/2018	11/7/2019	09/09/2018
18-088-N	Unprofessional, unethical conduct	11/14/2018	11/14/2019	09/09/2018
18-089-P	Unprofessional, unethical conduct	11/11/2018	11/11/2019	11/05/2018
18-090-F	Unprofessional, unethical conduct	11/14/2018	11/14/2019	09/09/2018
18-091-H	Unprofessional, unethical conduct	11/23/2018	11/23/2019	09/09/2018
18-092-G	Malpractice or failure to practice acceptably	11/14/2018	11/14/2019	01/14/2019
18-093-C	Malpractice or failure to practice acceptably	11/24/2018	11/24/2019	09/09/2018
18-094-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/24/2018	11/24/2019	03/11/2019
18-095-J	Malpractice or failure to practice acceptably	11/29/2018	11/29/2019	09/09/2018
18-096-A	Malpractice or failure to practice acceptably	12/04/2018	12/04/2019	03/11/2019
18-097-R	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/12/2018	12/12/2019	11/05/2018
18-098-Y	Malpractice or failure to practice acceptably	12/6/2018	12/6/2019	09/09/2018
18-099-T	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/13/2018	12/13/2019	11/05/2018

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18-100-W	Unprofessional, unethical conduct	12/21/2018	12/21/2019	01/14/2019
18-101-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/21/2018	12/21/2019	09/09/2018
18-102-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/21/2018	12/21/2019	09/09/2018
18-103-C	Unprofessional, unethical conduct	12/26/2018	12/26/2019	09/09/2018
18-104-B	Unprofessional, unethical conduct	12/28/2018	12/28/2019	11/05/2018
18-105-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	1/8/2019	1/8/2020	05/20/2019
18-108-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	1/8/2019	1/8/2020	09/09/2018
18-109-W	Deceptive representations in practice, Failure to keep written records justifying treatment, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	1/8/2019	1/8/2020	01/14/2019
18-112-W	Unprofessional, unethical conduct, Violation of laws, rules and orders	1/8/2019	1/8/2020	11/05/2018
18-113-W	Unprofessional, unethical conduct, Violation of laws, rules and orders	1/8/2019	1/8/2020	11/05/2018
18-114-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct, Violation of laws, rules and orders	1/8/2019	1/8/2020	05/20/2019
18-115-W	Unprofessional, unethical conduct	1/8/2019	1/8/2020	09/09/2018
18-118-W	Exercising influence for sexual activity with patient, Unprofessional, unethical conduct, Violation of laws, rules and orders	1/8/2019	1/8/2020	11/05/2018
18-119-H	Malpractice or failure to practice acceptably	1/9/2019	1/9/2020	11/05/2018
18-120-L	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	1/11/2019	1/11/2020	11/05/2018

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18-121-B	Malpractice or failure to practice acceptably	2/1/2019	2/1/2020	01/14/2019
18-122-S	Unprofessional, unethical conduct	1/27/2019	1/27/2020	11/05/2018
18-123-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	1/25/2019	1/25/2020	11/05/2018
18-124-T	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	2/7/2019	2/7/2020	01/14/2019
18-125-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	2/8/2019	2/8/2020	11/05/2018
18-126-H	Unprofessional, unethical conduct	2/6/2019	2/6/2020	11/05/2018
18-127-C	Malpractice or failure to practice acceptably	1/26/2019	1/26/2020	11/05/2018
18-129-W	Fraud, deception relating to license examination, Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018
18-131-W	Malpractice or failure to practice acceptably	2/14/2019	2/14/2020	11/05/2018
18-133-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018
18-137-W	Malpractice or failure to practice acceptably, Professional incompetence	2/14/2019	2/14/2020	11/05/2018
18-139-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018
18-140-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018
18-141-W	Malpractice or failure to practice acceptably	2/14/2019	2/14/2020	11/05/2018
18-142-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018
18-143-W	Malpractice or failure to practice acceptably	3/9/2019	3/9/2020	01/14/2019
18-144-W	Malpractice or failure to practice acceptably	3/9/2019	3/9/2020	01/14/2019
18-146-W	Malpractice or failure to practice acceptably	3/9/2019	3/9/2020	01/14/2019
18-149-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	3/6/2019	3/6/2020	03/11/2019
18-150-T	Unprofessional, unethical conduct	3/6/2019	3/6/2020	01/14/2019
18-152-B	Unprofessional, unethical conduct	3/5/2019	3/5/2020	11/05/2018

**Complaints - Medical Doctors**  
**Received Between July 1, 2017 and June 30, 2019 Closed Without Board Action**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
18-153-M	Malpractice or failure to practice acceptably	3/13/2019	3/13/2020	03/11/2019
18-154-S	Malpractice or failure to practice acceptably	3/25/2019	3/25/2020	01/14/2019
18-155-A	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	3/17/2019	3/17/2020	03/11/2019
18-156-N	Unprofessional, unethical conduct	3/26/2019	3/26/2020	01/14/2019
18-158-E	Malpractice or failure to practice acceptably	4/23/2019	4/23/2020	01/14/2019
18-159-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	4/15/2019	4/15/2020	03/11/2019
18-162-W	Malpractice or failure to practice acceptably	5/4/2019	5/4/2020	03/11/2019
18-163-W	Malpractice or failure to practice acceptably	5/4/2019	5/4/2020	03/11/2019
18-176-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	4/29/2019	4/29/2020	03/11/2019
18-177-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	4/30/2019	4/30/2020	01/14/2019
18-178-E	Unprofessional, unethical conduct	5/5/2019	5/5/2020	05/20/2019
18-179-B	Unprofessional, unethical conduct	5/26/2019	5/26/2020	03/11/2019
18-181-G	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	5/16/2019	5/16/2020	03/11/2019
18-182-M	Unprofessional, unethical conduct	5/26/2019	5/26/2020	03/11/2019
18-184-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	6/6/2019	6/6/2020	05/20/2019
18-185-D	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	6/17/2019	6/17/2020	03/11/2019
19-001-M	Malpractice or failure to practice acceptably	7/2/2019	7/2/2020	05/20/2019
19-002-D	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/2/2019	7/2/2020	03/11/2019
19-003-B	Failure to keep written records justifying treatment, Failure to maintain medical record for three (3) years from last patient encounter, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Charging excessive, unconscionable fees	7/3/2019	7/3/2020	03/11/2019

**Complaints - Medical Doctors**  
**Received Between July 1, 2017 and June 30, 2019 Closed Without Board Action**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
19-004-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/7/2019	7/7/2020	05/20/2019
19-005-L	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/9/2019	7/9/2020	05/20/2019
19-028-0W	Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	7/13/2019	7/13/2020	05/20/2019
19-033-A	Malpractice or failure to practice acceptably	8/6/2019	8/6/2020	05/20/2019
19-036-C	Malpractice or failure to practice acceptably	8/20/2019	8/20/2020	05/20/2019
19-038-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	8/26/2019	8/26/2020	05/20/2019
19-048-W	Knowing delegation of responsibilities to one unqualified, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	9/10/2019	9/10/2020	05/20/2019
19-057-B	Unprofessional, unethical conduct	10/1/2019	10/1/2020	05/20/2019

**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due
17-163-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	03/07/2018	03/07/2019
17-187-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	05/12/2018	* 11/06/2019
17-193-W	Unprofessional, unethical conduct	05/12/2018	* 02/06/2020
17-197-W	Malpractice or failure to practice acceptably, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally, Unprofessional, unethical conduct -- Violating dispensing rule	05/30/2018	*
18-008-W	Malpractice or failure to practice acceptably, Professional incompetence, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally	07/07/2018	07/07/2019
18-021-W	False or deceptive advertising, Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Failure to report licensee in violation of Medical Practice Act, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally	07/07/2018	07/07/2019

An asterisk denotes that the Board obtained an extension of time to issue a final ruling pursuant to West Virginia Code 30-1-5(c) and/or a waiver and tolling of the time frame. If a specific date is not provided, the waiver was indefinite.



**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due
18-022-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Violation of laws, rules and orders	07/07/2018	* 06/06/2020
18-038-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	08/26/2018	* 02/05/2020
18-041-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally	09/11/2018	09/11/2019
18-050-W	Unprofessional, unethical conduct	09/11/2018	* 03/07/2020
18-068-T	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/26/2018	* 03/27/2020
18-076-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/17/2018	* 04/19/2020
18-081-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Violation of laws, rules and orders	11/6/2018	11/6/2019
18-106-W	Failure to perform statutory or legal obligation, Gross negligence regarding prescription forms, Unprofessional, unethical conduct - Issuing grossly improbable statements deceiving public, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally	01/8/2019	01/8/2020
18-107-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Issuing grossly improbable statements deceiving public	01/8/2019	* 06/08/2020

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**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due
18-111-W	Exercising influence for sexual activity with patient, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Issuing grossly improbable statements deceiving public	1/8/2019	* 06/08/2020
18-116-W	Unprofessional, unethical conduct, Violation of laws, rules and orders	1/8/2019	1/8/2020
18-130-W	Knowing delegation of responsibilities to one unqualified, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Violation of laws, rules and orders	2/14/2019	2/14/2020
18-138-W	Malpractice or failure to practice acceptably	2/14/2019	2/14/2020
18-145-W	Exercising influence for sexual activity with patient, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	3/9/2019	3/9/2020
18-147-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally, Unprofessional, unethical conduct -- Violating dispensing rule	3/9/2019	3/9/2020
18-151-M	Unprofessional, unethical conduct	3/7/2019	3/7/2020
18-161-W	Conviction: felony, moral turpitude, relation to practice, Exercising influence for sexual activity with patient, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	5/4/2019	5/4/2020

An asterisk denotes that the Board obtained an extension of time to issue a final ruling pursuant to West Virginia Code 30-1-5(c) and/or a waiver and tolling of the time frame. If a specific date is not provided, the waiver was indefinite.

**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due
18-164-W	Failure to keep written records justifying treatment, Soliciting patients through fraud, undue influence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Issuing grossly improbable statements deceiving public, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-165-W	Failure to keep written records justifying treatment, Unprofessional, unethical conduct, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-166-W	Failure to keep written records justifying treatment, Unprofessional, unethical conduct, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-167-W	Unprofessional, unethical conduct, Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-168-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-169-W	Unprofessional, unethical conduct, Malpractice or failure to practice acceptably, Failure to keep written records justifying treatment, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-170-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Violation of laws, rules and orders	5/4/2019	5/4/2020

An asterisk denotes that the Board obtained an extension of time to issue a final ruling pursuant to West Virginia Code 30-1-5(c) and/or a waiver and tolling of the time frame. If a specific date is not provided, the waiver was indefinite.

**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due
18-171-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-172-W	Unprofessional, unethical conduct, Malpractice or failure to practice acceptably, Failure to keep written records justifying treatment, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-173-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-174-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Violation of laws, rules and orders	5/4/2019	5/4/2020
18-175-M	Unprofessional, unethical conduct	5/7/2019	5/7/2020
18-180-A	Unprofessional, unethical conduct	5/14/2019	5/14/2020
19-007-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Violation of laws, rules and orders	7/13/2019	7/13/2020
19-008-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Malpractice or failure to practice acceptably	7/13/2019	7/13/2020
19-009-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020

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**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>
19-010-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020
19-011-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Malpractice or failure to practice acceptably	7/13/2019	7/13/2020
19-012-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020
19-013-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020
19-014-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020
19-015-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct	7/13/2019	7/13/2020
19-016-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020
19-018-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020
19-019-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Malpractice or failure to practice acceptably	7/13/2019	7/13/2020
19-020-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020

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**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>
19-021-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Malpractice or failure to practice acceptably	7/13/2019	7/13/2020
19-022-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020
19-024-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Malpractice or failure to practice acceptably	7/13/2019	7/13/2020
19-025-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	7/13/2019	7/13/2020
19-026-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	7/13/2019	7/13/2020
19-027-W	Failure to keep written records justifying treatment, Knowing delegation of responsibilities to one unqualified, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Violating dispensing rule	7/13/2019	7/13/2020
19-032-G	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/28/2019	7/28/2020
19-034-D	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	8/15/2019	8/15/2020
19-037-C	Unprofessional, unethical conduct	8/20/2019	8/20/2020

An asterisk denotes that the Board obtained an extension of time to issue a final ruling pursuant to West Virginia Code 30-1-5(c) and/or a waiver and tolling of the time frame. If a specific date is not provided, the waiver was indefinite.

**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due
19-040-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Unprofessional, unethical conduct, Disciplinary action in another state/license denial	9/10/2019	9/10/2020
19-041-W	Conviction: felony, moral turpitude, relation to practice, Disciplinary action in another state/license denial, Gross negligence regarding prescription forms, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Violation of laws, rules and orders	9/10/2019	9/10/2020
19-043-W	Disciplinary action in another state/license denial, Gross negligence regarding prescription forms, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	9/10/2019	9/10/2020
19-044-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	9/10/2019	9/10/2020

An asterisk denotes that the Board obtained an extension of time to issue a final ruling pursuant to West Virginia Code 30-1-5(c) and/or a waiver and tolling of the time frame. If a specific date is not provided, the waiver was indefinite.

**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due
19-045-W	Unprofessional, unethical conduct, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva, Violation of laws, rules and orders	9/10/2019	9/10/2020
19-046-W	Disciplinary action in another state/license denial	9/10/2019	9/10/2020
19-047-W	Deceptive representations in practice, Unprofessional, unethical conduct, Knowing delegation of responsibilities to one unqualified	9/10/2019	9/10/2020
19-050-W	Malpractice or failure to practice acceptably	9/10/2019	9/10/2020
19-051-F	Malpractice or failure to practice acceptably	9/7/2019	9/7/2020
19-052-W	Unprofessional, unethical conduct	9/14/2019	9/14/2020
19-053-B	Unprofessional, unethical conduct	9/25/2019	9/25/2020
19-055-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/28/2019	9/28/2020
19-056-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/29/2019	9/29/2020
19-058-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/4/2019	10/4/2020
19-059-O	Unprofessional, unethical conduct	10/8/2019	10/8/2020
19-061-R	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/18/2019	10/18/2020
19-062-R	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/18/2019	10/18/2020
19-063-H	Malpractice or failure to practice acceptably	11/9/2019	11/9/2020

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**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due
19-064-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	11/19/2019	11/19/2020
19-065-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/19/2019	11/19/2020
19-066-W	Failure to keep written records justifying treatment, Failure to maintain medical record for three (3) years from last patient encounter, Malpractice or failure to practice acceptably	11/19/2019	11/19/2020
19-068-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	11/19/2019	11/19/2020
19-069-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/19/2019	11/19/2020
19-070-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Violation of laws, rules and orders	11/19/2019	11/19/2020
19-071-W	Deceptive representations in practice, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Violation of laws, rules and orders	11/19/2019	11/19/2020

An asterisk denotes that the Board obtained an extension of time to issue a final ruling pursuant to West Virginia Code 30-1-5(c) and/or a waiver and tolling of the time frame. If a specific date is not provided, the waiver was indefinite.

**Complaints - Medical Doctors**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>
19-072-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	11/19/2019	11/19/2020
19-073-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	11/19/2019	11/19/2020
19-074-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	11/19/2019	11/19/2020
19-075-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/20/2019	11/20/2020
19-076-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/22/2019	11/22/2020
19-078-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/14/2019	12/14/2020
19-079-L	Malpractice or failure to practice acceptably	12/17/2019	12/17/2020
19-080-D	Malpractice or failure to practice acceptably	12/17/2019	12/17/2020
19-081-V	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/21/2019	12/21/2020
19-67-W	Malpractice or failure to practice acceptably	11/19/2019	11/19/2020
19-77-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/10/2019	12/10/2020

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**Complaints - Medical Doctors**  
**Board Action Taken on Complaints Between July 1, 2017 and June 30, 2019**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
15-041-W	Unprofessional, unethical conduct, Prescribing other than in good faith in accord with medical standards, Malpractice or failure to practice acceptably	09/08/2015	09/08/2015	01/08/2018	Limitation or Restriction on License/Practice
15-096-W	Exercising influence for sexual activity with patient, Unprofessional, unethical conduct	01/12/2016	01/12/2017	11/13/2017	Public Reprimand
16-019-H	Unprofessional, unethical conduct	08/05/2016	08/05/2017	11/13/2017	Public Reprimand
16-033-W	Unprofessional, unethical conduct, Prescribing other than in good faith in accord with medical standards, Malpractice or failure to practice acceptably	09/13/2016	09/13/2017	01/08/2018	Limitation or Restriction on License/Practice
16-036-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	09/13/2016	09/13/2017	11/29/2018	Admin. Fine/Monetary Penalty & Another Action, Education and Training Required, Revocation of License
16-154-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	05/13/2017	05/13/2018	11/29/2018	Admin. Fine/Monetary Penalty & Another Action, Education and Training Required, Revocation of License

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
17-024-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	07/08/2017	07/08/2018	04/18/2018	Limitation or Restriction on License/Practice, Probation of License, Public Reprimand
17-026-W	Disciplinary action in another state/license denial, Violation of laws, rules and orders	07/08/2017	07/08/2018	09/10/2018	Termination of Consent Order
17-053-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/11/2017	Admin. Fine/Monetary Penalty & Another Action
17-056-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	10/05/2017	Administrative Fine/Monetary Penalty
17-057-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/11/2017	Administrative Fine/Monetary Penalty
17-059-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/11/2017	Administrative Fine/Monetary Penalty
17-060-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/11/2017	Administrative Fine/Monetary Penalty
17-062-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	10/05/2017	Administrative Fine/Monetary Penalty
17-063-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/25/2017	Administrative Fine/Monetary Penalty
17-066-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	01/08/2018	Administrative Fine/Monetary Penalty
17-067-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/25/2017	Administrative Fine/Monetary Penalty
17-068-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/28/2017	Administrative Fine/Monetary Penalty

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
17-069-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	10/11/2017	Administrative Fine/Monetary Penalty
17-070-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/28/2017	Administrative Fine/Monetary Penalty
17-071-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/25/2017	Administrative Fine/Monetary Penalty
17-072-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/28/2017	Administrative Fine/Monetary Penalty
17-074-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/25/2017	Administrative Fine/Monetary Penalty
17-075-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	11/13/2017	Administrative Fine/Monetary Penalty
17-078-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	09/25/2017	Administrative Fine/Monetary Penalty
17-079-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	09/12/2017	09/12/2018	01/02/2018	Education and Training Required, Probation of License, Public Reprimand
17-100-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	11/07/2017	11/07/2018	05/20/19	Public Reprimand, Admin. Fine/Monetary Penalty & Another Action
17-101-W	Disciplinary action in another state/license denial, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	11/07/2017	11/07/2018	05/07/2018	Revocation of License
17-102-W	Unprofessional, unethical conduct	11/07/2017	11/07/2018	09/25/2017	Administrative Fine/Monetary Penalty
17-104-W	Unprofessional, unethical conduct	11/07/2017	11/07/2018	09/11/2017	Administrative Fine/Monetary Penalty

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
17-106-W	Unprofessional, unethical conduct	11/07/2017	11/07/2018	10/07/2017	Administrative Fine/Monetary Penalty
17-107-W	Unprofessional, unethical conduct	11/07/2017	11/07/2018	11/01/2017	Administrative Fine/Monetary Penalty
17-108-W	Unprofessional, unethical conduct	11/07/2017	11/07/2018	09/28/2017	Administrative Fine/Monetary Penalty
17-109-W	Unprofessional, unethical conduct	11/07/2017	11/07/2018	10/24/2017	Admin. Fine/Monetary Penalty & Another Action
17-110-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct	11/07/2017	11/07/2018	06/05/2018	Probation of License
17-110-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct	11/07/2017	11/07/2018	03/05/2018	Limitation or Restriction on License
17-112-W	Unprofessional, unethical conduct	11/07/2017	11/07/2018	10/07/2017	Administrative Fine/Monetary Penalty
17-115-W	Gross negligence regarding prescription forms, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Violation of laws, rules and orders	11/07/2017	11/07/2018	04/18/2018	Education and Training Required, Public Reprimand
17-122-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	11/25/2017	11/12/2018	08/30/2017	Limitation or Restriction on License/Practice

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
17-123-W	Exercising influence for sexual activity with patient, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Prescribing without an ongoing physician-patient relationship	11/25/2017	11/25/2018	05/07/2018	Public Reprimand, Suspension of License
17-138-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	01/09/2018	01/09/2019	01/02/2018	Administrative Fine/Monetary Penalty
17-147-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct	12/13/2017	12/13/2018	10/05/2017	Probation and Voluntary Surrender of License
17-156-W	Malpractice or failure to practice acceptably	11/22/2017	11/22/2018	05/03/2019	Limitation or Restriction on License/Practice
17-157-J	Malpractice or failure to practice acceptably	11/22/2017	11/22/2018	03/05/2019	Limitation or Restriction on License/Practice
17-158-S	Malpractice or failure to practice acceptably	11/22/2017	11/22/2018	05/03/2019	Limitation or Restriction on License/Practice
17-159-D	Malpractice or failure to practice acceptably	11/22/2017	11/22/2018	05/03/2019	Limitation or Restriction on License/Practice
17-160-M	Malpractice or failure to practice acceptably	11/22/2017	11/22/2018	05/03/2019	Limitation or Restriction on License/Practice
17-168-W	Malpractice or failure to practice acceptably, Professional incompetence	03/10/2018	03/10/2019	09/10/2018	Education and Training Required, Public Reprimand
17-168-W	Malpractice or failure to practice acceptably, Professional incompetence	03/10/2018	03/10/2019	01/28/2019	Modification to Education and Training Required, Public Reprimand

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
17-171-W	Exercising influence for sexual activity with patient, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Violation of laws, rules and orders	03/28/2018	03/28/2019	04/24/2018	Public Reprimand, Suspension of License
17-176-H	Malpractice or failure to practice acceptably	04/10/2018	04/10/2019	05/03/2019	Limitation or Restriction on License/Practice
17-181-W	Disciplinary action in another state/license denial	05/12/2018	05/12/2019	01/14/2019	Admin. Fine/Monetary Penalty & Another Action
17-191-W	Failure to keep written records justifying treatment, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct	05/12/2018	05/12/2019	08/30/2018	Limitation or Restriction on License/Practice, Public Reprimand
18-002-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/18/2018	Admin. Fine/Monetary Penalty & Another Action
18-009-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/18/2018	Administrative Fine/Monetary Penalty
18-014-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	06/27/2018	Admin. Fine/Monetary Penalty & Another Action
18-016-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	10/07/18	Suspension of License
18-017-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/24/2018	Admin. Fine/Monetary Penalty & Another Action



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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
18-021-W	False or deceptive advertising, Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Failure to report licensee in violation of Medical Practice Act, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	07/07/2018	07/07/2019	03/23/18	Revocation of License
18-023-N	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	07/04/2018	07/04/2019	05/03/2019	Limitation or Restriction on License/Practice
18-033-K	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	8/16/2018	8/16/2019	04/03/2019	Suspension of License
18-044-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-045-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-047-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-048-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/13/2018	Admin. Fine/Monetary Penalty & Another Action
18-051-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-053-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-054-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	08/13/2018	Administrative Fine/Monetary Penalty, Public Reprimand

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
18-056-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	11/08/2018	Other License Action
18-059-W	False reporting/failing to file required report, Unprofessional, unethical conduct	9/11/2018	9/11/2019	06/27/2018	Admin. Fine/Monetary Penalty & Another Action
18-060-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	10/18/2018	Administrative Fine/Monetary Penalty
18-061-W	Violation of laws, rules and orders	9/11/2018	9/11/2019	08/30/2018	Administrative Fine/Monetary Penalty
18-079-W	Conviction: felony, moral turpitude, relation to practice, Prescribing other than in good faith in accord with medical standards, Violation of laws, rules and orders	11/6/2018	11/6/2019	11/13/2018	Voluntary Surrender of License
18-110-W	Disciplinary action in another state/license denial, Failure to keep written records justifying treatment, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Unprofessional, unethical conduct -- Violating dispensing rule, Violation of laws, rules and orders	1/8/2019	1/8/2020	03/11/19	Revocation of License
18-128-W	Conviction: felony, moral turpitude, relation to practice, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Issuing grossly improbable statements deceiving public, Violation of laws, rules and orders	2/14/2019	2/14/2020	03/13/2019	Public Reprimand
18-132-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	01/14/2019	Administrative Fine/Monetary Penalty

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
18-134-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	01/14/2019	Administrative Fine/Monetary Penalty
18-135-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	01/14/2019	Administrative Fine/Monetary Penalty
18-136-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse	2/14/2019	2/14/2020	01/14/2019	Limitation or Restriction on License/Practice
18-157-W	Malpractice or failure to practice acceptably, Professional incompetence	3/27/2019	3/27/2020	10/10/2018	Voluntary Surrender of License
19-039-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Violation of laws, rules and orders	9/10/2019	9/10/2020	06/04/2019	Suspension of License
19-042-W	Conviction: felony, moral turpitude, relation to practice, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	9/10/2019	9/10/2020	05/20/2019	Voluntary Surrender of License

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
16-051-A	Malpractice or failure to practice acceptably	10/05/2016	10/05/2017	07/31/2017
16-052-A	Knowing delegation of responsibilities to one unqualified, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/05/2016	10/05/2017	07/31/2017
16-062-W	Disciplinary action in another state/license denial	11/15/2016	11/15/2017	09/10/2017
16-129-W	Failure to perform statutory or legal obligation, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Willful violation of confidential communication	03/11/2017	03/11/2018	11/13/2017
16-130-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	03/11/2017	03/11/2018	07/10/2017
16-131-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	03/11/2017	03/11/2018	07/10/2017
16-146-W	Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Violation of laws, rules and orders	05/13/2017	05/13/2018	07/10/2017
16-148-W	Exercising influence for sexual activity with patient, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Issuing grossly improbable statements deceiving public	05/13/2017	05/13/2018	07/31/2017
16-150-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse	05/13/2017	05/13/2018	07/10/2017
16-151-W	Failure to perform statutory or legal obligation, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	05/13/2017	05/13/2018	01/08/2018

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
16-152-W	Failure to perform statutory or legal obligation, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva	05/13/2017	05/13/2018	05/07/2018
16-153-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva, Violation of laws, rules and orders	05/13/2017	05/13/2018	10/02/2017
16-160-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva, Violation of laws, rules and orders	05/13/2017	05/13/2018	10/02/2017
17-013-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	07/08/2017	07/08/2018	10/02/2017
17-018-W	Failure to perform statutory or legal obligation, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva	07/08/2017	07/08/2018	01/08/2018
17-020-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva, Violation of laws, rules and orders	07/08/2017	07/08/2018	05/07/2018

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
17-028-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva, Violation of laws, rules and orders	07/08/2017	07/08/2018	10/02/2017
17-029-C	Malpractice or failure to practice acceptably	07/12/2017	07/12/2018	07/31/2017
17-037-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	07/30/2017	07/30/2018	07/10/2017
17-038-P	Malpractice or failure to practice acceptably	07/30/2017	07/30/2018	07/31/2017
17-040-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	07/30/2017	07/30/2018	07/10/2017
17-042-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	07/31/2017	07/31/2018	07/10/2017
17-045-O	Unprofessional, unethical conduct	08/17/2017	08/17/2018	07/10/2017
17-046-M	Unprofessional, unethical conduct	08/24/2017	08/24/2018	07/10/2017
17-048-N	Malpractice or failure to practice acceptably	08/27/2017	08/27/2018	07/10/2017
17-050-L	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	08/27/2017	08/27/2018	07/10/2017
17-051-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	09/02/2017	09/02/2018	07/10/2017
17-058-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva	09/12/2017	09/12/2018	11/13/2017
17-061-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	11/13/2017
17-064-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	10/02/2017
17-065-W	Malpractice or failure to practice acceptably	09/12/2017	09/12/2018	10/02/2017
17-073-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	09/12/2017	09/12/2018	11/13/2017

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
17-080-W	Malpractice or failure to practice acceptably	09/12/2017	09/12/2018	07/10/2017
17-081-W	Malpractice or failure to practice acceptably	09/12/2017	09/12/2018	11/13/2017
17-082-W	Malpractice or failure to practice acceptably	09/12/2017	09/12/2018	11/13/2017
17-083-W	Professional incompetence, Unprofessional, unethical conduct	09/12/2017	09/12/2018	01/08/2018
17-084-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	09/12/2017	09/12/2018	07/10/2017
17-085-W	Failure to perform statutory or legal obligation, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	09/12/2017	09/12/2018	11/13/2017
17-086-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	09/06/2017	09/06/2018	07/10/2017
17-087-P	Malpractice or failure to practice acceptably	09/06/2017	09/06/2018	07/10/2017
17-088-P	Malpractice or failure to practice acceptably	09/06/2017	09/06/2018	07/10/2017
17-089-C	False reporting/failing to file required report, Unprofessional, unethical conduct	09/13/2017	09/13/2018	11/13/2017
17-090-T	Malpractice or failure to practice acceptably	09/20/2017	09/20/2018	07/10/2017
17-091-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	09/20/2017	09/20/2018	07/10/2017
17-092-J	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	09/30/2017	09/30/2018	03/12/2018
17-093-F	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/11/2017	10/11/2018	07/10/2017
17-094-A	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/03/2017	10/03/2018	07/10/2017
17-095-J	Malpractice or failure to practice acceptably	10/13/2017	10/13/2018	11/13/2017
17-096-P	Malpractice or failure to practice acceptably	10/14/2017	10/14/2018	09/12/2017
17-097-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/17/2017	10/17/2018	07/10/2017
17-098-U	Unprofessional, unethical conduct	10/17/2017	10/17/2018	09/12/2017

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
17-099-J	Malpractice or failure to practice acceptably	10/24/2017	10/24/2018	09/12/2017
17-103-W	Unprofessional, unethical conduct	11/07/2017	11/07/2018	07/10/2017
17-105-W	Malpractice or failure to practice acceptably	11/07/2017	11/07/2018	07/10/2017
17-111-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards	11/07/2017	11/07/2018	09/12/2017
17-113-W	Malpractice or failure to practice acceptably	11/07/2017	11/07/2018	09/12/2017
17-116-W	Malpractice or failure to practice acceptably	11/07/2017	11/07/2018	11/13/2017
17-117-W	False or deceptive advertising, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Violation of laws, rules and orders	11/07/2017	11/07/2018	01/08/2018
17-118-W	Malpractice or failure to practice acceptably	11/07/2017	11/07/2018	07/10/2017
17-119-L	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/02/2017	11/02/2018	09/10/2017
17-120-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/04/2017	11/04/2018	11/13/2017
17-121-J	Unprofessional, unethical conduct	11/08/2017	11/08/2018	09/12/2017
17-124-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/09/2017	11/09/2018	11/13/2017
17-125-N	Unprofessional, unethical conduct	11/12/2017	11/12/2018	09/12/2017
17-126-J	Malpractice or failure to practice acceptably	11/18/2017	11/18/2018	09/12/2017
17-127-J	Malpractice or failure to practice acceptably	11/18/2017	11/18/2018	09/12/2017
17-128-J	Malpractice or failure to practice acceptably	11/18/2017	11/18/2018	09/12/2017
17-129-H	Malpractice or failure to practice acceptably	11/30/2017	11/30/2018	09/12/2017
17-130-A	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/18/2017	11/18/2018	09/12/2017
17-131-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/07/2017	12/07/2018	11/13/2017
17-132-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/08/2017	12/08/2018	09/12/2017
17-133-P	Malpractice or failure to practice acceptably	12/23/2017	12/23/2018	09/12/2017



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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
17-134-C	Malpractice or failure to practice acceptably	12/23/2017	12/23/2018	09/12/2017
17-135-W	Failure to perform statutory or legal obligation, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva	01/09/2018	01/09/2019	05/07/2018
17-136-W	Disciplinary action in another state/license denial, Licensing application, renewal: false statements, Unprofessional, unethical conduct	01/09/2018	01/09/2019	09/11/2017
17-139-W	Malpractice or failure to practice acceptably	01/09/2018	01/09/2019	11/13/2017
17-141-W	Deceptive representations in practice, Failure to perform statutory or legal obligation, Unprofessional, unethical conduct	01/09/2018	01/09/2019	03/19/2018
17-142-Y	Malpractice or failure to practice acceptably	01/03/2018	01/03/2019	11/13/2017
17-143-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	01/05/2018	01/05/2019	11/13/2017
17-144-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	01/10/2018	01/10/2019	11/13/2017
17-146-W	Licensing application, renewal: false statements, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	02/03/2018	02/03/2019	01/08/2018
17-148-D	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	01/18/2018	01/18/2019	11/13/2017
17-149-H	Malpractice or failure to practice acceptably	01/28/2018	01/28/2019	01/08/2018
17-150-M	Malpractice or failure to practice acceptably	01/31/2018	01/31/2019	11/13/2017
17-152-B	Malpractice or failure to practice acceptably	02/03/2018	02/03/2019	11/13/2017
17-153-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	02/15/2018	02/15/2019	11/13/2017
17-154-O	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	02/16/2018	02/16/2019	11/13/2017
17-155-F	Unprofessional, unethical conduct	02/25/2018	02/25/2019	01/08/2018

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
17-162-M	Unprofessional, unethical conduct	03/03/2018	03/03/2019	11/13/2017
17-164-W	Malpractice or failure to practice acceptably	03/10/2018	03/10/2019	01/08/2018
17-165-W	Malpractice or failure to practice acceptably	03/10/2018	03/10/2019	01/08/2018
17-166-W	Disciplinary action in another state/license denial, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	03/10/2018	03/10/2019	01/08/2018
17-167-W	Licensing application, renewal: false statements, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	03/10/2018	03/10/2019	11/13/2017
17-169-F	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	03/11/2018	03/11/2019	01/08/2018
17-170-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	03/07/2018	03/09/2019	01/08/2018
17-172-W	Malpractice or failure to practice acceptably	03/21/2018	03/21/2019	01/08/2018
17-173-H	Malpractice or failure to practice acceptably	03/25/2018	03/25/2019	03/12/2018
17-174-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	04/04/2018	04/04/2019	03/19/2018
17-175-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	04/10/2018	04/10/2019	03/19/2018
17-177-H	Malpractice or failure to practice acceptably	04/12/2018	04/12/2019	03/19/2018
17-178-W	Malpractice or failure to practice acceptably	04/16/2018	04/16/2019	11/05/2018
17-179-V	Unprofessional, unethical conduct	04/13/2018	04/13/2019	01/08/2018
17-180-W	Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	05/12/2018	05/12/2019	07/09/2018
17-183-W	Malpractice or failure to practice acceptably	05/12/2018	05/12/2019	03/19/2018
17-184-W	Malpractice or failure to practice acceptably	05/12/2018	05/12/2019	03/19/2018
17-185-W	Malpractice or failure to practice acceptably, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	05/12/2018	05/12/2019	03/19/2018

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
17-186-W	Malpractice or failure to practice acceptably, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	05/12/2018	05/12/2019	03/19/2018
17-188-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Violation of laws, rules and orders	05/12/2018	05/12/2019	11/05/2018
17-189-W	Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	05/12/2018	05/12/2019	05/20/2019
17-190-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	05/12/2018	05/12/2019	03/19/2018
17-192-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct	05/12/2018	05/12/2019	07/09/2018
17-194-F	Malpractice or failure to practice acceptably	05/06/2018	05/06/2019	03/19/2018
17-195-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	05/07/2018	05/07/2019	05/07/2018
17-196-M	Knowing delegation of responsibilities to one unqualified, Malpractice or failure to practice acceptably	05/13/2018	05/13/2019	03/19/2018
17-198-B	Malpractice or failure to practice acceptably	05/17/2018	05/17/2019	01/14/2019
17-199-T	Unprofessional, unethical conduct	05/21/2018	05/21/2019	03/19/2018
17-200-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	05/27/2018	05/27/2019	03/19/2018
17-201-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	05/29/2018	05/29/2019	05/20/2019
17-202-N	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/06/2018	06/06/2019	03/19/2018

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17-203-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/11/2018	06/11/2019	05/07/2018
17-204-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/14/2018	06/14/2019	07/09/2018
17-205-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/27/2018	06/27/2019	07/09/2018
18-001-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/29/2018	06/29/2019	07/09/2018
18-005-W	Malpractice or failure to practice acceptably	07/07/2018	07/07/2019	05/07/2018
18-010-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	03/19/2018
18-012-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	03/19/2018
18-018-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	03/19/2018
18-019-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	03/19/2018
18-020-W	Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Failure to report licensee in violation of Medical Practice Act, Violation of laws, rules and orders, Willful violation of confidential communication	07/07/2018	07/07/2019	03/19/2018
18-024-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	07/16/2018	07/16/2019	07/09/2018
18-026-M	Malpractice or failure to practice acceptably	7/22/2018	7/22/2019	05/07/2018
18-027-W	Exercising influence for sexual activity with patient, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/25/2018	7/25/2019	11/05/2018
18-028-M	Malpractice or failure to practice acceptably	7/29/2018	7/29/2019	05/07/2018
18-029-C	Unprofessional, unethical conduct	7/31/2018	7/31/2019	07/09/2018
18-030-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/31/2018	7/31/2019	05/07/2018

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
18-031-S	Unprofessional, unethical conduct	8/6/2018	8/6/2019	05/07/2018
18-032-B	Malpractice or failure to practice acceptably	8/16/2018	8/16/2019	07/09/2018
18-034-N	Malpractice or failure to practice acceptably	8/21/2018	8/21/2019	07/09/2018
18-035-Z	Unprofessional, unethical conduct	8/21/2018	8/21/2019	07/09/2018
18-036-C	Unprofessional, unethical conduct	8/26/2018	8/26/2019	09/09/2018
18-037-W	Malpractice or failure to practice acceptably	8/26/2018	8/26/2019	07/09/2018
18-039-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	8/28/2018	8/28/2019	01/14/2019
18-040-B	Unprofessional, unethical conduct	9/2/2018	9/2/2019	07/09/2018
18-042-W	Malpractice or failure to practice acceptably	9/11/2018	9/11/2019	09/09/2018
18-043-W	Malpractice or failure to practice acceptably, Professional incompetence, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	9/11/2018	9/11/2019	07/09/2018
18-046-W	Malpractice or failure to practice acceptably	9/11/2018	9/11/2019	07/09/2018
18-049-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	07/09/2018
18-055-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse	9/11/2018	9/11/2019	07/09/2018
18-057-W	Unprofessional, unethical conduct	9/11/2018	9/11/2019	07/09/2018
18-061-W	Violation of laws, rules and orders	9/11/2018	9/11/2019	08/30/2018
18-062-F	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/8/2018	9/8/2019	09/09/2018
18-063-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/12/2018	9/12/2019	07/09/2018
18-064-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/12/2018	9/12/2019	09/09/2018
18-065-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	9/12/2018	9/12/2019	05/07/2018
18-066-C	Malpractice or failure to practice acceptably	9/22/2018	9/22/2019	07/09/2018
18-067-C	Malpractice or failure to practice acceptably	9/22/2018	9/22/2019	07/09/2018
18-069-T	Malpractice or failure to practice acceptably	9/26/2018	9/26/2019	09/09/2018

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<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
18-070-R	Malpractice or failure to practice acceptably	10/2/2018	10/2/2019	07/09/2018
18-071-G	Malpractice or failure to practice acceptably	10/9/2018	10/9/2019	07/09/2018
18-072-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/10/2018	10/10/2019	07/09/2018
18-073-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/10/2018	10/10/2019	07/09/2018
18-074-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	10/11/2018	10/11/2019	07/09/2018
18-075-D	Malpractice or failure to practice acceptably	10/12/2018	10/12/2019	09/09/2018
18-077-W	Violation of laws, rules and orders	11/6/2018	11/6/2019	07/09/2018
18-078-W	Violation of laws, rules and orders	11/6/2018	11/6/2019	01/14/2019
18-080-W	Violation of laws, rules and orders	11/6/2018	11/6/2019	11/05/2018
18-082-W	Violation of laws, rules and orders	11/6/2018	11/6/2019	01/14/2019
18-083-W	Prescribing other than in good faith in accord with medical standards, Violation of laws, rules and orders	11/6/2018	11/6/2019	11/05/2018
18-084-W	Prescribing other than in good faith in accord with medical standards, Violation of laws, rules and orders	11/6/2018	11/6/2019	03/11/2019
18-085-D	Unprofessional, unethical conduct	10/30/2018	10/30/2019	09/09/2018
18-086-R	Unprofessional, unethical conduct	11/7/2018	11/7/2019	09/09/2018
18-087-D	Unprofessional, unethical conduct	11/7/2018	11/7/2019	09/09/2018
18-088-N	Unprofessional, unethical conduct	11/14/2018	11/14/2019	09/09/2018
18-089-P	Unprofessional, unethical conduct	11/11/2018	11/11/2019	11/05/2018
18-090-F	Unprofessional, unethical conduct	11/14/2018	11/14/2019	09/09/2018
18-091-H	Unprofessional, unethical conduct	11/23/2018	11/23/2019	09/09/2018
18-092-G	Malpractice or failure to practice acceptably	11/14/2018	11/14/2019	01/14/2019
18-093-C	Malpractice or failure to practice acceptably	11/24/2018	11/24/2019	09/09/2018
18-094-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	11/24/2018	11/24/2019	03/11/2019
18-095-J	Malpractice or failure to practice acceptably	11/29/2018	11/29/2019	09/09/2018
18-096-A	Malpractice or failure to practice acceptably	12/04/2018	12/04/2019	03/11/2019

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18-097-R	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/12/2018	12/12/2019	11/05/2018
18-098-Y	Malpractice or failure to practice acceptably	12/6/2018	12/6/2019	09/09/2018
18-099-T	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/13/2018	12/13/2019	11/05/2018
18-100-W	Unprofessional, unethical conduct	12/21/2018	12/21/2019	01/14/2019
18-101-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/21/2018	12/21/2019	09/09/2018
18-102-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	12/21/2018	12/21/2019	09/09/2018
18-103-C	Unprofessional, unethical conduct	12/26/2018	12/26/2019	09/09/2018
18-104-B	Unprofessional, unethical conduct	12/28/2018	12/28/2019	11/05/2018
18-105-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	1/8/2019	1/8/2020	05/20/2019
18-108-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva, Violation of laws, rules and orders	1/8/2019	1/8/2020	09/09/2018
18-109-W	Deceptive representations in practice, Failure to keep written records justifying treatment, Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Prescribing controlled substances other than medically/to eva, Violation of laws, rules and orders	1/8/2019	1/8/2020	01/14/2019
18-112-W	Unprofessional, unethical conduct, Violation of laws, rules and orders	1/8/2019	1/8/2020	11/05/2018
18-113-W	Unprofessional, unethical conduct, Violation of laws, rules and orders	1/8/2019	1/8/2020	11/05/2018
18-114-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct, Violation of laws, rules and orders	1/8/2019	1/8/2020	05/20/2019

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18-115-W	Unprofessional, unethical conduct	1/8/2019	1/8/2020	09/09/2018
18-118-W	Exercising influence for sexual activity with patient, Unprofessional, unethical conduct, Violation of laws, rules and orders	1/8/2019	1/8/2020	11/05/2018
18-119-H	Malpractice or failure to practice acceptably	1/9/2019	1/9/2020	11/05/2018
18-120-L	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	1/11/2019	1/11/2020	11/05/2018
18-121-B	Malpractice or failure to practice acceptably	2/1/2019	2/1/2020	01/14/2019
18-122-S	Unprofessional, unethical conduct	1/27/2019	1/27/2020	11/05/2018
18-123-P	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	1/25/2019	1/25/2020	11/05/2018
18-124-T	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	2/7/2019	2/7/2020	01/14/2019
18-125-C	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	2/8/2019	2/8/2020	11/05/2018
18-126-H	Unprofessional, unethical conduct	2/6/2019	2/6/2020	11/05/2018
18-127-C	Malpractice or failure to practice acceptably	1/26/2019	1/26/2020	11/05/2018
18-129-W	Fraud, deception relating to license examination, Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018
18-131-W	Malpractice or failure to practice acceptably	2/14/2019	2/14/2020	11/05/2018
18-133-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018
18-137-W	Malpractice or failure to practice acceptably, Professional incompetence	2/14/2019	2/14/2020	11/05/2018
18-139-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018
18-140-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018
18-141-W	Malpractice or failure to practice acceptably	2/14/2019	2/14/2020	11/05/2018
18-142-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	2/14/2019	2/14/2020	11/05/2018



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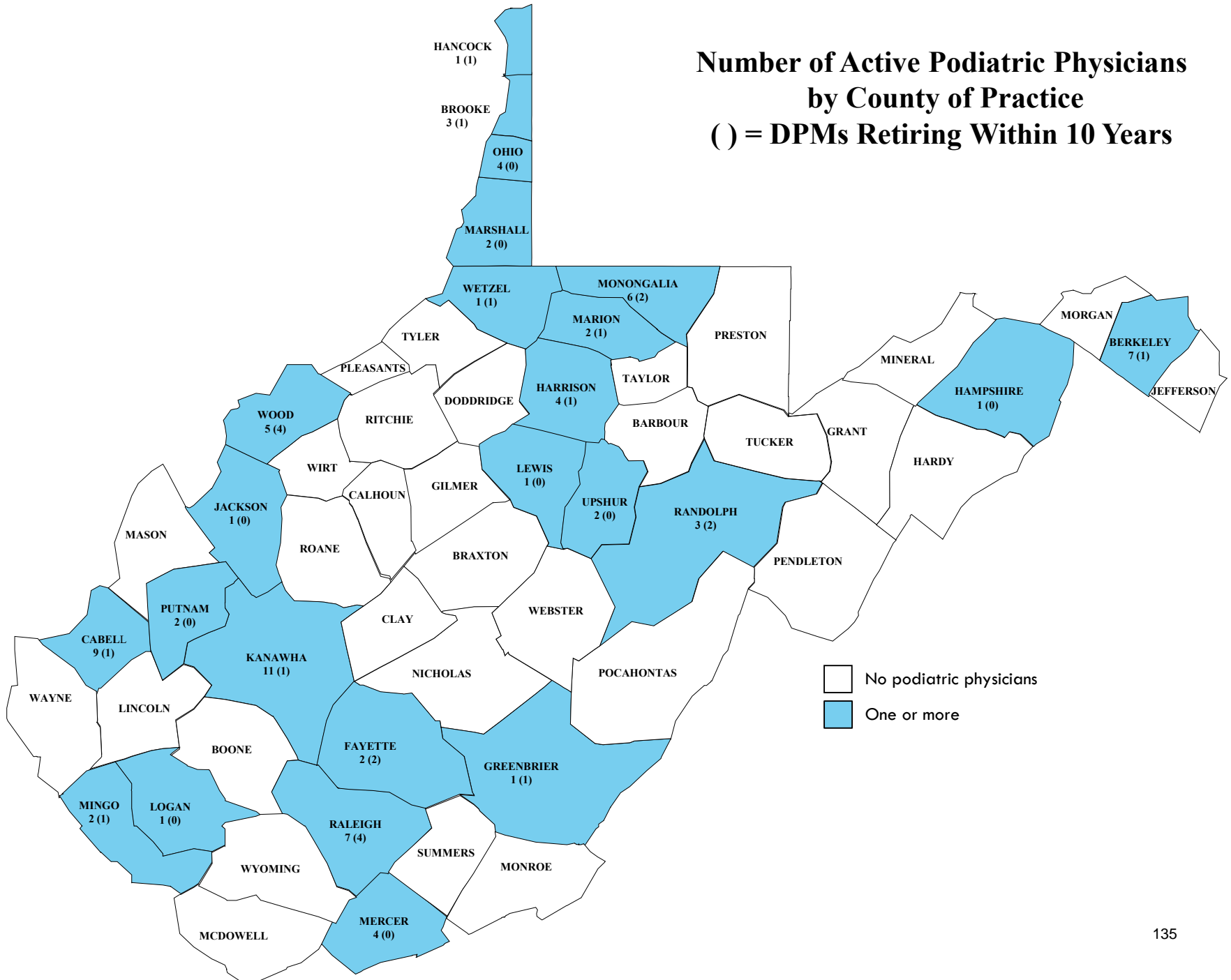
<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
18-143-W	Malpractice or failure to practice acceptably	3/9/2019	3/9/2020	01/14/2019
18-144-W	Malpractice or failure to practice acceptably	3/9/2019	3/9/2020	01/14/2019
18-146-W	Malpractice or failure to practice acceptably	3/9/2019	3/9/2020	01/14/2019
18-149-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	3/6/2019	3/6/2020	03/11/2019
18-150-T	Unprofessional, unethical conduct	3/6/2019	3/6/2020	01/14/2019
18-152-B	Unprofessional, unethical conduct	3/5/2019	3/5/2020	11/05/2018
18-153-M	Malpractice or failure to practice acceptably	3/13/2019	3/13/2020	03/11/2019
18-154-S	Malpractice or failure to practice acceptably	3/25/2019	3/25/2020	01/14/2019
18-155-A	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	3/17/2019	3/17/2020	03/11/2019
18-156-N	Unprofessional, unethical conduct	3/26/2019	3/26/2020	01/14/2019
18-158-E	Malpractice or failure to practice acceptably	4/23/2019	4/23/2020	01/14/2019
18-159-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	4/15/2019	4/15/2020	03/11/2019
18-162-W	Malpractice or failure to practice acceptably	5/4/2019	5/4/2020	03/11/2019
18-163-W	Malpractice or failure to practice acceptably	5/4/2019	5/4/2020	03/11/2019
18-176-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	4/29/2019	4/29/2020	03/11/2019
18-177-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	4/30/2019	4/30/2020	01/14/2019
18-178-E	Unprofessional, unethical conduct	5/5/2019	5/5/2020	05/20/2019
18-179-B	Unprofessional, unethical conduct	5/26/2019	5/26/2020	03/11/2019
18-181-G	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	5/16/2019	5/16/2020	03/11/2019
18-182-M	Unprofessional, unethical conduct	5/26/2019	5/26/2020	03/11/2019
18-184-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	6/6/2019	6/6/2020	05/20/2019
18-185-D	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	6/17/2019	6/17/2020	03/11/2019

**Complaints - Medical Doctors**  
**Closed Without Board Action Between July 1, 2017 and June 30, 2019**

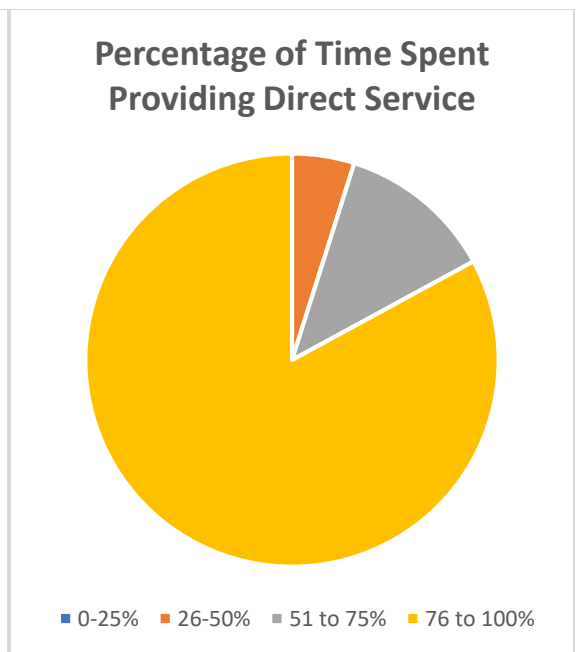
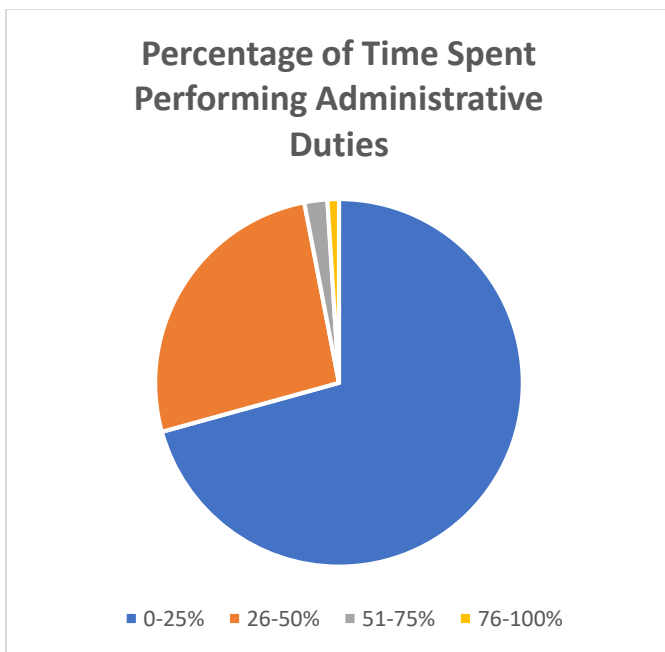
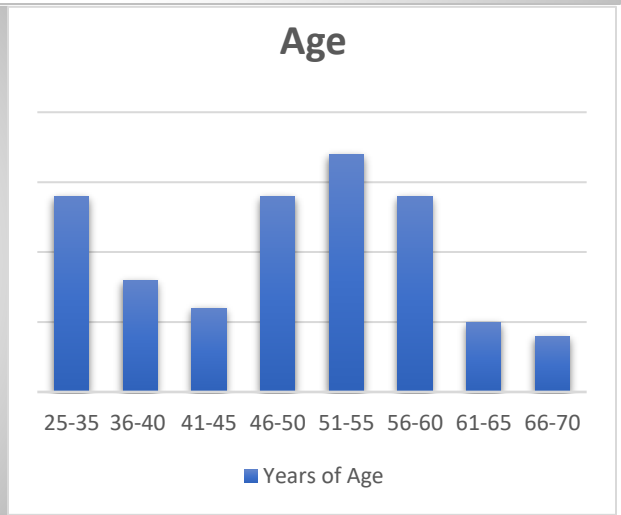
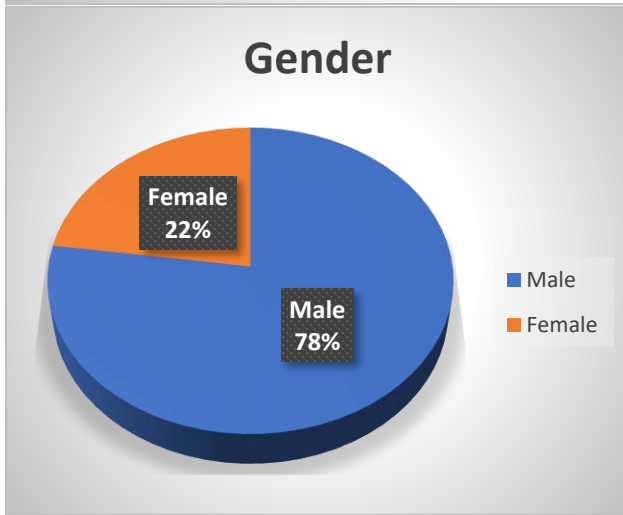
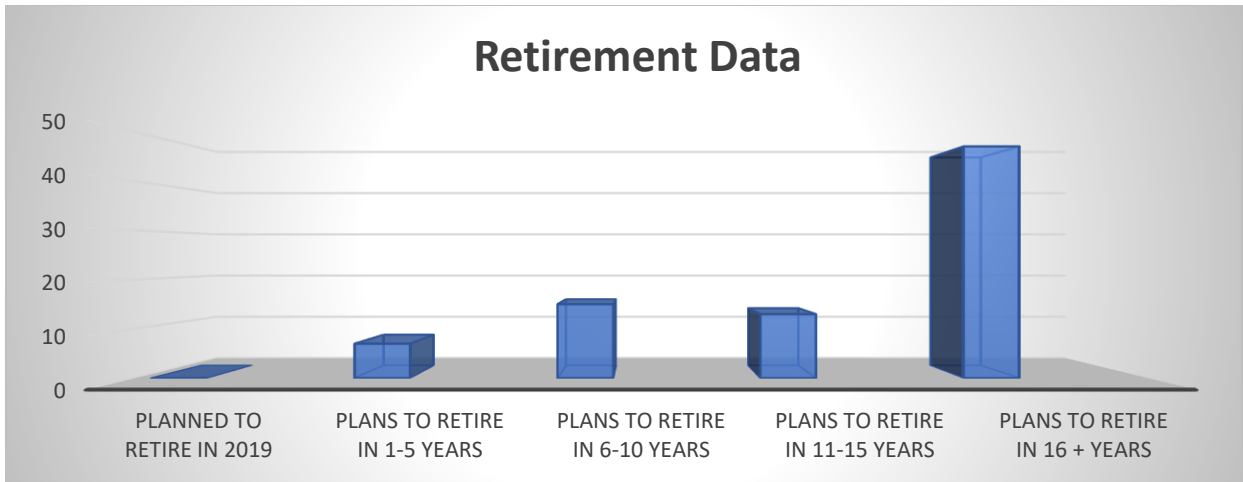
<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
19-001-M	Malpractice or failure to practice acceptably	7/2/2019	7/2/2020	05/20/2019
19-002-D	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/2/2019	7/2/2020	03/11/2019
19-003-B	Failure to keep written records justifying treatment, Failure to maintain medical record for three (3) years from last patient encounter, Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Charging excessive, unconscionable fees	7/3/2019	7/3/2020	03/11/2019
19-004-S	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/7/2019	7/7/2020	05/20/2019
19-005-L	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/9/2019	7/9/2020	05/20/2019
19-028-W	Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	7/13/2019	7/13/2020	05/20/2019
19-033-A	Malpractice or failure to practice acceptably	8/6/2019	8/6/2020	05/20/2019
19-036-C	Malpractice or failure to practice acceptably	8/20/2019	8/20/2020	05/20/2019
19-038-H	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	8/26/2019	8/26/2020	05/20/2019
19-048-W	Knowing delegation of responsibilities to one unqualified, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards	9/10/2019	9/10/2020	05/20/2019
19-057-B	Unprofessional, unethical conduct	10/1/2019	10/1/2020	05/20/2019

# Number of Active Podiatric Physicians by County of Practice

( ) = DPMs Retiring Within 10 Years



# Podiatric Physician Practice Demographics



## Podiatric Physicians Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
10453	Amber	Marie	Allen	
10465	Jana		Atik	
10451	Kathryn	June	Bosia	
10458	Jacqueline	Marie	Chen	
10463	Brett	James	Dupont	
10457	Anthony	William	Grant	
10464	Bradley	Henry	Hoffman	
10454	JennaLouise		Hollnagel	
10450	Jessica		Inthavongxay	
10462	Christopher	Eric	Majewski	
10455	Jeffrey	Addison	Michael	
10459	Isaac	Kwaku	Neequaye	
10466	Robert	Bruce	Schopf	
10460	Brian	Joseph	Tuminski	
10449	Vincent	M.	Vess	
10456	Daniel	Robert	Wright	
10452	William	Edward Daniel	Yeaman	
10461	Jungmin		Yoo	

## Number of Active Podiatric Physicians by West Virginia County of Practice and by Primary Specialty as of June 30, 2019

<b>Berkeley County</b>	
Foot Orthopedics or Biomechanics	1
General Practice	5
Surgery	1
<b>Brooke County</b>	
General Practice	1
Surgery	2
<b>Cabell County</b>	
General Practice	6
Surgery	3
<b>Fayette County</b>	
General Practice	1
Podogeriatrics	1
<b>Greenbrier County</b>	
General Practice	1
<b>Hampshire County</b>	
General Practice	1
<b>Hancock County</b>	
General Practice	1
<b>Harrison County</b>	
General Practice	4
<b>Jackson County</b>	
General Practice	1
<b>Kanawha County</b>	
Foot and Ankle Surgery	1
General Practice	4
None	1
Surgery	5
<b>Lewis County</b>	
General Practice	1
<b>Logan County</b>	
Foot and Ankle Surgery	1
<b>Marion County</b>	
Foot Orthopedics or Biomechanics	1
General Practice	1
<b>Marshall County</b>	
Foot Orthopedics or Biomechanics	1
General Practice	1
<b>Mercer County</b>	
General Practice	4
<b>Mingo County</b>	
Foot Orthopedics or Biomechanics	1
General Practice	1

<b>Monongalia County</b>	
General Practice	3
Surgery	3
<b>Ohio County</b>	
General Practice	3
Surgery	1
<b>Putnam County</b>	
General Practice	1
Surgery	1
<b>Raleigh County</b>	
Foot and Ankle Surgery	1
General Practice	4
Surgery	1
Unspecified	1
<b>Randolph County</b>	
General Practice	1
None	1
Surgery	1
<b>Upshur County</b>	
General Practice	2
<b>Wetzel County</b>	
General Practice	1
<b>Wood County</b>	
Foot and Ankle Surgery	1
General Practice	4

**Active Out-of-State Podiatric Physicians by State of Residence  
and by Primary Specialty as of June 30, 2019**

<b>Georgia</b>	
General Practice	1
<b>Kentucky</b>	
General Practice	2
Surgery	1
<b>Maryland</b>	
General Practice	4
Other	1
<b>Ohio</b>	
General Practice	10
Surgery	4
<b>Oklahoma</b>	
General Practice	1
<b>Pennsylvania</b>	
General Practice	3
Podogeriatrics	1
Surgery	1
<b>Virginia</b>	
Foot and Ankle Surgery	1
General Practice	7
Orthopedics Foot and Ankle	1
Surgery	6



**Complaints - Podiatric Physicians  
Received Between July 1, 2017 and June 30, 2019 That Resulted in Board Action**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
17-182-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse	7/7/2018	7/7/2019	08/30/2018	Limitation or Restriction on License/Practice
18-007-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	06/21/2018	Admin. Fine/Monetary Penalty & Another Action

**Complaints - Podiatric Physicians**  
**Received Between July 1, 2017 and June 30, 2019 Closed Without Board Action**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
19-035-D	Unprofessional, unethical conduct	8/15/2019	8/15/2020	05/20/2019

**Complaints - Podiatric Physicians**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>
19-006-W	Failure to keep written records justifying treatment, Malpractice or failure to practice acceptably, Prescribing other than in good faith in accord with medical standards, Violation of laws, rules and orders	7/13/2019	7/13/2020
19-049-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally/to eva, Violation of laws, rules and orders	9/10/2019	9/10/2020
19-054-H	Malpractice or failure to practice acceptably	9/26/2019	9/26/2020
19-060-S	Malpractice or failure to practice acceptably	10/15/2019	10/15/2020
19-082-L	Malpractice or failure to practice acceptably	12/27/2019	12/27/2020

**Complaints - Podiatric Physicians**  
**Board Action Taken on Complaints Between July 1, 2017 and June 30, 2019**

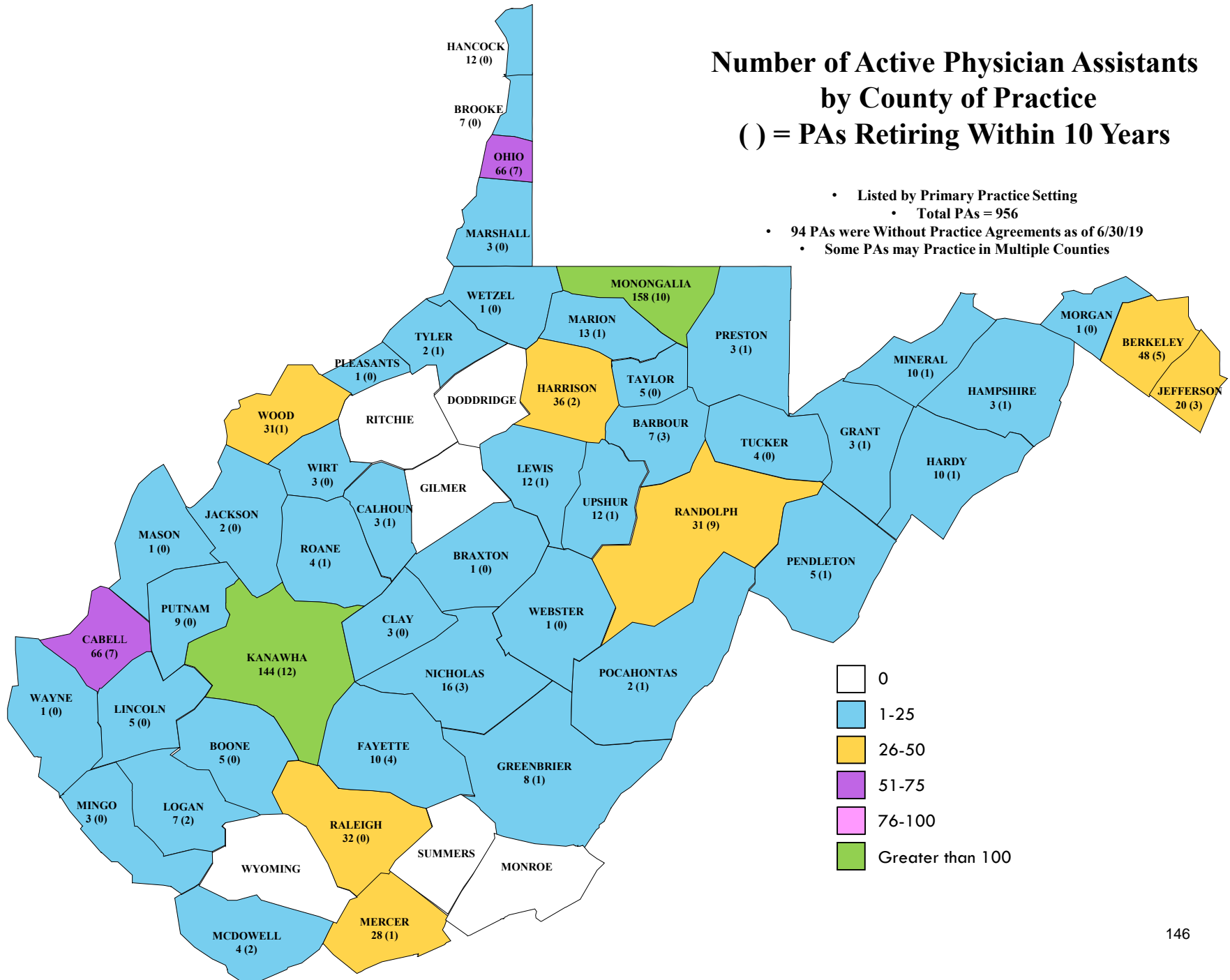
<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
16-034-W	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct, Unprofessional, unethical conduct - Failure to conform to AMA or APMA ethical standards, Unprofessional, unethical conduct -- Prescribing controlled substances other than medicinally	09/13/2016	09/13/2017	07/10/17	Probation of License
16-089-W	Malpractice or failure to practice acceptably, Practice beyond permitted scope of practice, Prescribing other than in good faith in accord with medical standards, Violation of laws, rules and orders	01/11/2017	01/11/2018	07/10/2017	Probation of License, Summary/Emergency Suspension of License
16-107-W	Prescribing other than in good faith in accord with medical standards, Professional incompetence, Unprofessional, unethical conduct, Violation of laws, rules and orders	01/10/2017	01/10/2018	07/09/2018	Voluntary Surrender of License
17-182-W	Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse	7/7/2018	7/7/2019	08/30/2018	Limitation or Restriction on License/Practice
18-007-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	06/21/2018	Admin. Fine/Monetary Penalty & Another Action

**Complaints - Podiatric Physicians**  
**Closed Without Board Action Between July 1, 2017 and June 30, 2019**

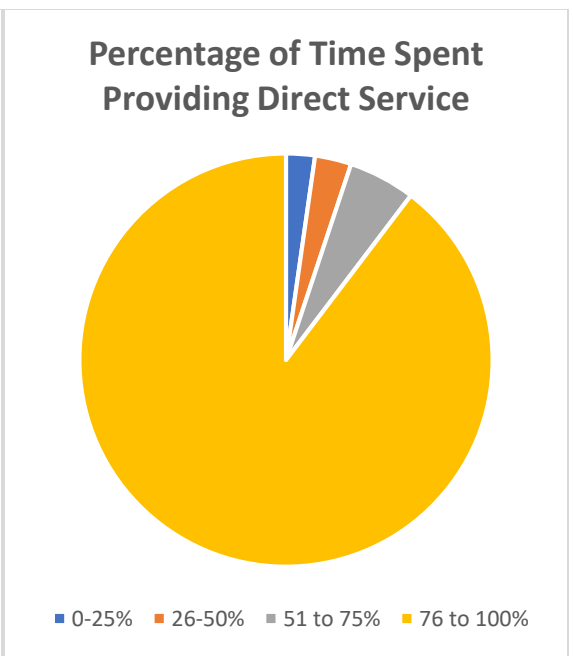
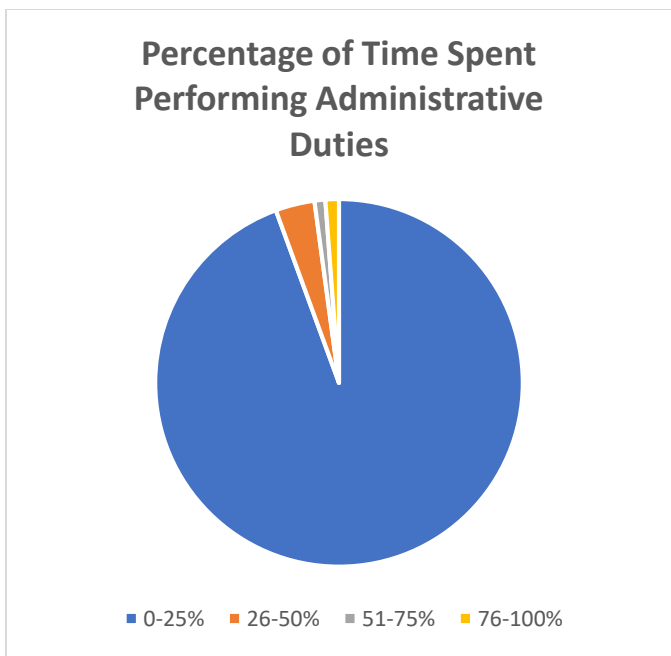
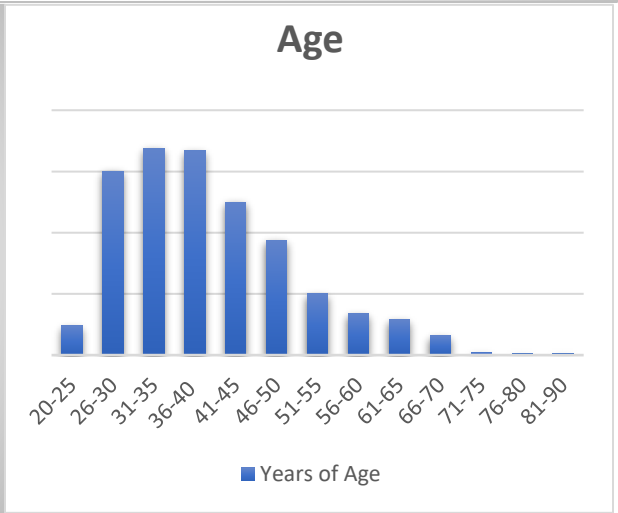
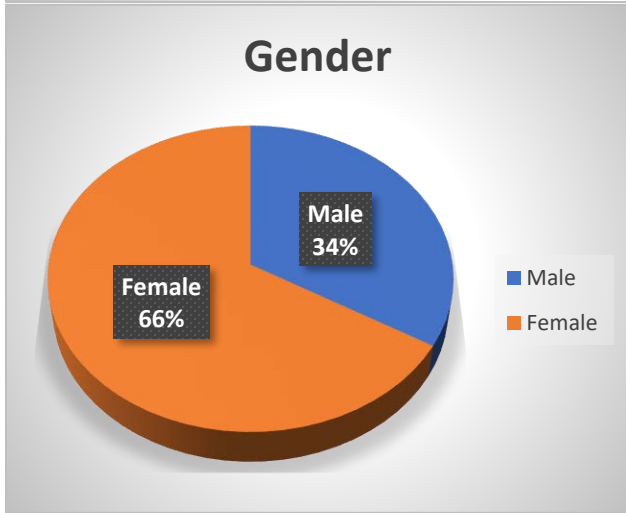
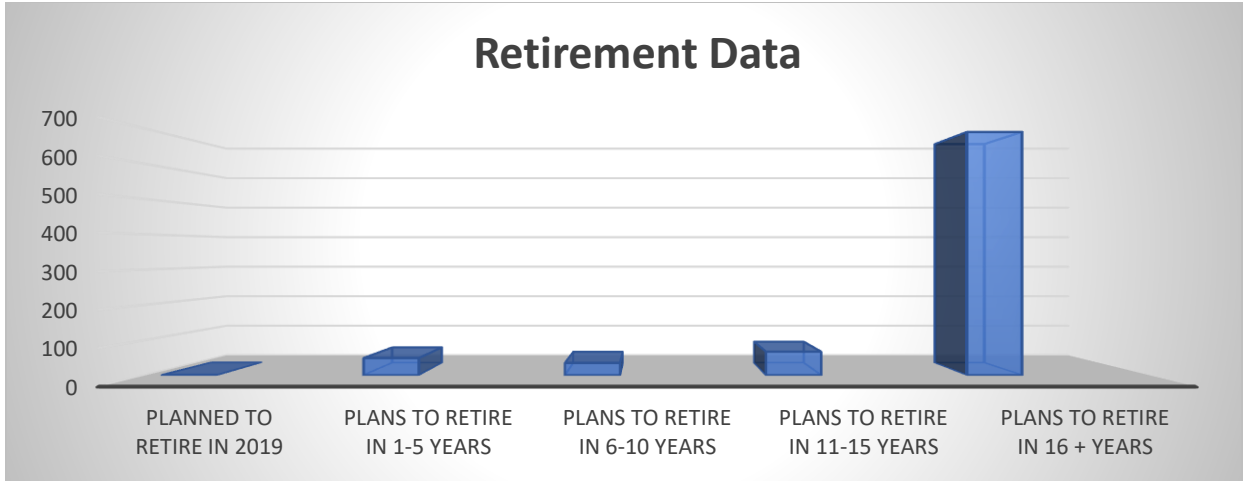
<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
19-035-D	Unprofessional, unethical conduct	8/15/2019	8/15/2020	05/20/2019

# Number of Active Physician Assistants by County of Practice ( ) = PAs Retiring Within 10 Years

- Listed by Primary Practice Setting
- Total PAs = 956
- 94 PAs were Without Practice Agreements as of 6/30/19
- Some PAs may Practice in Multiple Counties



# Physician Assistant Practice Demographics



## Physician Assistants Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
2154	Danielle	Marie	Abel	
2200	Brittany	Nicole	Abruzzino	
2163	Saudat Olayinka	Olushola	Akinola-Hadley	
2230	Dominic	Michael	Alesandrini	
2231	Robin	Mary	Allen	
2155	Caitlin	Anne	Andryka	
2244	Sinead	Deirdre	Arndt	
2179	Caitlyn	Justine	Asbury	
2052	Jackson	Barkley	Austin	
2164	Edward	Beck	Baldwin	III
2087	Nancy	Jean	Balewski	
2054	Christian	August	Barill	
2156	Matthew	Edward	Barker	
2138	Amber	Mae	Beckman	
2056	Terri	Leanne	Belcher	
2055	Lorin	Ashley	Belcher	
2201	Paige	Nicole	Berkhouse	
2202	Jill	Bethany	Bethlehem	
2139	Ronald	Winston	Bewick	Jr.
2057	Kristen	Marie	Bilby	
2232	Amber	Rose	Blackledge	
2225	Stacy	Megan	Blake	
2180	Brandon	Edouard	Bolduc	
2203	Heather	Lynn	Booth	
2165	Jean	Trimble	Bried	
2058	Jordan	Ashley	Britton	
2136	Allison	Ann	Brown	
2088	Joyce	Mary	Brun	
2181	Jon-Michael		Brunner	
2104	Sarah	Elizabeth	Buch	
2245	Lana	Julia	Burdi	
2059	Christopher	Timothy	Burgan	
2182	Daniel	Thomas	Burns	Jr.
2105	James	Keith	Burruss	Jr.
2183	Emily	Jane	Butler	
2226	Sharon	Roberta	Cain	
2060	Taylor	W.	Callahan	
2184	Chelsea	Marie	Camerlengo	
2167	Holli	Lucia	Carag	
2166	Brandon	Phillip	Carag	
2089	Courtney	Rae	Cira	
2090	Brianne	Nicole	Clark	



## Physician Assistants Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
2157	Morgan	Leigh	Copeland	
2106	Lyndsey	Catherine	Costa	
2091	Tabitha	Eve	Cox	
2185	Kaitlyn	Nicole	Crites	
2127	Melissa	Fabiola	Culver	
2140	Rebecca	Lynn	D'Eramo	
2061	Dana	Frances	DeGeorge	
2062	Ashley	Lynn	DeLashmutt	
2246	Kelsey	Quinn	Dekart	
2168	Priscilla	Gail	Delp	
2063	Kelly	Elizabeth	Demuynck	
2186	Laura	Michelle	Dent	
2141	Randi	Linn	Dillon	
2107	Kelsey	Lynn	Dillon	
2169	Amy	Leigh	Dingess	
2064	Ellen	Adelia	Doebler	
2204	Peter John	Villanueva	Domaosal	
2108	Tommy	Dorsey	Dooley	II
2227	Chase	Emerson	Duckwall	
2142	Cody	Ann McGovern	Eccard	
2205	Cristina	Lee	Eddy	
2065	Jenna	Lee	Enoch	
2187	Jennifer	Lynn	Ensminger	
2233	Alexa	Marie	Falo	
2162	Lindsey	Megan	Fancett	
2206	Allison	Marie	Fansler	
2130	Jason	R.	Fantini	
2247	Richard	Allen	Flowers	
2207	Christopher	John	Foti	
2066	Erika	Nicole	Fox	
2067	Gerald	Edward	Frey	Jr.
2109	Sean	Michael	Gaffney	
2143	Kaitlyn	Arielle	Garnett	
2188	Ryan	John	Gratchick	
2189	Makenzie	Taylor	Hamrick	
2069	Stephanie	Anne	Hamrick	
2131	Samantha	Jane	Hanson	
2144	Jessica	Chaney	Hansroth	
2208	Shannon	Catherine	Harman Kerr	
2145	Holly	Marie	Harris	
2248	Rachel	Ann	Harris	
2209	Casey	Shannon	Hatfield	

## Physician Assistants Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
2234	Sha'Quayla	Jean	Hill	
2110	Adam	Nathaniel	Hill	
2111	Eric	A.	Holtz	
2070	Timothy	David	Hontz	
2190	Cara	Garrett	Housden	
2071	Travis	Wayne	Hughes	
2128	Cintia	Henriques	Hultz	
2249	Sarah	Beth	Hunt	
2170	Kari	Rae	Hunter	
2215	Kelsey	Dawn	Hurley	
2210	Jamie	Elizabeth	Jackson	
2072	Mark	Edward	Javins	
2235	Rachele	Nicole	Jeffries	
2073	Tara	Carson	Jernejcic	
2171	Kayla	Marie	Johns	
2236	Raymond	Jacob	Johnson	
2093	Nancy	Louise	Jones	
2146	Randall	Doulgas	Kelly	
2191	Erin	Rae	Kenny	
2147	Jordan	Rhea	Kerr	
2211	Amber	Dawn	King	
2192	Victoria	Danielle	Kissell	
2228	Natalie	Marie	Kovatch	
2112	Jami	Lee	Krull	
2153	Sarah	Leigh	LaSala	
2250	Katlyn	Nicole	Laird	
2212	Gretchen	Danielle	Lantz	
2193	Jillian	Mari	Laslo	
2094	Kelsey	M.	Leadman	
2074	Mallory	Ann	Ledergerber	
2113	Holly	Shae	Lee	
2213	Katharine	Victoria	Lee	
2075	Heather	Kay	Legg	
2095	Claire	Hillman	Leinhauser	
2148	Skerdilaid		Licaj	
2237	Jonathan	Kirk	Livers	
2214	Sarah	Catherine	Lobert	
2096	Robert	Joshua	Logan	
2114	Krystal	Marie	MacDowell	
2098	Andie	Elizabeth	Maldonado	
2076	Christina	Michelle	Manchin-Newlon	
2251	Frank	Steven	Masino	

## Physician Assistants Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
2097	Leanne	Kocher	Mazzella	
2115	Ryan	Alexander	McCune	
2132	Maureen	E.	McDonough	
2238	Aislinn	Marie	McIlvenny	
2158	Christopher	Wayne	Milligan	
2099	Katherine	Laura	Moio	
2129	Toni	Davison	Morrow	
2100	Nathan	Merl	Musser	
2101	Rosa	Lea	Nardo	
2077	Heather	Ann	Nattkemper	
2252	Emily	Frances	Nelson	
2253	Nicole	Leigh	Niese	
2078	Bailey	Emilia	O'Bannon	
2133	James	Carroll	O'Connor	
2116	Ashlee	Kristine	O'Kernick	
2117	Kaitlin	Clark	Osborn	
2194	Karen	Malee	Palmateer	
2239	Dustyn	Gregory	Pastors	
2172	Erica	Michelle	Paul	
2134	Emily	N.	Penz	
2068	Brittany	Lynn	Peppel	
2240	Alycia	Marie	Perrine	
2118	Chadwick	Jay	Perry	
2173	Kate	Kennedy	Pierce	
2119	Kelley	Kathleen	Prado	
2120	Stephanie	Nicole	Price	
2159	Megan	Diane	Przybrowski	
2241	Melissa	Ann	Rabinek	
2079	Kayleigh	Coffey	Ramaley	
2121	Derek	Landon	Ramsey	
2092	Alexandra	Korin	Raper	
2174	Ashley	Grace	Reese	
2216	Rebekah	Ruth	Rick	
2175	Adele	Denise	Rinchuse	
2080	William	Joseph	Roberts	
2081	Kelsey	Lynn	Roetenberg	
2149	Joshua	James	Rogers	
2217	Rachel	Marie McKay	Rosa	
2122	Douglas	Kendal	Russell	
2254	Maureen	Gallagher	Russell	
2160	Beth	Ann	Ryan	
2082	Erika	Blythe	Saunders	

## Physician Assistants Licensed Between July 1, 2017 and June 30, 2019

License Number	First Name	Middle Name	Last Name	Suffix
2123	Kaitlin	Christine	Scarberry	
2150	Megan	J.	Schweid	
2177	Brittany	Ann	Sebben	
2218	Kacey	Lynn	Sebert	
2151	Natalie	Anne	Sesto	
2219	Shalee	Lynn	Shumiloff	
2083	Aris	LeShae	Smith	
2255	Stacey	Ann	Smith	
2242	Janet	Lee	Smith	
2176	Jenna	Alyse	Snyder	
2256	Ronald	Ray	Spruill	Jr.
2220	Ian	Christopher	Stack	
2102	Natalie	Hope	Stanley	
2124	Brandon	Joseph	Stewart	
2195	Jacob	Roger	Stoner	
2196	Heidi	Jo	Stout	
2103	Kayla	Nicole	Strimel	
2053	Haley	May	Summerfield	
2221	David		Tomczyk	
2229	Alexandra	Leigh	Tranchini	
2243	Leah	Marie	Trautzsch	
2161	Susan	Post	Tubens	
2222	Kayla	Marie	Turconi	
2199	Laura	Alohalani	Waiialae	
2084	Norman	Lee	Walker	
2085	Elisabeth	May	Walls	
2197	Elizabeth	Virginia	Ward	
2198	Hannah	Elizabeth	Warner	
2223	Raafeh	Ahmed	Waseem	
2135	Heather	Ann	Whetzel	
2152	Eric	Francis	Williams	
2137	Meredith	L.	Wisser	
2178	Peter	John	Womack	
2224	Thomas	Wilson	Wood	
2125	Kyria	Grace	Yanoviak	
2126	Tyler	John	Young	
2257	Ceirra	Michelle	Zeigler	
2086	Josee	Leigh	Zydonik	

**Complaints - Physician Assistants**  
**Received Between July 1, 2017 and June 30, 2019 That Resulted in Board Action**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
17-140-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	01/09/2018	01/09/2019	10/24/2017	Public Reprimand
17-145-W	Exercising influence for sexual activity with patient, Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct	02/03/2018	02/03/2019	11/28/2018	Public Reprimand
18-003-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/30/2018	Administrative Fine/Monetary Penalty
18-004-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/30/2018	Administrative Fine/Monetary Penalty
18-052-W	Licensing application, renewal: false statements	9/11/2018	9/11/2019	10/18/2018	Public Reprimand
18-148-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	3/9/2019	3/9/2020	05/20/2019	Administrative Fine/Monetary Penalty

**Complaints - Physician Assistants**  
**Received Between July 1, 2017 and June 30, 2019 Closed Without Board Action**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
17-151-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	01/31/2018	01/31/2019	11/13/2017
17-161-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/16/2018	06/18/2019	03/19/2018
18-025-P	Malpractice or failure to practice acceptably	7/19/2018	7/19/2019	05/07/2018
19-030-C	Malpractice or failure to practice acceptably	7/10/2019	7/10/2020	05/20/2019
19-031-R	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/28/2019	7/28/2020	05/20/2019

**Complaints - Physician Assistants**  
**Received On/After July 1, 2017 That Were Open/Pending As Of June 30, 2019**

Complaint Number	Nature of Complaint	Six-Month Status Letter Due	Final Ruling Due
18-117-W	Prescribing other than in good faith in accord with medical standards, Unprofessional, unethical conduct, Unprofessional, unethical conduct -- Violating dispensing rule, Violation of laws, rules and orders	1/8/2019	1/8/2020

**Complaints - Physician Assistants**  
**Board Action Taken on Complaints Between July 1, 2017 and June 30, 2019**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Board Order Date</b>	<b>Disposition</b>
14-021-G	Unprofessional, unethical conduct, Exercising influence for sexual activity with patient, Malpractice or failure to practice acceptably			08/15/2018 *	Probation with limitation and restrictions
17-140-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	01/09/2018	01/09/2019	10/24/2017	Public Reprimand
17-145-W	Exercising influence for sexual activity with patient, Inability to practice safely due to/deterioration, through aging, impairment, drug or alcohol abuse, Unprofessional, unethical conduct	02/03/2018	02/03/2019	11/28/2018	Public Reprimand
18-003-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/30/2018	Administrative Fine/Monetary Penalty
18-004-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	07/07/2018	07/07/2019	04/30/2018	Administrative Fine/Monetary Penalty
18-052-W	Licensing application, renewal: false statements	9/11/2018	9/11/2019	10/18/2018	Public Reprimand
18-148-W	Licensing application, renewal: false statements, Unprofessional, unethical conduct	3/9/2019	3/9/2020	05/20/2019	Administrative Fine/Monetary Penalty

\* Licensee's license terminated while under original Consent Order. New Consent Order entered in association with relicensure.



**Complaints - Physician Assistants  
Closed Without Board Action Between July 1, 2017 and June 30, 2019**

<b>Complaint Number</b>	<b>Nature of Complaint</b>	<b>Six-Month Status Letter Due</b>	<b>Final Ruling Due</b>	<b>Complaint Closure Date</b>
17-114-W	Malpractice or failure to practice acceptably	11/07/2017	11/07/2018	07/09/2017
17-151-M	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	01/31/2018	01/31/2019	11/13/2017
17-161-B	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	06/16/2018	06/18/2019	03/19/2018
18-025-P	Malpractice or failure to practice acceptably	7/19/2018	7/19/2019	05/07/2018
18-160-J	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	4/5/2019	4/5/2020	1/14/2019
18-183-B	Malpractice or failure to practice acceptably	5/26/2019	5/26/2020	3/11/2019
19-030-C	Malpractice or failure to practice acceptably	7/10/2019	7/10/2020	05/20/2019
19-031-R	Malpractice or failure to practice acceptably, Unprofessional, unethical conduct	7/28/2019	7/28/2020	05/20/2019

## **Radiology Assistants Licensed Between July 1, 2017 and June 30, 2019**

There were no radiology assistants licensed by the Board between July 1, 2017 and June 30, 2019.

## **Active Duty Military or Spouses Licensed Between July 1, 2017 and June 30, 2019**

### **Licenses, certificates and/or registrations issued:**

- MDs – 2
- DPMs – 0
- PAs – 0

### **Fees waived:**

- MDs – \$800
- DPMs – 0
- PAs – 0

### **Continuing Medical Education (CME) requirements waived:**

- MDs – 0
- DPMs – 0
- PAs – 0

### **Temporary licenses issued:**

- MDs – 0
- DPMs – 0
- PAs – 0

**Controlled Substance Dispensing Registration Certificates  
Issued Between July 1, 2017 and June 30, 2019**

Registration Number	First Name	Middle Name	Last Name	Suffix	Profession
3958	Abdelhai		Abdelqader		MD
3976	Zachary	Brooks	Adkins		MD
4004	Adeel		Ahmad		MD
3972	Safique		Ahmed		MD
3992	Zaid	Abed Al-Kariem	Al-Qudah		MD
3740	Richard	Curtis	Arnold		DPM
3963	Kellie	Michelle	Aromin		PA-C
3990	Rogelio	Orito	Bantug		MD
3932	Jama	Clay	Barker		PA-C
3951	Andrew	John	Berardinelli		MD
3942	Anna	Katherine	Bobbitt		PA-C
3950	Shane	Allan	Bowen		MD
3996	Anna	Lynne	Carpenter		MD
3986	James	White	Caudill		MD
3954	Alexander	Thomas	Caughran		MD
3952	Michael	James	Chambers		MD
4003	Kaitlyn	Nicole	Crites		PA-C
3974	John	David	Crompton		MD
3981	Gary	R.	Culver		PA-C
3978	Megan	Moore	Curry		PA-C
3910	Harry	Earl	Duncan	Jr.	MD
3929	Janelda	Rae	Duncan		PA-C
3973	Frank	Ross	Ebert		MD
3946	Kenneth	James	Egli		MD
3964	Tasha	Marie	Elswick		PA-C
3955	Thomas	Christopher	Emmer		MD
3925	Katherine	Ann	Farris		MD
3923	Larry	Lewis	Fitzwater		PA-C
3953	Charles	Andrew	Gilliland		MD
3997	Violeta		Gonzalez		PA-C
3928	Alok		Gopal		MD
3971	Jami	Elyse	Green		MD
3941	Deanne	Renea	Grim		PA-C
3922	Brittany	Zumpetta	Gusic		MD
3961	Kellie	A.	Hansel		PA-C
3943	Mark	Jason	Hardway		MD
3945	Adam	Nathaniel	Hill		PA-C
3980	Andrea	Marie	Hoekje		PA-C
3979	Aaron	Robert	Hoekje		PA-C
3939	Matthew	J.	Hofeldt		MD
3944	Lana	Marie	Hofeldt		PA-C

**Controlled Substance Dispensing Registration Certificates  
Issued Between July 1, 2017 and June 30, 2019**

Registration Number	First Name	Middle Name	Last Name	Suffix	Profession
3987	Kari	Rae	Hunter		PA-C
3957	Amy	May	Jean		MD
3907	Robert	E.	Jones	III	MD
3991	Terrence	Darryl	Julien		MD
4007	Amira		Khokar		MD
3933	Christopher	Eugene	Kincaid		MD
3947	Chad	David	Lavender		MD
3977	Denise	Ann	Leach		PA-C
3999	Terri	Ann	MacKinnon		PA-C
3931	Andie	Elizabeth	Maldonado		PA-C
3930	Janet	Lynn	McGuire		PA-C
3924	Brent	Michael	McMillion		MD
3970	Robert	Scott	Milam		PA-C
3938	Crystal	Elisabeth	Mitchell		PA-C
3948	Randolph	Eugene	Modlin		MD
3926	Samuel	David	Morris		MD
3927	Samuel	Ryan	Morris		MD
3975	Ryan	Gregory	Morrison		MD
3988	Khaldoun	Mohamad	Mozahem		MD
3439	Kris	Gan	Murthy		MD
3909	Umer		Najib		MD
3949	Suman		Narasimhamurthy		MD
3965	James	Edward	O'Connor	Jr.	PA-C
3982	Christopher	Ryan	Oxner		MD
3994	Anita	Frances	Petitte		PA
399	Dionisio	Enriquez	Policarpio		MD
3908	Mustafa		Rahim		MD
3966	Shelley	Amber	Richards		PA-C
3911	Tara	Michelle	Rickard		MD
4001	Patricia	Lynn	Ross		PA-C
3967	John	Timothy	Runnion		PA-C
3993	Theresa		Sears		PA-C
3916	Kara	Elizabeth	Siford		MD
3985	Joseph	Jefferds	Sinclair		MD
3989	Laura	K.	Smith		PA-C
3960	Felecia	Morgan	Smith		PA-C
4006	Stacey	Ann	Smith		PA-C
4000	Devon	K.	Somerville		PA-C
3912	Devika	Hanumara	Sood		MD
3913	Vineet	Kumar	Sood		MD
3956	Rachel	J.	Sowards		MD

**Controlled Substance Dispensing Registration Certificates  
Issued Between July 1, 2017 and June 30, 2019**

Registration Number	First Name	Middle Name	Last Name	Suffix	Profession
4005	Bryan	Scott	Stafford		PA-C
3969	Kristina	Marie	Stover		PA-C
3983	Erin	Nicole	Strcula		PA-C
3968	Emily	Louise	Strickland		PA-C
3940	Shawn	Edward	Strickland		PA-C
3921	Jessica	Fisher	Swank		MD
3914	Ida	Z.	Villanueva		MD
3920	Johnny	George	Walker	III	MD
3917	Robert	Bruce	Walker		MD
3998	Hannah	Elizabeth	Warner		PA-C
3984	Melanie	Kristen	Weaver		PA-C
3918	Stephen	Brett	Whitfield		MD
3962	Kelley	A.	Whoolery		PA-C
4002	Martha	Marie	Williams		PA-C
3915	Charles	Stephen	Woolums		MD
3739	William	Edward Daniel	Yeaman		DPM

**Medical Corporation Certificates of Authorization  
Issued Between July 1, 2017 and June 30, 2019**

98point6 Physicians, PC
Advanced Pain Medicine, PC
American Neuromonitoring Associates, PC
BetterNight Medical Group, PA, Inc.
CardioSolution Physicians California, PC
Cedar Dialysis Consulting, Inc.
C.M. O'Neal, MD, Inc.
Critical Care Services, PC
Dominic T. DiCiro, MD: A Professional Medical Corporation
ETN,MD, Inc.
Frederick Foot and Ankle Specialists, PC
LMND Medical Group, Inc., A Professional Corporation
Lungcenter, Inc.
MedExpress Primary Care West Virginia, Inc.
Millbrook Medical Practice, PC
Mountain State Vascular, Inc.
Mountaineer Cardiovascular Care, Inc.
Muhammed A. Khan, MD, Inc.
Namsupak, MD, Inc.
Nones Dia Cardiac Systems, Inc.
Oak Hill Medical Groupo, Inc.
Onduo Professionals, PC
Online Care Group, PC
Online Care Network II, PC
Piayon Kobbah, MD, A Professional Medical Corporation
Pittsburgh Pulmonary Medicine, PC
Saluber Medical, Inc.
Southeastern Medical Group, Inc.
SteadyMD Physician Group, PC
Synergy Surgicalists WV, Inc.
Trinity Cardiology, Inc.
West Virginia Fertility Institute, Inc.

## Professional Limited Liability Company Certificates of Authorization Issued Between July 1, 2017 and June 30, 2019

Akkary Center for Weight Management & Surgical Services, PLLC
Appalachian Addiction Medical, PLLC
Archer Physician Services, PLLC
Ascent Private Practice, PLLC
Bowe, MD, PLLC
Brian Powderly, MD, PLLC
Charleston Surgical Hospital Healthcare Group, PLLC
Dembal Heart & Vascular, PLLC
DialCare Group West Virginia, PLLC
Dr. Roselyne Knoff, PLLC
ECI HP E-Health (WV), PLLC
Hospitalist Medicine Physicians of West Virginia - Martinsburg, PLLC
Hospitalist Medicine Physicians of West Virginia - South Charleston, PLLC
Hospitalist Medicine Physicians of West Virginia - TCG, PLLC
Hospitalist Medicine Physicians of West Virginia - TCS, PLLC
Hospitalist Medicine Physicians of West Virginia - Wheeling, PLLC
Ideal Option, PLLC
Javed Cardiac Center, PLLC
Kirk Moses, MD, PLLC
MacCorkle Emergency Physicians, PLLC
MBH Physician Group - WV, PLLC
Medicolegal Consultation, PLLC
MediTelecare of West Virginia, PLLC
Midwest Neuromonitoring Associates, PLLC
Morgantown Interventional Pain Specialists PLLC
Mount Davis ISV Group, PLLC
Mount Davis Physician Services, PLLC
Mountain State Medical Solutions, PLLC
Mountain State Medical Specialties, PLLC
Mountaineer Cardiology, PLLC
Mountainstate Infectious Disease, PLLC
Occupational and Environmental Health, PLLC
Parkersburg Infectious Disease, PLLC
Post Acute Specialists, PLLC
Prasad Polisetty, MD, PLLC
Prestige Worldwide Imaging and Intervention, PLLC
Recovery Care, PLLC
River Hospitalist Medical Group, PLLC
Sierra, PLLC
Simply Telerad, PLLC
Sirena Solutions, PLLC
Skyline Wound Care, PLLC
South Branch Hospitalist and Internal Medicine Group, PLLC



**Professional Limited Liability Company Certificates of  
Authorization Issued Between July 1, 2017 and June 30, 2019**

The Pain Center of Virginia, PLLC
Tri-State Physiatry, PLLC
USA Vein Clinics of West Virginia, PLLC
Wheeling Foot Clinic, PLLC
William A Merva, MD, PLLC

**West Virginia Medical Professionals Health Program Data  
July 1, 2017 through June 30, 2019**

	<b>Number of Signed Participants</b>	<b>Number of Active, Compliant Participants as of 6/30/19</b>	<b>Number of Participants who have Successfully Completed the Program</b>	<b>Number of Participants Failing to Complete the Program</b>	<b>Number of Participants Reported to the Board for Non-compliance</b>
<b>Medical Doctors</b>	16	36	15	1	2
<b>Resident or Medical Student</b>	16	19	7	1	1
<b>Podiatric Physicians</b>	0	0	0	0	0
<b>Physician Assistants</b>	1	2	0	0	0

# **Fiscal 2018 Committee Meeting Agendas and Minutes**



# **Physician Assistant Committee Meeting Agendas and Minutes**



# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA

## SATURDAY, JULY 8, 2017

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### **Call to Order**

### **Approval of Minutes**

Approval of May 6, 2017, Physician Assistant Committee Meeting Minutes.

### **Consent Order Update**

Kimberly Elaine Connor, P.A.-C.

### **New Licensure Applicants**

1. Haley May Baird, P.A.-C.
  2. Christian August Barill, P.A.-C.
  3. Lorin Ashley Belcher, P.A.-C.
  4. Kristen Marie Bilby, P.A.-C.
  5. Jordan Ashley Britton, P.A.-C.
  6. Christopher Timothy Burgan, P.A.-C.
  7. Taylor W. Callahan, P.A.-C.
  8. Dana Frances DeGeorge, P.A.-C.
  9. Ashley Lynn Delashmutt, P.A.-C.
  10. Jenna Lee Enoch, P.A.-C.
  11. Erika Nicole Fox, P.A.-C.
  12. Gerald Edward Frey, Jr., P.A.-C.
  13. Brittany Lynn Giesken, P.A.-C.
  14. Stephanie Anne Hamrick, P.A.-C.
  15. Timothy David Hontz, P.A.-C.
  16. Travis Wayne Hughes, P.A.-C.
  17. Mark Edward Javins, P.A.-C.
  18. Mallory Ann Ledergerber, P.A.-C.
  19. Heather Kay Legg, P.A.-C.
  20. Bailey Bierhuizen O'Bannon, P.A.-C.
  21. Kayleigh Coffey Ramaley, P.A.-C.
  22. Kelsey Lynn Roetenberg, P.A.-C.
  23. Norman Lee Walker, P.A.-C.
- Add-ons below
24. Jackson Barkley Austin, P.A.-C.
  25. Terri Leanne Belcher, P.A.-C.
  26. Kelly Elizabeth Demuynck, P.A.-C.
  27. Ellen Adelia Doebler, P.A.-C.
  28. Tara Carson Jernejcic, P.A.-C.
  29. Christina Michelle Manchin-Newton, P.A.-C.
  30. Heather Ann Nattkemper, P.A.-C.
  31. William Joseph Roberts, P.A.-C.
  32. Erika Blythe Saunders, P.A.-C.
  33. Aris Leshae Smith, P.A.-C.
  34. Elisabeth May Walls, P.A.-C.
  35. Josee Leigh Zydonik, P.A.-C.

PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA  
SATURDAY, JULY 8, 2017

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**Reinstatement**

Lynne Alice Shaver, P.A.-C.

**Discussions**

- A. James Michael Lackey, P.A.-C.
- B. Amanda Paugh, P.A.-C.
- C. Discussion of Senate Bill 1014 and Review of Proposed 11CSR 1B Amendments
- D. Practice Agreement Status Report

**Adjournment**

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**July 7, 2018**

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A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 7<sup>th</sup> day of July 2018 at 9:00 a.m.

The following Committee members were present:

Kenneth Dean Wright, P.A.-C.  
Harry E. Duncan, Jr., M.D.  
Carrie Lakin, D.P.M.  
Rev. Janet Harman  
Victoria (Tori) Mullins, P.A.-C.

The following Committee members were absent:

David A. Mullins, M.D.  
Russell O. Wooton, Esq.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing  
Diane M. Callison, Physician Assistant Licensure Analyst

With a quorum present, Mr. Wright called the meeting to order. A motion was made by Dr. Lakin to approve the minutes of the May 5, 2018, meeting of the Physician Assistant Committee. Dr. Duncan seconded the motion, and the motion carried.

**CALL TO  
ORDER**

Mr. Wright led a brief discussion on collaboration practice between physician assistants and physicians in relation to the requirement of practice agreements. A follow-up on this topic is planned for the September Board meeting, including a discussion of possible recommendations to the Legislative Committee.

**APPROVAL  
OF PUBLIC  
MINUTES**

At its May 2018 meeting, the Physician Assistant Committee reviewed the licensure application of Cheryl-Ann Leslie-Theall, P.A.-C. Ms. Leslie-Theall's application was placed on hold and she was requested to review and amend her application prior to appearing before the Committee at its July meeting. Ms. Leslie-Theall submitted an amended application and she appeared before the Committee in support of her application. After an in-depth discussion with the applicant, including a discussion of continued omissions in her work and licensure history, Dr. Duncan moved that Ms. Leslie-Theall be given the opportunity to withdraw her application. Dr. Lakin seconded the motion, and the motion carried.

The Committee received an update in the matter of Richard Santostefano, Sr., P.A.-C. Mr. Santostefano entered with the Board on October 4, 2017, which restricted his practice to direct collaboration for a minimum period of six months. At its May meeting, the Physician Assistant Committee reviewed the documentation submitted by his collaborating physician, who had recommended lifting the direct supervision restriction. The Committee recommended Mr. Santostefano be released from his Consent Order. An Order Terminating Consent Order was entered on May 7, 2018.

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

1. Edward Beck Baldwin, III, P.A.-C.
2. Jean Trimble Bried, P.A.-C.
3. Brandon Phillip Carag, P.A.-C.
4. Holli Lucia Dalton, P.A.-C.
5. Lynn Ann Damico, P.A.-C. - #1190
6. Pricilla Gail Delp, P.A.-C.
7. Amy Leigh Dingess, P.A.-C.
8. Kari Rae Hunter, P.A.-C.
9. Kayla Marie Johns, P.A.-C.
10. Erica Michelle Paul, P.A.-C.
11. Kate Kennedy Pierce, P.A.-C.
12. Ashley Grace Reese, P.A.-C.
13. Adele Denise Rinchuse, P.A.-C.
14. Jenna Alyse Saltgaver, P.A.-C.
15. Brittany Ann Sebben, P.A.-C.



No conflicts being declared, Dr. Lakin moved that the Committee recommend each such applicant for Physician Assistant licensure by the Board. Ms. Mullins seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the licensure application of Peter John Womack, P.A.-C. A discrepancy was noted by Board staff between the date of graduation on the diploma and the date on the education verification form submitted by George Washington University. Board policy has been to use the diploma date for data entry purposes, however, the diploma date only includes the month and year. Dr. Duncan moved that the Board utilize the graduation date provided on the verification form, and approve Mr. Womack for Physician Assistant licensure. Dr. Duncan further moved that in the event that the University provides different documentation of Mr. Womack's graduation date, his record be modified accordingly. Dr. Lakin seconded the motion, and the motion carried.

The Committee reviewed and discussed a proposed practice agreement that includes the delegation of physician assistant practice via telemedicine. Dr. Lakin moved that the agreement be authorized. Dr. Duncan seconded the motion, and the motion carried.


The Committee reviewed and discussed an amended proposed practice agreement that includes the delegation of MAT, including via telemedicine. Ms. Harman moved that the agreement be authorized. Dr. Duncan seconded the motion, and the motion carried.

The Committee reviewed the Consent Order and quarterly collaborating physician status reports of James Michael Lackey, P.A.-C. The two-years of continuous employment probationary period began with his employment on September 14, 2016. Ms. Harman moved that Mr. Lackey appear before the Physician Assistant Committee at its September meeting. Dr. Duncan seconded the motion, and the motion carried.

Ms. Thompson reported that sixty-six (66) practice agreements were authorized since the May 2018 meeting. Additionally, sixty-eight (68) alternate supervisors were designated.

There being no further business, the Physician Assistant Committee was adjourned by consensus.

**ADJOURNMENT**



\_\_\_\_\_  
Kenneth Dean Wright, P.A.-C.  
Chair of the Physician Assistant Committee

# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA

## SATURDAY, SEPTEMBER 9, 2017

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### Call to Order

### Approval of Minutes

Approval of July 8, 2017, Physician Assistant Committee Meeting Minutes.

### New Licensure Applicants

1. Nancy Jean Balewski, P.A.-C.
2. Joyce Mary Brun, P.A.-C.
3. Courtney Rae Cira, P.A.-C.
4. Brianne Nicole Clark, P.A.-C.
5. Tabitha Eve Cox, P.A.-C.
6. Alexandra Korin Higginbotham, P.A.-C.
7. Jaime Legaspi Lazaro, Jr., P.A.-C.
8. Claire Hillman Leinhauser, P.A.-C.
9. Leanne Kocher Mazzella, P.A.-C.
10. Katherine Laura Moio, P.A.-C.
11. Nathan Merl Musser, P.A.-C.
12. Richard Santostefano, Sr., P.A.-C.
13. Kayla Nicole Strimel, P.A.-C.
14. Nancy Louis Jones, P.A.-C.- add-on
15. Kelsey M. Leadman, P.A.-C. – add-on
16. Robert Joshua Logan, P.A.-C.- add-on
17. Andie Elizabeth Meade, P.A.-C. – add-on
18. Rosa Lea Nardo, P.A.-C. – add-on
19. Natalie Hope Stanley, P.A.-C. – add-on

### Reinstatement

Kerry Sue Brinager, P.A.-C.

### Appearance

Amanda Marie Skrinjorich, P.A.-C.

### Discussions

- A. Agency Approved Amendments to 11 CSR 1B and Proposed Emergency Rule 11 CSR 1B
- B. PA Formulary revision
- C. Practice Agreement Form and Appendix B Form Revision
- D. Discussion of Changes in Prescribing Authority on Current Practice Agreements with Prescribing Authority
- E. Physician Assistant Application Form Revision
- F. Notification of Termination of a Practice Agreement Form Revision
- G. Initial Physician Assistant Licensure Application Form Revision

PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA  
SATURDAY, SEPTEMBER 9, 2017

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**Discussions cont.**

- H. 2017 Physician Assistant Reinstatement Application Revision
- I. Practice Agreement Status Report
- J. Rana - Jafary Proposed Practice Agreement
- K. Uniform Application for Physician Assistants

**Adjournment**

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**September 9, 2017**

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A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 9<sup>th</sup> day of September, 2017 at 9:00 a.m.

The following Committee members were present:

Ashish P. Sheth, M.D., Acting Chair  
Harry E. Duncan, Jr., M.D.  
Mustafa Rahim, M.D.

The following Committee members were absent:

Kenneth Dean Wright, P.A.-C., Chair  
Carrie Lakin, D.P.M.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Sheree J. Thompson  
Ryan P. Moore

The Board President, Dr. Faheem, appointed Dr. Sheth as Acting Chair and Dr. Rahim as a Committee member for September meeting. With a quorum present, Dr. Sheth called the meeting to order. A motion was made by Dr. Rahim, and seconded by Dr. Duncan, to approve the minutes of the July 8, 2017, meeting of the Physician Assistant Committee. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

Nancy Jean Balewski, P.A.-C.  
Joyce Mary Brun, P.A.-C.  
Courtney Rae Cira, P.A.-C.  
Brianne Nicole Clark, P.A.-C.  
Tabitha Eve Cox, P.A.-C.

Alexandra Korin Higginbotham, P.A.-C.  
Nancy Louis Jones, P.A.-C.  
Jaime Legaspi Lazaro, Jr., P.A.-C.  
Kelsey M. Leadman, P.A.-C.  
Claire Hillman Leinhauser, P.A.-C.  
Robert Joshua Logan, P.A.-C.  
Leanne Kocher Mazzella, P.A.-C.  
Andie Elizabeth Meade, P.A.-C.  
Katherine Laura Moio, P.A.-C.  
Nathan Merl Musser, P.A.-C.  
Rosa Lea Nardo, P.A.-C.  
Natalie Hope Stanley, P.A.-C.  
Kayla Nicole Strimel, P.A.-C.

Dr. Rahim moved that the Committee recommend each such applicant for Physician Assistant licensure by the Board. Dr. Duncan seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the license reinstatement application of Kerry Sue Brinager, P.A.-C. After a thorough discussion, Dr. Rahim moved that the Committee recommend that the Board approve Ms. Brinager for reinstatement of physician assistant licensure. Dr. Duncan seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the licensure application of Richard Santostefano, Sr., P.A.-C. After an in depth discussion, Dr. Rahim moved that the Committee recommend Mr. Santostefano be approved for physician assistant licensure by the Board contingent upon his acceptance of a Consent Order with the following terms: (1) that any proposed practice agreement submitted delineating advanced duties to Mr. Santostefano must be reviewed by the Physician Assistant Committee; (2) that Mr. Santostefano practice under direct supervision for a minimum of six months; and (3) that Mr. Santostefano's supervising/collaborating physician send quarterly status reports updating the Committee on his progress and a recommendation regarding when the direct supervision requirement should be lifted. Dr. Duncan seconded the motion, and the motion carried.

At its July 2017 meeting, the Physician Assistant Committee reviewed the proposed practice agreement between Amanda Marie Skrinjorich (formerly Paugh), P.A.-C. and Ryan Wakim M.D. which includes a request for the advanced duty of MAT patients. The Committee invited Ms. Skrinjorich and Dr. Wakim to appear before the Committee at its September meeting. Both Ms. Skrinjorich and Dr. Wakim appeared at the September meeting. After a thorough discussion, Dr. Rahim moved that the Committee approve authorization of the practice agreement pending satisfactory receipt of the following additional information regarding the proposed delegation of MAT: 1) evidence that Ms. Skrinjorich has a minimum of one year of experience in substance use disorder treatment and medication-assisted treatment settings; or 2) a statement from the medical director of the MAT practice location indicating that Ms. Skrinjorich has completed or is actively enrolled in a plan of education for obtaining competence in medication-assisted treatment methods and substance use disorders that is approved by the medical director with a description of the educational plan; and 3) a narrative description from the collaborating physician of the model of patient treatment and Ms. Skrinjorich's role in patient care for MAT patients. Dr. Duncan seconded the motion, and the motion carried.

The Committee discussed the development of a policy of what needs to be included in practice agreements requesting authorization to delegate the advanced duty of treatment of MAT patients and the procedure for staff authorization of such practice agreements. Dr. Rahim moved that a practice agreement requesting the advanced duty of MAT should include the following:

- 1) Identification and evidence of the source of the DATA 2000 waiver under which the Physician Assistant will practice.
- 2) A) Evidence that the PA has a minimum of one year of experience in substance use disorder treatment and medication-assisted treatment settings; or  
B) a statement from the medical director of the MAT practice location indicating that the physician assistant has completed or is actively enrolled in a plan of education for obtaining competence in medication-assisted treatment methods and substance use disorders that is approved by the medical director with a description of the educational plan; and

- 3) A narrative description from the collaborating physician of the model of patient treatment and the physician assistant's role in patient care for MAT patients.

Dr. Rahim further moved that Board staff may authorize proposed practice agreements which delegate MAT if all appropriate information and documentation are provided. If the proposed practice agreement contains new or unique information, the Committee should review the agreement prior to authorization. Dr. Duncan seconded the motion, and the motion carried.

The Physician Assistant Committee conducted an annual review of the Physician Assistant formulary. After a lengthy discussion, Dr. Duncan moved that the Committee recommend the following formulary to become effective upon enactment of Emergency Rule 1B:

- 1) Physician Assistants may not prescribe: any Schedule I or II Controlled Substances of the Uniform Controlled Substances Act; Clozapine; Antineoplastics; Radio-Pharmaceuticals; or General Anesthetics.
- 2) Physician Assistants may prescribe Schedule III Controlled Substances, but no greater than a non-refillable 30-day supply.
- 3) Physician Assistants may prescribe Schedule IV or V Controlled Substances as set forth in the practice agreement.
- 4) Physician Assistants may generally prescribe prescription drugs which are not excluded or otherwise limited hereinabove, and physician assistants may prescribe up to an annual supply of any drug, other than a controlled substance, for the treatment of a chronic condition (other than chronic pain management) as defined by the Board's legislative rules governing the practice of physician assistants.

Dr. Rahim seconded the motion, and the motion carried.

During the 2017 legislative special session, the West Virginia Legislature considered and passed SB1014. The Bill was signed by Governor Justice on June 19, 2017, and became effective on September 7, 2017. This necessitated amendment to 11 CSR 1B and the promulgation of an emergency rule in September. The Board was granted autonomy to file the Proposed Emergency Rule with the Secretary of State's office after the



September Board meeting. Upon filing, the Emergency Rule will either be rejected or approved within 41 days of filing. The Committee reviewed the Agency Approved version of 11 CSR 1B and proposed Emergency Rule 11CSR 1B.

The Committee reviewed the following forms which will need revision effective upon approval of the Proposed Emergency Rule 11 CSR 1B: Practice Agreement; Appendix A; Appendix B; Notification of Termination of a Practice Agreement; Physician Assistant Application for Licensure; and 2017 Physician Assistant Reinstatement of Licensure Application. After a thorough discussion, Dr. Rahim moved that staff amend the forms as necessary including a global change in language from supervising/supervisor to collaborating/collaboration, and a revision of necessary sections of the Practice Agreement to include a section for collaborating physicians to provide details about delegated controlled substance prescribing. Dr. Duncan seconded the motion and the motion carried.

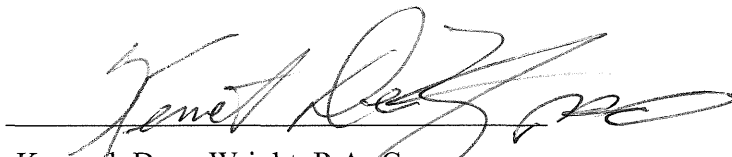
The Committee also discussed how to facilitate utilization of the new PA formulary once the emergency rule goes into effect. After a thorough discussion, the Committee acknowledged that all current practice agreements incorporate the current PA formulary which limits Schedule III Controlled Substances to a 72-hour supply. Dr. Duncan moved to recommend to the Board that physician assistants and their collaborating physicians who wish to amend their current practice agreement solely for the purpose of changing the delegation of prescribing authority may submit a Board approved amendment form prior to December 31, 2017, at no additional fee. Dr. Rahim seconded the motion, and the motion carried.

The Committee discussed the Federation of State Medical Board's request to utilize its newly available Uniform Application (UA) for Physician Assistants. The Committee concluded to defer this discussion to a later date.

Ms. Thompson advised the Committee that sixty-three (63) practice agreements were authorized since the July 2017 meeting. Additionally, twenty (20) alternate supervisors were designated.

There being no further business, the Physician Assistant Committee was adjourned by consensus.

**ADJOURNMENT**



Kenneth Dean Wright, P.A.-C.  
Chair of the Physician Assistant Committee

# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA

## SATURDAY, NOVEMBER 11, 2017

---

### **Call to Order**

### **Approval of Minutes**

Approval of September 9, 2017, Physician Assistant Committee Meeting Minutes.

### **Consent Order Update**

Richard Santostefano, Sr., P.A.-C.

### **New Licensure Applicants**

1. George Burton Bryant, Jr., P.A.-C. 508
2. Sarah Elizabeth Buch, P.A.-C.
3. James Keith Burrell, Jr., P.A.-C.
4. Lyndsey Catherine Costa, P.A.-C.
5. Kelsey Lynn Dillon, P.A.-C.
6. Tommy Dorsey Dooley, II, P.A.-C.
7. Sean Michael Gaffney, P.A.-C.
8. Leonard Bernard Galvan, P.A.-C. 631
9. Adam Nathaniel Hill, P.A.-C.
10. Eric A. Holtz, P.A.-C.
11. Jami Lee Krull, P.A.-C.
12. Holly Shae Lee, P.A.-C.
13. Krystal Marie MacDowell, P.A.-C.
14. Ryan Alexander McCune, P.A.-C.
15. Ronald J. Murphy, Sr., P.A.-C. 385
16. Kaitlin Clark Osbourn, P.A.-C.
17. Pamela Michelle O'Dell, P.A.-C. 1063
18. Chadwick Jay Perry, P.A.-C.
19. Kelley Kathleen Prado, P.A.-C.
20. Stephanie Nicole Price, P.A.-C.
21. Derek Landon Ramsey, P.A.-C.
22. Douglas Kendal Russell, P.A.-C.
23. Kaitlin Christine Scarberry, P.A.-C.
24. Brandon Joseph Stewart, P.A.-C.
25. Kyria Grace Yanoviak, P.A.-C.
26. Tyler John Young, P.A.-C.
27. Ashlee Kristine O'Kernick, P.A.-C. – add-on

### **Reinstatement**

Kaleb Paul Rush, P.A.-C. #2026  
Anna C. Stout-Tuckwiller, P.A.-C. #1554 – add-on

# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA

## SATURDAY, NOVEMBER 11, 2017

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### **Appearances**

Allison Ann Brown, P.A.-C.  
Melissa Fabiola Culver, P.A.-C.

### **Discussions**

- A. Legislative Rule 1B
- B. Emergency Rule 11 CSR 1B
- C. Updated Physician Assistant Forms
- D. Inquiry on clarification of Formulary restrictions
- E. Scope of practice of collaborating physicians in a hospital setting
- F. Update on Prescriptive Authority Amendment to Current Practice Agreements
- G. Practice Agreement Status Report Updated
- H. Jessica Faye Dunkley, P.A.-C. -add-on
- I. Inquiry on PA practice/supervision – add-on
- J. PA practice agreement advanced duty evidence of training – add-on
- K. Tyson E. Bubnar, P.A.-C. (1894) – add-on

### **Adjournment**

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**November 11, 2017**

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A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 11<sup>th</sup> day of November, 2017 at 9:00 a.m.

The following Committee members were present:

Kenneth Dean Wright, P.A.-C.  
Harry E. Duncan, Jr., M.D.

The following Committee member was absent:

Carrie Lakin, D.P.M.

The following Board members were present:

Victoria (Tori) Mullens, P.A.-C.  
Russell O. Wooten, Esq.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Sheree J. Thompson

With a quorum present, Mr. Wright called the meeting to order. Mr. Wright welcomed new Board members Ms. Mullens and Mr. Wooten who were observing the Committee meeting. A motion was made by Dr. Duncan, and noted by Mr. Wright, to approve the minutes of the September 9, 2017, meeting of the Physician Assistant Committee. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Committee received an update in the matter of Richard Santostefano, Sr., P.A.-C. At its September 9, 2017, the Physician Assistant Committee recommended, and the Board approved, that Mr.Santostefano be granted licensure contingent upon his acceptance of a Consent Order with the following terms: (1) that any practice agreement submitted delineating advanced duties to Mr. Santostefano must be reviewed by the

Physician Assistant Committee prior to authorization; (2) that Mr. Santostefano practice under direct supervision for a minimum of six months; and (3) that Mr. Santostefano's supervising physician send quarterly status reports updating the Committee on his progress and a recommendation regarding when direct supervision should be lifted. Mr. Santostefano agreed to these terms and entered into a Consent Order with the Board on October 4, 2017.

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

George Burton Bryant, Jr., P.A.-C., #508  
Sarah Elizabeth Buch, P.A.-C.  
James Keith Burrell, Jr., P.A.-C.  
Lyndsey Catherine Costa, P.A.-C.  
Kelsey Lynn Dillon, P.A.-C.  
Tommy Dorsey Dooley, II, P.A.-C.  
Sean Michael Gaffney, P.A.-C.  
Leonard Bernard Galvan, P.A.-C., #631  
Adam Nathaniel Hill, P.A.-C.  
Eric A. Holtz, P.A.-C.  
Jami Lee Krull, P.A.-C.  
Holly Shae Lee, P.A.-C.  
Krystal Marie MacDowell, P.A.-C.  
Ryan Alexander McCune, P.A.-C.  
Ronald J. Murphy, Sr., P.A.-C., #385  
Kaitlin Clark Osbourn, P.A.-C.  
Pamela Michelle O'Dell, P.A.-C., #1063  
Ashlee Kristine O'Kernick, P.A.-C.  
Chadwick Jay Perry, P.A.-C.  
Kelley Kathleen Prado, P.A.-C.  
Stephanie Nicole Price, P.A.-C.  
Derek Landon Ramsey, P.A.-C.  
Douglas Kendal Russell, P.A.-C.  
Kaitlin Christine Scarberry, P.A.-C.  
Brandon Joseph Stewart, P.A.-C.  
Kyria Grace Yanoviak, P.A.-C.  
Tyler John Young, P.A.-C.

Dr. Duncan moved that the Committee recommend each such applicant for Physician Assistant licensure by the Board. Mr. Wright seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the license reinstatement applications of Kaleb Paul Rush, P.A.-C and Anna C. Stout-Tuckwiller, P.A.-C. After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board approve Mr. Rush and Ms. Stout-Tuckwiller for reinstatement of physician assistant licensure. Mr. Wright seconded the motion, and the motion carried.

Melissa Fabiola Culver, P.A.-C. appeared before the Physician Assistant Committee in support of her application for physician assistant licensure. After an in depth discussion with Ms. Culver, Dr. Duncan moved that the Committee recommend that the Board approve Ms. Culver for physician assistant licensure. Mr. Wright seconded the motion, and the motion carried.

Allison Anne Brown, P.A.-C. appeared before the Physician Assistant Committee in support of her application for physician assistant licensure. After an in depth discussion with Ms. Brown, Dr. Duncan moved that Ms. Brown's application be placed on hold pending receipt of additional information demonstrating that Ms. Brown has come into compliance with a currently pending and unsatisfied Order issued by the Delaware Board of Medical Licensure and Discipline. Mr. Wright seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed documentation submitted pursuant to the April 4, 2017 Consent Order of Jessica Faye Dunkley, P.A.-C. Ms. Dunkley was restricted to direct supervision for a minimum period of six months. Her supervising physician has recommended that the restriction be lifted. Dr. Duncan moved that the Physician Assistant Committee recommend to the Board to issue an Order releasing Ms. Dunkley from her Consent Order. Mr. Wright seconded the motion, and the motion carried.

The Committee reviewed a proposed practice agreement for sufficient evidence of advanced duty experience/training that included cryosurgery. Dr. Duncan moved that a letter from a previous collaborating physician acknowledging competency in the duties over a several year period was sufficient evidence of advanced duty experience, and that

staff may add cryosurgery to Appendix A as a Committee approved advanced duty. Mr. Wright seconded the motion, and the motion carried.

The Committee reviewed and discussed the Consent Order of Tyson E. Bubnar, P.A.-C., which he entered with the Board on June 26, 2015. Mr. Bubnar's Consent Order requires quarterly reports be submitted from his supervisory/collaborating physician during a minimum two-year probationary practice period. Mr. Bubnar is currently practicing under the license issued to him by the WV Board of Osteopathic Medicine. The Committee suggested staff contact Mr. Bubnar regarding the current status of his employment and the possibility of submission of quarterly reports by his osteopathic collaborating physician.

The Committee discussed proposed legislative rule Series 1B, which incorporates a requirement that PAs keep the Board informed of current NCCPA status, even though continued NCCPA certification is no longer a requirement of license renewal. The consensus of the Committee was that in order for the Board of Medicine to license and identify physician assistants as PA-C versus PA, the current NCCPA status must be known and that this is important information to collect for a number of reasons. Mr. Wright will share the Committee's perspective with the Legislative Committee on November 12, 2017.

The Committee discussed the PA Emergency Rule which became effective on October 20, 2017. Staff informed the Committee that many questions are being fielded regarding insurance parity and training required for the delegation of completion of death certifications. These issues were addressed in SB1014. In relation to the first inquiry topic, the Board generally does not regulate insurance billing or reimbursement of providers. The Committee provided staff with instructions on referring those inquiries. Regarding the training for the completion of death certificates, the Committee acknowledges that there is currently no specific training required by the Board and that the nature and type of training can be determined at the practice level by the delegating physician, however, if specific required training is available through Vital Statistics in the future, the Committee will share this information with licensees.



The Committee reviewed the following forms which had been identified for revision at its September meeting: Practice Agreement; Appendix A; Appendix B; Notification of Termination of a Practice Agreement; Prescriptive Authority Amendment Form; and 2017 Physician Assistant Reinstatement of Licensure Application. Dr. Duncan moved that the Committee approve the forms as revised. Mr. Wright seconded the motion, and the motion carried.

The Committee reviewed an inquiry regarding antineoplastics restrictions. The Committee noted that no changes have occurred in the formulary regarding these restrictions. Staff will convey this to the inquiring party.

The Committee discussed the submission of practice agreements that contain the delineation of advanced duties in the hospital setting that are outside the scope of the collaborating physicians stated scope of practice. No action was taken regarding current practice, which requires the collaborating physician to delegate only within his or her scope and customary practice.

The Committee reviewed an inquiry regarding collaborating physician co-evaluation of new patients and whether or not if direct supervision is required for ultraviolet light therapy. The Physician Assistant Practice Act does not require co-evaluation of new patients. Ultraviolet light therapy does not require direct supervision.

Board staff provided an update to the Committee on the amending of prescriptive authority to current practice agreements after the enactment of Emergency Rule 1B. Many of the initial forms submitted contained omissions and 38 have been processed to date. The forms are being utilized to modify the agreements to the current formulary restrictions for the delegation of prescribing of the agreements currently in place and are available until December 29, 2017.

Ms. Thompson advised the Committee that sixty-four (64) practice agreements were authorized since the September 2017 meeting. Additionally, fifty-nine (59) alternate supervisors were designated.

There being no further business, the Physician Assistant Committee was adjourned by consensus.

**ADJOURNMENT**

A handwritten signature in blue ink, appearing to read "Kenneth Dean Wright, P.A.-C.", written over a horizontal line.

Kenneth Dean Wright, P.A.-C.  
Chair of the Physician Assistant Committee

# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA SATURDAY, JANUARY 6, 2018

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## **Call to Order**

## **Approval of Minutes**

Approval of November 11, 2017, Physician Assistant Committee Meeting Minutes.

## **Consent Order Update**

Jessica Faye Dunkley, P.A.-C.

## **New Licensure Applicants**

1. Toni Rebekah Davison, P.A.-C.
2. Jason R. Fantini, P.A.-C.
3. Samantha Jane Hanson, P.A.-C.
4. Maureen E. McDonough, P.A.-C.
5. James Carroll O'Connor, P.A.-C.
6. Patricia Ann Parrish, P.A.-C. - #793
7. Emily N. Penz, P.A.-C.
8. Heather Ann Whetzel, P.A.-C.

## **Reinstatement**

Brian Thomas Jarrell, P.A.-C. #1297

## **Discussions**

- A. Allison Ann Brown, P.A.-C.
- B. Legislative Rule 1B
- C. Update on Prescriptive Authority Amendment to Current Practice Agreements
- D. Practice Agreement Status

## **Adjournment**

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**January 6, 2018**

---

A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 6<sup>th</sup> day of January 2018 at 9:00 a.m.

The following Committee members were present:

Kenneth Dean Wright, P.A.-C.  
Harry E. Duncan, Jr., M.D.  
Carrie Lakin, D.P.M.  
David A. Mullins, M.D.  
Victoria (Tori) Mullins, P.A.-C.  
Russell O. Wooton, Esq.

The following Committee member was absent:

Rev. Janet Harman

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Sheree J. Thompson

With a quorum present, Mr. Wright called the meeting to order. Mr. Wright welcomed new Committee members Dr. Mullins, Ms. Mullins and Mr. Wooton. A motion was made by Dr. Lakin to approve the minutes of the November 11, 2017, meeting of the Physician Assistant Committee. Dr. Mullins seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Committee received an update in the matter of Jessica Faye Dunkley, PA-C. Ms. Dunkley entered into a Consent Order with the Board on April 4, 2017, which restricted her practice as a physician assistant to direct supervision for a minimum period of six months. At its November 2017 meeting, the Physician Assistant Committee reviewed the documentation submitted by her supervising physician, who had also

recommended lifting the direct supervision requirement. The Committee recommended Ms. Dunkley be released from her Consent Order. An Order Terminating Consent Order was entered on November 13, 2017.

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

Toni Rebekah Davison, P.A.-C.  
Jason R. Fantini, P.A.-C.  
Samantha Jane Hanson, P.A.-C.  
Maureen E. McDonough, P.A.-C.  
James Carroll O'Connor, P.A.-C.  
Patricia Ann Parrish, P.A.-C. - #793  
Emily N. Penz, P.A.-C.  
Heather Ann Whetzel, P.A.-C.

Dr. Mullins moved that the Committee recommend each such applicant for Physician Assistant licensure by the Board. Dr. Duncan seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the application for physician assistant licensure of Meredith L. Wisser (George), P.A.-C. After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board approve Ms. Wisser for licensure to practice in her legal name pending receipt of an accurately completed application form. Dr. Lakin seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the license reinstatement application of Brian Thomas Jarrell, P.A.-C. After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board approve Mr. Jarrell for reinstatement of physician assistant licensure. Dr. Mullins seconded the motion, and the motion carried.

At its November 2017 meeting Allison Anne Brown, P.A.-C. appeared before the Physician Assistant Committee in support of her application for physician assistant licensure. The Committee moved that Ms. Brown's application be placed on hold pending receipt of additional information demonstrating that Ms. Brown has come into

compliance with a currently pending and unsatisfied Order issued by the Delaware Board of Medical Licensure and Discipline. Information was submitted for the Committee's review from Ms. Brown and the Delaware Board of Medicine providing evidence of Ms. Brown's compliance. Dr. Lakin moved that the Committee recommend that the Board approve Ms. Brown for licensure. Mr. Wooten seconded the motion, and the motion carried.

Ms. Alley reported to the Committee that the Legislative Rule Making Review Committee has approved the Board's proposed Legislative Rule 1B.

The Physician Assistant Committee reviewed and discussed the incomplete proposed practice agreement between Maryam Jafary Rana, P.A.-C. and Hassan Asghar Jafary, M.D. along with related correspondence between the licensees and Board staff regarding the proposed agreement. The Committee advised Board staff to communicate with Ms. Rana and Dr. Jafary the items still needed as previously outlined in the Additional Instructions for Delegation of MAT available on the Board's website.

Ms. Thompson informed the Committee that the NCCPA certification for seven actively licensed physician assistants expired effective December 31, 2017. These PAs have been notified to practice using the designation "PA" rather than "PA-C".

Ms. Thompson provided an update to the Committee on the amending of prescriptive authority to current practice agreements after the enactment of Emergency Rule 1B. A total of 339 Prescriptive Authority Amendment forms for currently authorized practice agreements received by the December 29, 2017 deadline were processed.

Ms. Thompson also reported that forty-one (41) practice agreements were authorized since the November 2017 meeting. Additionally, fifty-nine (59) alternate supervisors were designated.

There being no further business, the Physician Assistant Committee was adjourned by consensus.

**ADJOURNMENT**



Kenneth Dean Wright, P.A.-C.  
Chair of the Physician Assistant Committee

# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA SATURDAY, MARCH 10, 2018

---

## **Call to Order**

## **Approval of Minutes**

Approval of January 6, 2018, Physician Assistant Committee Meeting Minutes.

## **New Licensure Applicants**

1. Amber Mae Beckman, P.A.-C.
2. Rebecca Lynn D'Eramo, P.A.-C.
3. Randi Linn Dillon, P.A.-C.
4. Cody Ann McGovern Eccard, P.A.-C.
5. Kaitlyn Arielle Garnett, P.A.-C.
6. Jessica Chaney Hansroth, P.A.-C.
7. Holly Marie Harris, P.A.-C.
8. Randall Douglas Kelly, P.A.-C.
9. Jordan Rhea Kerr, P.A.-C.
10. Skerdilaid Licaj, P.A.-C.
11. Joshua James Rogers, P.A.-C.
12. Megan J. Schweid, P.A.-C.
13. Natalie Anne Sesto, P.A.-C.
14. Ronald Winston Bewick, Jr., P.A.-C. – Add-on
15. Richard Annon Corley, Jr., P.A.-C. (#525) – Add-on
16. Lindsey Megan Fancett, P.A.-C. – Add-on
17. Sarah Leigh LaSala, P.A.-C. – Add-on
18. Thomas A. White, P.A.-C. (#1563) – Add-on
19. Eric Francis Williams, P.A.-C. – Add-on

## **Reinstatement Applicant**

David W. Runyon, P.A.-C. #838  
Weslyn Anna Leffler, P.A.-C. #1648 – Add-on

## **Discussions**

- A. Inquiry on Alternate Collaboration in Emergency Room
- B. Practice Agreement Status
- C. Proposed Practice Agreements – Home Health Visits
- D. Inquiry on Emergency administering of Schedule II controlled substances – Add-on
- E. Proposed Practice Agreement with advanced duty logs – Add-on

## **Adjournment**



**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**March 10, 2018**

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A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 10<sup>th</sup> day of March 2018 at 9:00 a.m.

The following Committee members were present:

Kenneth Dean Wright, P.A.-C.  
Rev. Janes Harman  
Carrie Lakin, D.P.M.  
David A. Mullins, M.D.  
Victoria (Tori) Mullins, P.A.-C.

The following Committee members were absent:

Harry E. Duncan, Jr., M.D.  
Russell O. Wooton, Esq.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing

With a quorum present, Mr. Wright called the meeting to order. Mr. Wright welcomed new Committee member Rev. Harman. A motion was made by Dr. Lakin to approve the minutes of the January 6, 2018, meeting of the Physician Assistant Committee. Dr. Mullins seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

1. Amber Mae Beckman, P.A.-C.
2. Ronald Winston Bewick, Jr., P.A.-C.
3. Richard Annon Corley, Jr., P.A.-C. (#525)
4. Rebecca Lynn D'Eramo, P.A.-C.

5. Randi Linn Dillon, P.A.-C.
6. Cody Ann McGovern Eccard, P.A.-C.
7. Kaitlyn Arielle Garnett, P.A.-C.
8. Jessica Chaney Hansroth, P.A.-C.
9. Holly Marie Harris, P.A.-C.
10. Randall Douglas Kelly, P.A.-C.
11. Jordan Rhea Kerr, P.A.-C.
12. Skerdilaid Licaj, P.A.-C.
13. Joshua James Rogers, P.A.-C.
14. Megan J. Schweid, P.A.-C.
15. Natalie Anne Sesto, P.A.-C.
16. Thomas A. White, P.A.-C. (#1563)
17. Eric Francis Williams, P.A.-C.

Dr. Mullins moved that the Committee recommend each such applicant for Physician Assistant licensure by the Board. Dr. Lakin seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the application for physician assistant licensure of Lindsey Megan Fancett, P.A.-C. After a thorough discussion, Dr. Mullins moved that Ms. Fancett's application be placed on hold pending receipt of an amended application for the Committee's review, which clarifies her licensure and work history as well as the explanation provided for a "yes" answer to a professional practice question. Dr. Lakin seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the licensure application and proposed practice agreement of Sarah Leigh LaSala, P.A.-C. After an in depth discussion, Dr. Mullins moved that the Committee recommend Ms. LaSala be approved for Physician Assistant licensure by the Board through Consent Order which includes the following terms: (1) that any practice agreement submitted must be reviewed by the Physician Assistant Committee prior to authorization; (2) that Ms. LaSala practice under direct supervision for a minimum of six months; and (3) that Ms. LaSala's supervising physician send quarterly status reports updating the Committee on her progress and a recommendation regarding when direct supervision should be lifted. Additionally, if Ms. LaSala accepts the terms of the Consent Order, and modifies her proposed practice agreement to include a direct supervision component, Board staff can authorize the

proposed practice agreement with Melanie Ann Fisher, M.D. Dr. Lakin seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the license reinstatement applications of Weslyn Anna Leffler, P.A.-C and David Runyon, P.A.-C. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board approve Mr. Ms. Leffler and Mr. Runyon for reinstatement of physician assistant licensure. Dr. Lakin seconded the motion, and the motion carried.

The Committee discussed the delegation of morphine pump refills and maintenance in an office-based setting. Rev. Harman moved the Committee direct staff that agreements may be authorized delegating this advanced duty with evidence of the appropriate training and logs for refills and pump maintenance only. Because morphine is a Schedule II Controlled Substance independent adjustment of dosages is outside the scope of a physician assistant. Accordingly, physician assistants may not make changes in dosage/calibration of the pump without specific direction from the collaborating physician. Dr. Mullins seconded the motion, and the motion carried.

The Committee discussed a proposed practice agreement which requested delegation of joint aspirations. The logs submitted were not site specific as is required for joint injections. The Committee confirmed for staff that joint aspiration delegation would also be site specific and would require the appropriate logs for authorization to delegate this advanced duty.

The Committee discussed the inquiry of a physician assistant relating to the emergent administration of morphine for cardiac treatment in the absence of the collaborating physician. Dr. Mullins moved the Committee direct staff to inform the physician assistant that the collaborating physician may delegate this in the Emergency Care section of the delegated medical acts provided that specific protocols are outlined in the agreement. Dr. Steele seconded the motion, and the motion carried.

The Committee discussed three proposed practice agreements received in which the care provided by the collaborating physician and physician assistants consist of home health visits. The collaborating physician has agreed to use her home office as the work location. The Committee confirmed for staff that this was acceptable under the circumstances presented.

The Committee discussed a written request regarding clarification of the delegation of alternate collaboration in an emergency room setting. The Committee determined that the language from the Board's emergency rule (11 CSR 1B) in Section 10.11 answers the question regarding numbers, and that there is little room for interpretation of its meaning. The Committee took no action at this time, however, discussed that legislative action may be needed in the future to address this issue.

Ms. Thompson reported that one hundred twenty-one (121) practice agreements were authorized since the January 2018 meeting. Additionally, one hundred forty-eight (148) alternate supervisors were designated.

There being no further business, the Physician Assistant Committee was adjourned by consensus.

**ADJOURNMENT**

A handwritten signature in blue ink that reads "Kenneth Dean Wright P.A.-C." The signature is written in a cursive style and is positioned above a horizontal line.

Kenneth Dean Wright, P.A.-C.  
Chair of the Physician Assistant Committee

# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA

## SATURDAY, MAY 5, 2018

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### Call to Order

### Approval of Minutes

Approval of March 10, 2018, Physician Assistant Committee Meeting Minutes.

### New Licensure Applicants

1. Danielle Marie Abel, P.A.-C.
2. Caitlin Anne Andryka, P.A.-C.
3. Megan Diane Przybrowski, P.A.-C.
4. Beth Ann Ryan, P.A.-C.
5. Cheryl-Ann Leslie-Theal, P.A.-C.
6. Susan Post Tubens, P.A.-C.
7. Saudat Olayinka Akinola-Hadley, P.A.-C. – add-on
8. Matthew Edward Barker, P.A.-C. – add-on
9. Morgan Leigh Copeland, P.A.-C. – add-on
10. Christopher Wayne Milligan, P.A.-C. – add-on

### Discussions

- A. Richard Santostefano, P.A.-C.
- B. Lindsey Megan Fancett, P.A.-C.
- C. Cynthia Jean Hurst, P.A.-C.
- D. Practice Agreements Delegating MAT with Telemedicine Component
- E. Practice Agreement Status
- F. Practice Agreement Delegating MAT for review
- G. Query Regarding PA to MD Ratio

### Adjournment

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**May 5, 2018**

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A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 5<sup>th</sup> day of May 2018 at 9:00 a.m.

The following Committee members were present:

Kenneth Dean Wright, P.A.-C.  
Carrie Lakin, D.P.M.  
David A. Mullins, M.D.  
Russell O. Wooton, Esq.

The following Committee members were absent:

Harry E. Duncan, Jr., M.D.  
Rev. Janet Harman  
Victoria (Tori) Mullins, P.A.-C.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing  
Diane M. Callison, Physician Assistant Licensure Analyst

With a quorum present, Mr. Wright called the meeting to order. A motion was made by Dr. Lakin to approve the minutes of the March 10, 2018, meeting of the Physician Assistant Committee. Mr. Wooton seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

1. Danielle Marie Abel, P.A.-C.
2. Caitlyn Anne Andryka, P.A.-C.
3. Matthew Edward Barker, P.A.-C.
4. Morgan Leigh Copeland, P.A.-C.

5. Christopher Wayne Milligan, P.A.-C.
6. Megan Diane Przybrowski, P.A.-C.
7. Beth Ann Ryan, P.A.-C.
8. Susan Post Tubens, P.A.-C.

Dr. Mullins moved that the Committee recommend each such applicant for Physician Assistant licensure by the Board. Dr. Lakin seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the licensure application and proposed practice agreement of Sarah Leigh LaSala, P.A.-C. After an in depth discussion, Dr. Mullins moved that the Committee recommend Ms. LaSala be approved for Physician Assistant licensure by the Board through Consent Order which includes the following terms: (1) that any practice agreement submitted must be reviewed by the Physician Assistant Committee prior to authorization; (2) that Ms. LaSala practice under direct collaboration for a minimum of six months; and (3) that Ms. LaSala's collaborating physician send quarterly status reports updating the Committee on her progress and a recommendation regarding when direct collaboration should be lifted. Additionally, if Ms. LaSala accepts the terms of the Consent Order, and modifies her proposed practice agreement to include a direct collaboration component, Board staff may authorize the proposed practice agreement with Melanie Ann Fisher, M.D. Dr. Lakin seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the licensure application of Saudat Olayinka Olushola Akinola-Hadley, P.A.-C. After an in depth discussion, Mr. Wooton moved that the Committee recommend that Ms. Akinola-Hadley be approved for Physician Assistant licensure by the Board pending receipt of verification of her DC licensure. Dr. Mullins seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the quarterly status reports submitted pursuant to the Consent Order of Richard Santostefano, Sr., P.A.-C., which Mr. Santostefano entered with the Board on October 4, 2017. Mr. Santostefano was restricted to direct collaboration for a minimum period of six months. His collaborating physician has

recommended that the restrictions be lifted. Dr. Lakin moved that the Committee recommend to the Board that Mr. Santostefano be released from his Consent Order through Board Order. Dr. Mullins seconded the motion, and the motion carried.

At its March 2018 meeting, the Physician Assistant Committee reviewed the application for physician assistant licensure of Lindsey Megan Fancett, P.A.-C. The Committee moved that Ms. Fancett's application be placed on hold pending receipt of an amended application for the Committee's review, which clarifies her licensure and work history as well as the explanation provided for a "yes" answer to a professional practice question. Ms. Fancett submitted an amended application for review. Dr. Mullins moved to accept the amended application and that the Committee recommend Ms. Fancett for Physician Assistant licensure by the Board. Dr. Lakin seconded the motion, and the motion carried.

The Physician Assistant Committee discussed the application for an out of cycle renewal application for Cynthia Jean Hurst, P.A.-C. Ms. Hurst contacted the Board when she determined her license expiration date was out of alignment with the West Virginia Board of Medicine physician assistant licensure cycle. It was determined that a data entry error resulted in her NCCPA certification expiration date being entered in her license expiration field, and Ms. Hurst was therefore not part of the cohort for renewal in 2017. When the issue was identified, Ms. Hurst submitted a modified renewal application, without a fee. After review of the application and the facts and circumstances resulting in the need for the out of cycle application, Mr. Wooton moved to accept the renewal application and adjust Ms. Hurst's license expiration date to March 31, 2019. Dr. Lakin seconded the motion, and the motion carried.

The Committee reviewed and discussed a proposed practice agreement that includes the delegation of MAT that includes the use of telemedicine. Mr. Wooton moved that the authorization of the use of MAT telemedicine be held pending additional information for the Committee's review. Dr. Lakin seconded the motion, and the motion carried.




The Committee reviewed and discussed an amended proposed practice agreement that includes the delegation of MAT. Mr. Wooton moved that the authorization of the agreement be approved pending receipt of modifications to page 3 of the agreement. Dr. Mullins seconded the motion, and the motion carried.

The Committee discussed correspondence received from WVU Medicine asking the Board: (1) to remove the current requirements which limits the number of PAs a physician may collaborate with; and (2) to make an exception regarding this requirement for clinics which are part of the WVU Heart & Vascular Institute. Currently, a physician may collaborate with up to five physician assistants. In an emergency room or other hospital settings, a physician may collaborate with up to five PAs per shift. Dr. Mullins motioned that the Committee direct staff to send a letter to WVU Medicine which explains that the collaboration limitations identified in the submitted correspondence are set by statute, and the Board does not have the authority to change them or approve exceptions to them absent legislative action. The Committee acknowledges that the current law creates some logistical problems for scheduling models like the one used by the correspondent and these problems and regulatory burden are worthy of consideration by the Legislative Committee for possible legislative action. Dr. Lakin seconded the motion, and the motion carried.

Ms. Thompson reported that ninety-three (93) practice agreements were authorized since the March 2018 meeting. Additionally, two hundred seven (207) alternate supervisors were designated.

There being no further business, the Physician Assistant Committee was adjourned by consensus.

**ADJOURNMENT**



Kenneth Dean Wright, P.A.-C.  
Chair of the Physician Assistant Committee

# **Licensure Committee Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**  
**LICENSURE COMMITTEE AGENDA**

**July 8, 2017**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of May 6, 2017 meeting

**APPEARANCES**

- |                              |            |
|------------------------------|------------|
| 1. Ad, Niv                   | 10:45 a.m. |
| 2. Luizaga Coca, Ever        | 11:00 a.m. |
| 3. Fatenejad, Saeed          | 11:15 a.m. |
| 4. Dutt, Anil                | 11:30 a.m. |
| 5. Hayanga, Jeremiah William | 11:45 a.m. |

**LUNCH BREAK**

- |                          |            |
|--------------------------|------------|
| 6. Link, Gianna Joanne   | 12:45 p.m. |
| 7. Securo, Anthony Todde | 1:00 p.m.  |
| 8. Wee, Alvin            | 1:15 p.m.  |
| 9. Fish, Steven Michael  | 1:30 p.m.  |

**DISCUSSIONS**

10. Tobin, Wayne Ernest
11. Gannon, Peter Mathew
12. Hussain, Maryam
13. Davis, Deborah Sue
14. Burke, Jr., Paul Webber
15. Chadwick, Deborah Lynn – Add-on
16. Bennion, Jr., David Austin – Add-on
17. Burner, Kyle Matthew – Add-on
18. Drug Dispensing Registration Application Revised – Add-on
19. Charitable Exemption Authorization Revised -Add-on
20. Report on 2017 Medical Doctor and Podiatrist Renewals

**WEST VIRGINIA BOARD OF MEDICINE**

**Licensure Committee Meeting Minutes**

**July 8, 2017**

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A meeting of the West Virginia Board of Medicine Licensure Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 8th day of July, 2017, at 10:30 a.m.

The following Committee members were present:

Mustafa Rahim, M.D., Chair  
Harry E. Duncan, Jr., M.D.  
Beth Hays, M.A.  
Carrie Lakin, D.P.M.  
Ashish P. Sheth, M.D.  
Wes Steele, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Sheree J. Thompson

Dr. Rahim called the meeting to order. A motion was made by Dr. Duncan, and seconded by Ms. Hays, to approve the minutes of the May 6, 2017, Licensure Committee meeting. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

At its January 2017 meeting the Licensure Committee reviewed and discussed the application for a medical school faculty license of Niv Ad, M.D. Dr. Ad was requested to appear before the Committee and was unable to appear at the March or May 2017 meetings. The Committee requested his appearance at its July 2017 meeting. Dr. Ad appeared before the Committee in support of his application. After a thorough discussion with Dr. Ad, Ms. Hays moved that the Committee recommend that the Board approve Dr. Ad for medical school faculty licensure. Dr. Steele seconded the motion, and the motion carried.

At its May 2017 meeting, the Licensure Committee reviewed and discussed a group of applications that have been submitted through a telemedicine service in South Dakota. One of the applicants using this company, Ever Luizaga Coca, M.D., received a letter of warning from another State Board in 2016 for knowingly submitting an application that was not signed in the presence of the Notary Public. This applicant submitted an affidavit to the WVBOM that was also notarized in South Dakota by the service's staff while he still resides in Pennsylvania, and the Good Moral Character statement submitted on his behalf was also notarized in South Dakota although the colleague resides in another state. The Committee requested his appearance at its July 2017 meeting. Dr. Luizaga Coca appeared before the Licensure Committee in support of his application. After a thorough discussion with Dr. Luizaga Coca, Dr. Lakin moved that Dr. Luizaga Coca's application be placed on hold pending receipt of a duly authorized affidavit and Good Moral Character Statement. Dr. Steele seconded the motion, and the motion carried.

At its March 2017 meeting, the Licensure Committee reviewed and discussed the application for reactivation of the permanent medical license of Saeed Fatenejad, M.D. Dr. Fatenejad was requested to appear before the Committee at its May 2017 meeting, however, was unable to meet with the Committee. The Committee requested his appearance at its July 2017 meeting. Dr. Fatenejad appeared before the Licensure Committee in support of his application. After a thorough discussion with Dr. Fatenejad, Ms. Hays moved that Dr. Fatenejad take and pass the SPEX exam prior to further determination of his application for reactivation of licensure, and that his application be placed on hold pending receipt of the exam results. Dr. Lakin seconded the motion, and the motion carried.

At its May 2017 meeting the Licensure Committee reviewed and discussed the application for a permanent medical license of Anil Dutt, M.D. Dr. Dutt was requested to appear before the Licensure Committee at its July 2017 meeting. Dr. Dutt appeared before the Committee in support of his application. After a thorough discussion with Dr. Dutt, Dr. Steele moved that the Committee recommend that the Board approve Dr. Dutt for licensure pending payment of the mandatory PICF assessment fee. Ms. Hays seconded the motion, and the motion carried.

At its May 2017 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Jeremiah William Hayanga, M.D. The Committee

recommended that Dr. Hayanga be notified that he does not meet the current qualifications for licensure eligibility and offer him the opportunity to withdraw his application. When given the opportunity to withdraw, Dr. Hayanga converted his application for permanent licensure to an application for medical school faculty licensure and appeared before the Licensure Committee in support of his application. After a thorough discussion with Dr. Hayanga, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Hayanga for medical school faculty licensure. Dr. Duncan seconded the motion, and the motion carried.

At its May 2017 meeting, the Licensure Committee reviewed and discussed the application for reinstatement of the permanent medical license of Gianna Joanne Link, M.D. Dr. Link was requested to appear before the Committee at its July 2017 meeting. Dr. Link appeared in support of her application. After a thorough discussion with Dr. Link, Dr. Lakin moved that Dr. Link undergo a neuropsychological and audiological evaluations at the Board's expense prior to any further determination of her application for reinstatement of her medical license; and that Dr. Link's application be placed on hold pending receipt of reports from the evaluating physicians. Ms. Hays seconded the motion, and the motion carried.

At its May 2017 meeting, the Licensure Committee reviewed and discussed the application for reactivation of the permanent medical license of Anthony Todde Securo, M.D. Dr. Securo was requested to appear before the Licensure Committee at its July 2017 meeting. Dr. Securo appeared in support of his application. After a thorough discussion with Dr. Securo, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Securo for reactivation of licensure through proposed Consent Order with the following terms, conditions, limitations and restrictions: 1) Dr. Securo shall not practice pain management or work in a pain management clinic, and shall refer patients with chronic pain, as necessary, to a pain management specialist or licensed clinic; 2) In the event that Dr. Securo regains a DEA registration which permits the prescribing of schedule II and III controlled substances he shall not prescribe controlled substances to any patient at an amount more than the morphine equivalent daily dose (MEDD) of 30mg and such prescriptions shall not be for more than one (1) week of medication per procedure; 3) Prior to prescribing, administering, ordering or dispensing any controlled substances, Dr. Securo shall detail in full, in the patient's file, the examination performed and diagnosis reached in the particular patient's file. Dr. Securo shall specifically record all physical data of the patient and detail the exact nature of his evaluation of the patient. In addition to this

requirement, Dr. Securo agrees to comply with all record keeping requirements of the Board; 4) At six month intervals after the date of entry of this Consent Order, the Board may, in its discretion, query Dr. Securo's controlled substance prescribing practices with the West Virginia Board of Pharmacy's Controlled Substance Monitoring Database and/or similar state or federal entities in surrounding states to monitor Dr. Securo's compliance with the prescribing restrictions imposed by this Order; 5) Dr. Securo acknowledges that it is a best practice to chart in the medical record the name of the chaperone and/or female staff member present whenever he conducts a breast examination, gynecological examination, or any other medical test or procedure which requires contact with or exposure of the breast or genitals. Dr. Securo agrees that he will strictly comport with this practice and will always chart the name of the female staff member/chaperone present for all such medical procedures; 6) Dr. Securo shall maintain current and accurate contact information with the Board, including home address, preferred mailing address, all practice addresses in West Virginia and e-mail address. Dr. Securo shall provide the Board with any changes or additions to his contact information within 5 days of any such change; 7) Within ten days of commencing practice at any place of practice in West Virginia, and for so long as the practice restrictions imposed by this Consent Order remain in place, Dr. Securo shall provide a complete copy of the fully executed Consent Order, to any and all employers and places where he practices and/or has privileges in West Virginia; 7) Dr. Securo shall appear before the Licensure Committee on an annual basis, at the discretion of the Board, to discuss his practice of medicine and/or his compliance with the terms of his probation or this Consent Order; and 8) After Dr. Securo has been in active practice in West Virginia for one full year, he may petition to the Board to modify and/or lift the practice restrictions related thereto which are imposed by this Order. Ms. Hays seconded the motion, and the motion carried.

Alvin Chan Wee, M.D. appeared before the Licensure Committee in support of his application for an extraordinary circumstances medical license. After a thorough discussion with Dr. Wee, Ms. Hays moved that the Licensure Committee recommend to the Board that the Board approve Dr. Wee's application for licensure pursuant to WV Code § 30-3-10(e) based on the following findings:

1. The applicant has exceptional education, training and practice credentials, including:

a. Establishing and eight years of experience serving as the Program Director of the Kidney and Kidney/Pancreas Program at St. Vincent Hospital in Indianapolis,

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Indiana, a satellite transplant program for the Cleveland Clinic, during which time the program has substantively contributed to a significant decrease in the kidney transplant wait time for the state of Indiana with the program itself having the second shortest wait time in the region;

b. Over ten years of clinical experience in Kidney and Pancreas Transplantation, including laparoscopic living donor nephrectomies;

c. Serving as a Living Donor Primary Surgeon for the Kidney and Kidney/Pancreas Program at St. Vincent Hospital in Indianapolis, Indiana;

d. Appointment as Assistant Professor for the Cleveland Clinic Lerner College of Medicine;

e. Serving as the Region 10 Representative for United Network for Organ Sharing;

f. Completion of a two year Renal/Pancreas Transplant Fellowship at the Glickman Urological and Kidney Institute at the Cleveland Clinic; and

g. Publication in the subject matter area of transplant medicine, including pancreas transplantation.

2. The applicant's practice in the state would be beneficial to the public welfare. Currently, there are no physicians in West Virginia performing live donor kidney transplants, and only one physician performing deceased donor kidney transplants. Dr. Wee performs live and deceased donor kidney transplants, and his licensure would provide access to live donor kidney transplants to residents of this state.

3. The availability of live donor kidney transplant procedures can affect the length of transplant wait times for West Virginia patients, and can maximize opportunities and outcomes for certain patient populations.

4. The applicant received six years of postgraduate training outside of the United States and its territories, including four years of urologic surgery. Additionally, Dr. Wee completed one year of ACGME post-graduate medical training in internal medicine and two years of fellowship training in Renal/Pancreas Transplant at the Glickman Urological and Kidney Institute at the Cleveland Clinic.

5. The applicant's education and initial post-graduate training occurred outside of the United States and are not, standing alone, substantially equivalent to the requirements of licensure in this state, however the totality of his education, training, and practice credentials are substantially equivalent to the requirements of licensure established in W. Va. Code §30-3-10(f).



6. The applicant has no disciplinary action which would render him ineligible for an extraordinary circumstances license.

7. The applicant is eligible for a restricted license in extraordinary circumstances.

Ms. Hays further moved that the Committee recommend that Dr. Wee be approved for an extraordinary license limited according to practice location at the locations of Charleston Area Medical Center, Charleston, West Virginia, and that the applicant's license shall be restricted to the practice of transplant surgery. Dr. Sheth seconded the motion, and the motion carried.

Steven Michael Fish, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Fish, Dr. Steele moved that the Committee recommend that the Board approve Dr. Fish for licensure. Ms. Hays seconded the motion, and the motion carried.

At its May 2017 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Wayne Ernest Tobin, M.D. Dr. Tobin was requested to appear before the Licensure Committee at its July 2017 meeting. Dr. Tobin submitted a request to waive the requirement of his appearance and updated his application to state he has practiced clinically in his most recent employment, which was stated as administrative employment in error on his initial application. After review and discussion of this additional information, Dr Lakin moved that the Committee recommend that the Board accept his intern year of postgraduate training as satisfactorily verified and approve Dr. Tobin for licensure pending payment of the mandatory PICF assessment fee based on the following factors: Dr. Tobin's residency training was verified and he holds lifetime Board certification in Neurology. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Peter Matthew Gannon, M.D. After a thorough discussion, it was the determination of the Committee that Dr. Gannon appear before the Licensure Committee at its September 2017 meeting in support of his application.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Maryam Hussain, M.D. After a thorough discussion, Dr. Sheth

moved that the Committee recommend that the Board approve Dr. Hussain for licensure pending satisfactory receipt of evidence of completion of her third year of postgraduate training and her payment of the mandatory PICF assessment fee. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for reactivation of the permanent license of Deborah Sue Davis, M.D. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board accept the evidence of CME completion submitted by Dr. Davis as satisfactory, and approve Dr. Davis for activation of licensure. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for reactivation of the permanent license of Deborah Lynn Chadwick (formerly Green-Chadwick), M.D. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board accept the evidence of CME completion submitted by Dr. Chadwick as satisfactory, and approve Dr. Chadwick for reactivation of licensure. Ms. Hays seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed information relating to the potential violation of a Consent Order. Dr. Lakin moved that the Committee refer the matter to the Complaint Committee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of David Austin Bennion, Jr., M.D. After a thorough discussion, Ms. Hays moved that the Committee recommend that the Board approve Dr. Bennion for licensure pending satisfactory receipt of evidence of completion of his intern year of postgraduate training. Dr. Sheth seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Kyle Matthew Burner, M.D. After a thorough discussion, Ms. Hays moved that the Committee recommend that the Board approve Dr. Bennion for licensure pending satisfactory receipt of evidence of completion of his intern year of postgraduate training. Dr. Sheth seconded the motion, and the motion carried.

After review and discussion, the Committee acted to approve the following two forms as revised:

Drug Dispensing Registration Application  
Charitable Exemption Authorization

Board staff provided information regarding the 2017 licensure renewal period for all podiatric physicians; medical doctors with the last names beginning with M – Z; and any associated drug dispensing registrations. Renewal began on May 3, 2017, with paper applications being available for submission. After nearly a month delay, on-line applications were implemented for the medical doctors with the last names beginning with M – Z. The following renewal applications were processed:

Active MDs:	2846	(16% decrease)
Inactive MDs:	203	
Active DPMs:	109	(7% decrease)
Inactive DPMs:	6	
Volunteer MDs:	8	

Drug Dispensing Registrations:	227
PLLCs:	136

Ms. Thompson provided the Licensure Committee with a list of applicants who have submitted applications in the past year who have not completed the application process. Five applicants failed to meet licensure eligibility requirements and twenty-one have failed to provide or cause to be provided all necessary documentation to complete his or her application.

The Licensure Committee reviewed and discussed the list of compliant applications which did not require an appearance or individualized discussion, which includes one-hundred seventy-five (175) initial medical doctor applications, two initial podiatric physician applications and one reactivation of medical license application. There are also two applications pending receipt of the mandatory PICF assessment fee and 1 pending receipt of an official USMLE transcript from the FSMB, not the applicant. In addition there are four initial applicants for summer camp licensure. Dr. Steele moved that the Committee recommend that the Board approve the applicants for licensure as indicated. Dr. Duncan seconded the motion and the motion carried.

The Licensure Committee determined by consensus to adjourn, there being no **ADJOURNMENT** further business.

A handwritten signature in blue ink, appearing to be 'Mustafa Rahim', written over a horizontal line.

Mustafa Rahim, M. D.  
Chair of the Licensure Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**LICENSURE COMMITTEE AGENDA**

**September 9, 2017**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of July 8, 2017 meeting

**APPEARANCES**

- |                               |            |
|-------------------------------|------------|
| 1. Alsoutary, Khalil Mohammad | 11:00 a.m. |
| 2. Bleggi, Albert Mark        | 11:15 a.m. |
| 3. Oates, John Martin         | 11:30 a.m. |

**LUNCH BREAK**

**DISCUSSIONS**

4. Gannon, Peter Mathew
5. Almaraz, Gilbert
6. Agarwal, Ankush
7. Kocher, Robert Paul
8. Kamat, Sunil Gurudas
9. Joshi, Dhruv
10. Luizaga Coca, Ever
11. Spears, Gregory Lynn
12. Thomas, David Elmer
13. Gomez, Joel Eleazar
14. Jaramillo, Victor
15. Wolz, Dean Eric
16. Wright, Stehanie Anne
17. Mason, Bert E.
18. Donley, Darrell Lee
19. Fatenejad, Saeed
20. Securo, Anthony Todd
21. Policy on Background Check Status
22. USMLE exam attempt limits for initial licensure
23. IMLC Update
24. Parker, Jason Alexis – Add-on
25. Miro, Santiago – Add-on

**WEST VIRGINIA BOARD OF MEDICINE**  
**Licensure Committee Meeting Minutes**  
**September 9, 2017**

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A meeting of the West Virginia Board of Medicine Licensure Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 9th day of September, 2017, at 11:00 a.m.

The following Committee members were present:

Mustafa Rahim, M.D., Chair  
Harry E. Duncan, Jr., M.D.  
Beth Hays, M.A.  
Ashish P. Sheth, M.D.

The following Committee members were absent:

Carrie Lakin, D.P.M.  
Wes Steele, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Sheree J. Thompson

Dr. Rahim called the meeting to order. A motion was made by Dr. Duncan, and seconded by Ms. Hays, to approve the minutes of the July 8, 2017, Licensure Committee meeting. The motion carried.

**CALL TO  
ORDER**

Khalil Mohammad Alsoutary, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Alsoutary, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Alsoutary for licensure pending receipt of the PICF assessment fee. Ms. Hays seconded the motion, and the motion carried.

**APPROVAL  
OF PUBLIC  
MINUTES**

Albert Mark Bleggi, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Bleggi,

Dr. Sheth moved that the Committee recommend that the Board approve Dr. Bleggi for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

Martin John Oates, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Oates, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Oates for licensure pending receipt of the PICF assessment fee. Dr. Sheth seconded the motion, and the motion carried.

At its July 2017 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Peter Matthew Gannon, M.D. Dr. Gannon was requested to appear before the Committee at its September 2017 meeting. When notified of his requested appearance, Dr. Gannon submitted a request to withdraw his application. Dr. Sheth made a motion to recommend that the Board permit Dr. Gannon to withdraw his application. Ms. Hays seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Gilbert Almaraz, M.D. After a thorough discussion, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Almaraz for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Ankush Agarwal, M.D. After a thorough discussion, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Agarwal for licensure. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Robert Paul Kocher, M.D. After a thorough discussion, Dr. Duncan moved that Dr. Kocher appear before the Licensure Committee at its November 2017 meeting. Ms. Hays seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Sunil Gurudas Kamat, M.D. After a thorough discussion, Ms. Hays moved that the Committee recommend that the Board approve Dr. Kamat for licensure. Dr. Sheth seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Dhruv Joshi, M.D. After a thorough discussion, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Joshi for licensure. Ms. Hays seconded the motion, and the motion carried.

At its May 2017 meeting, the Licensure Committee reviewed and discussed a group of applications that have been submitted through a telemedicine service in South Dakota. One of the applicants using this company, Ever Luizaga Coca, M.D., received a letter of warning from another State Board in 2016 for knowingly submitting an application that was not signed in the presence of the Notary Public. This applicant submitted an affidavit to the WVBOM that was also notarized in South Dakota by the service's staff while he still resides in Pennsylvania, and the Good Moral Character statement submitted on his behalf was also notarized in South Dakota although the colleague resides in another state. The Committee requested his appearance at its July 2017 meeting. Dr. Luizaga Coca appeared before the Licensure Committee in support of his application. Dr. Luizaga Coca's application was placed on hold pending receipt of a duly authorized affidavit and Good Moral Character Statement, which was received and reviewed by the Committee at its September 2017 meeting. After review, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Luizaga Coca for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Gregory Lynn Spears, M.D. After a thorough discussion, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Spears for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of David Thomas Elmer, M.D. After a thorough discussion, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Elmer for licensure pending



receipt of a copy of his medical school diploma, copy of his certificate of postgraduate training and receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Joel Eleazar Gomez, M.D. After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Gomez for licensure pending receipt of the PICF assessment fee. Ms. Hays seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Victor Jaramillo, M.D. After a thorough discussion, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Jaramillo for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Dean Eric Wolz, M.D. After a thorough discussion, Ms. Hays moved that the Committee recommend that the Board approve Dr. Wolz for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Stephanie Anne Wright, M.D. After a thorough discussion, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Wright for licensure. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for reactivation of the permanent podiatric license of Bert E. Mason, D.P.M. After a thorough discussion, Dr. Sheth moved that the Committee recommend that the Board accept the evidence of CME completion submitted by Dr. Mason as satisfactory, and approve Dr. Mason for activation of licensure. Ms. Hays seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for reactivation of the permanent license of Darrell Lee Donley, M.D. After a thorough discussion, Dr. Sheth moved that the Committee recommend that the Board accept the evidence of CME completion

submitted by Dr. Donley as satisfactory, and approve Dr. Donley for activation of licensure. Ms. Hays seconded the motion, and the motion carried.

At its March 2017 meeting, the Licensure Committee reviewed and discussed the application for reactivation of the permanent medical license of Saeed Fatenejad, M.D. Dr. Fatenejad was requested to appear before the Committee at its May 2017 meeting, however, was unable to meet with the Committee. Dr. Fatenejad met with the Committee in July 2017. Thereafter, the Committee requested that Dr. Fatenejad take and pass the SPEX exam prior to further determination upon his application for reactivation of licensure. Dr. Fatenejad did not respond to the Committee prior to the September 2017 meeting. Ms. Hays moved that Dr. Fatenejad's application remain on hold and that he be given the opportunity to pass the SPEX exam or to request the withdrawal his application prior to the Committee taking final action upon his application in November 2017. Dr. Sheth seconded the motion, and the motion carried.

After his appearance at the Licensure Committee's July 2017 meeting, the Board offered Anthony Todd Securo, M.D. reactivated licensure contingent upon his acceptance of a Consent Order with the following terms, conditions, limitations and restrictions: 1) Dr. Securo shall not practice pain management or work in a pain management clinic, and shall refer patients with chronic pain, as necessary, to a pain management specialist or licensed clinic; 2) In the event that Dr. Securo regains a DEA registration which permits the prescribing of schedule II and III controlled substances he shall not prescribe controlled substances to any patient at an amount more than the morphine equivalent daily dose (MEDD) of 30mg and such prescriptions shall not be for more than one (1) week of medication per procedure; 3) Prior to prescribing, administering, ordering or dispensing any controlled substances, Dr. Securo shall detail in full, in the patient's file, the examination performed and diagnosis reached in the particular patient's file. Dr. Securo shall specifically record all physical data of the patient and detail the exact nature of his evaluation of the patient. In addition to this requirement, Dr. Securo agrees to comply with all record keeping requirements of the Board; 4) At six month intervals after the date of entry of this Consent Order, the Board may, in its discretion, query Dr. Securo's controlled substance prescribing practices with the West Virginia Board of Pharmacy's Controlled Substance Monitoring Database and/or similar state or federal entities in surrounding states to monitor Dr. Securo's compliance with the prescribing restrictions imposed by this Order; 5) Dr. Securo acknowledges that it is a best practice to chart in the medical record the name of the chaperone

and/or female staff member present whenever he conducts a breast examination, gynecological examination, or any other medical test or procedure which requires contact with or exposure of the breast or genitals. Dr. Securo agrees that he will strictly comport with this practice and will always chart the name of the female staff member/chaperone present for all such medical procedures; 6) Dr. Securo shall maintain current and accurate contact information with the Board, including home address, preferred mailing address, all practice addresses in West Virginia and e-mail address. Dr. Securo shall provide the Board with any changes or additions to his contact information within 5 days of any such change; 7) Within ten days of commencing practice at any place of practice in West Virginia, and for so long as the practice restrictions imposed by this Consent Order remain in place, Dr. Securo shall provide a complete copy of the fully executed Consent Order, to any and all employers and places where he practices and/or has privileges in West Virginia; 7) Dr. Securo shall appear before the Licensure Committee on an annual basis, at the discretion of the Board, to discuss his practice of medicine and/or his compliance with the terms of his probation or this Consent Order; and 8) After Dr. Securo has been in active practice in West Virginia for one full year, he may petition to the Board to modify and/or lift the practice restrictions related thereto which are imposed by this Order. Dr. Securo did not respond to the proposed Consent Order prior to the September 2017 Committee meeting. It was the consensus of the Committee to offer Dr. Securo the opportunity to execute the Consent Order or request the withdrawal of his application prior to the Committee taking final action upon his application at its November 2017 meeting.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Jason Alexis Parker, M.D. After a thorough discussion, Ms. Hays moved that the Committee recommend that the Board approve Dr. Parker for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Santiago Miro, M.D. After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Miro for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

Board staff requested direction on the processing of applications which have discrepancies between information reported on an application and the information provided on an

applicant's criminal history record check report. The Committee directed staff that when discrepancies are satisfactorily resolved by the applicant, staff should exercise discretion in determining whether the application warrants review by the Licensure Committee.

Board staff asked for clarification on the policy instituted in January 2013 regarding the six-attempt limit to pass any of the USMLE exam steps. It was the consensus of the Licensure Committee that if an applicant has required more than six attempts to pass any one of the USMLE exam steps prior to 2013, the application should be reviewed by the Licensure Committee. However, if the applicant has more than six attempts on any step of the USMLE exam after January 2013, the applicant is ineligible for licensure.

Board staff updated the Committee on the status of Interstate Medical Licensure Compact (IMLCC) applications. The following six applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an IMLCC application between the July and September Board meetings:

Behrens, Jacob M.	Wisconsin
Dillard, Shelia Diane	Alabama
Joseph Gordon Krainin	Kansas
Gina Alexandra McRae	Alabama
Joyce Geneva Moore	Kansas
Mark Daniel Yovichin	Idaho

Also, the Board has received eight requests for Letters of Qualification (LOQ) to be issued by the Board as the state of principal licensure. Of these, three applications are pending completion and two may be ineligible for a LOQ. LOQs were issued to:

Gregory Dresel Clarke, M.D.  
Matt Wade Lambert, M.D.  
Sushil M. Sethi, M.D.

The Licensure Committee reviewed and discussed the list of applications which did not require an appearance or individualized discussion, which includes seventy-one initial medical doctor applications, one initial podiatric physician application and four reactivation of medical license applications. There are also two applications pending receipt of the mandatory PICF assessment fee. Dr. Sheth moved that the Committee recommend that the Board approve the applicants for licensure as indicated. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee determined by consensus to adjourn, there being no **ADJOURNMENT** further business.



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Mustafa Rahim, M. D.  
Chair of the Licensure Committee

**APPLICANTS FOR PERMANENT LICENSURE - Physicians**

**September 11, 2017**

**Abdelqader, Abdelhai  
Abid, Ayesha  
Adelman, Avram Eli  
Allgaier, Jeffrey Todd  
Al-Qawasmi, Halima  
Arehart, Eric James  
Arekapudi, Smitha  
Aromin, Jourdan Tyler**

**Balla, Sudarshan  
Bryant, Keisha Kadesha**

**Cartagena, Jr., Rafael  
Chacko, Binu Thomas  
Clarkson, Mackenzie James  
Cundiff, Courtney Anne**

**Davis, Sean Germaine  
Dilcher, Brian Zachary**

**Elkamberg, Hussam Mohamed Aly Iskander  
Estaphan, Nevine Albert Naguib  
Fleming, Michael James**

**Galvan Turner, Valerie Biana  
Garcia, Chanel Amber  
Garg, Shweta  
Geist, Derik Josef  
Graumann, Martin P.  
Green, Thomas John**

**Hammad, Walid Mohamed Fawzy Mohamad  
Hollander, Susan Lindsay  
Hornsby, Kristan Michelle**

**Jacob, Sneha  
Judhan, Rudy Jewan**

**Khan, Nadia N.  
Kotsko, Jude David  
Kumar, Mukesh  
Kupferberg, David Howard  
Lastrapes, Scott Christopher  
Lee, Brent Robert**

**Lenahan, Susan Ellen**  
**Liubicich, Jeffrey Felice**  
**Lull, Lisa Schiller**

**McBeth, Ryan Kent**  
**McLeod, Nathanael David**  
**Moczygemba, Roger Michael**  
**Mohiuddin, Atif Zaher**  
**Moufarrege, Ghassan Toufic**

**Neidhardt, Jessica Marie**  
**Nicolwala, Hormuz Adil**  
**Onuigbo, Sunny Nduka**

**Papani, Ravikanth**  
**Parrino, Michael Patrick Howard**  
**Pickett, Jason Raine**

**Randazzo, William Thoburn**  
**Rathore, Sulaiman Aziz**  
**Reinsel, Tom E.**  
**Rothman, Richard Brian**  
**Rouse, Eden Maria**

**Saenz, Monica Lisa**  
**Sanjeevi, Arunkumar**  
**Sargent, Donald Lee**  
**Schulman, Rebecca Lauren**  
**Schwartz, Andrew William**  
**Shmookler, Aaron Daniel**  
**Shou, Jason**  
**Sreeharikesan, Suppiramaniam**  
**Swackhammer, Randy Lee**

**Tan, Mary Aldrene Lee**  
**Vu, Hang Thanh**

**Waldeck, Kate Marie**  
**Ward, Richard James**  
**Wardell, Richard Mark**  
**Wynn, Vander Mark**  
**Zelenak, Timothy Gerald**

**REACTIVATION APPLICANTS WHOSE LICENSE HAS NOT BEEN ACTIVE FOR  
MORE THAN ONE YEAR - Physician**

**Chesnut, Joy Cruz  
Elbash, Ahmad Feras  
Petty, Gary Joe  
Teferra, Ethiopia**

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**APPLICANT FOR PERMANENT LICENSURE – Podiatric Physician**

**Bosia, Kathryn June**

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**APPLICANTS FOR PERMANENT LICENSURE – Physician  
Approve pending receipt of PICF Assessment Fee**

**Musa, Abdullahi Mohamad Mukhtar  
Peralta, Brannon Phillip Dumag**



**WEST VIRGINIA BOARD OF MEDICINE**  
**LICENSURE COMMITTEE AGENDA**

**November 11, 2017**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of September 9, 2017 meeting

**Consent Order Update**

Securo, Anthony Todd

**APPEARANCES**

- |                        |            |
|------------------------|------------|
| 1. Kocher, Robert Paul | 11:15 a.m. |
| 2. Davidson, Amy Alise | 11:30 a.m. |

**LUNCH BREAK**

- |                               |            |
|-------------------------------|------------|
| 3. Harris, Robert Roy         | 12:30 p.m. |
| 4. Schindzielorz, Adam Hubert | 12:50 p.m. |
| 5. Caldwell, Scott Wilbert    | 1:15 p.m.  |
| 6. Halsey, Kayla Donn         | 1:30 p.m.  |

**DISCUSSIONS**

7. Fatenejad, Saeed
8. Abdelkarim, Ahmed Rabie
9. Guerrero, Manuel Carlos
10. Link, Gianna Joanne
11. Parsons, Michael Patrick
12. Update on Policy regarding Background Checks
13. Podiatry Scope of Practice Inquiry
14. IMLCC Update
15. Winters, Jr., Charles – Add-on
16. Carl, Beverly Ann – Add-on
17. Frank, Julia Bess – Add-on
18. Clinton, II, Gilbert Niles – Add-on
19. Cannon, Carrie Sue – Add-on
20. Musgrove, Kelsey Aleen – Add-on

**WEST VIRGINIA BOARD OF MEDICINE**

**Licensure Committee Meeting Minutes**

**November 11, 2017**

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A meeting of the West Virginia Board of Medicine Licensure Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 11th day of September, 2017, at 11:50 a.m.

The following Committee members were present:

Mustafa Rahim, M.D., Chair  
Harry E. Duncan, Jr., M.D.  
Wes Steele, M.D.

The following Committee member was absent:

Carrie Lakin, D.P.M.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Sheree J. Thompson

Dr. Rahim called the meeting to order. A motion was made by Dr. Duncan, and seconded by Dr. Steele, to approve the minutes of the September 9, 2017, Licensure Committee meeting. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Committee received an update concerning the matter of Anthony Todd Securo, M.D. At its July 2017 meeting, the Board offered Dr. Securo reactivated licensure contingent upon his acceptance of a Consent Order with the following terms, conditions, limitations and restrictions: 1) Dr. Securo shall not practice pain management or work in a pain management clinic, and shall refer patients with chronic pain, as necessary, to a pain management specialist or licensed clinic; 2) In the event that Dr. Securo regains a DEA registration which permits the prescribing of schedule II and III controlled substances he shall not prescribe controlled substances to any patient at an amount more than the morphine equivalent daily dose (MEDD) of 30mg and such prescriptions shall not be for more than one (1) week of medication per procedure; 3) Prior to prescribing, administering, ordering or dispensing any controlled

substances, Dr. Securo shall detail in full, in the patient's file, the examination performed and diagnosis reached in the particular patient's file. Dr. Securo shall specifically record all physical data of the patient and detail the exact nature of his evaluation of the patient. In addition to this requirement, Dr. Securo agrees to comply with all record keeping requirements of the Board; 4) At six month intervals after the date of entry of this Consent Order, the Board may, in its discretion, query Dr. Securo's controlled substance prescribing practices with the West Virginia Board of Pharmacy's Controlled Substance Monitoring Database and/or similar state or federal entities in surrounding states to monitor Dr. Securo's compliance with the prescribing restrictions imposed by this Order; 5) Dr. Securo acknowledges that it is a best practice to chart in the medical record the name of the chaperone and/or female staff member present whenever he conducts a breast examination, gynecological examination, or any other medical test or procedure which requires contact with or exposure of the breast or genitals. Dr. Securo agrees that he will strictly comport with this practice and will always chart the name of the female staff member/chaperone present for all such medical procedures; 6) Dr. Securo shall maintain current and accurate contact information with the Board, including home address, preferred mailing address, all practice addresses in West Virginia and e-mail address. Dr. Securo shall provide the Board with any changes or additions to his contact information within 5 days of any such change; 7) Within ten days of commencing practice at any place of practice in West Virginia, and for so long as the practice restrictions imposed by this Consent Order remain in place, Dr. Securo shall provide a complete copy of the fully executed Consent Order, to any and all employers and places where he practices and/or has privileges in West Virginia; 7) Dr. Securo shall appear before the Licensure Committee on an annual basis, at the discretion of the Board, to discuss his practice of medicine and/or his compliance with the terms of his probation or this Consent Order; and 8) After Dr. Securo has been in active practice in West Virginia for one full year, he may petition to the Board to modify and/or lift the practice restrictions related thereto which are imposed by this Order. After extending the opportunity to execute the Consent Order at its September 2017 meeting, Dr. Securo entered into a Consent Order with the Board to reactivate his license with the above terms on October 26, 2017.

Robert Paul Kocher, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Kocher, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Kocher for

licensure pending receipt of the PICF assessment fee. Dr. Steele seconded the motion, and the motion carried.

Amy Alise Davidson, D.P.M. appeared before the Licensure Committee in support of her application for a permanent podiatric license after leaving her postgraduate training prior to completion in October 2009. After a thorough discussion with Dr. Davidson, Dr. Duncan moved that Dr. Davidson's application be placed on hold pending her completion of a skills assessment by CPEP at her own expense. Dr. Steele seconded the motion, and the motion carried.

Robert Roy Harris, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Harris, Dr. Steele moved that the Committee recommend that the Board approve Dr. Harris for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

Adam Hubert Schindzielorz, M.D. appeared with attorney representation before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Schindzielorz, Dr. Steele moved that the Committee recommend that the Board approve Dr. Schindzielorz for licensure. Dr. Duncan seconded the motion, and the motion carried.

Scott Wilbert Caldwell, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Caldwell, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Caldwell for licensure. Dr. Steele seconded the motion, and the motion carried.

Kayla Dawn Halsey, M.D. appeared before the Licensure Committee in support of her application for a permanent medical license. After a thorough discussion with Dr. Halsey, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Halsey for licensure. Dr. Steele seconded the motion, and the motion carried.

At its March 2017 meeting, the Licensure Committee reviewed and discussed the application for reactivation of the permanent medical license of Saeed Fatenejad, M.D. Dr.

Fatenejad was requested to appear before the Committee at its May 2017 meeting, however, was unable to meet with the Committee. Dr. Fatenejad met with the Committee in July 2017. Thereafter, the Committee requested that Dr. Fatenejad take and pass the SPEX exam prior to further determination upon his application for reactivation of licensure. Dr. Fatenejad did not respond to the Committee prior to the September 2017 meeting. The Committee determined that Dr. Fatenejad's application remain on hold and that he be given the opportunity to pass the SPEX exam or to request the withdrawal his application prior to the Committee taking final action upon his application in November 2017. Dr. Fatenejad submitted a request to withdraw his application. Dr. Steele moved to recommend that the Board permit Dr. Fatenejad to withdraw his reactivation application. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Ahmed Rabie Abdelkarim, M.D. After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Abdelkarim for licensure. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Manuel Carlos Guerrero, M.D. After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Guerrero for licensure. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for reactivation of the permanent license of Charles Winter, Jr., M.D. After a thorough discussion, Dr. Steele moved that the Committee recommend that the Board accept the evidence of CME completion submitted by Dr. Winter as satisfactory, and approve Dr. Winter for activation of licensure pending receipt of DC license verification and receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Beverly Ann Carl, M.D. After a thorough discussion, Dr. Steele moved that the Committee recommend that the Board accept the evidence of Dr. Carl's first two years of medical school education as satisfactorily verified by the transcript of her graduating

medical school verification from the University of Pittsburgh School of Medicine and approve Dr. Carl for licensure. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Julia Bess Frank, M.D. After a thorough discussion, Dr. Steele moved that the Committee recommend that the Board approve Dr. Frank for licensure. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Gilbert Niles Clinton, II, M.D. After a thorough discussion, Dr. Duncan moved that Dr. Clinton appear before the Licensure Committee at its January 2018 meeting. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Kelsey Aleen Musgrove, M.D. After a thorough discussion, Dr. Duncan moved that Dr. Musgrove appear before the Licensure Committee at its January 2018 meeting. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Michael Patrick Parsons, M.D. Prior to the meeting, Dr. Parsons requested his application be placed on hold. It was the consensus of the Committee to allow Dr. Parson's application to be held until further notice or until it expires.

At its May 2017 meeting, the Licensure Committee reviewed and discussed the application for reinstatement of the permanent medical license of Gianna Joanne Link, M.D. Dr. Link was requested to appear before the Committee at its July 2017 meeting. Dr. Link appeared in support of her application. After a thorough discussion with Dr. Link, the Committee moved that Dr. Link undergo a neuropsychological and audiological evaluations at the Board's expense prior to any further determination of her application for reinstatement of her medical license, and that Dr. Link's application be placed on hold pending receipt of reports from the evaluating physicians. At its November meeting the Committee was provided with Dr. Link's Board approved audiological evaluation, however, information from the neuropsychological evaluating physician stated that Dr. Link left early from her first scheduled appointment and did not keep her

second scheduled appointment. It was the consensus of the Committee that Dr. Link's application for reinstatement of licensure remain on hold pending receipt of the completed neuropsychological evaluation to be completed by a Board approved physician at Dr. Link's expense.

The Licensure Committee discussed a request from a former licensee whose license was administratively suspended for no evidence of CME completion in June 1994. The physician requested status be changed to an expired status for the purpose of eligibility for ABFM recertification examination. The Committee also reviewed incomplete reactivation applications previously submitted by the licensee and Board correspondence informing the physician of the necessity of submitting a complete application for reactivation of licensure to change her licensure status. After a thorough discussion, the Committee instructed staff to inform the requestor that the requirements for reactivation of licensure have not changed and that a complete application for reactivation of licensure is required to change licensure status.

The Licensure Committee discussed FBI guidelines discussing the results of a criminal record check with applicants. Staff will continue to seek additional information and clarification to resolve this issue in a manner consistent with other medical Boards across the country.

The Licensure Committee reviewed a written request regarding the scope of practice for podiatric physicians. As a result of the discussion, Dr. Steele moved that staff respond to the requestor with information on the statutory scope of practice and that the procedures identified fall within the scope, depending upon the specific patient presentation.

Board staff updated the Committee on the status of Interstate Medical Licensure Compact (IMLCC) applications. The following nine applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an IMLCC application between the September and November Board meetings:

Crepps, Jr., Joseph Thomas	WI
Garg, Narendra	IL
Jacobs, Richard Randall	IL

Kumar, Madhuresh	IL
Marks, Allan Steven	WY
Marvin, Leigh Jennifer	KS
Pandit, Meenakshi	AZ
Rudy, George Barrett	WY
Wantuck, James Matthew	WY

Also, the Board has received seven requests for Letters of Qualification (LOQ) to be issued by the Board as the state of principal licensure. Of these, three applications are pending completion.

Two LOQs were issued to:

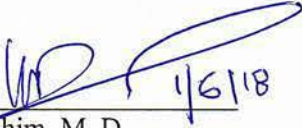
Jennifer Lynn Brown, M.D.  
Andrew Christian Retzinger, M.D.

Two LOQ Denials were issued to:

Adam Jared Kaplan, M.D.  
Hussain El-Sayed El-khatib, M.D.

The Licensure Committee reviewed and discussed the list of applications which did not require an appearance or individualized discussion, which includes fifty-eight initial medical doctor applications two reactivation of medical license applications. There are also three applications pending receipt of the mandatory PICF assessment fee and one application pending receipt of Illinois license verification and the PICF assessment fee. Dr. Duncan moved that the Committee recommend that the Board approve the applicants for licensure as indicated. Dr. Steele seconded the motion, and the motion carried. A list of all approved applicants are incorporated into these minutes.

The Licensure Committee determined by consensus to adjourn, there being no **ADJOURNMENT** further business.

  
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Mustafa Rahim, M. D.  
Chair of the Licensure Committee



**APPLICANTS FOR PERMANENT LICENSURE - Physicians**

**November 13, 2017**

**Abraham, Andrew Jacob**

**Brown, Sherry Bernita**

**Chinbuah, Egya Nyameke**

**Collins-Gibbard, Roslinde Mary**

**Corman, Adam Ransford**

**DeBerry, Jason Wayne**

**Diamond, Amy R.**

**Din, Farid Ud**

**Doumit, Jimmy**

**Dunkle-Blatter, Stephanie Erlynn**

**Eckert, Thomas Francis**

**Egli, Kenneth James**

**Fogle, William Albert**

**Fowler, Mariecken Verspoor**

**Friehling, Ted David**

**Gates, James Lawrence**

**Gounder, Celine Rani**

**Gross, Michal**

**Howell, Keith Andre**

**Levine, Myron Arnold**

**Marcovici, Iacob**

**Marcuccio, Elisa**

**McLain, Kelly Lynn**

**McQuade, Elizabeth Anne**

**Mehyar, Lubna Shafiq Naim**

**Mitros, Mark Michael**

**Monastiriotis, Spyridon**

**Moore, Fletcher Brady**

**Murphy, Dewey Scott**

**Oneal, Cindy Marie**

**Overton, III, Clayton Justus**

**Patel, Paulina Narendra**

**Patterson, Eltanya Angelita**

**Piris, Adriano**

**Poole, Edward Charles**

**Pulido, Bernard Joseph Navarro**

**Ramos, Peter**

**Reddy, Srikar Thummala**

**Sadia, Umama**

**Salas, Stephanie Ann**

**Sasidharan Nirmala, Nishanth**

**Scott, IV, Frank Duncan**

**Seaman, David Edward**

**Shanlikian, George Harry**

**Sharif, Khalid Saud**

**Sheikh, Zubeda Begum**

**Shiflett, Brandon Scott**

**Slusher, Laura Austin**

**Turner, Meghan Thompson**

**Turnier, Anne-Marie**

**Verhoeven, Pieter Alexander**

**Vucelik, Andrew William**

**Weir, Robert Edward Peter**

**White, Kevin Daniel**

**Whitley, Danielle**

**Williams, Carlin Arel**

**Yeh, David Li-Ten  
Young, Rebekah Lynn**

**REACTIVATION APPLICANT WHOSE LICENSE HAS NOT BEEN ACTIVE  
FOR MORE THAN ONE YEAR – Physicians**

**Hutchens, Kelli Ann  
Samanie, David Keith**

**APPLICANT FOR PERMANENT LICENSURE – Physicians  
Approve pending receipt of PICF Assessment Fee**

**Jovanovich, Alexander  
Moore, Carisa Hines  
Wang, Clifford Tau**

**APPLICANT FOR PERMANENT LICENSURE – Physician  
Approve pending receipt of Illinois license verification and PICF fee**

**McCollester, Sarah M.**

**WEST VIRGINIA BOARD OF MEDICINE**  
**LICENSURE COMMITTEE AGENDA**

**January 6, 2018**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of November 11, 2017 meeting

**APPEARANCES**

- |                               |            |
|-------------------------------|------------|
| 1. Kooshkabadi, Ali           | 10:45 a.m. |
| 2. Clinton, II, Gilbert Niles | 11:00 a.m. |
| 3. Musgrove, Kelsey Aleen     | 11:20 a.m. |
| 4. Mecs, Sandor               | 11:40 a.m. |

**LUNCH BREAK**

**DISCUSSIONS**

5. Munkalia, Ibrahim Abu
6. Hendrix, Tina Maria
7. Shrestha, Bipin Lal
8. Alwaal, Amjad Hassan
9. Haranath, Sai Praveen
10. Seemaladinne, Nirupama
11. Link, Gianna Joanne
12. Update on Policy regarding Background Checks
13. IMLCC Update
14. Fromberg, David – add-on
15. Lake, Dianah Thelma – add-on
16. Paidipaty, Butchi Babu – add-on

**WEST VIRGINIA BOARD OF MEDICINE**  
**Licensure Committee Meeting Minutes**  
**January 6, 2018**

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A meeting of the West Virginia Board of Medicine Licensure Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 6th day of January 2018, at 10:30 a.m.

The following Committee members were present:

Mustafa Rahim, M.D., Chair  
Harry E. Duncan, Jr., M.D.  
Carrie Lakin, D.P.M.  
David A. Mullins, M.D.  
Wes Steele, M.D.  
Russell O. Wooton, Esq.

The following Committee member was absent:

Rev. Janet Harman

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson

Dr. Rahim called the meeting to order. Dr. Rahim welcomed new Committee Members Dr. Mullins and Mr. Wooton. A motion was made by Dr. Duncan, and seconded by Dr. Steele, to approve the minutes of the November 11, 2017, Licensure Committee meeting. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

Ali Kooshkabadi, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Ali, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Ali for licensure. Dr. Duncan seconded the motion, and the motion carried.

At its November 2017 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Kelsey Aleen Musgrove, M.D. Dr. Musgrove was requested to appear before the Committee at its January 2018 meeting. Dr. Musgrove appeared before the Licensure Committee. After a thorough discussion with Dr. Musgrove, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Musgrove for licensure. Mr. Wooton seconded the motion, and the motion carried.

Sandor Mecs, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Mecs, Dr. Steele moved that Dr. Mecs' application be placed on hold pending receipt of additional information. Dr. Mullins seconded the motion, and the motion carried.

At its November 2017 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Gilbert Niles Clinton, II, M.D. Dr. Clinton was requested to appear before the Committee at its January 2018 meeting, however, Dr. Clinton notified the Committee he was unable to attend due to a work schedule conflict and requested his appearance be rescheduled. Dr. Duncan moved that Dr. Clinton appear before the Licensure Committee at its March 2018 meeting. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Ibrahim Abu Munkalia, M.D. After a thorough discussion, Dr. Steele moved that the Committee recommend that the Board approve Dr. Munkalia

for licensure pending receipt of the PICF assessment fee. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for reactivation of the permanent license of Tina Marie Hendrix, M.D. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board accept the evidence of CME completion submitted by Dr. Hendrix as satisfactory and approve Dr. Hendrix for activation of licensure. Mr. Wooton seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Bipin Lal Shrestha, M.D. After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Shrestha for licensure pending receipt of the PICF assessment fee. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Amjad Hassan Alwaal, M.D. After a thorough discussion, Dr. Steele moved that the Committee recommend that the Board approve Dr. Alwaal for licensure. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Sai Praveen Haranath, M.D. After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board approve Dr. Haranath for licensure. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Nirupama Seemaladinne, M.D. After a thorough discussion, Mr. Wooton moved that the Committee recommend that the Board approve Dr. Seemaladinne for licensure pending receipt of satisfactory evidence of completion of

her third year of accredited postgraduate training and the PICF assessment fee. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of David B. Fromberg, M.D. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Fromberg for licensure. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Dianah Thelma Lake, M.D. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Lake for licensure. Mr. Wooton seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Butchi Babu Paidipaty, M.D. After a thorough discussion, Dr. Steele moved that Dr. Paidipaty appear before the Committee at its March 2018 meeting. Dr. Lakin seconded the motion, and the motion carried.

At its May 2017 meeting, the Licensure Committee reviewed and discussed the application for reinstatement of the permanent medical license of Gianna Joanne Link, M.D. Dr. Link was requested to appear before the Committee at its July 2017 meeting. Dr. Link appeared in support of her application. After a thorough discussion with Dr. Link, the Committee moved that Dr. Link undergo a neuropsychological and audiological evaluations at the Board's expense prior to any further determination of her application for reinstatement of her medical license, and that Dr. Link's application be placed on hold pending receipt of reports from the evaluating physicians. At its November meeting the Committee was provided with Dr. Link's Board approved audiological evaluation, however, information from the neuropsychological evaluating physician stated that Dr. Link left early from her first scheduled appointment and did not keep her second scheduled appointment. It was the consensus of the



Committee that Dr. Link's application for reinstatement of licensure remain on hold pending receipt of the completed neuropsychological evaluation to be completed by a Board approved physician at Dr. Link's expense. As no response was received from Dr. Link, Dr. Duncan moved that her application remain on hold pending additional information or follow-up action by Dr. Link. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee discussed FBI guidelines for communicating with applicants regarding the results of a criminal record check. The Board had previously been advised that communications about record check results required the applicant to appear in person at the Board. Mr. Spangler reported that staff met with representatives of the WV State Police in December 2017 on this issue. As a result, the Board's process for communicating with applicants regarding criminal record background checks has expanded to include contact via skype if the applicant can provide proof of identity during the video communication.

Board staff updated the Committee on the status of Interstate Medical Licensure Compact (IMLCC) applications. The following six applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an IMLCC application between the November 2017 and January 2018 Board meetings:

Campbell, John David	AZ
Collins, James Ivan Collins	AZ
Hasenyager, Carol Ann	WI
Prabhu, Maitreyi Ramrao	AZ
Toh, Benjamin Teong	IL
Youssef, Nancy Hany	IL

During this period two Letters of Qualification (LOQs) were issued to:

Jacqueline Joy Krause, M.D.  
Sean Michael Rogers, M.D.

Three LOQ applications are pending.

The Licensure Committee reviewed and discussed the list of applications which did not require an appearance or individualized discussion, which includes fifty-six initial medical doctor applications, five reactivation of medical license applications and one initial podiatric physician application. Dr. Mullins moved that the Committee recommend that the Board approve the applicants for licensure as indicated. Dr. Duncan seconded the motion, and the motion carried. A list of all approved applicants are incorporated into these minutes.

The Licensure Committee determined by consensus to adjourn, there being **ADJOURNMENT** no further business.

  
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Mustafa Rahim, M. D.  
Chair of the Licensure Committee

**APPLICANTS FOR PERMANENT LICENSURE - Physicians**

**January 8, 2018**

Abou Mrad, Romy  
Adam, Nazir Ahmed  
Akiko, Michelle N.  
Almutairi, Heba  
Aly, Jasmine M.  
Amin, Md. Shahrier  
Bakinde, Nicolas  
Bandak, Ghassan Salim Issa  
Beaver, Thomas Richard  
Benning, Ethan Michael  
Bernard, Jonathan David  
Boils, Christie  
Bondalapati, Naveen Kumar Reddy  
Boyd, Jr., Charles Edward  
Bronstein, Yulia  
Clayton, Frederick Paul  
Colletti, Richard  
Deppe, Scott Allen  
Doyle, John Joseph  
Fadakar, Paul K.  
Glass, Daniel Matthew  
Gonzalez, Celsio Emil  
Grover, Robert  
Gyulai, Ferenc Emil  
Hennigar, Randolph Alexander  
Hinkle, David Miguel  
Huff, Mary Wood  
Jahan, Ishrat  
Johnson, Ryan Edward  
Kapoor, Mohit  
Khan, Akhtar Sultan  
Kollins, Kevin Michael  
Krish, Sonia Nagesh  
Kuperman, Michael Benjamin  
Laferla, John James  
Lasure, Benjamin Lee  
Le, Andrew Toan  
Lee, Allen Sanghun  
Mastores, Scott Frank  
McCarthy, Paul Joseph  
Middleman, Edward Louis  
Nandwani, Veena

**APPLICANTS FOR PERMANENT LICENSURE – Physicians cont.**

Pratt, Alan Goodale  
Rezai, Ali R.  
Rich, Jr., David Howard  
Roberts, Edmond Alan Vernon  
Roy, Aviral  
Saraiya, Rupali  
Scott, Grant Robert  
Singh, Kartik  
Singh, Meenu  
Stavens, Gerasimos Stefanatos  
Stern, Joel Benjamin  
Stokes, Robert Fraser  
Vidwans, Malavika Aniruddha  
Zavaleta, Ernesto Gustavo

**REACTIVATION APPLICANT WHOSE LICENSE HAS NOT BEEN ACTIVE  
FOR MORE THAN ONE YEAR – Physicians**

Bardes, Allison Grace  
Bardes, James Migliaccio  
Someshwar, Jean Ruth  
Strafford, James Craigmiles  
Uihlein, Thomas William

**APPLICANT FOR PERMANENT LICENSURE – Podiatric Physician**

Yeaman, William Edward Daniel

**WEST VIRGINIA BOARD OF MEDICINE**  
**LICENSURE COMMITTEE AGENDA**

**March 10, 2018**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of January 6, 2018 meeting

**APPEARANCES**

- |                               |            |
|-------------------------------|------------|
| 1. Paidipaty, Butchi Babu     | 10:45 a.m. |
| 2. Clinton, II, Gilbert Niles | 11:00 a.m. |
| 3. Cheyuo, Cletus             | 11:15 a.m. |

**LUNCH BREAK**

- |                       |           |
|-----------------------|-----------|
| 4. Ali, Khurram Nawaz | 1:00 p.m. |
|-----------------------|-----------|

**DISCUSSIONS**

5. Mohan, Kinila T.
6. Martinez, Jr., Jesus Alfredo
7. Ajjarapu, Esther S. V.
8. AlJasmi, Mohammed Abdulaziz
9. Letts, Gary Saint Aubyn
10. Alasil, Tarek
11. Molinar, Alddo Antonio
12. Radwan, Walid Mohamed
13. Parsons, Michael Patrick
14. Mecs, Sandor
15. Link, Gianna Joanne
16. Davidson, Amy Alise
17. HB 4027 Creating an Education Permit for MD Resident
18. SB 499 Requiring One Year of Certain Approved Postgraduate Clinical Training for Persons with Foreign Medical Degrees (two years total instead of three)
19. SB576 Relating to PICF fee extension
20. SB313 Waiving Occupational Fees and Licensing Requirements for Certain Low-Income Individuals, Military Families, and Young Workers
21. IMLCC Update
22. Zellman, David Julius – Add-on
23. Grolman, Dennis Michael – Add-on
24. Jackson, Linda Carol – Add-on
25. Board Policy Review on Applicant's License Verifications – Add-on

**WEST VIRGINIA BOARD OF MEDICINE**  
**Licensure Committee Meeting Minutes**  
**March 10, 2018**

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A meeting of the West Virginia Board of Medicine Licensure Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 10th day of March 2018, at 10:55 a.m.

The following Committee members were present:

Mustafa Rahim, M.D., Chair  
Rev. Janet Harman  
Carrie Lakin, D.P.M.  
David A. Mullins, M.D.  
Wes Steele, M.D.

The following Committee members were absent:

Harry E. Duncan, Jr., M.D.  
Russell O. Wooton, Esq.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing

Dr. Rahim called the meeting to order. Dr. Rahim welcomed new Committee Member Rev. Harman. A motion was made by Dr. Lakin, and seconded by Dr. Steele, to approve the minutes of the January 6, 2018, Licensure Committee meeting. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

Butchi Babu Paidipaty, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Paidipaty, Rev. Harman moved that the Committee recommend that the Board approve Dr. Paidipaty for licensure pending receipt of his satisfactorily amended application for licensure to include information that the Board received from third party sources and which he inadvertently omitted from the application form because it was previously provided by others and payment of the PICF assessment fee. Dr. Lakin seconded the motion, and the motion carried.

At its November 2017 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Gilbert Niles Clinton, II, M.D. Dr. Clinton was initially requested to appear before the Committee at its January 2018 meeting, which was rescheduled to the March 2018 Licensure Committee meeting due to a January work schedule conflict. After a thorough discussion with Dr. Clinton, Dr. Mullins moved that Dr. Clinton's application be placed on hold pending his submission of an amended application for the Committee's review. Dr. Lakin seconded the motion, and the motion carried.

Cletus Cheyuo, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Cheyuo, Dr. Steele moved that the Committee recommend that the Board approve Dr. Cheyuo for licensure. Dr. Lakin seconded the motion, and the motion carried.

Khurram Nawaz Ali, M.D. appeared before the Licensure Committee in support of his application for reactivation of his permanent medical license. After a thorough discussion with Dr. Ali, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Ali for activation of licensure. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Kinila T. Mohan, M.D. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Mohan for licensure pending receipt of the PICF assessment fee. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for reactivation of the permanent license of Jesus Alfredo Martinez, Jr., M.D. After a thorough discussion, Dr. Steele moved that the Committee recommend that the Board accept the evidence of CME completion submitted by Dr. Martinez as satisfactory and approve Dr. Martinez for activation of licensure pending receipt of the PICF assessment fee. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Ester S. V. Ajarapu, M.D. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Ajarapu for licensure. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Mohammed Abdulaziz AlJasmi, M.D. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board approve Dr. AlJasmi for licensure. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Gary Saint Aubyn Letts, M.D. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Letts for licensure. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Tarek Alasil, M.D. After a thorough discussion, Dr. Lakin



moved that Dr. Alasil appear before the Committee at its May 2018 meeting. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Alddo Antonio Molinar, M.D. After a thorough discussion, Dr. Mullins moved that Dr. Molinar appear before the Committee at its May 2018 meeting. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed correspondence received from Walid Mohamed Radwan regarding his October 8, 2015 Consent Order, which restricted his medical practice to his residency. Rev. Harman moved that Dr. Radwan appear before the Committee at its May 2018 meeting. Dr. Steele seconded the motion, and the motion carried.

At its November 2017 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Michael Patrick Parsons, M.D. Prior to the meeting, Dr. Parsons requested his application be placed on hold. It was the consensus of the Committee to allow Dr. Parson's application to be held in abeyance per the applicant's request. Dr. Parsons has since submitted a request to withdraw his application for licensure. Dr. Steele moved to recommend that the Board permit Dr. Parsons to withdraw his application. Dr. Lakin seconded the motion, and the motion carried.

At its January 2018 meeting, Sandor Mecs, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with the applicant, Dr. Mecs' application was placed on hold pending receipt of additional information. Thereafter, Dr. Mecs submitted a request to withdraw his application for licensure. Dr. Steele moved to recommend that the Board permit Dr. Mecs to withdraw his application. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of David Julius Zelman, M.D. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Zelman for licensure. Dr. Steele seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Dennis Michael Grolman, M.D. After a thorough discussion, Dr. Mullins moved that Dr. Grolman appear before the Committee at its May 2018 meeting. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Linda Carol Jackson, M.D. After a thorough discussion, Dr. Lakin moved that the Committee recommend accepting Dr. Jackson's work history as satisfactory and approve for licensure based on the following factors: (1) practicing in the US territory of Virgin Islands since March 2011; (2) fully and actively licensed in two other states; (3) the applicant is ABMS certified; and (4) she passed the SPEX exam in July 2013. Dr. Steele seconded the motion, and the motion carried.

At its November 2017 meeting, Amy Alise Davidson, D.P.M. appeared before the Licensure Committee in support of her application for a permanent podiatric license after leaving her postgraduate training prior to completion in October 2009. After a thorough discussion with Dr. Davidson, Dr. Davidson's application was placed on hold pending her completion of a skills assessment by CPEP at her own expense. Dr. Davidson has not responded to the letter notifying her of the request for a skills assessment. Dr. Davidson's application remains on hold and no action was taken by the Committee.

At its May 2017 meeting, the Licensure Committee reviewed and discussed the application for reinstatement of the permanent medical license of Gianna

Joanne Link, M.D. Dr. Link appeared before the Committee at its July 2017 meeting. After a thorough discussion with Dr. Link, the Committee moved that Dr. Link undergo neuropsychological and audiological evaluations, at the Board's expense, prior to any further determination on her application for reinstatement of medical licensure, and that Dr. Link's application be placed on hold pending receipt of reports from the evaluating physicians. At its November meeting the Committee was provided with Dr. Link's Board approved audiological evaluation, however, information from the neuropsychological evaluating physician stated that Dr. Link left early from her first scheduled appointment and did not keep her second scheduled appointment. It was the consensus of the Committee that Dr. Link's application for reinstatement of licensure remain on hold pending receipt of the completed neuropsychological evaluation to be completed by a Board approved physician at Dr. Link's expense. As no response was received from Dr. Link through March of 2018, Dr. Link's application remains on hold and no action was taken by the Committee.

Board staff updated the Licensure Committee on the status of HB 4027 Creating an Education Permit for Allopathic Physician Residents; SB 499 Requiring Two Years of Certain Approved Postgraduate Clinical Training for Persons with Foreign Medical degrees; SB 576 Relating to Patient Injury Compensation Fund and SB 313 Waiving Occupational Fees and Licensing Requirements for Certain Low-Income Individuals, Military Families, and Young Workers.

Board staff informed the Committee that the completion of several pending medical license applications is being delayed by the lengthy turnaround time for another medical board to provide primary source verification of its licensees status to our Board. Staff confirmed with staff from the other board that verifications are currently being processed approximately 11 weeks after receipt. Staff advised the Committee that the Executive Director would send a letter to the other board regarding concerns with the delayed response time and its impact on applicants.

Board Staff updated the Committee on the status of Interstate Medical Licensure Compact (IMLCC) applications. The following eight applicants listed along with their state of principal licensure were granted permanent medical licensure through an IMLCS application between the January and March 2018 Board meetings:

Jennifer Kim Bogan	AZ
Cedric Emden Davis, II	AZ
Mark Nutter Griffith	WI
Johara Adam Hassan	IL
Vikas Jain	IL
Gary Stewart Meredith	AZ
James Albert Meserow	IL
Troy Lane Potthoff	NE

During this period three Letters of Qualification were issued to:


Mohamad Bassam Haffar  
Camille Marie Ristroph  
Krzysztof Maciej Sobieraj

During this period one request for Letter of Qualification was denied:

Jamie Lee Cichon

The Licensure Committee reviewed and discussed the list of applications which did not require an appearance or individualized discussion, which includes fifty-seven initial medical doctor applications, two initial medical doctor applications pending receipt of the PICF assessment fee, and two initial podiatric physician applications. Dr. Mullins moved that the Committee recommend that the Board approve the applicants for licensure as indicated. Dr. Steele seconded the motion, and the motion carried. A list of all approved applicants are incorporated into these minutes.

The Licensure Committee determined by consensus to adjourn, there being **ADJOURNMENT** no further business.

  
\_\_\_\_\_  
Mustafa Rahim, M. D.  
Chair of the Licensure Committee

**APPLICANTS FOR PERMANENT LICENSURE - Physicians**

**March 12, 2018**

Almradi, Amro  
Anderson, Stuart Douglas  
Argila, Jaime Sa Moreira De  
Ashfaq, Sadaf  
Aynampudi, Achuta Ram  
Banyas, Jeffrey Brian  
Boone, Brian Anthony  
Chow, Joseph Lin-Yun  
Critelli, Kristen Marie  
Elchico, Melanie Chang  
Ernst, Karen Darfler  
Fetty, Lora Beth  
Gever, Deborah Lynn  
Griffin, Peter Louis  
Ha, Tuan Xuan  
Hasou, Dona Tawfig  
Heng, Tia  
Hidalgo, Richard Manalo  
Hoffman, Todd Mark  
Houshmand, Farnaz  
Iremashvili, Viacheslav  
Islam, Tina  
Kim, Susanne Sugeen  
Labahn, Jacob Keenon  
Levin, Andrew David  
Lewis, Diana Patricia  
Misiaszek, Richard Alexander  
Morgan, Alicia Ann  
Musser, William Stuart  
Newbold, Vivien Louise Ruth  
Ojha, Ajitesh  
Olin, Annette Corinne  
Onwochei, Francis Onwudimisho  
Oppong, Cletus Kobiah  
Patel, Rahul Nileshkumar  
Patick, Casey Dawn  
Patterson, James Willis  
Purnell, Phillip Ryan  
Rached, Kristina Kimberley  
Rehman, Azeem Abdul  
Ross, Gary Dean

**APPLICANTS FOR PERMANENT LICENSURE – Physicians cont.**

Salim, Jawad Ahmed  
Seidler, Molly Elizabeth  
Shafiq, Asad  
Soltani, Sanaz Nicky  
Stakic, Josif  
Tambakis-Odom, Constance Roseann  
Thapa, Jhapat Bahadur  
Tomlin, Brett Alan  
Trecha, Gregory Todd  
Venard, Neil Alden  
Wanko, Sam Obi  
Whipp, Kylene Pierce  
Whyte, Authrine Chevanne  
Wilson, Jon Daniel  
Woodard, Jr., William Leicester  
Yates, Paul Andrew

**APPLICANT FOR PERMANENT LICENSURE – Physicians**  
**Approve pending receipt of PICF Assessment Fee**

Valdez Murua, Honorio Manuel  
Zeb, Irfan

**APPLICANT FOR PERMANENT LICENSURE – Podiatric Physicians**

Allen, Amber Marie  
Hollnagel, JennaLouise

**WEST VIRGINIA BOARD OF MEDICINE**  
**LICENSURE COMMITTEE AGENDA with Add-ons**

May 5, 2018

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of March 10, 2018 meeting

**APPEARANCES**

- |                             |            |
|-----------------------------|------------|
| 1. Tarek Alasil -reschedule | July 2018  |
| 2. Richard Mendel           | 11:00 a.m. |
| 3. Alddo Antonio Molinar    | 11:15 a.m. |
| 4. Cynthia Erin Prather     | 11:30 a.m. |

**LUNCH BREAK**

- |  |           |
|--|-----------|
| 5. Dennis Michael Grolman - reschedule | July 2018 |
| 6. Matthew Steven Zell                 | 1:00 p.m. |
| 7. Walid Mohamed Radwan                | 1:15 p.m. |
| Paulo Artur Fontes - Add-on            | 1:30 p.m. |

**DISCUSSIONS**

8. Kim Bridgette Jones-Fearing
9. Mark Daniel Fierro
10. Benjamin Jay Bryant
11. Gregory Arnold Nelcamp
12. John Willard Horns
13. Justin Alexander Saunders
14. Kevin Gerard Hibbett
15. Podiatric Scope of Practice Inquiry
16. HB 4027 Creating an Education Permit for MD Resident
17. SB 499 Requiring One Year of Certain Approved Postgraduate Clinical Training for Persons with Foreign Medical Degrees (two years total instead of three)
18. SB576 Relating to PICF fee extension
19. IMLCC Update
20. Mohammed Ahmed Abdel Salam Osman – Add-on
21. Diana Whiteman Muldrow- Add-on
22. Gita Haddadi – Add-on
23. David Douglas Schram– Add-on
24. Christopher Paul Graviss – Add-on
25. Casey John Jason – Add-on

**WEST VIRGINIA BOARD OF MEDICINE**

**Licensure Committee Meeting Minutes**

**May 5, 2018**

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A meeting of the West Virginia Board of Medicine Licensure Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 5th day of May 2018, at 10:55 a.m.

The following Committee members were present:

Mustafa Rahim, M.D., Chair  
Carrie Lakin, D.P.M.  
David A. Mullins, M.D.  
Russell O. Wooton, Esq.

The following Committee members were absent:

Harry E. Duncan, Jr., M.D.  
Rev. Janet Harman

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing

Dr. Rahim called the meeting to order. A motion was made by Dr. Lakin, and seconded by Dr. Mullins, to approve the minutes of the March 10 2018, Licensure Committee meeting. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

At its March 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Tarek Alasil, M.D. Dr. Alasil was



requested to appear before the Committee at its May 2018 meeting, however, was unable to change his work schedule. Dr. Alasil's appearance has been rescheduled for the Committee's July 2018 meeting.

Richard Mendel, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Mendel, Dr. Mullins moved that Dr. Mendel's application be placed on hold pending resolution of the suspended-lapsed status of his Michigan medical license and receipt of additional information. Dr. Lakin seconded the motion, and the motion carried.

At its March 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Aldo Antonio Molinar, M.D. Dr. Molinar was requested to appear before the Committee at its May meeting. After a thorough discussion with Dr. Molinar, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Molinar for licensure pending payment of the PICF assessment fee. Dr. Lakin seconded the motion, and the motion carried.

Cynthia Erin Prather, M.D. appeared before the Licensure Committee in support of her application for reactivation of her permanent medical license. After a thorough discussion with Dr. Prather, Dr. Lakin moved that Dr. Prather's application be placed on hold pending receipt of notification of passage of the Special Purpose Licensing Exam (SPEX) and receipt of a proposed plan for reentry to practice. Dr. Mullins seconded the motion, and the motion carried.

At its March 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Dennis Michael Grolman, M.D. Dr. Grolman was requested to appear before the Committee at its May 2018 meeting, however, he was unexpectedly unavailable. Dr. Grolman's appearance was rescheduled for the July 2018 Committee meeting.

Matthew Steven Zell, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Zell, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Zell for licensure. Mr. Wooton seconded the motion, and the motion carried.

Walid Mohamed Radwan, M.D. appeared before the Licensure Committee to discuss a matter related to his current Consent Order. After its discussion with Dr. Radwan, the Committee took no action.

Paulo Artur Chaves Fontes, M.D. appeared before the Licensure Committee in support of his application for a medical school faculty license. After a thorough discussion with Dr. Fontes, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Fontes for medical school faculty licensure pending receipt of the original sealed verification of his training. Mr. Wooton seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the applications for a permanent medical license of Mark Daniel Fierro, M.D., Kim Bridgett Jones-Fearing, M.D, Christopher Paul Graviss, M.D., John Willard Horns, M.D., and Casey John Jason, M.D. After a thorough discussion of each application, Dr. Lakin moved that the Committee recommend that the Board approve Drs. Fierro, Jones-Fearing, Graviss, Horns, and Jason for licensure. Dr. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the applications for a permanent medical license of Diana Whiteman Muldrow, M.D. and David Douglas Schram, M.D. After a thorough discussion of both applications, Dr. Lakin moved that the Committee recommend that the Board approve Drs. Muldrow and Schram for licensure pending receipt of the PICF assessment fee. Dr. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the applications for reactivation of the permanent license of Kevin Gerard Hibbett, M.D. and Justin Alexander Saunders, M.D. After a thorough discussion of both applications, Dr. Mullins moved that the Committee recommend that the Board accept the evidence of CME completion submitted by Drs. Hibbett and Saunders as satisfactory and approve Drs. Hibbett and Saunders for activation of licensure pending receipt of the PICF assessment fee. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Gita Haddadi, M.D. After a thorough discussion, Mr. Wooton moved that the Committee recommend that the Board accept Dr. Haddadi's medical school education verification from Isfahan University in Iran as satisfactorily verified and approve her for licensure based on the following factors: there is currently no diplomatic relationship between the Iranian and US governments; Isfahan University has not complied with the requests for verification of education from the FCVS; and in accordance with current Board policy, two of Dr. Haddadi's classmates have submitted notarized letters attesting to graduating from medical school with her. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Mohammed Ahmed Abdel Salam Osman, M.D. Dr. Osman requested early licensure prior to the next scheduled Board meeting on July 9, 2018 because his fellowship begins July 1, 2018. As an international medical graduate he will complete his third year of residency by June 30, 2018. Accordingly, the Committee took no action and Dr. Osman's application will be pending approval at the July Board meeting.

The Licensure Committee reviewed and discussed the applications for a permanent medical license of Benjamin Jay Bryant, M.D. and Gregory Arnold Nelcamp, M.D. After a thorough discussion, Dr. Mullins moved that Drs. Bryant and Nelcamp

appear before the Committee at its July 2018 meeting. Mr. Wooton seconded the motion, and the motion carried.

Two separate inquiries were made by podiatric physician licensees relating to the supervision of hyperbaric oxygen wound treatment by podiatric physicians. The Committee informed the staff to respond that the podiatric scope of practice is outlined in the Medical Practice Act, and the matter of hyperbaric oxygen therapy supervision as a local practice credentialing issue.

Board staff informed the Licensure Committee that the passage of HB 4027 Creating an Education Permit for Allopathic Physician Residents will require Rules to be drafted to allow for issuance of Resident Education Permits. The passage of SB 499 Requiring Two Years of Certain Approved Postgraduate Clinical Training for Persons with Foreign Medical degrees (instead of three) becomes effective June 7, 2018, and SB 576 Relating to Patient Injury Compensation Fund was extended the effective period through the 2021 renewal period. SB 313 Waiving Occupational Fees and Licensing Requirements for Certain Low-Income Individuals, Military Families, and Young Workers did not pass during the regular legislative session.

Board Staff updated the Committee on the status of Interstate Medical Licensure Compact (IMLCC) applications. The following eight applicants listed along with their state of principal licensure were granted permanent medical licensure through an IMLCS application between the March and May 2018 Board meetings:

John David Harrington	NE
Heather Dawn Hawthorne	KS
Omar Krad	IL
Jane Eleanor Lykins	AZ
Rastislav Osadsky	AZ
Lee Douglass Roberson	AL
Adam Justin Rodos	IL
Diya Hassan Tantawi	WI

During this period four Letters of Qualification were issued to:

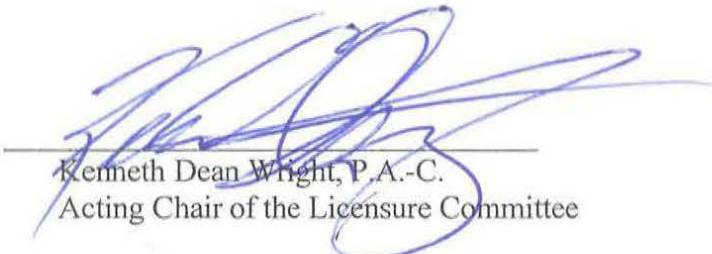
Samir Agarwal  
Wesley Lee Asbury, Jr.  
Sean Thomas Keesee  
Hang Thanh Vu

During this period two requests for Letter of Qualification were denied due to ineligibility:

Ronald Jay Innerfield  
Stephen Ray Smith

The Licensure Committee reviewed and discussed the list of applications which did not require an appearance or individualized discussion, which includes seventy-seven initial medical doctor applications, five initial medical doctor applications pending receipt of the PICF assessment fee, one reactivation of medical licensure and two initial podiatric physician applications. Dr. Mullins moved that the Committee recommend that the Board approve the applicants for licensure as indicated. Dr. Lakin seconded the motion, and the motion carried. A list of all approved applicants are incorporated into these minutes.

The Licensure Committee determined by consensus to adjourn, there being **ADJOURNMENT** no further business.



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Kenneth Dean Wright, P.A.-C.  
Acting Chair of the Licensure Committee

**APPLICANTS FOR PERMANENT LICENSURE - Physicians**

**May 5, 2018**

Anil Agarwal  
Farzad Amiri  
Soon Bahrami  
Cortney Rae Ballengee  
Elizabeth Marianne Bass  
Bonny Lorraine Beck  
Katherine Marie Beckett  
Michael D. Berven  
Anthony Michael Briningstool  
Benjamin Keith Brooks  
Thomas Darrell Carico  
Antonios Emanuel Chryssos  
Craig Daniel Clark  
Mircea N. Coca  
Neil Russell Copeland  
Jonathan David Cuda  
Heman Kirit Dave  
Marek Tadeusz Didluch  
Susan Victoria Ellor  
Cherie Darlene Ertha  
Kirmanj Muhammad Faraj  
Linda Ann Friehtling  
Gayle Ann Galan  
Juanita Garces  
Salwa Morcos Gendi  
Christopher Alan Gisler  
Kenneth Alan Griggs  
Priyadarshan Gupta  
Shipra Gupta  
Srilekha Sudha Hota  
Bruce Oliver Hough  
Ronald Jay Innerfield  
Vishal Hitendrabhai Jariwala  
Russell Oliver Kosik  
Richard Scott Krupkin  
Elizabeth Jane May  
Bruce McNeil Milburn, Jr.  
Stephen Lawrence Miller  
Melissa Ann Moore  
Marco Naguib  
Suman Narasimhamurthy

**APPLICANTS FOR PERMANENT LICENSURE – Physicians cont.**

Arbi Nazarian  
Matthew David Nicholls  
Matthew David Nitz  
Orestis Pappas  
Claire Elizabeth Paxton  
David Matthew Paxton  
Lucas Benjamin Payor  
Colleen Megan Pettrey  
Behdod Poushanchi  
Apoorv Prasad  
Wasiq Faraz Rawasia  
Travis Logan Rearick  
Andrew Mark Reibach  
Syed Muhammad Azfar Rizvi  
Brian Edwin Rose  
Neil Bruce Rosenshein  
Amit Arun Sangave  
Mahdis Sarrafi  
Katherine Blaney Seachrist  
Sonya Colleen Seccuro  
Rohan Vipulkumar Shah  
Marlana Renee Sheridan  
Robert Paul Smith  
Anthony Francis Steratore  
Levi Daniel Stevens  
Suraj Suku  
Bonnie Heather Templeton  
Parthasarathy Deenadayalan Thirumala  
Jacklyn Bichthuy Tran-Nguyen  
Sean Robert Tubens  
Wallisa Tejarnette Vaughn  
Jeffrey Lawrence Werchowski  
Philip Matthew Yargosz  
Yosaf Zeyed  
Sasa Zivkovic  
Candace Folley Zubricky

**APPLICANT FOR REACTIVATION OF PERMANENT LICENSURE –  
Physician:**

Sean Matthew Porbin

**APPLICANTS FOR PERMANENT LICENSURE – Physicians**  
**Pending Receipt of the PICF Fee:**

Toks Ebiyon Macarthy  
Mark Daniel Miller  
Matthew Scott Ruyle  
Terry Gene Sanders, II  
David Shi

**APPLICANT FOR PERMANENT LICENSURE**  
**– Podiatric Physicians:**

Jeffrey Addison Michael  
Daniel Robert Wright



# **Legislative Committee Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**July 9, 2017 at 10:15 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- May 7, 2017

***Agenda Items:***

- Legislative Rules 11 CSR 1A, 11 CSR 1B and 11 CSR 5
- Legislative Rule 11 CSR 6
- Review of Provision Relating to Advertising in 11 CSR 1A
- Senate Bill 1014 / Proposed Amendments to 11 CSR 1B
- Special Meetings for Legislative and Emergency Rule-Making
- Licensure Fees

**WEST VIRGINIA BOARD OF MEDICINE**

**Legislative Committee Minutes**

**July 9, 2017**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 9<sup>th</sup> day of July, 2017, at 10:15 a.m.

The following Committee members were present:

Beth Hays, M.A., Chair  
Ahmed Faheem, M.D.  
K. Dean Wright, P.A.-C.

The following Committee members were absent:

Reverend O. Richard Bowyer  
David Mullins, M.D.

The following staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Jamie C. Frame

The following consultant was present:

Andy Wessels

Ms. Hays called the meeting to order. Dr. Faheem moved that the minutes of the May 7, 2017 meeting be approved. Mr. Wright seconded, and the motion carried.

**CALL TO  
ORDER  
AND  
APPROVAL OF  
MINUTES**

Mr. Spangler reported to the Committee that the Board's amended legislative rules 11 CSR 1A, *Licensing and Disciplinary Procedures for Physicians and Podiatric Physicians*, 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures*, and *Continuing Education for Physician Assistants*, and 11 CSR 5, *Dispensing of Prescription Drugs by Practitioners*, became effective on July 5, 2017.

Mr. Spangler reported that Board staff have filed Notice of a Comment Period on Proposed Rule 11 CSR 6, *Continuing Education for Physicians and Podiatrists*, with the Secretary of State's Office. The Board is accepting written comments on the proposed amendments to this rule through 4:30 p.m. on Friday, July 21, 2017. To date, no comments have been received.

Mr. Spangler reported that the State of Ohio currently allows for patient testimonials to be included in physician advertising. Our current Board rules provide that advertising which uses patient testimonials is not in the public interest and therefore is prohibited. It is possible that during the 2018 legislative session there may be efforts to permit the use of patient testimonials in physician advertising in West Virginia. Board staff will research surrounding state rules and regulations regarding the utilization of patient testimonials in advertising and will report back to the Committee at a future meeting.

Mr. Spangler reported to the Committee that Board staff have worked diligently on proposed amendments to 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*. The proposed amendments to this rule include changing "supervising physician" to "collaborating physician" and "supervision" to "collaboration" throughout, removing the requirement that a physician assistant maintain national certification through the National Commission on Certification of Physician Assistants, granting physician assistants global signature authority, modernizing the continuing education language to be consistent with the continuing education language for medical doctors and podiatric physicians, and provides that if an initial license is granted within thirty days prior to licensure renewal, the license renewal be waived for that cycle. Additionally, the proposed rule modifies sections relating to requirements that a collaborating physician be on-site. Following discussion, Mr. Wright moved that modifications be made to the proposed rule as follows: (1) the words "and/or orders" be added to the end of 9.5.c.3., so that this section reads as "Do not resuscitate forms and /or orders." and (2) that 9.5.f. be added to read as follows

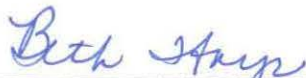
“Governmental forms as permitted by law including, but not limit to, parking applications for mobility impaired persons.” Mr. Wright further moved that the Committee recommend that the Board approve the revision of 11 CSR 1B as modified, and authorize staff to move forward with promulgation of the rule. Dr. Faheem seconded, and the motion carried.

Danny Scalise, Executive Director of the West Virginia State Medical Association, joined the meeting as a guest at this time.

Mr. Spangler reported that action will need to be taken with regard to 11 CSR 6, *Continuing Education for Physicians and Podiatrists*, and 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, prior to the September 2017 meeting. Dr. Faheem moved that the Committee request that the Board authorized the Legislative Committee to act on behalf of the Board regarding 11 CSR 6 and 11 CSR 1B, and to convene special meetings to do so as appropriate. Mr. Wright seconded, and the motion carried.

Mr. Spangler reported the P. Bradley Hall, M.D., Executive Director of the West Virginia Medical Professional Health Program (WVMPHP), has requested that the Board of medicine licensure fees be increased in the amount of \$100.00 per licensee per renewal cycle to assist in funding the WVMPHP. Any increase in licensure fees would require legislative action. This matter will be presented to the Executive / Management Committee for consideration.

There being no further business to consider, Dr. Faheem moved that the meeting **ADJOURNMENT** be adjourned. Mr. Wright seconded, and the motion carried.



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Beth Hays, M.A.  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**July 24, 2017 at 4:30 p.m.**

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***CALL TO ORDER***

- ***Legislative Rulemaking***
  - 11 CSR 6 – Continuing Education for Physicians and Podiatrists

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Legislative Committee Minutes**

**July 24, 2017**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 24<sup>th</sup> day of July, 2017, at 4:30 p.m.

The following Committee members attended the meeting via teleconference:

Beth Hays, M.A., Chair  
Reverend O. Richard Bowyer  
Ahmed Faheem, M.D.  
David Mullins, M.D.

The following Committee member was absent:

K. Dean Wright, P.A.-C.

The following staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Jamie C. Frame

Ms. Hays called the meeting to order.

**CALL TO  
ORDER**

Mr. Spangler reported to the comment period with regard to proposed amendments to 11 CSR 6, *Continuing Education for Physicians and Podiatrists*, ended at 4:30 p.m. on Friday, July 21, 2017. There were no comments received regarding the proposed amendments to the rule. Ms. Alley reported to the Committee that the following modifications were requested by the Secretary of State's Office:

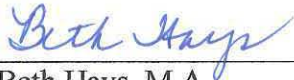
1. The sunset provision language in 1.5. was changed from "This rule shall terminate and have no further force or effect on July 1, 2027" to "This rule shall terminate and have no further force or effect upon the expiration of five years from its effective date."; and
2. Corrections to rule formatting.

Additionally, staff identified minor typographical errors regarding numbering, which it recommends be corrected in the agency approved version of the rule.

Following discussion, Dr. Faheem moved that the Committee authorize Board staff to move forward with the Agency Approved Filing of the Rule with modifications requested by the Secretary of State's Office and with the typographical corrections as described. Dr. Mullins seconded, and the motion carried.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



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Beth Hays, M.A.  
Chair of the Legislative Committee



**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**August 21, 2017 at 4:30 p.m.**

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***CALL TO ORDER***

***Agenda Items:***

- Legislative Rule 11 CSR 1B
- Medical Liability Review Panel

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Legislative Committee Minutes**

**August 21, 2017**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 21<sup>st</sup> day of August, 2017, at 4:30 p.m.

The following Committee members attended the meeting via teleconference:

Beth Hays, M.A., Chair  
Reverend O. Richard Bowyer  
Ahmed Faheem, M.D.  
David Mullins, M.D.

The following Committee member was present:

K. Dean Wright, P.A.-C.

The following staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Jamie C. Frame

The following staff member attended the meeting via teleconference:

Andrew R. Wessels

Ms. Hays called the meeting to order.

**CALL TO  
ORDER**

Mr. Spangler reported that the purpose of today's meeting is to consider and review the comments that were received with regard to the Board's proposed amendments to 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*. Prior to today's meeting a copy of each of the comments that were received was made available to Board members to review.

Mr. Spangler reported that on July 11, 2017, board staff filed a Notice of Comment Period on Proposed Rule 11 CSR 1B. The Notice established a thirty-day comment period on the proposed rule, which concluded at 4:30 p.m. on Thursday, August 10, 2017. During the comment period, the Board received eighteen written comments from the following individuals and/or entities:

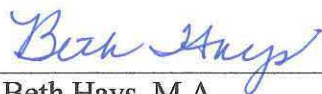
<b>Commenter</b>	<b>Date Received</b>
1. John P. Lubicky, MD	July 25, 2017
2. Cara Sedney	July 25, 2017
3. Thomas S. Miller, MD	July 25, 2017
4. Richard Vaglianti, MD	July 25, 2017
5. Diane Rader, PA-C	July 25, 2017
6. Robert Johnstone, MD	July 25, 2017
7. Michelle Abe, DO	July 26, 2017
8. Ashley Clay, MS, PA-C	July 26, 2017 July 26, 2017 and August 8, 2017
9. Alok Gopal, MD, DBMA	July 26, 2017
10. Yashica Shah	July 26, 2017
11. Tahira Masood, MD	July 29, 2017
12. Mary Gainer, MD	August 1, 2017
13. Alan W. Cashwell, MD	August 2, 2017
14. West Virginia Association of Physician Assistant Board of Directors	August 9, 2017
15. Nicholas Vance, MS, PA-C	August 10, 2017
16. American Academy of PAs	August 10, 2017

Following a thorough review and consideration of each of the comments received, Mr. Wright moved that the Committee approve the Board's proposed rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, with the

following modifications: (1) include that admission orders are within the scope of physician assistant signatory authority if permitted by the place of practice in 9.5.a.; (2) amend 9.5 to include subdivision 9.5.g. durable medical equipment in the enumerated list of documents within the signature authority of a physician assistant; (3) clarify that physician assistants are authorized to engage in appropriate collaboration with other treatment team members in 9.9; (4) change “supervision” to “collaboration” in 10.5.d.; (5) change “supervisory” to “collaborative” in 10.8; (6) insert the word American in front of Academy of Family Physicians in 13.2.a.; and (7) insert the word American in from of Academy of Family Physicians in 13.2.b. Mr. Wright further moved that the Committee ratify the Summary of Comments Received Regarding Proposed Amendments to 11 CSR 1B and Response of the West Virginia Board of Medicine as set forth in the attachment to these minutes and authorize staff to move forward with the Agency Approved Filing of the Rule as attached hereto. Dr. Mullins seconded, and the motion carried.

Mr. Spangler reported to the Committee that he and Mr. Wessels attended the Joint Committee on Health meeting held earlier today, where he presented information concerning the Board’s research into Medical Liability Review Panels to the Committee. During his presentation, Mr. Spangler reiterated that the Board of Medicine is not the appropriate entity to house a Medical Liability Review Panel. Board staff will continue to monitor any future legislative efforts regarding this issue, and will report back to the Committee as necessary.

There being no further business to consider, Reverend Bowyer moved that the meeting be **ADJOURNMENT** adjourned. Mr. Wright seconded, and the motion carried.



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Beth Hays, M.A.  
Chair of the Legislative Committee



# State of West Virginia *Board of Medicine*

AHMED DAVER FAHEEM, MD  
PRESIDENT

RAHUL GUPTA, MD, MPH  
SECRETARY

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Charleston, WV 25311  
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KISHORE K. CHALLA, MD, FACC  
VICE PRESIDENT

MARK A. SPANGLER, MA  
EXECUTIVE DIRECTOR

August 22, 2017

## SUMMARY OF COMMENTS RECEIVED REGARDING PROPOSED AMENDMENTS TO 11 CSR 1B AND RESPONSES OF THE WEST VIRGINIA BOARD OF MEDICINE

On July 11, 2017, the West Virginia Board of Medicine filed a Notice of Comment Period on a Proposed Rule, 11 CSR 1B. The Notice established a thirty day comment period on the proposed rule, which concluded at 4:30 p.m. on August 10, 2017. During the comment period, the Board received eighteen comments from the following sixteen individuals/entities:<sup>1</sup>

<b>Commenter</b>	<b>Date Received</b>
1. John P. Lubicky, MD	July 25, 2017
2. Cara Sedney	July 25, 2017
3. Thomas S. Miller, MD	July 25, 2017
4. Richard Vaglienti, MD	July 25, 2017
5. Diane Rader, PA-C	July 25, 2017
6. Robert Johnstone, MD	July 25, 2017
7. Michelle Abe, DO	July 26, 2017
8. Ashley Clay, MS, PA-C	July 26, 2017
	July 26, 2017 and August 8, 2017
9. Alok Gopal, MD, DBMA	July 26, 2017
10. Yashica Shah	July 26, 2017
11. Tahira Masood, MD	July 29, 2017
12. Mary Gainer, MD	August 1, 2017
13. Alan W. Cashwell, MD	August 2, 2017
14. West Virginia Association of Physician Assistant Board of Directors	August 9, 2017
15. Nicholas Vance, MS, PA-C	August 10, 2017
16. American Academy of PAs	August 10, 2017

<sup>1</sup> Copies of all comments received by the Board are attached hereto.

The Board has reviewed all comments received, and on August 21, 2017, the following responses were authorized. A copy of this summary is being provided to each commenter. The Board extends its sincere appreciation and gratitude to all individuals and groups who took the time to review and comment upon the proposed amendments to 11 CSR 1B.

### General Comments

One commenter indicated that she feels that while SB1014 and the Board's proposed amendments are a step in the right direction, the regulatory hoops involved in practicing as a physician assistant in West Virginia are burdensome, and disadvantage physician assistants as compared to nurse practitioners. By way of a follow-up submission, this commenter also indicated that she supports the statement of the AAPA regarding Optimal Team Practice, which supports the removal of laws and regulations that require a PA to have and/or report a supervisory, collaborating or other specific relationship with a physician in order to practice. This commenter does not believe that SB1014 or the Board's proposed amendment to 1B reflect this ideal. [8]<sup>2</sup>

One commenter supports the proposed amendments, as it is a "burden to the daily lives of physicians trying to keep their head above the water on a daily basis taking care of patients." [9]

Another commenter, who indicates that she has experience working with excellent physician assistants, is concerned that increased independence and less stringent oversight of physician assistants, particularly in rural areas where there are fewer specialists and a need for a vast fund of medical knowledge to treat a variety of medical conditions, will not benefit patients. [12]

While also offering some specific proposed modifications to the proposed amendments, another commenter "supports and commends this significant revision and modernization of PA practice in West Virginia." [16]

**Response:** The Board appreciates the broad spectrum of general comments it has received. The changes which increase physician assistant independence, and which are incorporated in the Board's amendments, implement the provisions of SB1014. This bill sought to ensure parity between physician assistants and advance practice registered nurses, specifically with regard to prescribing and signature authority. No changes were made to the Board's proposed rule amendments based upon these comments.

### Specific Comments

#### **Modification of Terminology from Supervising/Supervising Physician to Collaboration/Collaborating Physician and the Definition of Collaboration (Section 2)**

Section 2 of the proposed amended rule incorporates SB1014 terminology into the definitions section to facilitate the transition from the term "supervision" to the term "collaboration" in the

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<sup>2</sup> The bracketed number reference provided after a comment summary identifies the commenter by reference to the itemized list at the beginning of this summary.

description of the working relationship between a physician assistant and a physician. Collaboration is defined in subdivision 2.1.i. as:

2.1.i. "Collaboration" means overseeing the activities of, and accepting responsibility for, the medical services rendered by a physician assistant. Constant physical presence of the collaborating physician is not required as long as the collaborating physician and physician assistant are, or can be, easily in contact with one another by telecommunication. Collaboration does not require the personal presence of the collaborating physician at the place or places where services are rendered.

Two commenters expressed serious concerns about changing the physician/ physician assistant dynamic from "supervision" to "collaboration." The first commenter indicated that she does not support the changes as written, specifically to the extent that the amendments change "the role of physicians from 'supervising' to 'collaborating.'" This commenter contends that "being legally responsible for, and overseeing, PA is, by definition, "supervision." She further opines that the change in terminology "diminishes the very real responsibility of the physician supervisor." [2] The second commenter indicated that changing the term "supervising" to "collaborating" "implies that we as physicians would also be asking their opinions on our own patients," and that this legislation is "leading down a dangerous path" towards independent practice by physician assistants. This commenter considers the proposed amendments, and the bill upon which they are based, as diminishing patient safety by permitting expanded practice by physician assistants. [7]

Without specific reference to the change in terminology from supervising to collaborating, a third commenter wrote that it would be dangerous for patient safety to permit physician assistants to practice without physician supervision. [10]

**Response:** The transition from "supervision" to "collaboration" was decided by the legislature during the first special session and incorporated into SB1014. The proposed amendments to Series 1B reflect this statutory change. No changes were made to the Board's proposed rule amendments based upon these comments.

A fourth commenter wrote that the "definition of 'collaboration' is essentially the same as 'supervision.'" There should be definition at beginning defining collaboration as other states have defined it. 2.1.i and 10.1 definitions of collaboration could be added, as the current draft definition in 2.1.B is not reflective of the term collaboration." This commenter did not offer any specific proposed language for the modification of the definition of "collaboration." [14]

**Response:** Subdivision 2.1.b is the definition of alternate collaborating physician, not the definition of collaboration. Subdivision 2.1.i, which the commenter favorably references, provides a definition for collaboration. It is accurate that the definition of collaboration is similar to the current definition of supervision. The proposed definition of collaboration incorporates the statutory definition of collaboration adopted by the legislature in SB1014. No changes were made to the Board's proposed rule amendments based upon this comment.

### Reporting NCCPA Status on License Renewal (Sections 5)

Pursuant to SB1014, PAs are no longer required to maintain continuous NCCPA certification to maintain licensure with the Board, and NCCPA certification is no longer required to renew a license. The Board's proposed amended rule comports with this change in statute. As set forth in Section 5, NCCPA certification is no longer required for renewal. The Board's amended rule does require, however, that a PA report his or her NCCPA status on his or her renewal application.

In pertinent part, Subsection 5.6, provides:

5.6. The Board's physician assistant renewal application form shall include, and applicants must provide, the following information:

\*\*\*

5.6.f. ~~Documentation of current and continuous~~ The renewal applicant's NCCPA certification status;

One commenter "finds the general requirement for PAs to report their NCCPA certification status and the mandate to do so as a license renewal applicant unnecessary and inequitable." The commenter points out that physicians are not required to report board certification status for license renewal, and equates NCCPA certification to Board certification. The commenter proposes that subdivision 5.6.f be stricken from the proposed amendments in its entirety. [16]

**Response:** While the Board appreciates this thoughtful comment, it does not consider the collection of NCCPA certification status unnecessary or inequitable. Unlike, physicians, who are not required to be board certified for licensure, a physician assistant must hold NCCPA certification to obtain an initial license to practice as a physician assistant in West Virginia. Collection of information regarding continuing certification status permits the Board to maintain accurate information on licensees after initial licensure, and ensures that the appropriate professional designation is utilized by the Board when identifying physician assistants on the Board's website, and elsewhere. (A physician assistant with NCCPA certification may use the professional designation of "P.A.-C. whereas a physician assistant without current certification uses the professional designation of "P.A."). No changes were made to the Board's proposed rule amendments based upon this comment.

### Reporting Loss of NCCPA Status (Section 6)

For the PA profession, certification status determines whether a PA uses the professional designation of PA or PA-C, and the Board uses the appropriate designation to identify licensees on the Board's website and in other correspondence. Section 6 is amended to remove the provision that a license terminates if NCCPA certification is lost. However, the amendment maintains the requirement that a licensee report loss of NCCPA certification.



Proposed Section 6 provides:

§11-1B-6. Termination of License Reporting of NCCPA Certification Status.

~~6.1. A licensed physician assistant must immediately notify the Board, in writing, upon losing NCCPA certification if the licensee is no longer certified by the NCCPA. Failure to immediately report the loss of NCCPA certification shall constitute unprofessional, dishonorable and/or unethical conduct which may result in the imposition of discipline against the licensee. Notification to the Board shall be considered to have occurred as required if such notification is received within one five business days of the effective date of the loss of end date of the licensee's NCCPA certification.~~

~~6.2. If a licensee is no longer certified by the NCCPA, his or her license automatically terminates without notice to the physician assistant the licensee shall utilize the professional designation of PA, and shall immediately cease use of the professional designation of PA-C.~~

~~6.3. Upon loss of NCCPA certification and/or license termination, a physician assistant must immediately cease practicing as a physician assistant and notify all supervising physicians of the loss of NCCPA certification, licensure and Board authorization to practice. All practice agreement authorizations issued by the Board automatically terminate with the expiration of NCCPA certification and the termination of licensure.~~

~~6.4. A physician assistant becomes eligible for reinstatement of a terminated license once he or she becomes recertified by the NCCPA.~~

One commenter proposes that subsection 6.1 be stricken in its entirety. The commenter writes that the inclusion of a mandatory reporting requirement, which makes failure to report loss of NCCPA certification a disciplinary offense, could have the potential to affect the livelihood of a physician assistant who unintentionally failed to make the requisite report. [16]

**Response:** The Board understands the concerns raised by the commenter, but has determined that immediate reporting of loss of NCCPA certification is sufficiently important to support the reporting requirements set forth in subsection 6.1. A physician assistant's certification status may change for a variety of reasons, including revocation of NCCPA certification for disciplinary reasons. Timely reporting of the loss of NCCPA certification, in certain circumstances involving disciplinary revocations, may assist the Board in discharging its responsibility to protect the public. At a minimum, it permits the Board to maintain up-to-date and accurate professional designation information on all physician assistant licensees. After thoughtful consideration of this comment, the Board has concluded that the equities lie in favor of maintaining the provisions of subsection 6.1 without further amendment.

### Physician Assistant Scope of Practice/Signature Authority (Section 9)

This section sets forth the general scope of practice of a physician assistant. The modifications to this section relate to the transition from the term “supervision” and its variants to “collaboration” at its variants. The amendments also incorporate the expansion of signature authority adopted by the legislature in SB1014.

One commenter asked how the term “stable condition” is “being defined” in subdivision 9.1.g. [14]

This subdivision reads:

9.1. A physician assistant shall have, as a minimum, the knowledge and competency to perform the following core duties ~~under~~ with appropriate physician ~~supervision~~ collaboration:

\*\*\*

9.1.g. Make decisions regarding data gathering and appropriate management and treatment of patients being seen for the initial evaluation of a problem or the follow-up evaluation of a previously diagnosed and stabilized condition;

**Response:** The language of subdivision 9.1.g has not been amended, and has been part of Series 1B for several years. The term “stabilized condition” is defined at the practice level in collaboration with the practice location and collaborating physician.

The commenter also indicated that the language of 9.1.q. “has not been completed the way it is written” and the “and” at the end of the subdivision should be removed. [14]

**Response:** Subsection 9.1 begins an enumerated list of core duties physician assistants should be educated and trained to perform with appropriate physician collaboration. Subdivision 9.1.q. is the next to last subdivision of this enumerated list (Subdivision 9.1.r is the last subdivision). The referenced “and” is properly included. No changes were made to the Board’s proposed rule amendments based upon this comment.

The Board received three comments regarding Subsection 9.5, which relates to physician assistant signature authority.

Proposed subsection 9.5 provides:

9.5. ~~Unless prohibited by the place of practice, a physician assistant may sign orders to be countersigned later by his or her supervising physician as set forth in an authorized practice agreement. A physician assistant may provide an authorized signature, certification, stamp, verification, affidavit or endorsement on documents within the scope of his or her practice, including, but not limited to the following:~~

9.5.a. Unless prohibited by the place of practice, a physician assistant may sign orders within the scope of his or her practice, including discharge orders for patients personally treated by the physician assistant;

9.5.b. Medical certifications for death certificates if the physician assistant has received training on the completion thereof;

9.5.c. Instruments related to scope and limitation of treatment, including:

9.5.c.1. Physician orders for life sustaining treatment;

9.5.c.2. Physician orders for scope of treatment; and

9.5.c.3. Do not resuscitate forms and/or orders.

9.5.d. Disability medical evaluations and/or certifications for persons with disabilities in support of a hunting or fishing permit;

9.5.e. Utility company forms or certifications requiring maintenance of utilities regardless of ability to pay; and

9.5.f. Governmental forms as permitted by law including, but not limited to parking applications for mobility impaired persons.

One commenter opposes giving physician assistants any signature authority and suggests that this change, in concert with other set forth in SB1014 would result in “legalized quackery” and physician assistants, nurse practitioners and psychologists replacing or supplanting physicians. [11].

**Response:** The signature authority set forth in the proposed amendments to Section 9 are consistent with the expansion of signature authority as set forth in SB1014, and are appropriate to the education, training and experience of physician assistants.

One commenter asked whether the provisions of Section 9.5 authorize physician assistants to sign orders for durable medical equipment, as authority to sign orders for DME is not explicitly set forth in subsection 9.5. [14]

**Response:** As set forth in the subsection, this is not intended to be an exhaustive list. However, for clarity, and in consideration of this comment, the Board has modified its proposed amendments to include durable medical equipment as subdivision 9.5.f.

Another commenter suggests modifying Subdivision 9.5.a to include “admission and/or discharge” orders to clarify that PAs may admit and discharge patients they personally treat. The commenter avers that the language would be helpful if a suspended CMS rule that limits reimbursement to

practitioners authorized to admit patients by state law/rules and hospital bylaws is reinstated in the future. [15]

**Response:** Having considered this comment, the Board has elected to modify the language of subdivision 9.5.a as follows:

9.5.a. If permitted by the place of practice, a physician assistant may sign orders within the scope of his or her practice, including admission and/or discharge orders for patients that the physician assistant has been involved in treating;

The modified language makes it clear physician assistants may sign orders, including admission and discharge orders within the PA's scope of practice and as permitted by the practice location and so long as the physician assistant has participated in the treatment of the patient. This ensures maximum flexibility at the practice level, which is the appropriate place for such a determination to be made.

One commenter suggested specific modification to Subsection 9.9. [15]

The Board's proposed amended 9.9 reads:

9.9. A physician assistant may not independently delegate a task assigned to him or her by his or her supervising collaborating physician to another individual.

The commenter proposes that this section be modified as follows:

9.9. A physician assistant may not independently delegate a task assigned to him or her by his or her supervising collaborating physician to another individual. Nothing shall prohibit a PA from delegating orders including but not limited to: registered nurses, licensed practical nurses, medical technicians, medical assistants, radiology technologists, etc.

The commenter suggests that the proposed modified language "may help clarify that a PA may provide orders to be carried out by nursing and/or ancillary staff within their education and training."

**Response:** Subsection 9.9 is designed to deal with tasks delegated by a collaborating physician to a physician assistant. The addition of language relating to the delegation of orders to this section would be confusing. The Board has concluded that lawfully issued orders of a PA will be delegated as appropriate at the practice location through regular processes, and specific language would not operate to enhance the authority of lawfully issued orders. However, and in light of this comment, the Board has considered whether subsection 9.9 could be read to constrain full collaboration with other team members, and has therefore modified subsection 9.9 to reflect the ability, and necessity, of a physician assistant appropriately engaging and collaborating with other health care providers. The modified language is:

9.9. A physician assistant may not independently delegate a task assigned to him or her by his or her supervising collaborating physician to another individual. Nothing in this subsection shall prohibit a physician assistant from engaging in appropriate collaboration with other treatment team members.

### Responsibilities of the Collaborating Physician (Section 10)

The Board received two comments regarding Subdivision 10.5.d.  
Proposed 10.5.d provides:

10.5.d. Periodic, in person, education and review sessions discussing specific conditions, protocols, procedures and specific patients shall be held by the supervising collaborating physician for the physician assistant under his or her supervision in accordance with the terms of an authorized practice agreement. For physician assistants in the first six months of an authorized practice agreement and who have practiced as a physician assistant for less than one year, such periodic in person meetings must occur monthly. The supervising collaborating physician and physician assistant must retain written documentation of these meetings.

One commenter asks whether the “in person” requirement of this subsection applies to all physician assistants, or only to PAs who have been practicing for less than one year. [8]

Another commenter raised a similar question about this un-amended portion of this section (erroneously referencing subdivision 10.5.d as 12.5.d). The commenter asks: “is the extent of ‘collaboration’ between the PA and Physician automatically transitioning to a frequency to be defined at the practice level once the 6 month parameter has been met for newly practicing PAs (without further petitioning the board)?” [14].

**Response:** The provisions of subdivision 10.5.d referenced by the commenters are currently in effect, and have not been modified by the Board’s proposed amendments. The in-person requirement for periodic education and review sessions applies to all physician assistants, and can transition from monthly after the first year of practice without petitioning the Board. No changes were made to the Board’s proposed rule amendments based upon these comments.

A commenter identified one instance of “supervision” that has not been amended to “collaboration” in subdivision 10.5.d and one instance of “supervisory” that has not been amended to “collaborative” in subsection 10.8. [14]

**Response:** The Board appreciates the commenter identifying these needed modifications, and the Board’s agency approved version of 11 CSR 1B incorporates modifications to 10.5.d and 10.8 to change supervision/supervisory to collaboration/collaborative.

### Prescribing Authority for Physician Assistants (Section 12)

Summary of Comments Received Regarding  
Proposed Amendments to 11 CSR 1B and  
Responses of the WVBOM  
Page 10 of 13

The Board's proposed amendments to Section 12 implement the expansion in prescribing authority authorized by SB1014 to ensure parity between PAs and APRNs. All of the comments the Board received regarding this section related to the expansion in prescribing authority. Proposed Subsection 12.3 provides:

12.3. On an annual basis, the Board shall approve and publish on its website a list classifying pharmacologic categories of all drugs which physician assistants are prohibited from prescribing. This list shall, at a minimum, prohibit physician assistants from prescribing:

~~12.3.a. Schedules I and II of the Uniform Controlled Substances Act;~~

~~12.3.b. Greater than a non-refillable seventy two hour supply of a drug listed under Medications listed under Schedule III of the Uniform Controlled Substances Act are limited to a 30 day supply without refill;~~

~~12.3.c. Antineoplastics and chemotherapeutic agents used in the active treatment of current cancer; and~~

~~12.3.d. Radio-pharmaceuticals, general anesthetics and radiographic contrast materials; and~~

12.3.e. General Anesthetics.

One commenter indicated that "if the board is contemplating making it easier for PAs to prescribe opioids, I'm totally against it," and concluded that PAs "should not be given the right to prescribe narcotics for chronic pain." [3] A second commenter requested that the Board "consider replacing the opioid prescribing portion with even stricter limitations." [7] A third commenter indicated that, based upon her personal knowledge and a comparison of the education received by physicians and physician assistants, it is "not ok to allow them [PAs] to prescribe meds without a physician overseeing their work." This commenter is concerned about drug interactions which may occur pursuant to unsupervised PA prescribing. [10] A fourth commenter also disfavors an expansion in physician assistant, nurse practitioner and/or psychologist prescribing authority. [11]

**Response:** The prescribing authority incorporated into Subsection 12.3 is based upon statute, and is consistent with the education, training and experience of the physician assistant profession. These amendments do not authorize physician assistants to prescribe Schedule II narcotic/opioid medications. To prescribe medications within the physician assistant formulary, a PA must have an authorized practice agreement with a collaborating physician which delegates prescribing authority. No changes were made to the Board's proposed rule amendments based upon this comment.

Another commenter commented that physician assistants should have all of the privileges that a nurse practitioner has for medications and procedures and any other modality." [4]

**Response:** SB1014 and the associated proposed amendments to Series 1B provides prescribing parity between PAs and APRNs. No changes were made to the Board's proposed rule amendments based upon this comment.

Another commenter advocates permitting physician assistants to write for Schedule IIs, and eliminating the prohibition on no refills for Schedule III medications. This commenter works with a PA and APRN, who he believes could appropriately prescribe Schedule II medications. He further suggests that expanding prescriptive authority would help fill a critical need for psychiatric patients. [13]

**Response:** SB1014 prohibits PAs from prescribing Schedule II medications, and prohibits refills for Schedule III medication. The Board's proposed amendments to Series 1B are in accord with this statutory prohibition.

An additional commenter wrote: "12.3 and 12.3B conflict with each other, we feel the first appears most appropriate." [14]

**Draft Response:** Subsection 12.3 indicates that the Board will create an exclusionary formulary regarding the categories of medications and drugs physician assistants may not prescribe. This subsection then identifies, and enumerates, in subdivisions, the categories of medications which physician assistants are prohibited from prescribing by statute, and which must be part of the exclusionary formulary. Subsection 12.3 and 12.3.b are not in conflict. No changes were made to the Board's proposed rule amendments based upon this comment.

### Continuing Education (Section 13)

The Board received three comments regarding continuing education. Proposed Subsections 13.1 and 13.2 provide:

13.1. Successful completion of a minimum of one hundred hours of continuing education satisfactory to the Board during the preceding two-year period is required for the biennial renewal of a physician assistant license.

13.2. Types and categories of continuing medical education satisfactory to the Board for physician assistants are:

13.2.a. Continuing medical education designated as Category I by either the American Medical Association, American Academy of Physician Assistants or the Academy of Family Physicians.

13.2.b. Continuing medical education designated as Category II by either the American Medical Association, American Academy of Physician Assistants or the Academy of Family Physicians. A maximum of fifty hours of continuing medical education credit may be awarded for this category of activity.

13.2.c Obtaining a master's degree from an accredited program of instruction for physician assistants within one year of the expiration of an initial license. A maximum of one hundred hours of continuing education credit may be awarded for this category of activity, but a physician assistant shall only be awarded ninety-seven hours of credit if the physician assistant is a mandatory participant in the continuing education activity described in subsection 13.3 of this rule.

13.2.d. Passing a recertification examination by the NCCPA during the reporting period. A maximum of one hundred hours of continuing medical education credit may be awarded for this category of activity, but a physician assistant shall only be awarded ninety-seven hours of credit if the physician assistant is a mandatory participant in the continuing education activity described in subsection 13.4 of this rule.

There are no other types or categories of continuing education activity for physician assistants satisfactory to the Board.

One commenter sought clarification regarding whether the Academy of Family Physicians is the same as the American Academy of Family Physicians. [5]

**Response:** These are the same entity. For clarity, the agency approved version of the rule includes modifications to 13.2.a and 13.2.b which insert the word American in front of Academy of Family Physicians.

One commenter indicated that it is important to have strict standards of continuing education of physician assistants. [12]

**Response:** The Board agrees that health professionals, including physician assistants, should have high continuing education standards which provide for meaningful and useful continuing education. The Board believes the requirements of this section are consistent with that goal. Accordingly, no changes were made to the Board's proposed rule amendments based upon this comment.

Another commenter suggested that the Board modify this section to accept proof of NCCPA certification in satisfaction of CME requirements (except for the three hour drug diversion best practice prescribing CME). This commenter would also modify 13.2.b to remove the requirement that a licensee may only obtain 50 hours of credit for Category II CME, permitting all CME to be Category II. The commenter suggests that such a modification would also eliminate the need for 13.2.d. The commenter also suggest permitting submission of proof of NCCPA certification in satisfaction of CME would eliminate the need for a PA to notify the Board within five business days of losing NCCPA certification. [15]

**Response:** While the Board appreciates these comments, it has elected not to incorporate any of the proposed suggestions. The Board notes that PAs who elect to maintain NCCPA certification will need to complete the same number continuing education hours as required by this rule, so a large number, if not all, continuing education hours will serve dual purposes for the certified PA.



However, now that continued certification is not a requirement of license renewal, it is important to ensure that clear and unequivocal categories of continuing education are explicitly defined, and which apply to all licensees, regardless of certification status. Additionally, there is a substantial difference in Category II CME and Category I, and the Board has determined that a maximum of 50 hours of category II will be accepted per continuing education cycle. Finally, and for all of the reasons set forth hereinabove at pages five and six, even if the Board had adopted the proposed amendments, they would not have obviated the need for NCCPA certification status at times other than renewal. No changes were made to the Board's proposed rule amendments based upon these comment.

### Questions

In the form of comments, the Board also received the following questions:

"Where does the Board stand on this bill? Support or not?" [1]

**Response:** The Board favors permitting physician assistants to utilize their education, training and experience to provide quality healthcare to West Virginia's citizens as part of a health care team and in collaboration with a physician. The Board believes that SB1014 and the Board's proposed amendments to Series 1B facilitate that goal.

One commenter asked whether the proposed rules would apply to "anesthesiology assistants, a particular subcategory of physician assistants." [6]

**Response:** The West Virginia Board of Medicine does not license or certify any specialty or subspecialty of physician or physician assistant practice. A physician assistant license is a general license to practice as a physician assistant pursuant to an authorized practice agreement and in collaboration with a collaborating physician. The changes to Series 1B would apply to all physician assistant license holders licensed by the Board.

A third commenter asked what the scope of PAs will be regarding medical cannabis. [8]

**Response:** The West Virginia Bureau of Public Health is responsible for the implementation of the Medical Cannabis Act. It is the Board's understanding, based upon a review of SB386, that physicians are the only health practitioner who may register to issue certifications to patients for the medical use of cannabis. The proposed amendments to Serie. 1B do not address this issue and do not establish any role for physician assistants in the issuance of medical cannabis certifications.

In conclusion, based upon the comments received, the Board's agency approved filing contains seven modifications as set forth hereinabove.

1B Comment

-----Original Message-----

From: Lubicky, John [mailto:jlubicky@hsc.wvu.edu]  
Sent: Tuesday, July 25, 2017 9:18 PM  
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>  
Subject: New PA rules

Where does the board stand on this bill? Support or not?

Sent from my iPhone  
John P. Lubicky, MD

1

Commenter 1

1B Comment

-----Original Message-----

From: Sedney, Cara [mailto:csedney@hsc.wvu.edu]  
Sent: Tuesday, July 25, 2017 5:38 PM  
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>  
Subject: Comment regarding 11 CSR 1B

Hello,

This is a comment regarding legislative rule 11 CSR 1B, Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants. I do not support the changes as written, specifically changing the role of physicians from "supervising" to "collaborating". While I recognize and support the role of PAs in the care of West Virginia's patients, being legally responsible for, and overseeing, PAs is, by definition, "supervision". While good physician/PA relationships are obviously collaborative in nature, the change in terminology diminishes the very real responsibility of the physician supervisor.

Thanks for the opportunity to comment,  
Cara Sedney

Sent from my iPhone

From: Thomas [mailto:tsmillermd@gmail.com]  
Sent: Tuesday, July 25, 2017 5:01 PM  
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>  
Subject: New rules proposed by board.

Very hard for me to determine what rules are being changed. If the board is contemplating making it easier for PAs to prescribe opioids, I'm totally against it. We should be making it harder to prescribe opioids, except for treating terminal cancer pain. PAs should not be given the right to prescribe narcotics for chronic pain.

Thomas S Miller, MD  
Fairmont, WV  
Sent from Mail for Windows 10

From: Vaglienti, Richard [mailto:[vaglientir@wvmedicine.org](mailto:vaglientir@wvmedicine.org)]  
Sent: Tuesday, July 25, 2017 2:18 PM  
To: BOM Newsletter <[bomnewsletter@wv.gov](mailto:bomnewsletter@wv.gov)>  
Subject: Re: Comment Period Under Way for Proposed Amendments to Board of Medicine Rule 11 CSR 1B

Physician assistants should have all privileges that a nurse practitioner has for medication and procedures and any other modality. They should have absolute parity with ANPs.  
Rick Vaglienti MD

Sent from my iPhone

On Jul 25, 2017, at 1:55 PM, WV Board of Medicine <[bomnewsletter@wv.gov](mailto:bomnewsletter@wv.gov)> wrote:

**COMMENT PERIOD UNDER WAY FOR PROPOSED AMENDMENTS TO BOARD OF  
MEDICINE RULE 11 CSR 1B**

During the First Special Session of 2017, the Legislature passed SB1014. This bill makes changes to the West Virginia Code that relate to physician assistant practice in West Virginia. SB1014 authorizes the Board of Medicine to engage in rulemaking, including emergency rule making, to implement these legislative changes. The bill was signed by Governor Justice on June 19, 2017, and becomes effective on September 7, 2017.

The West Virginia Board of Medicine is currently accepting written comments on proposed amendments to the Board's legislative rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*. The proposed changes to this rule are intended to implement the provisions of SB1014, including an expansion of PA prescriptive authority and signature authority. To view the proposed rule please [click here](#).

All comments must be received by 4:30 p.m. on August 10, 2017, and should be submitted to:

Mark A. Spangler, Executive Director  
West Virginia Board of Medicine  
101 Dee Drive, Suite 103  
Charleston, West Virginia 25311  
[Mark.A.Spangler@wv.gov](mailto:Mark.A.Spangler@wv.gov)

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Commenter 4

From: eddyout@canaantv.tv [mailto:eddyout@canaantv.tv]  
Sent: Tuesday, July 25, 2017 2:44 PM  
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>  
Subject: 11CSR1B

**Hello Mr. Spangler**

**I reveiwed the proposal draft of 11SCR1B and had a comment with sections 13.2a and 13.2b. The section discussed where CME hrs could be obtained. The Academy of Family Physician was mentioned. I receive a monthly home study activity for 5 CME hrs a month, but use The American Academy of Family Physicians-AAFP. I did not know how specific this list will be to obtain our CME hrs. I was not sure if the two different titles were interchangeable- The Academy of Family Physicians versus The American Academy of Family Physicians. I live and work in a rural area, and don't attend many conferences. I like the home study program with AAFP. I would like the proposed bill to include the AAFP for CME hrs.**

**I have been a practicing PA since 1994, and have been certified by the NCCPA numerous times. I am due to take the exam next year, but realize if new bill goes into effect, will no longer need the certification. I was under impression that the CME hrs still needed to be logged under NCCPA, but reading proposal, would need to be logged or ready for audit by the WVBOM. Let me know when convenient if my understanding is correct.**

**Best Regards**

**Diane Rader, PA-C**

1 B Comment

From: Johnstone, Robert [mailto:johnstoner@wvmedicine.org]  
Sent: Tuesday, July 25, 2017 2:37 PM  
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>  
Subject: FW: Comment Period Under Way for Proposed Amendments to Board of Medicine Rule 11 CSR 1B

Does this apply to anesthesiologist assistants, a particular category of physician assistants? I know most states have them, and I'm not sure what rules apply to them in WV. Seems like an opportunity to better define their situation in WV.  
Robert Johnstone, MD  
Morgantown

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From: WV Board of Medicine [mailto:boardnewstetter@wv.gov]  
Sent: Tuesday, July 25, 2017 1:30 PM  
To: Johnstone, Robert  
Subject: Comment Period Under Way for Proposed Amendments to Board of Medicine Rule 11 CSR 1B

### COMMENT PERIOD UNDER WAY FOR PROPOSED AMENDMENTS TO BOARD OF MEDICINE RULE 11 CSR 1B

During the First Special Session of 2017, the Legislature passed SB1014. This bill makes changes to the West Virginia Code that relate to physician assistant practice in West Virginia. SB1014 authorizes the Board of Medicine to engage in rulemaking, including emergency rule making, to implement these legislative changes. The bill was signed by Governor Justice on June 19, 2017, and becomes effective on September 7, 2017.

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The West Virginia Board of Medicine is currently accepting written comments on proposed amendments to the Board's legislative rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*. The proposed changes to this rule are intended to implement the provisions of SB1014, including an expansion of PA prescriptive authority and signature authority. To view the proposed rule please [click here](#).

All comments must be received by 4:30 p.m. on August 10, 2017, and should be submitted to:

Mark A. Spangler, Executive Director  
West Virginia Board of Medicine  
101 Dee Drive, Suite 103  
Charleston, West Virginia 25311  
[Mark.A.Spangler@wv.gov](mailto:Mark.A.Spangler@wv.gov)

Commenter 6

**From:** Chellie Abe <chellie.abe@gmail.com>

**Date:** July 26, 2017 at 10:41:37 PM EDT

**To:** mark.a.spangler@wv.gov

**Subject:** 11CSR1B

Mr. Spangler,

I am a Family Medicine Physician in Martinsburg, WV. I am very upset by the adjustments to 11CSR 1B. Physician Assistants are by title - Physician Assistants. They need constant supervision. Just like Nurse Practitioners do. They do not have the training or expertise to practice independently. Their training lacks a strong science background and they work off of algorithms developed to make medicine "bread and butter". They are not able to think outside the box and their critical thinking skills are often lacking. I can't tell you the number of times I have been told that a mid levels providers at an urgent care completely missed the boat on a serious diagnosis and the patient was sent home with narcotics and antibiotics, neither of which was needed. Removing the limits on prescriptions for controlled substances will only worsen our states current opoid epidemic. Changing the word "supervising" to "collaborating" implies that we as physicians would also be asking their opinions on our own patients. That is not going to happen. Our role is to supervise. This legislation is leading down a dangerous path where once again, like the Nurse Practitioners, an non qualified group will be working towards independent practice. The only people that are going to suffer are the patients. Our families. Please consider replacing the opoid prescribing portion with even stricter limitations. Change the wording back to supervising because that is truly what needs to be happening for safe patient care.

Sincerely,  
Michelle Abe, DO



From: Ashley Clay [mailto:ashley.clay@medcor.com]  
Sent: Wednesday, July 26, 2017 10:23 AM  
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>  
Subject: Re: Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants.

I also fully support this statement from the AAPA regarding Optimal Team Practice:

"It also supports the removal of state laws and regulations that require a PA to have and/or report a supervisory, collaborating or other specific relationship with a physician in order to practice."

I do not feel that the proposed bill neither reflects this ideal nor promotes the possibility of this becoming reality.

Kind Regards,

Ashley Clay, MS, PA-C | Physician Assistant | Medcor, Inc.  
[ashley.clay@medcor.com](mailto:ashley.clay@medcor.com) | [ashley.clay@alcon.com](mailto:ashley.clay@alcon.com) | Medcor, Inc.  
6065 Kyle Lane Huntington, WV 25702 | 2 Vision Lane Lesage, WV 25537  
Huntington South Office: 304.733.8655 | Huntington North Office: 304.733.8318  
Huntington South and North Fax: 815.759.5245

From: Ashley Clay  
Sent: Wednesday, July 26, 2017 10:13 AM  
To: [mark.a.spangler@wv.gov](mailto:mark.a.spangler@wv.gov)  
Subject: Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants.

Mr. Spangler--

I've reviewed the amendments to the proposal regarding Physician Assistant practice. I have a few concerns with some of the amendments, in particular:

"10.5.d. Periodic, in person, education and review sessions discussing specific conditions, protocols, procedures and specific patients shall be held by the supervising collaborating physician for the physician assistant under his or her supervision in accordance with the terms of an authorized practice agreement. For physician assistants in the first six months of an authorized practice agreement and who have practiced as a physician assistant for less than one year, such periodic in person meetings must occur monthly. The supervising collaborating physician and physician assistant must retain written documentation of these meetings. "

The areas of concern are: requirements to be "in person" as well as if this is intended to be for *all* new authorized practice agreements OR only those new practice agreements with PAs who have been practicing for less than 1 year.

Also, as a PA with concrete roots to WV, I am concerned for the overall growth of the PA profession. I feel that this proposed amendment is in the right direction, but I also feel that PAs are restricted significantly when compared to NPs. Just yesterday I was discussing with my employer regarding per diem coverage. They have a PA applicant, but secondary to such strict requirements from the BOM they have elected to hire a NP instead of the more qualified PA for this position. I see this happening across various practices in WV and I fear that this will ultimately result in me moving from the state that I was born, raised, and educated. I love WV and I love practicing medicine as a PA, but the hoops we (as a profession) are having to jump thru to even be in the same ball park as other PAs in other states is getting cumbersome. I fear that rural Appalachia will continue to be in serious need of medical providers, but secondary to constraints on regulations-- this will remain an issue.

When I initially heard about the Senate Bill regarding this issue, I was extremely hopeful. Now, as time as passed and the proposals have been examined, I am hopeful that they will continue to evolve (because personally I feel as though we are making positive steps, but great strides are required in order to advance the PA profession and ensure that myself and other PAs can remain in WV and flourish).

Thanks,

Ashley Clay, MS, PA-C | Physician Assistant | Medcor, Inc.

[ashley.clay@medcor.com](mailto:ashley.clay@medcor.com) | [ashley.clay@aicon.com](mailto:ashley.clay@aicon.com) | [Medcor, Inc.](http://www.Medcor.com)

6065 Kyle Lane Huntington, WV 25702 | 2 Vision Lane Lesage, WV 25537

Huntington South Office: 304.733.8655 | Huntington North Office: 304.733.8318

Huntington South and North Fax: 815.759.5245

PA Comment

From: Ashley Clay [mailto:[ashley.clay@medcor.com](mailto:ashley.clay@medcor.com)]  
Sent: Tuesday, August 08, 2017 10:51 AM  
To: Spangler, Mark A <[Mark.A.Spangler@wv.gov](mailto:Mark.A.Spangler@wv.gov)>  
Subject: Additional question

I also wanted to include a question regarding medical marijuana:

What will the scope of the PA-C be in regards to this new introduction into WV?

Ashley Clay, MS, PA-C | Physician Assistant | Medcor, Inc.  
[ashley.clay@medcor.com](mailto:ashley.clay@medcor.com) | [ashley.clay@alcon.com](mailto:ashley.clay@alcon.com) | Medcor, Inc.  
6065 Kyle Lane Huntington, WV 25702 | 2 Vision Lane Lesage, WV 25537  
Huntington South Office: 304.733.8655 | Huntington North Office: 304.733.8318  
Huntington South and North Fax: 815.759.5245

From: alokgopal@gmail.com [mailto:alokgopal@gmail.com] On Behalf Of alok gopal  
Sent: Wednesday, July 26, 2017 12:35 PM  
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>  
Subject: thank you for considering changes to prescriptive authority

Dear sir

I support this amendment as it is a bid burden to the daily lives of physicians trying to keep their head above the water on a daily basis taking care of patients

thanking you in anticipation

alok gopal,MD,DBMA  
Director Pain service Winchester medical center  
Senior executive NSPC

From: yashica shah [mailto:yashicashah@gmail.com]  
Sent: Wednesday, July 26, 2017 2:19 PM  
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>  
Subject: Amendment to 11 CSR 1B

Dear West Virginia Board of Medicine

Please consider the safety of the patients in West Virginia and do not allow physician assistants to practice without physician supervision- it would be very dangerous.

I am a physician and I studied along side PA students and our training does not even compare. It is not ok to allow them to prescribe meds without a physician overseeing their work. Drug interactions can cause severe irreparable damage and their training does not have the rigor and the depth required to do this safely -my uncle has been a victim of this and now his kidneys are failing - he was told it was due to his diabetes when in reality he was receiving the wrong combination of meds - this was picked up by an MD but a little too late! please protect the citizens of West Virginia!

Sincerely

Yashica Shah

Sent from my iPhone

**From:** tahira masood <mtahiral@hotmail.com>

**Date:** July 29, 2017 at 4:09:29 PM EDT

**To:** WV Board of Medicine <boimnewsletter@wv.gov>, "Mark.A.Spangler@wv.gov" <Mark.A.Spangler@wv.gov>

**Subject:** Re: Comment Period Under Way for Proposed Amendments :Sorry ,No way

Dear Mr.Spangler,

I am currently outside USA. Due to some internet problems , I am not having access to the details of legislature SB1014B through wv board of medicine website and otherwise also.

However I am penning down my opinion very honestly about the prescriptive or signature authority to physician assistants or nurse practioners and even psychologists.

◇ SORRY ,NO PRESCRIPTIVE OR SIGNATURE AUTHORITY COULD BE OR SHOULD BE GIVEN TO PHYSICIAN ASSISTANTS BE IT RESTRICTED ?

THIS IS LEGALIZING OF QUACKERY; THAT IS QUACK PRACTICE.

THIS WOULD ALSO LEAD TO CROSSING OF BOUNDARIES OR LIMITS BY THE PHYSICAN ASSISTANTS WHO WOULD TRY TO OVER RIDE THE RECOMMENDATIONS OF PHYSICIANS JUST TO SHOW THAT THEY ARE QUITE EXPERTS WITHOUT DOING MEDICAL STUDIES LIKE US PHYSICIANS WHO STUDY FOR HOURS AND YEARS AND SACRIFICE LOT OF RECREATIONAL ACTIVITIES JUST FOR THIS PROFESSION.

SAME IS FOR NURSE PRACTITIONERS AND PSYCHOLOGISTS WHO ALSO COULD NOT /SHOULD BE ALLOWED TO PRESCRIBE

THIS PRACTICE WOULD LEAD TO UNNECESSARY HASSLE AND UNCOMFORTABLE WORKING ENVIRONMENT DUE TO THE UNDERLYING TUSSELE OF WHO IS THE EXPERT AND UNLTMATELY MAKE THE DOCTOR RUN AWAY OR RESIGN .

I AM A FOREIGN DOCTOR( MUSLIM, PAKISTANI).  
WHEREVER I HAVE PRACTIED OUTSIDE PAKISTAN, ONE THING IS COMMON BESIDES GENDER DISCRIMINATION.

NATIVES FEEL FOREIGNERS ARE INVADING THEIR COUNTRY AND TAKING THEIR JOBS.

NATIVES CONSIDER THEMSELVES TO BE ENTITLED TO SUPERIOR TREATMENT .( SOMETHING NATURAL AS THEIR COUNTRY IS HIRING US AND GIVING US JOBS )

GENERALLY ,NATIVES DON'T LIKE TAKING ORDERS OR FOLLOWING RECOMMENDATIONS FROM FOREIGN DOCTORS .

THIS IS NOT SOMETHING ONLY ABOUT AMERICANS .THIS IS SOMETHING I HAVE COME ACROSS EVEN WHEN I WAS WORKING IN A PREDOMINANETLY MUSLIM COUNTRYR OUTSIDE PAKISTAN FROM 2014-2016.

WHEN IT COMES TO COMPLAINING OR ANYTHING WRONG HAPPENS TO THE PATIENTS, THE STAFF IS VERY QUICK TO PUT THE ENTIRE BLAME ON DOCTORS, EVEN IF CERTAIN STEP HAD BEEN TAKEN BY STAFF WITHOUT KNOWLEDGE OF THE ON CALL PHYSICIAN.

ALSO TO BE KEPT IN MIND NURSES AND PHYSIAN ASSISTANTS HAVE STRONG UNIONS AND LOBBIES AND THEY CAN CREATE PROBLEMS FOR DOCTORS VERY EASILY IF THEY WANT TO.  
So unofficially we treat them very nicely and give them the feeling that that they are our boss.

BRIEFLY , I WANT TO EMPHASIZE THAT NO SHORT CUTS COULD BE/SHOULD BE ALLOWED TO PEOPLE BE IT AMERICANS, IF THEY ARE NOT QUALIFIED AS DOCTORS /PHYSICIANS.

if physician assistants are going to be allowed prescriptive and signature authority, then tomorrow OT technicians will also ask that they should also be allowed to do major surgeries like cholecystectomy and appendectomy .

By years of assisting surgeons, OT technicians also know and learn lot of skills even if they do not have the bookish/theoretical knowledge

Does that make them surgeons or equivalent to surgeons?

I AM NOT IN FAVOUR OF THIS AT ALL.

IF WEST VORGINIA BOARD OF MEDCINE WANTS THIS TO HAPPEN, THEN THERE IS NO NEED TO HIRE DOCTORS, BE IT FOREIGN PHYSICIANS.



CLINICS COULD BE VERY WELL RUN BY PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS ALONE.WHY HIRE US THEN?

LOOK AT THE CASES OF MEDICARE FRAUD IN PAST 6 YEARS ALL OVER USA.

FIND OUT THE RATIO OF DOCTORS /PEOPLE INVOLVED :FOREIGNERS VERSUS AMERICANS.

ITS MORE AMERICANS INVOLVED IN MEDICARE FRAUD THEN FOREIGNERS PER MY KNOWLEDGE.

Summary:

I am against any prescriptive or signature authority to physician assistants or nurse practitioners and even psychologists, be it restricted.

Kindly please consider revoking/repealing any such bill that favors / legalizes quackery.

Sincerely,  
Dr.Tahira Masood,MD.  
License #23963.

---

From: WV Board of Medicine <[bornewsletter@wv.gov](mailto:bornewsletter@wv.gov)>  
Sent: Tuesday, July 25, 2017 10:37 PM  
To: [mtahira1@hotmail.com](mailto:mtahira1@hotmail.com)  
Subject: Comment Period Under Way for Proposed Amendments to Board of Medicine Rule 11 CSR 1B

COMMENT PERIOD UNDER WAY FOR PROPOSED AMENDMENTS TO BOARD OF MEDICINE RULE 11  
CSR 1B

During the First Special Session of 2017, the Legislature passed SB1014. This bill makes changes to the West Virginia Code that relate to physician assistant practice in West Virginia. SB1014

authorizes the Board of Medicine to engage in rulemaking, including emergency rule making, to implement these legislative changes. The bill was signed by Governor Justice on June 19, 2017, and becomes effective on September 7, 2017.

The West Virginia Board of Medicine is currently accepting written comments on proposed amendments to the Board's legislative rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*. The proposed changes to this rule are intended to implement the provisions of SB1014, including an expansion of PA prescriptive authority and signature authority. To view the proposed rule please click [here](#).

All comments must be received by 4:30 p.m. on August 10, 2017, and should be submitted to:

Mark A. Spangler, Executive Director  
West Virginia Board of Medicine  
101 Dee Drive, Suite 103  
Charleston, West Virginia 25311  
[Mark.A.Spangler@wv.gov](mailto:Mark.A.Spangler@wv.gov)

From: Mary Gainer <marygainer@live.com>  
Date: August 1, 2017 at 12:38:54 PM EDT  
To: "Mark A. Spangney MD PhD" <1105@spangney.com>  
Subject: 11CSR18  
Reply-To: Mary Gainer <marygainer@live.com>

Hi there Mark,

My name is Mary Gainer, I am an MD working in 2 different clinics in Preston county, Newburg Clinic and Rowlesburg Clinic. I currently supervise 2 PAs, one in each clinic. Both PAs are excellent and I enjoy working with them, however, I'm concerned about the new changes to their licensing rules. While I understand that care in rural areas is desperately needed, and I also realize that clinic and hospital administrators prefer hiring PAs because of the budget constraints, I firmly believe that PAs must be held to strict standards of continuing education and that increased independence and less stringent oversight will not benefit our patients. PAs have scant training, especially with the large scope of practice that is required of a rural doctor out here where we don't have specialists to rely on. I do not agree with the changes made to the licensure requirements for PAs, especially when they are practicing entirely under my medical license. You might find that doctors are less willing to supervise, or "collaborate", with PAs that are not held to the very best standards.

Thanks for the opportunity to share my thoughts.

Mary Gainer, MD

From: Alan Cashell [mailto:alanwcashell@gmail.com]  
Sent: Wednesday, August 02, 2017 2:37 PM  
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>  
Subject: Comments regarding physician assistant licensing and practice

Dear Sir:

I have practiced for the past 7 years seeing primarily Medicaid mental health patients at the Appalachian Community Health Center. This clinic serves Randolph, Upshur, Barbour, and Tucker counties. I was recruited part time to this clinic in 2011 because of a shortage of providers. In 2013 I retired from my practice as a pathologist at Davis Medical Center in Elkins. I began with very little knowledge of the medications that I had to manage. During the last few years, though, I have been the only on site provider serving these 4 counties. Currently, there are part time Telemed services from one psychiatrist, one nurse practitioner, and one physician assistant. I am leaving the clinic at the end of this month because I have a faculty position at both Alderson Broaddus University in Philippi, WV and The George Washington University in DC to teach anatomy. My recommendation regarding the legislation is to expand prescribing authority to include Schedule II medications consistent with that of other states. There does not appear to be adequate psychiatric coverage especially in WV to meet demand. I have had the experience several times of trying to obtain psychiatric consultation for a student in my anatomy course. I can't even get psychiatry offices to return my calls. I recently attended a psychopharmacology conference in DC where I was told that, the market being what it is, there are psychiatrists throughout the country that do not accept insurance of any kind. The restriction of NPs and PAs in writing Schedule II medications delays and potentially makes impossible the care of some rural patients. The prohibition of writing refills means that these patients have to have frequent appointments. Our clinic treats many children and some adults with stimulant medications such as Adderall, Concerta, etc., some of them long term. The PA and NP on are staff are perfectly capable of managing these medications. Their knowledge of these drugs is better than mine and I trust their judgement completely. I appreciate the opportunity to send my comments.

Sincerely,

Alan W. Cashell, MD  
cell: 304-642-9104



# West Virginia Association of Physician Assistants

WVAPA comments for the BOM/BOOM regarding Drafted Rules

Mr. Spangler,

Below, please find our collective comments regarding the drafted rules for SB 1014 "Physician Assistant Modernization Act" for the board's consideration.

- 2.1B Definition of "collaboration" is essentially the same as "supervision." There should be definition at beginning defining "collaboration" as other states have defined it. 2.1i and 10.1 definitions of collaboration could be added, as the current draft definition in 2.1B is not reflective of the term "collaboration"
- 9.5 We did not see durable medical equipment included in the signature authority section, however the leader sentence refers to the following list as "including but not limited to". Does this allow for an assumption that the PA signature authority also extends to DME? APRNs have this authority, thus the signature and billing "parity" should include DME....we request clarification of this.
- Page 21 12.3 and 12.3B conflict with each other, we feel the first appears most appropriate
- Page 15 12.5D Is the extent of "collaboration" between the PA and Physician automatically transitioning to a frequency to be defined at the practice level once the 6 month parameter has been met for newly practicing Pas (without further petitioning of the board)?
- 10.5D the term "supervisor" should be changed to "collaborating physician"
- 9.1G how is "stable condition" being defined?
- 10.8 "supervisory" should be changed to "collaborative"
- 9.1Q the sentence has not been completed the way written. Would suggest omitting "and" and leaving as is otherwise

We look forward to responses from the board regarding the bulleted points contained above,

Respectfully,

West Virginia Association of Physician Assistant Board of Directors

Commenter 14

Nicholas Vance, PA-C

PO Box 679  
Pecks Mill, WV 25547  
304-688-5100  
nvancepa@gmail.com

August 10, 2017

Mark A. Spangler, Executive Director  
West Virginia Board of Medicine  
101 Dee Dr., Suite 103  
Charleston, WV 25311

Re: Comments for WVBOM Rule 11 CSR 1B

Dear Mr. Spangler,

I've had the pleasure to review the West Virginia Board of Medicine (WVBOM) proposed rules for 11 CSR 1B. I would like to take the time to make a few comments besides the ones submitted by the West Virginia Association of Physician Assistants (WVAPA).

Under section 11-1B-13, I would recommend adding that anyone holding current NCCPA certification be accepted as having the 100 hours of CME required for recertification. The PA can send confirmation with their application process. They would still be required to complete the 3 hours of Drug Diversion and Best Prescribing Practices as required in 11-1B-13.3. If they didn't present current NCCPA certification, they would submit 100 hours of CME to the WVBOM. This would also allow the WVBOM to keep track of NCCPA certification. Then, there wouldn't be a need for PAs to deliver that information within 5 days of certification loss, as written in 11-1B-6.1.

Additionally, in 11-1B-13, it may decrease confusion to state the following:

13.1 Successful completion of a minimum of one hundred hours of continuing education satisfactory to the Board during the preceding two-year period is required for the biennial renewal of a physician assistant license or current NCCPA certification.

13.2.a Continuing medical education designated as Category I by either the American Medical Association, American Academy of Physician Assistants or the Academy of Family Physicians. A minimum of 50 hours continuing medical education credit is required, which may include the 3 hours required CME stated in 13.3.

13.2.b. Continuing medical education designated as Category II by either the American Medical Association, American Academy of Physician Assistants or the Academy of Family Physicians. A maximum of fifty hours of continuing medical education credit may be awarded for this category of activity.

Commenter 15

~~13.2.d. Passing a recertification examination by the NCCPA during the reporting period. A maximum of one hundred hours of continuing medical education credit may be awarded for this category of activity, but a physician assistant shall only be awarded ninety-seven hours of credit if the physician assistant is a mandatory participant in the continuing education activity described in subsection 13.4 of this rule.~~

13.2.d wouldn't be required since anyone with NCCPA certification must complete 100 hours CME every 2 years, with at least 50 being Category 1. Currently, passage of the recertification exam is required in only the 9th or 10th years of the 10 year cycle. By showing current NCCPA certification, it proves that all CME and any recertification testing has been completed to maintain certification.

Under 11-CSR-1B-9.5.a, suggest adding admission orders to the sentence as well;

9.5.a. Unless prohibited by the place of practice, a physician assistant may sign orders within the scope of his or her practice, including admission and/or discharge orders for patients personally treated by the physician assistant;

A couple years ago, CMS created a rule siting that if state law/rules and hospital bylaws allowed for admissions and admitting orders by non-physicians, then they would accept them. This rule wasn't intended to limit what PAs could do, but it would have had a large effect not allowing PAs or NPs to write admission orders for CMS covered patients. This rule has been indefinitely suspended. However, it would be helpful to clarify that both admission and discharge orders may be handled by PAs in case that rule is implemented at some time.

Under 11-CSR-1B-9.9, I would suggest the following addition;

9.9. A physician assistant may not independently delegate a task assigned to him or her by his or her collaborating physician to another individual. Nothing shall prohibit a PA from delegating orders including but not limited to; registered nurses, licensed practical nurses, medical assistants, radiology technologists, etc.

This may help clarify that a PA may provide orders to be carried out by nursing and/or ancillary staff within their education and training.

I would like to thank you for the opportunity to provide comments and suggestions for proposed rule 11-CSR-1B, and the hard work provided by the West Virginia Board of Medicine. Please feel free to contact me if you have any questions, or if I could be of any further assistance.

Regards,

Nicholas Vance, MS, PA-C

WVAPA Past President



August 10, 2017

Mark A. Spangler, Executive Director  
West Virginia Board of Medicine  
101 Dee Drive, Suite 103  
Charleston, West Virginia 25311

Re: Proposed amendments to 11 CSR 1B, Licensure, Disciplinary and Complaint Procedures,  
Continuing Education, Physician Assistants

Dear Mr. Spangler,

The American Academy of PAs (AAPA) is the national professional society for PAs (physician assistants). In this capacity AAPA represents more than 115,500 PAs across all medical and surgical specialties throughout the United States, U.S. territories and the uniformed services. AAPA appreciates the opportunity to provide comments on the proposed rule to amend Title 11 Code of State Rules 1B to reflect the recent legislative changes enacted by Senate Bill 1014 during the 2017 1<sup>st</sup> Special Session of the 83<sup>rd</sup> Legislature.

In a time when more patients are seeking care, but a physician shortage looms, it is imperative that states enact laws and rules that more accurately reflect the way PA-physician teams practice medicine and assure that patients will have increased access to the care that they need.<sup>1</sup> AAPA supports and commends this significant revision and modernization of PA practice in West Virginia. AAPA shares the commitment to team-based collaborative practice between PAs and physicians that is demonstrated in these proposed amendments, as well as the improvements to provisions governing PA prescribing authority and form authentication, which are particularly important to patients and families in rural or medically underserved areas of the state. AAPA applauds the elimination of the requirement of passage of a high-stakes recertification examination as a condition of license renewal.

In accordance with the new law effective on September 7<sup>th</sup>, 2017 which provides the authority for these rules and any subsequent revisions pertaining thereto, this proposal accurately reflects

<sup>1</sup> A shortage of 35,000-44,000 primary care physicians by 2025 has been predicted by some researchers. The Association of American Medical Colleges has forecast a much more critical projection: a shortage of approximately 45,000 primary care physicians by 2020, expanding to approximately 66,000 by 2025. See *The Impact of Health Care Reform on the Future Supply and Demand for Physicians: Updated Projections Through 2025*, ASS'N OF AM. MED. COLL., available at [https://www.aamc.org/download/158076/data/updated\\_projections\\_through\\_2025.pdf](https://www.aamc.org/download/158076/data/updated_projections_through_2025.pdf) (last visited October 2, 2014). See also, *Physician Shortages to Worsen Without Increases in Residency Training*, ASS'N OF AM. MED. COLL., available at [https://www.aamc.org/download/153160/data/physician\\_shortages\\_to\\_worsen\\_without\\_increases\\_in\\_residency\\_tr.pdf](https://www.aamc.org/download/153160/data/physician_shortages_to_worsen_without_increases_in_residency_tr.pdf) (last visited July 17, 2017) (further predicting greater shortages due to funding constraints on postgraduate training for residents and fellows).



that PAs are no longer required to provide proof of current and continuous certification by the National Commission on Certification of PAs (NCCPA) as a condition of license renewal. However, these proposed rules *would* require renewal applicants to provide their NCCPA certification status to the Board. In addition, the proposal would mandate licensed PAs to immediately notify the Board in writing if they are no longer NCCPA certified. According to the proposed amendments, failure to report the loss of NCCPA certification constitutes unprofessional, dishonorable and/or unethical conduct which may result in disciplinary action against the licensee.

AAPA finds the general requirement for PAs to report their NCCPA certification status and the mandate to do so as a license renewal applicant unnecessary and inequitable. AAPA is also concerned that a PA's unintentional failure or omission to make the requisite report has the potential to affect their livelihood via the subsequent imposition of disciplinary action, particularly for those PAs who work in facilities in which credentialing and privileging is required. Such unintentional omissions can also affect patient access to care since those PAs who will be subject to disciplinary action may be prevented by their facility from working. In short, the providing this information has no public protection value. Currently, physicians licensed by the Board are not required, either generally or as a condition of license renewal, to notify the Board of their board certification status or any change in certification status.<sup>2</sup> As a result, in this regard, physicians cannot be accused of unprofessional, dishonorable and/or unethical conduct which may subject them to disciplinary action. In addition, the Board does not capture or maintain information for members of the public to determine if a physician is board certified in a particular specialty. In fact, the Board's website requires such information to be obtained by calling the American Board of Medical Specialties (ABMS) directly or visiting the ABMS website.<sup>3</sup> The same requirements and processes can and should be applied to PAs. Since current and continuous NCCPA certification is not required for license renewal, it is no longer relevant for the Board to require PAs to report a change in this status to the Board. Similar to physicians, the organization responsible for capturing, updating and affording members of the public with access to this information is more than sufficient. NCCPA is the appropriate repository of this information and already provides members of the public, including the Board, with the opportunity to determine if a PA is certified.<sup>4</sup> Furthermore, the West Virginia rules as proposed, provide the Board with the authority to appropriately discipline any PA who misrepresents their certification status. For all the aforementioned reasons, AAPA proposes that the rules be amended as provided below. New language appears in bold underlined font; language that should be deleted has been struck through.

<sup>2</sup> W. VA. CODE § 30-3-12 and W. VA. CODE R. § 11-1A-10. Physicians renew their license upon paying a renewal fee, submission of an application, and certification of participation in and successful completion of continuing medical or podiatric education satisfactory to the Board.

<sup>3</sup> Website for the West Virginia Board of Medicine <https://wvbon.wv.gov/public/search/index.asp> (Accessed August 8, 2017).

<sup>4</sup> Website for the National Commission on Certification for PAs, *Verify PA Certification* <https://www.nccpa.net/verify-pa> (Accessed August 8, 2017).

**§11-1B-5. License Renewal.**

[...]

5.6. The Board's physician assistant renewal application form shall include, and applicants must provide, the following information:

[...]

~~5.6.f. Documentation of current and continuous~~ The renewal applicant's NCCPA certification status

~~5.6.f.g.~~ Certification of successful completion of all continuing education requirements;

~~5.6.g.h.~~ An attestation by the physician assistant that, to the extent he or she has been authorized to work pursuant to a practice agreement during the last two years, the physician assistant has practiced ~~under supervision and within the delegation of duties set forth in the licensee's authorized practice agreement(s); and~~

~~5.6.h.i.~~ Other information required by the Board for renewal of a license.

[...]

**§11-1B-6. Termination of License Reporting of Loss of NCCPA Certification Status.**

~~6.1. A licensed physician assistant must immediately notify the Board, in writing, upon losing NCCPA certification if the licensee is no longer certified by the NCCPA. Failure to immediately report the loss of NCCPA certification shall constitute unprofessional, dishonorable and/or unethical conduct which may result in the imposition of discipline against the licensee. Notification to the Board shall be considered to have occurred as required if such notification is received within one five business days of the effective date of the loss of end date of the licensee's NCCPA certification.~~

~~6.2. If a licensee is no longer certified by the NCCPA, his or her license automatically terminates without notice to the physician assistant~~ the licensee shall utilize the professional designation of PA, and shall immediately cease use of the professional designation of PA-C.

~~6.3. Upon loss of NCCPA certification and/or license termination, a physician assistant must immediately cease practicing as a physician assistant and notify all supervising physicians of the loss of NCCPA certification, licensure and Board authorization to practice. All practice agreement authorizations issued by the Board automatically terminate with the expiration of NCCPA certification and the termination of licensure.~~

~~6.4. A physician assistant becomes eligible for reinstatement of a terminated license once he or she becomes recertified by the NCCPA.~~

The Academy appreciates this opportunity to comment on the proposed rule. AAPA is readily available to provide additional information on PAs, and is eager to continually work with the Board to assure that PAs maintain and enhance their capacity as key resources in caring for the patients of West Virginia.

Sincerely,



Stephanie M. Radix, JD  
Senior Director, Constituent Organization Outreach & Advocacy

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TITLE 11  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF MEDICINE

SERIES 1B  
LICENSURE, DISCIPLINARY AND COMPLAINT PROCEDURES, CONTINUING  
EDUCATION, PHYSICIAN ASSISTANTS

**§11-1B-1. General.**

1.1. Scope. -- This rule relates to physician assistants and to their licensing, practice, complaint procedures and professional discipline, and continuing education.

1.2. Authority. -- W. Va. Code §30-1-7(a), §30-3E-3(a)(1)-(10), and W. Va. Code §30-1D-1(d).

1.3. Filing Date. -- ~~May 30, 2017.~~

1.4. Effective Date. -- ~~July 1, 2017.~~

1.5. Sunset Date -- This rule shall terminate and have no further force or effect ~~on July 5, 2022~~ upon the expiration of five years from its effective date.

**§11-1B-2. Definitions.**

2.1. For purposes of this rule, the following words and terms mean:

2.1.a. "Advanced duties" means medical acts that require additional training beyond the basic education program training required for licensure as a physician assistant.

2.1.b. "Alternate ~~supervising~~ collaborating physician" means one or more physicians or ~~podiatrists~~ podiatric physicians licensed in this state and designated by the ~~supervising~~ collaborating physician to provide ~~supervision of~~ collaboration with a physician assistant in accordance with an authorized practice agreement.

2.1.c. "Antineoplastics" means chemotherapeutic agents used in the active treatment of current cancer.

2.1.d. "Authorization to practice" means written notification from the Board that a physician assistant may commence practice pursuant to an authorized practice agreement.

2.1.e. "Authorized practice agreement" means a practice agreement which has been authorized by the Board.

2.1.f. "Board" means the West Virginia Board of Medicine.

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2.1.g. “Chronic condition” is a condition which lasts three months or more, generally cannot be prevented by vaccines, can be controlled but not cured by medication and does not generally disappear. These conditions include anemia, anxiety, arthritis, asthma, bladder outlet obstruction, cardiovascular and pulmonary disease, cancer, controlled diabetes, epilepsy and seizures, thyroid disease, and obesity, and do not include chronic pain or any condition which requires antineoplastics excluded from the physician assistant formulary by law, all subject to the scope of practice of the physician assistant and supervising physician as set forth in W. Va. Code § 30-3E-1 et seq., section 9 of this rule, and the approved formulary.

2.1.h. “Collaborating Physician” means a doctor of medicine or podiatry fully licensed, without restriction or limitation, who collaborates with physician assistants.

2.1.i. “Collaboration” means overseeing the activities of, and accepting responsibility for, the medical services rendered by a physician assistant. Constant physical presence of the collaborating physician is not required as long as the collaborating physician and physician assistant are, or can be, easily in contact with one another by telecommunication. Collaboration does not require the personal presence of the collaborating physician at the place or places where services are rendered.

~~2.1.h.~~ 2.1.j. “Controlled substances” means drugs that are classified by federal or state law in Schedules I, II, III, IV or V, as defined in W. Va. Code § 60A-2-204 through 212.

~~2.1.i.~~ 2.1.k. “Core duties” means medical acts that are included in the standard curricula of accredited physician assistant education programs.

~~2.1.j.~~ “Direct supervision” means the physician must be present on site and immediately available to furnish assistance and directions to the physician assistant.

~~2.1.k.~~ 2.1.l. “Drug diversion training and best practice prescribing of controlled substances training” means training which includes all of the following:

~~2.1.k.1.~~ 2.1.l.1. Drug diversion, including West Virginia statistics on prescription drug abuse and resulting deaths;

~~2.1.k.2.~~ 2.1.l.2. Epidemiology of chronic pain and misuse of opioids;

~~2.1.k.3.~~ 2.1.l.3. Indication for opioids in chronic pain treatment including general characteristics, toxicities and drug interactions;

~~2.1.k.4.~~ 2.1.l.4. Examination of patient evaluation and risk assessment and tools to assess risk and monitor benefits;

~~2.1.k.5.~~ 2.1.l.5. Initiation and ongoing management of chronic pain patient treated with opioid based therapies, including treatment objectives; monitoring and periodic review; referrals and consultations; informed consent; prescription of controlled substance agreements, urine

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screens and pill counts; patient education on safe use, storage and disposal of opioids; discontinuation of opioids for pain due to lack of benefits or increased risks; documentation and medical records;

~~2.1.k.6.~~ 2.1.1.6. Case study of a patient with chronic pain;

~~2.1.k.7.~~ 2.1.1.7. Identification of diversion and drug seeking tactics and behaviors;

~~2.1.k.8.~~ 2.1.1.8. Best practice methods for working with patients suspected of drug seeking behavior and diversion;

~~2.1.k.9.~~ 2.1.1.9. Compliance with controlled substances laws and rules;

2.1.1.10. Training on prescribing and administration of an opioid antagonist.

~~2.1.k.10.~~ 2.1.1.11. Registration with and use of the West Virginia Controlled Substances Monitoring Program established in West Virginia Code Chapter 60A, Article 9; and

~~2.1.k.11.~~ 2.1.1.12. Maintenance of a record of attendance of each individual who successfully completes the drug diversion training and best practice prescribing of controlled substances training.

~~2.1.l.~~ 2.1.m. “Endorsement” means a summer camp or volunteer endorsement to practice as a physician assistant as set forth in W. Va. Code §30-3E-1 et seq.

~~2.1.m.~~ 2.1.n. “Health care facility” means any licensed hospital, nursing home, extended care facility, state health or mental institution, clinic or physician’s office.

~~2.1.n.~~ 2.1.o. “Hospital” means a facility licensed pursuant to W. Va. Code §16-5B-1 et seq., and any acute-care facility operated by the state government that primarily provides inpatient diagnostic, treatment or rehabilitative services to injured, disabled or sick persons under the supervision of physicians and includes psychiatric hospitals.

~~2.1.o.~~ 2.1.p. “License” means a license issued by the Board to a physician assistant applicant pursuant to the provisions of W. Va. Code §30-3E-1 et seq.

~~2.1.p.~~ 2.1.q. “Licensee” means a physician assistant licensed pursuant to the provisions of W. Va. Code §30-3E-1 et seq. and the provisions of this legislative rule.

~~2.1.q.~~ 2.1.r. “Licensure” means the approval of individuals by the Board to practice as a physician assistant to a medical doctor and/or ~~pediatrist~~ podiatric physician, and the process of application and consideration for this authorization.

~~2.1.r.~~ 2.1.s. “NCCPA” means The National Commission on the Certification of Physician Assistants.

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2.1.t. "On-site collaboration" means the collaborating physician must be present on site and immediately available to furnish assistance and directions to the physician assistant.

~~2.1.s.~~ 2.1.u. "Opioid" means natural and semi-synthetic derivatives of the opium poppy, as well as similar synthetic compounds that have analgesic or pain relieving properties because of their effects in the central nervous system. These include, but are not limited to, codeine, morphine, hydromorphone, hydrocodone, oxycodone, methadone, and fentanyl.

~~2.1.t.~~ 2.1.v. "Osteopathic Board" means the West Virginia Board of Osteopathic Medicine.

~~2.1.u.~~ 2.1.w. "Personal supervision collaboration" means the supervising collaborating physician must be in attendance in the room with the physician assistant throughout the rendering of care by the physician assistant.

~~2.1.v.~~ 2.1.x "Physician" means a doctor of allopathic or osteopathic medicine who is fully licensed by the Board or the Osteopathic Board to practice medicine or surgery in this state.

~~2.1.w.~~ 2.1.y. "Physician Assistant" means a person who meets the qualifications set forth in the Physician Assistants Practice Act, W. Va. Code §30-3E-1 et seq., and is licensed to practice medicine ~~under supervision~~ in collaboration with a physician or podiatric physician.

~~2.1.x.~~ 2.1.z. "~~Podiatrist~~ Podiatric physician" means a physician of podiatric medicine who is fully licensed by the Board to practice podiatric medicine in this state.

~~2.1.y.~~ 2.1.aa. "Practice Agreement" means a document that is executed between a supervising collaborating physician and a physician assistant pursuant to the provisions of Physician Assistants Practice Act, W. Va. Code §30-3E-1 et seq., and section 10 of this rule, and is filed with and approved by the Board.

~~2.1.z.~~ 2.1.bb. "Prescription drug" ~~or "legend drug"~~ means a drug that may be dispensed under federal or state law only pursuant to the prescription of an authorized prescriber.

~~2.1.aa.~~ 2.1.cc. "Primary place of practice" means each practice location where a physician assistant practices greater than twenty percent of his or her total monthly practice hours pursuant to an authorized practice agreement.

~~2.1.bb.~~ 2.1.dd. "Protocol" means written treatment instructions established by a supervising collaborating physician for use by a physician assistant. The instructions should be flexible, in accordance with the setting where the physician assistant is employed.

~~2.1.cc.~~ "Supervision" means overseeing the activities of, and accepting responsibility for, the medical services rendered by a physician assistant.

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2.1.ee. "Reporting period" means the two-year period preceding the renewal deadline for a license issued by the Board. Continuing education satisfactory to the Board must be obtained in each reporting period.

~~2.1.dd. "Supervising Physician" means a doctor of medicine or podiatry fully licensed, without restriction or limitation, who supervises physician assistants.~~

### **§11-1B-3. Qualification and Application for Licensure to Practice as a Physician Assistant.**

3.1. Minimum qualifications for licensure as a physician assistant are set forth in West Virginia Code §30-3E-4.

3.2. An application for a license to practice as a physician assistant shall be completed on a form provided by the Board. The Board will not consider an application or decide upon the issuance of a license to an applicant until the complete application, including all third-party documentation or verification, is on file with the Board and the Board has had at least fifteen days to review the application. An application for licensure must be accompanied by payment of a nonrefundable application fee in an amount established by 11 CSR 4.

3.3. Applicants must provide the following information:

3.3.a. The applicant's name, e-mail address, home address, preferred mailing address and primary practice location address(es) and telephone numbers;

3.3.b. Demographic information of the applicant, such as date of birth, sex, etc.;

3.3.c. A photograph taken within the previous twelve months which substantially resembles the applicant;

3.3.d. A copy of the individual's birth certificate, certificate of naturalization, or passport to be used in identifying the applicant, and verifying his or her date of birth and the appropriate spelling of his or her name;

~~3.3.d.~~ 3.3.e. Documentation establishing that the applicant:

~~3.3.d.1.~~ 3.3.e.1. Obtained a baccalaureate or master's degree from an accredited program of instruction for physician assistants; or

~~3.3.d.2.~~ 3.3.e.2. Graduated from an approved program of instruction in primary health care or surgery prior to July 1, 1994; or

~~3.3.d.3.~~ 3.3.e.3. Was certified by the Board as a "Type B" physician assistant prior to July 1, 1983;

~~3.3.e.~~ 3.3.f. Documentation that the applicant has passed the Physician Assistant National Certifying Examination administered by the NCCPA and is currently certified by the NCCPA;



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~~3.3.f.~~ 3.3.g. Documentation and/or certification which establishes that the applicant does not hold a physician assistant license, certification or registration in any jurisdiction which is currently suspended or revoked;

~~3.3.g.~~ 3.3.h. Information with respect to the applicant's professional practice, character and fitness to practice as a physician assistant;

~~3.3.h.~~ 3.3.i. Other information as determined by the Board which relates to whether the applicant is mentally and physically able to engage safely in practice as a physician assistant; and

~~3.3.i.~~ 3.3.j. Additional information identified by the Board for licensure.

3.4. ~~Beginning July 1, 2017, and in~~ In addition to all of the requirements for licensure set forth elsewhere in this legislative rule, all applicants for an initial license to practice as a physician assistant in West Virginia shall request and submit to the Board the results of a state and a national criminal history record check.

3.5. The purpose of the criminal history record check is to assist the Board in obtaining information that may relate to the applicant's fitness for licensure.

3.6. In addition to the State Police, the Board may contract with and designate a company specializing in the services required by this section instead of requiring the applicant to apply directly to the West Virginia State Police or similar out-of-state agency for the criminal history records checks. Provided, that any such company must utilize protocols consistent with standards established by the Federal Bureau of Investigation and the National Crime Prevention and Privacy Compact.

3.7. The applicant shall furnish to the State Police, or other organization duly designated by the Board, a full set of fingerprints and any additional information required to complete the criminal history record check.

3.8. The applicant is responsible for any fees required by the State Police, or other organization duly designated by the Board, for the actual costs of the fingerprinting and the actual costs of conducting a complete criminal history record check.

3.9. The Board may require the applicant to obtain a criminal history records check from a similar Board approved agency or organization in the state of the applicant's residence, if outside of West Virginia.

3.10. The applicant shall authorize the release of all records obtained by the criminal history record check to the Board.

3.11. A criminal history record check submitted in support of an application for licensure must have been requested by the applicant no earlier than twelve months immediately prior to the Board's receipt of the applicant's electronic application for licensure.

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3.12. An initial licensure application is not complete until the Board receives the results of a state and a national criminal history record check conducted by the State Police or another entity duly authorized by the Board. The Board shall not grant an application for licensure submitted by any applicant who fails or refuses to submit the criminal history record check required by this section.

3.13. Should criminal offenses be reported on an applicant's criminal history record check, the board will consider the nature, severity, and recency of offenses, as well as rehabilitation and other factors on a case by case basis for licensure.

3.14. The results of the state and national criminal history record check may not be released to or by a private entity except:

3.14.a. To the individual who is the subject of the criminal history record check;

3.14.b. With the written authorization of the individual who is the subject of the criminal history record check; or

3.14.c. Pursuant to a court order.

3.15. Criminal history record checks and related records are not public records for the purposes of chapter twenty-nine-b of the West Virginia Code.

3.16. The Board may require an applicant to provide original documents and/or certified documents in support of an application for licensure. The application, together with all documents submitted, becomes the property of the Board and will not be returned.

3.17. An applicant may be required to appear before Board members at the meeting at which his or her application is to be considered.

3.18. The burden of satisfying the Board of the applicant's qualifications for licensure is upon the applicant. The Board may deny an application for a physician assistant license to any applicant determined to be unqualified for licensure by the Board.

### **§11-1B-4. Temporary License; Special Licenses and/or Endorsements.**

4.1. If an applicant for licensure meets all of the qualifications for a license but is awaiting the next scheduled meeting of the Board for action upon his or her application, the applicant may request a temporary license. The Board may authorize its staff to issue temporary licenses to applicants who provide:

4.1.a. A written request that the applicant be issued a temporary license; and

4.1.b. A nonrefundable temporary license fee in an amount established by 11 CSR 4.

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4.2. A temporary license expires six months after issuance or after the Board acts, whichever is earlier.

4.3. To the extent authorized by W. Va. Code §30-3E-15, a physician assistant licensed by this Board may apply for an endorsement to practice at a summer camp or as a volunteer at a community event by completing the application form prepared by the Board. No application fee shall be assessed. The Board may authorize its staff to issue summer camp and community event endorsements to an applicant who holds an unrestricted license issued by the Board and has submitted a complete and timely application.

4.4. To the extent authorized by W. Va. Code §30-3E-16, a physician assistant currently holding a license, registration or certification to practice in another jurisdiction may apply for an endorsement to practice at a summer camp or as a volunteer at a community event by completing the application form and submitting a fee equal to the fee set by the Board for a temporary license.

4.5. The Board will not consider an application for a summer camp or a community event volunteer license or endorsement made pursuant to W. Va. Code §30-3E-16 until the complete application is on file with the Board, the appropriate fee has been submitted, and the Board has had at least fifteen days to review the application.

4.6. To the extent authorized by W. Va. Code §30-1-21, a physician assistant currently holding a license, registration or certification to practice in another jurisdiction may apply for an authorization to serve as a volunteer without compensation for a charitable function for a period not to exceed ten days by submitting a Board approved authorization form at least ten days in advance of the charitable function. No fee shall be charged in association with requests made pursuant to this subsection. The Board may authorize its staff to authorize the charitable practice if the physician assistant meets the eligibility criteria set forth in W. Va. Code §30-1-21.

### **§11-1B-5. License Renewal.**

5.1. With the exception of an initial license, a license to practice as a physician assistant is issued for a term of two years. An initial license expires on the thirty-first day of March in the next year established by the Board for physician assistant license renewal. Provided, that if an original license is issued within thirty days of an established renewal deadline, the initial license shall expire on the thirty-first day of March in the subsequent renewal year.

5.2. License renewal for all licensed physician assistants, regardless of the date the license was first issued, shall occur prior to April 1 of every odd year. A license shall expire, if not renewed by the renewal deadline, which shall be set by the Board and published on the Board's website.

5.3. A physician assistant license shall be renewed upon timely submission of a fully completed renewal application form and payment of a nonrefundable renewal fee in an amount established by 11 CSR 4.

5.4. An online application is available through the Board's website. A licensee shall maintain current contact information on file with the Board including: a preferred mailing address; a home

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address; current practice locations; and a current e-mail address. A licensee shall notify the Board of any changes to such contact information within fifteen days of the change.

5.5. It is the responsibility of the licensee to acquire and submit renewal application forms. Failure of the licensee to receive a renewal application will not constitute justification for any physician assistant to practice on an expired license, even if the physician assistant is otherwise authorized to practice as a physician assistant under a current practice agreement.

5.6. The Board's physician assistant renewal application form shall include, and applicants must provide, the following information:

5.6.a. The applicant's name, e-mail address, home address, preferred mailing address and primary practice location address(es) and telephone numbers;

5.6.b. Demographic information of the applicant, such as date of birth, sex, etc.;

5.6.c. A statement concerning any disciplinary action taken against the applicant in the last two years in any jurisdiction;

5.6.d. Information with respect to the applicant's professional practice, character and fitness to practice as a physician assistant;

5.6.e. A statement of all other jurisdictions in which the applicant is licensed to practice as a physician assistant;

5.6.f. ~~Documentation of current and continuous~~ The renewal applicant's NCCPA certification status;

5.6.g. Certification of successful completion of all continuing education requirements;

5.6.h. An attestation by the physician assistant that, to the extent he or she has been authorized to work pursuant to a practice agreement during the last two years, the physician assistant has practiced ~~under supervision and~~ within the delegation of duties set forth in the licensee's authorized practice agreement(s); and

5.6.i. Other information required by the Board for renewal of a license.

5.7. The license of a physician assistant who fails to certify his or her successful completion of all continuing education requirements by the renewal deadline established by the Board shall automatically expire.

### **§11-1B-6. Termination of License Reporting of NCCPA Certification Status.**

6.1. A licensed physician assistant must immediately notify the Board, in writing, ~~upon losing NCCPA certification~~ if the licensee is no longer certified by the NCCPA. Failure to immediately report the loss of NCCPA certification shall constitute unprofessional, dishonorable and/or

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unethical conduct which may result in the imposition of discipline against the licensee. Notification to the Board shall be considered to have occurred as required if such notification is received within ~~one~~ five business days of the effective date of the ~~loss of~~ end date of the licensee's NCCPA certification.

6.2. If a licensee is no longer certified by the NCCPA, ~~his or her license automatically terminates without notice to the physician assistant~~ the licensee shall utilize the professional designation of PA, and shall immediately cease use of the professional designation of PA-C.

~~6.3. Upon loss of NCCPA certification and/or license termination, a physician assistant must immediately cease practicing as a physician assistant and notify all supervising physicians of the loss of NCCPA certification, licensure and Board authorization to practice. All practice agreement authorizations issued by the Board automatically terminate with the expiration of NCCPA certification and the termination of licensure.~~

~~6.4. A physician assistant becomes eligible for reinstatement of a terminated license once he or she becomes recertified by the NCCPA.~~

### **§11-1B-7. Reinstatement and Reactivation of an Expired or Terminated License.**

7.1. A physician assistant may seek reinstatement of an expired license within one year of the expiration by submitting:

7.1.a. A complete reinstatement application with all required supporting documentation;

~~7.1.b. Proof that he or she is currently certified, and has been continuously certified during the preceding licensure period and expiration period, by the NCCPA;~~ Certification that the renewal applicant has completed all required continuing education for the previous reporting period, and documentation satisfactory to the Board corroborating the applicant's certification of continuing education compliance;

7.1.c. A renewal fee; and

7.1.d. A reinstatement fee equal to fifty percent of the renewal fee.

7.2. If ~~greater~~ more than one year has passed since a physician assistant's license automatically expired, the ~~physician assistant may only reinstate by completing the application process and meeting all of the qualifications for an initial license~~ former licensee shall apply anew for licensure pursuant to section 3 of this rule. If licensure is granted, the Board shall reactivate the license and reissue the individual's original license number.

~~7.3. A physician assistant may seek reinstatement of an automatically terminated license within one year of termination by submitting:~~

~~7.3.a. A complete reinstatement application with all required supporting documentation;~~

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~~7.3.b. Proof that the physician assistant has passed his or her most recent NCCPA certification and/or recertification examination and that he or she has had his or her NCCPA certification restored;~~

~~7.3.c. A reinstatement fee equal to fifty percent of the renewal fee; and~~

~~7.3.d. Any renewal application and fee which the physician assistant would have submitted had his or her license not automatically terminated.~~

~~7.4. If a physician assistant is not eligible for reinstatement of a terminated license within one (1) year of the termination date, the physician assistant may only reinstate by completing the application process and meeting all of the qualifications for an initial license.~~

### **§11-1B-8. Practice Requirements.**

8.1. A physician assistant may not practice independent of a supervising collaborating physician.

8.2. To practice as a physician assistant ~~under the supervision of~~ in collaboration with a medical doctor or a ~~pediatrist~~ podiatric physician, a person must:

8.2.a. Be licensed as a physician assistant by the Board;

8.2.b. Submit a practice agreement on a form authorized by the Board with the appropriate fee;

8.2.c. Receive written authorization from the Board to practice pursuant to the submitted practice agreement; and

8.2.d. ~~Limit~~ Conform his or her practice to the delegated medical acts contained within the physician assistant's authorized practice agreement.

### **§11-1B-9. Scope of Practice.**

9.1. A physician assistant shall have, as a minimum, the knowledge and competency to perform the following core duties ~~under~~ with appropriate physician supervision collaboration:

9.1.a. Screen patients to determine the need for medical attention;

9.1.b. Review patient records to determine health status;

9.1.c. Take a patient history;

9.1.d. Perform a physical examination;

9.1.e. Perform development screening examinations on children;

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- 9.1.f. Record pertinent patient data;
- 9.1.g. Make decisions regarding data gathering and appropriate management and treatment of patients being seen for the initial evaluation of a problem or the follow-up evaluation of a previously diagnosed and stabilized condition;
- 9.1.h. Prepare patient summaries;
- 9.1.i. Initiate requests for commonly performed initial laboratory studies;
- 9.1.j. Collect specimens for and carry out commonly performed blood, urine and stool analyses and cultures;
- 9.1.k. Identify normal and abnormal findings in patient history and physical examination and in commonly performed laboratory studies;
- 9.1.l. Initiate appropriate evaluation and emergency management for emergency situations; for example, cardiac arrest, respiratory distress, injuries, burns and hemorrhage;
- 9.1.m. Provide counseling and instruction regarding common patient problems and/or questions;
- 9.1.n. Execute documents at the direction of and for the supervising collaborating physician;
- 9.1.o. Perform clinical procedures such as, but not limited to:
  - 9.1.o.1. Venipuncture;
  - 9.1.o.2. Electrocardiogram;
  - 9.1.o.3. Care and suturing of minor lacerations, which may include injection of local anesthesia;
  - 9.1.o.4. Casting and splinting;
  - 9.1.o.5. Control of external hemorrhage;
  - 9.1.o.6. Application of dressings and bandages;
  - 9.1.o.7. Removal of superficial foreign bodies;
  - 9.1.o.8. Cardiopulmonary resuscitation;
  - 9.1.o.9. Audiometry screening;

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9.1.o.10. Visual screening; and

9.1.o.11. Carry out aseptic and isolation techniques;

9.1.p. Assist in surgery;

9.1.q. Prepare patient discharge summaries if physician assistant has been directly involved in patient care; and

9.1.r. Assist physician under personal ~~supervision~~ collaboration in a manner by which to learn and become proficient in new procedures.

9.2. In addition to core duties, a physician assistant may perform properly delegated medical acts within a medical specialty that he or she, by education, training and/or experience has the knowledge and competency to perform.

9.3. A physician assistant may pronounce death provided that:

9.3.a. The delegation of this duty is contained in his or her authorized practice agreement;

9.3.b. The physician assistant has a need to do so within his or her scope of practice; and

9.3.c. That the pronouncement is in accordance with applicable West Virginia law and rules.

9.4. A physician assistant may, ~~under appropriate direction and supervision by a physician,~~ augment the physician's data gathering abilities ~~in order to assist the supervising~~ collaborating physician in reaching decisions and instituting care plans for the physician's patients.

9.5. ~~Unless prohibited by the place of practice, a physician assistant may sign orders to be countersigned later by his or her supervising physician as set forth in an authorized practice agreement. A physician assistant may provide an authorized signature, certification, stamp, verification, affidavit or endorsement on documents within the scope of his or her practice, including, but not limited to the following:~~

9.5.a. If permitted by the place of practice, a physician assistant may sign orders within the scope of his or her practice, including admission and/or discharge orders for patients that the physician assistant has been involved in treating;

9.5.b. Medical certifications for death certificates if the physician assistant has received training on the completion thereof;

9.5.c. Instruments related to scope and limitation of treatment, including:

9.5.c.1. Physician orders for life sustaining treatment;



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9.5.c.2. Physician orders for scope of treatment; and

9.5.c.3. Do not resuscitate forms and/or orders.

9.5.d. Disability medical evaluations and/or certifications for persons with disabilities in support of a hunting or fishing permit;

9.5.e. Utility company forms or certifications requiring maintenance of utilities regardless of ability to pay;

9.5.f. Governmental forms as permitted by law including, but not limited to parking applications for mobility impaired persons; and

9.5.g. Durable medical equipment.

9.6. A supervising collaborating physician may delegate limited prescriptive authority to a physician assistant in accordance with the provision of sections 11 and 12 of this rule.

9.7. A physician assistant may not perform any services which his or her supervising collaborating physician is not qualified or, in a hospital setting, credentialed to perform, including the treatment of chronic conditions as defined in 2.1.g.

9.8. A physician assistant may not perform any services which are not included in his or her authorized practice agreement.

~~9.9. A physician assistant may not maintain an independent place of practice or independently bill patients for services provided.~~

9.10. ~~9.9.~~ A physician assistant may not independently delegate a task assigned to him or her by his or her supervising collaborating physician to another individual. Nothing in this subsection shall prohibit a physician assistant from engaging in appropriate collaboration with other treatment team members.

9.11. ~~9.10.~~ A supervising collaborating physician may, with due regard for the safety of the patient and in keeping with sound medical practice, delegate to the physician assistant those medical procedures and other tasks that are customary to the supervising collaborating physician's practice, subject to the limitations set forth in this section and the West Virginia Physician Assistants Practice Act, W. Va. Code §30-3E-1 et seq., and the training and expertise of the physician assistant.

### **§11-1B-10. Responsibilities of the Supervising Collaborating Physician.**

10.1. A supervising collaborating physician is responsible for observing, directing and evaluating the work, records and practices performed by the physician assistant pursuant to an authorized practice agreement and is legally responsible for the practice of the physician assistant at all times.

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10.2. A supervising collaborating physician may not permit a physician assistant to practice independently ~~or maintain an independent place of practice.~~

10.3. A supervising collaborating physician is responsible for providing continuous supervision ~~of the collaboration with the~~ physician assistant.

10.4. Constant physical presence of the supervising collaborating physician is not required as long as the supervising collaborating physician and physician assistant are, or can be, easily in contact with one another by electronic communication, including but not limited to telecommunication.

10.5. Appropriate supervision collaboration shall include:

10.5.a. Active and continuing overview of the physician assistant's activities to determine that the supervising collaborating physician's directions are being implemented;

10.5.b. Immediate availability of the supervising collaborating physician, either in-person or by electronic communication of any kind, to the physician assistant for all necessary consultations;

10.5.c. Personal and regular review, at least quarterly, by the supervising collaborating physician of selected patient records upon which entries are made by the physician assistant. The supervising collaborating physician shall select patient records for review on the basis of written criteria established by the supervising collaborating physician and the physician assistant and the chart review shall be sufficient in number to assure adequate review of the physician assistant's scope of practice; and

10.5.d. Periodic, in person, education and review sessions discussing specific conditions, protocols, procedures and specific patients shall be held by the supervising collaborating physician for the physician assistant under his or her supervision collaboration in accordance with the terms of an authorized practice agreement. For physician assistants in the first six months of an authorized practice agreement and who have practiced as a physician assistant for less than one year, such periodic in person meetings must occur monthly. The supervising collaborating physician and physician assistant must retain written documentation of these meetings.

10.6. A supervising collaborating physician shall only delegate medical acts that are:

10.6.a. Within the scope of practice of the supervising collaborating physician;

10.6.b. Suitable to be performed by the physician assistant, taking into account the physician assistant's education, training and level of competence and experience; and

10.6.c. Included in the physician assistant's authorized practice agreement.

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10.7. A patient being treated regularly for a life-threatening, chronic, degenerative, or disabling condition shall be seen by the supervising collaborating physician as frequently as the patient's condition requires, ~~and in accordance with the terms established in an authorized practice agreement.~~

10.8. It is the responsibility of the supervising collaborating physician to ensure that supervision collaboration is maintained in his or her absence. A supervising collaborating physician may designate alternate supervising collaborating physicians. To serve as an alternate supervising collaborating physician, an individual must hold an unrestricted license to practice medicine and surgery or podiatry in this state. An alternate supervising collaborating physician, jointly with the supervising collaborating physician, shall be legally responsible for the acts of a physician assistant which occur during periods of time where the alternate supervising collaborating physician is ~~providing supervision for~~ collaborating with the physician assistant. An alternate supervising collaborating physician shall accept supervisory collaborative responsibility for periods of time not to exceed ~~the time period specified in the practice agreement, which may not exceed~~ forty-five days.

10.9. An alternate supervising collaborating physician shall supervise collaborate with the physician assistant in accordance with an authorized practice agreement and shall only delegate medical acts that are:

10.9.a. Contained within the authorized practice agreement; and

10.9.b. Within the scope of practice of both the supervising collaborating physician and the alternate supervising collaborating physician.

10.10. A supervising collaborating physician may enter into practice agreements with up to five physician assistants at any one time.

10.11. A physician is prohibited from serving as a supervising collaborating physician or alternate supervising collaborating physician for greater than five physician assistants at any one time. However, a physician practicing medicine in an emergency department of a hospital or a physician who supervises collaborates with a physician assistant who is employed by or on behalf of a hospital may ~~provide supervision for~~ collaborate with up to five physician assistants per shift if the physician has an authorized practice agreement in place with the supervised physician assistant or the physician has been properly authorized as an alternate supervising collaborating physician for each physician assistant.

10.12. In the event of the sudden departure, incapacity, or death of a supervising collaborating physician, a designated alternate supervising collaborating physician may assume the role of supervising collaborating physician in order to provide continuity of care for the patients of the former supervising collaborating physician. A physician who assumes the responsibility of supervising collaborating physician shall submit a complete practice agreement to the appropriate licensing board within fifteen days of assuming the responsibility.

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### §11-1B-11. Practice Agreements.

11.1. A proposed practice agreement shall be completed on a form provided by the Board and shall be accompanied by the appropriate fee. The fee for the submission of a practice agreement shall be one hundred dollars (\$100) until such time as a different fee is established by 11 CSR 4.

11.2. The proposed practice agreement shall include:

11.2.a. A description of the qualifications of the ~~supervising~~ collaborating physician, the alternate ~~supervising~~ collaborating physicians, if applicable, and the physician assistant;

11.2.b. The scope of practice of the ~~supervising~~ collaborating physician;

11.2.c. The settings in which the physician assistant will practice and a list of ~~the physician assistant's primary place(s) of practice~~ every location where the physician assistant will or may practice pursuant to delegation set forth in the practice agreement;

11.2.d. A description of the continuous ~~physician supervision~~ collaboration mechanisms that are reasonable and appropriate for the practice setting, and the experience and training of the physician assistant;

11.2.e. The delegated medical acts which the physician assistant will perform, including:

11.2.e.1. Core duties;

11.2.e.2. Advanced duties;

11.2.e.3. Prescriptive privileges; and

11.2.e.4. A description of any medical care the physician assistant will provide in an emergency, including a definition of an emergency;

11.2.f. An attestation by the ~~supervising~~ collaborating physician that the medical acts to be delegated are:

11.2.f.1. Within the ~~supervising~~ collaborating physician's scope of practice; and

11.2.f.2. Appropriate to the physician assistant's education, training and level of competence;

11.2.g. ~~A description of how the physician assistant's performance will be evaluated~~ An attestation by the collaborating physician that he or she will appropriately evaluate the practice of the physician assistant at regular intervals; and

11.2.h. Other information deemed necessary by the Board to carry out the provisions of the West Virginia Physician Assistants Practice Act, W. Va. Code §30-3E-1 et seq.

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11.3. To delegate one or more advanced duties, the practice agreement shall include:

11.3.a. For advanced duties to be performed at hospital or ambulatory surgical facility:

11.3.a.1. A description of the advanced duty and the education, training, and experience that qualifies the physician assistant to perform the advanced duty;

11.3.a.2. Certification that the ~~supervising~~ collaborating physician and physician assistant are credentialed by the hospital or ambulatory surgical facility; and

11.3.a.3. A copy of the approved delineation of duties from the governing board of the health care facility stating that the physician assistant has been approved by the facility to perform the advanced duty;

11.3.b. For all other practice locations:

11.3.b.1. A description of the advanced duties to be delegated;

11.3.b.2. Documentation of the specialized education, training or experience received by the physician assistant in order to perform the advanced duties; and

11.3.b.3. The ~~level~~ manner of ~~supervision~~ collaboration that the ~~supervising~~ collaborating physician will use when the physician assistant is performing the advanced duty.

11.4. A physician assistant may not commence practice pursuant to a practice agreement until he or she receives written authorization to practice from the Board.

11.5. Upon receipt of a proposed practice agreement and the appropriate fee the Board, through its staff, shall issue a letter of authorization to practice pursuant to the proposed practice agreement if:

11.5.a. The proposed practice agreement conforms to the requirements of this section;

11.5.b. The physician assistant holds an unrestricted license;

11.5.c. Based upon the submitted information, it appears that the physician assistant is able to perform the proposed delegated duties safely; and

11.5.d. The practice agreement only proposes the delegation of core duties and/or advanced duties:

11.5.d.1. ~~Proposes the delegation of core duties in any practice setting; In a hospital or ambulatory surgical center which are included in the physician assistant's delineation of duties approved by the practice location;~~

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11.5.d.2. ~~Proposes the delegation of advanced duties at a hospital or ambulatory surgical center; For which general approval protocol has been established by the Board and the physician assistant has met such protocol;~~

11.5.d.3. ~~Proposes the delegation of advanced duties that~~ The physician assistant has previously been authorized by the Board to perform; ~~or~~

11.5.d.4. ~~Proposes only those advanced duties for which general approval protocol has been established by the Board and the physician assistant has met such protocol.~~

11.6. Proposed practice agreements which are not approved pursuant to the criteria established in subsection 11.5 of this rule shall be considered by the Board. The Board will not consider a proposed practice agreement until it has had at least fifteen days to review the application. When a practice agreement is to be reviewed by the Board because of the inclusion of certain proposed advanced duties, Board staff may issue the physician assistant authorization to practice pursuant to all portions of the practice agreement which do not require Board review.

11.7. Prior to making a determination with regard to a proposed practice agreement, the Board may request additional information from the ~~supervising~~ collaborating physician and/or the physician assistant, either through an appearance or through written documentation, to evaluate the proposed delegation of duties.

11.8. Where necessary to ensure patient safety, the Board may authorize a physician assistant to practice or perform certain medical acts under ~~direct supervision~~ on-site collaboration or personal supervision collaboration for a period of time so that the Board and the ~~supervising~~ collaborating physician may assess the ability of the physician assistant to perform the tasks safely.

11.9. The Board may decline to authorize a physician assistant to commence practice pursuant to a proposed practice agreement if the Board determines that:

11.9.a. The practice agreement is inadequate and/or incomplete;

11.9.b. The proposed delegation exceeds the appropriate scope of practice; or

11.9.c. The ~~supervising~~ collaborating physician and physician assistant have failed to establish that the physician assistant is able to perform the proposed delegated duties safely.

11.10. A new practice agreement, with the required fee, must be filed for approval by the Board if:

11.10.a. A ~~supervising~~ collaborating physician and physician assistant seek to change or add to the delegated medical acts in an approved practice agreement;

11.10.b. A ~~supervising~~ collaborating physician and physician assistant seek to change the physician assistant's practice setting and/or principle place of practice;

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11.10.c. A physician assistant seeks to enter into a practice agreement with a different supervising collaborating physician;

11.10.d. A physician assistant seeks to resume practice after reinstatement of licensure; or

11.10.e. The Board has requested the submission of a revised practice agreement as a result of any investigation, discipline or audit activity.

11.11. A supervising collaborating physician may amend a physician assistant's authorized list of alternate supervising collaborating on a Board approved form without resubmitting the entire practice agreement for approval. The Board may designate a fee for the submission of changes to a physician assistant's alternate supervisors collaborators. Any such fee shall be established by 11 CSR 4.

11.12. A physician assistant may simultaneously maintain practice agreements with more than one supervising collaborating physician, ~~if:~~

~~11.12.a. The physician assistant's scope of professional duties requires multiple physician supervisors; or~~

~~11.12.b. The physician assistant has more than one employer.~~

11.13. A supervising collaborating physician or a physician assistant may terminate a practice agreement. A physician assistant shall immediately cease practicing upon the termination of a practice agreement. The physician assistant must notify the Board, in writing, within ten days of the termination of any practice agreement.

### **§11-1B-12. Delegation of Prescriptive Authority.**

12.1. A supervising collaborating physician may delegate limited prescriptive authority to a physician assistant in a practice agreement if:

12.1.a. The physician assistant has obtained a baccalaureate or master's degree from an approved program of instruction for physician assistants or has successfully completed an accredited course of instruction in clinical pharmacology approved by the Board of not less than four semester hours. The Board may grant up to one credit hour equivalent for two or more years of prescribing experience in other jurisdictions;

12.1.b. The physician assistant provides evidence of successful completion of a minimum of three hours of drug diversion training and best practice prescribing of controlled substances training through a Board approved course within two years prior to his or her application submission to the Board for limited prescriptive privileges; and

12.1.c. The supervising collaborating physician and physician assistant attest that:

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12.1.c.1. The physician assistant has successfully completed the necessary requirements to be eligible to prescribe pursuant to a practice agreement;

12.1.c.2. All prescribing activities of the physician assistant shall comply with applicable federal and state law governing the practice of physician assistants the Board approved limitations on physician assistant prescribing;

12.1.c.3. All medical charts or records shall contain a notation of any prescriptions written by a physician assistant; and

12.1.c.4. All prescriptions, including electronic prescriptions, written by the physician assistant will include the physician assistant's name and the supervising collaborating physician's name, business address and business telephone number.

12.2. To delegate prescriptive authority, the supervising collaborating physician shall ensure that the practice agreement includes a clear delineation of the delegated authority and whether it includes the prescribing, administering, dispensing and/or ordering of drugs and/or medical devices.

12.3. On an annual basis, the Board shall approve and publish on its website a list classifying pharmacologic categories of all drugs which physician assistants are prohibited from prescribing. This list shall, at a minimum, prohibit physician assistants from prescribing:

12.3.a. Schedules I and II of the Uniform Controlled Substances Act;

12.3.b. Greater than a non-refillable seventy two hour supply of a drug listed under Medications listed under Schedule III of the Uniform Controlled Substances Act are limited to a 30 day supply without refill;

12.3.c. Antineoplastics and chemotherapeutic agents used in the active treatment of current cancer; and

12.3.d. Radio-pharmaceuticals; general anesthetics and radiographic contrast materials; and

12.3.e. General Anesthetics.

12.4. A practice agreement may not delegate the prescribing of a drug that the Board has prohibited physician assistants from prescribing.

12.5. A supervising collaborating physician who seeks to delegate prescribing authority to a physician assistant shall provide the physician assistant with treatment protocols which identify maximum prescribing dosages. Prescriptions written by a physician assistant shall be issued consistent with the supervising collaborating physician's directions and treatment protocol, and in no case may the dosage exceed the manufacturer's recommended average therapeutic dose for the prescribed drug.



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12.6. Each prescription and subsequent refills given by the physician assistant shall be entered on the patient's chart.

12.7. Physician assistants authorized to issue prescriptions for Schedules III through V controlled substances shall include the Federal Drug Enforcement Administration number issued to that physician assistant. ~~The maximum amount of Schedule IV or Schedule V drugs shall be no more than ninety dosage units or a thirty day supply, whichever is less, and may not authorize a refill.~~

12.8. A physician assistant shall, at the time of the initial prescription, record in the patient medical record the plan for continued evaluation of effectiveness of the controlled substance prescribed.

12.9. A physician assistant may administer local anesthetics.

~~12.8. 12.10. Prescriptions for other legend drugs shall not be prescribed or refillable for a period exceeding six months, except that an An annual supply of any drug, other than a controlled substance, may be prescribed for the treatment of a chronic condition other than chronic pain management. An annual supply may be prescribed or dispensed in smaller increments in order to assess the drug's therapeutic efficacy. ~~The chronic disease being treated shall be noted on each such prescription by the physician assistant.~~~~

12.11. The prescription authorized by a physician assistant shall comply with the requirements of this rule and the requirements of the West Virginia Board of Pharmacy, other applicable state and federal laws, rules and regulations, and all applicable standards of care.

12.12. All prescriptions, including electronic prescriptions, written by the physician assistant will include the physician assistant's name, professional designation, practice location, telephone number, signature, license number issued by the Board, the collaborating physician's name, business address and business telephone number, and any other information required by state and federal law.

~~12.9. 12.13. Within five business days following a Board meeting, the Board of Medicine shall provide the Board of Pharmacy with a list of physician assistants with limited prescriptive privileges along with the categories of drugs or drugs within a category that the physician assistant has been authorized to prescribe.~~

~~12.10. 12.14. Nothing in this rule shall be construed to permit any physician assistant to independently prescribe or dispense drugs prescribe, administer, order or dispense medications outside of the delegation set forth in an approved practice agreement.~~

~~12.11. 12.15. Physician assistants granted limited prescriptive privileges pursuant to an authorized practice agreement may accept professional samples as defined in 11 CSR 5 and may apply to be registered as a controlled substance dispensing practitioner as set forth in 11 CSR 5.~~

### **§11-1B-13. Continuing Medical Education Requirements.**

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~~13.1. A physician assistant is required to complete a minimum of one hundred hours of continuing education during each two year licensure cycle. A minimum of fifty hours shall be designated as Category I by either the American Medical Association, American Academy of Physician Assistants or the Academy of Family Physicians. The remaining hours may be obtained from Category I or Category II.~~

~~13.2. Three hours of the required one hundred continuing education hours must include a Board approved course on drug diversion training and best practice prescribing of controlled substances training. If a physician assistant has not prescribed, administered or dispensed any controlled substances during a two year licensure cycle, the physician assistant may, as part of his or her renewal application, request a waiver from the Board for this continuing education requirement. However, the training must be completed prior to the submission of any proposed practice agreement which includes the delegation of any prescriptive privileges or duties relating to the administration, ordering or dispensing of prescription drugs.~~

~~13.3. An applicant for licensure renewal shall timely submit to the Board a certification of the successful completion of the required hours of continuing education satisfactory to the Board during the preceding two year period. The certification shall include an attestation by the renewal applicant that the continuing education certification is true and correct.~~

~~13.4. A licensee is required to provide supporting written documentation of the successful completion of the continuing education certified as received on the biennial renewal application form, if the Board issues a written request for such documentation. The licensee shall provide the Board with the written documentation so that it is received by the Board within thirty days of the licensee's receipt of the written request.~~

~~13.5. Failure or refusal of a licensee to provide written documentation requested by the Board as set forth in subsection 13.4 of this rule is prima facie evidence of renewing a license to practice as a physician assistant by fraudulent misrepresentation and the licensee may be subject to disciplinary proceedings pursuant to sections 16 and 17 of this rule.~~

13.1. Successful completion of a minimum of one hundred hours of continuing education satisfactory to the Board during the preceding two-year period is required for the biennial renewal of a physician assistant license.

13.2. Types and categories of continuing medical education satisfactory to the Board for physician assistants are:

13.2.a. Continuing medical education designated as Category I by either the American Medical Association, American Academy of Physician Assistants or the American Academy of Family Physicians.

13.2.b. Continuing medical education designated as Category II by either the American Medical Association, American Academy of Physician Assistants or the American Academy of

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Family Physicians. A maximum of fifty hours of continuing medical education credit may be awarded for this category of activity.

13.2.c Obtaining a master's degree from an accredited program of instruction for physician assistants within one year of the expiration of an initial license. A maximum of one hundred hours of continuing education credit may be awarded for this category of activity, but a physician assistant shall only be awarded ninety-seven hours of credit if the physician assistant is a mandatory participant in the continuing education activity described in subsection 13.3 of this rule.

13.2.d. Passing a recertification examination by the NCCPA during the reporting period. A maximum of one hundred hours of continuing medical education credit may be awarded for this category of activity, but a physician assistant shall only be awarded ninety-seven hours of credit if the physician assistant is a mandatory participant in the continuing education activity described in subsection 13.4 of this rule.

There are no other types or categories of continuing education activity for physician assistants satisfactory to the Board.

13.3. Mandatory Continuing Education Activity for Physician Assistants. -- As a prerequisite to license renewal, a physician assistant who has prescribed, administered, or dispensed any controlled substance pursuant to a West Virginia license during the reporting period shall complete a Board-approved continuing education activity for a minimum of three hours of drug diversion training and best practice prescribing of controlled substances training.

13.3.a. A physician assistant must complete this mandatory continuing education prior to submitting a proposed practice agreement which delegates prescribing authority or the authority to administer, order or dispense prescription drugs.

13.3.b. The Board-approved drug diversion training and best practice prescribing of controlled substances training shall satisfy three of the one hundred required hours of continuing education for the reporting period.

13.3.c. The Board shall maintain and publish on its website a current list of all educational activities which have been approved by the Board to satisfy the drug diversion training and best practice prescribing of controlled substances training continuing education requirement.

13.3.d. A renewal applicant who has not prescribed, administered, or dispensed any controlled substances pursuant to a West Virginia license during the reporting period may seek a waiver of this continuing education requirement by completing the required attestation and waiver request on the renewal application.

13.4. The Board shall include a certification of successful completion of required continuing education on its biennial renewal application. The certification shall require the renewal applicant to:

13.4.a. Certify successful completion of all required continuing education;

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13.4.b. Attest to the truthfulness and accuracy of the renewal applicant's statements regarding continuing education activities;

13.4.c. Acknowledge that any license issued based upon the renewal application is based upon the truth and accuracy of the applicant's statements and that if false information is submitted in the application, such act constitutes good cause for the revocation of the renewal applicant's license to practice in the State of West Virginia; and

13.4.d. Sign and date the certification.

13.5. A license shall automatically expire if the certification required by subsection 13.4 is not submitted to the Board by the renewal deadline. An automatically expired license shall remain expired until a licensee successfully seeks reinstatement or reactivation of licensure.

13.6. A licensee shall maintain accurate records of all continuing education he or she has completed. Continuing education records shall be maintained for a period of six years.

13.7. The Board may conduct such audits and investigations as it considers necessary to assure compliance with continuing education requirements and to verify the accuracy of a renewal applicant's certification of continuing education.

13.8. Upon written request of the Board to a licensee's preferred mailing address or e-mail address of record with the Board, a licensee shall, within thirty days, submit written documentation satisfactory to the Board corroborating the licensee's renewal application certification of continuing education compliance.

13.9. Failure or refusal of a licensee to provide written documentation requested by the Board as set forth in subsection 13.8 of this rule is prima facie evidence of renewing a license to practice as a physician assistant by fraudulent misrepresentation and the licensee is subject to disciplinary proceedings.

### **§11-1B-14. Identification and Compliance Audits.**

14.1. Except as otherwise provided by law, when practicing as a physician assistant, a physician assistant must wear a name tag in a conspicuous manner which identifies the practitioner as a physician assistant. An individual may not identify himself or herself as a physician assistant unless licensed by this Board or the Osteopathic Board. A physician assistant may not identify him or herself as a certified physician assistant, or use the professional designation of "P.A.-C." unless he or she is currently certified by the NCCPA.

14.2. A physician assistant shall keep his or her license and current practice agreement available for inspection at each of his or her primary places of practice.

14.3. A physician assistant shall notify the Board in writing of a change in the physician assistant's name or address within fifteen days after the change.

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14.4. The Board may review physician assistant utilization without prior notice to either the physician assistant or the supervising collaborating physician. An authorized representative or investigator for the Board may, without prior notice, enter at any reasonable hour a place of employment or practice of a physician or physician assistant or into public premises:

14.4.a. For the purpose of an audit to verify general compliance with the Physician Assistants Practice Act and this legislative rule; or

14.4.b. To investigate an allegation or complaint with respect to a supervising collaborating physician, alternate supervising collaborating physician or physician assistant.

14.5. A person may not deny or interfere with an entry under this section.

14.6. The Board's representatives may require a physician, physician assistant, or facility where the physician assistant is employed or practicing to provide access to records relating to the physician assistant's licensure, employment, credentialing, and practice and medical records of patients seen by the physician assistant. It is a violation of this rule for a supervising collaborating physician or a physician assistant to refuse to undergo or cooperate with a review or audit by the Board.

14.7. The Board's representative shall refer possible compliance issues to the appropriate Committee of the Board and/or to any other agency that has jurisdiction over a facility, place of practice or practitioner.

### **§11-1B-15. Mental and Physical Examination.**

15.1. The Board under any circumstances may require a licensed physician assistant or a person applying for licensure or other authorization to practice as a physician assistant in this state to submit to a physical or mental examination by a physician or physicians approved by the Board. The expense of the examination shall be paid by the Board.

15.2. A physician assistant submitting to an examination has the right, at his or her expense, to designate another physician to be present at the examination and make an independent report to the Board.

15.3. An applicant or licensee is considered to have given his or her consent to submit to all examinations when requested to do so in writing by the Board and to have waived all objections to the admissibility of the testimony or examination report of an examining physician on the ground that the testimony or report is privileged communication.

15.4. If a person fails or refuses to submit to an examination under circumstances which the Board finds are not beyond his or her control, failure or refusal is prima facie evidence of his or her inability to practice as a physician assistant competently and in compliance with the standards of acceptable and prevailing physician assistant practice.

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### §11-1B-16. License Denial, Complaint and Disciplinary Procedures.

16.1. The licensure denial, complaint and disciplinary process and procedures and appeal rights set forth in the contested case hearing procedure, W. Va. Code §29A-5-1 et seq., W. Va. Code §30-3-14(h) and (i), and in the Board's procedural rule, 11 CSR 3, Board Organization and Meeting Procedure; Complaint and Contested Case Hearing Procedure, also apply to physician assistants.

16.2. If the Board determines the evidence in its possession indicates that a physician assistant's continuation in practice or unrestricted practice constitutes an immediate danger to the public, the Board may take any of the actions provided in W. Va. Code §30-3-14(j) on a temporary basis and without a hearing if institution of proceedings for a hearing before the Board are initiated simultaneously with the temporary action and begin within fifteen days of the action. The Board shall render its decision within five days of the conclusion of a hearing under this subsection.

### §11-1B-17. Denial of Licensure and Discipline.

17.1. The Board may deny an application for license, or other authorization to practice as a physician assistant and may discipline a physician assistant licensed by the Board who, after a hearing, has been adjudged by the Board as unqualified due to any of the following reasons:

17.1.a. Conduct by a physician assistant which is equivalent to any of the grounds cited for the discipline of physicians or ~~pediatrists~~ podiatric physicians in W. Va. Code §30-3-14(c) or section 12 of the Board's rule 11 CSR 1A;

17.1.b. Failure to comply with any portion of this rule, the provisions of W. Va. Code §30-3E-1 et seq. and any other rule of the Board;

17.1.c. Practicing as a physician assistant:

17.1.c.1. In the absence of an authorized practice agreement;

17.1.c.2. Outside or beyond the scope of an authorized practice agreement; or

17.1.c.3. Beyond his or her level of competence, education, training and/or experience;

17.1.d. Prescribing a prescription drug which is not included in an authorized practice agreement for that physician assistant or the Board has prohibited physician assistants from prescribing;

17.1.e. Prescribing any controlled substance to or for himself or herself, or to or for any member of his or her immediate family;

17.1.f. Failure of a physician assistant to:

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17.1.f.1. Notify the Board that an authorized practice agreement has been terminated in the required time frame; or

17.1.f.2. Maintain a copy of his or her license and authorized practice agreement in each primary place of practice;

~~17.1.g. Independently billing for services rendered;~~

~~17.1.h.~~ 17.1.g. Impersonation of a licensed physician, ~~pediatrist~~ podiatric physician or another licensed physician assistant;

~~17.1.i.~~ 17.1.h. Misrepresentation that the physician assistant is a physician, ~~that the physician assistant is currently certified by the NCCPA,~~ or that the physician assistant holds any position for which he or she is not qualified by license, training, or experience;

~~17.1.j.~~ 17.1.i. Knowingly permitting another person to misrepresent the physician assistant as a physician;

~~17.1.k.~~ 17.1.j. Misrepresentation or concealment of any material fact in obtaining any certification or license or a reinstatement or reactivation of any certification or license related to his or her practice as a physician assistant.

17.2. If a physician assistant is found guilty of or pleads guilty or nolo contendere to any court of competent jurisdiction of any felony involving prescribing, selling, administering, dispensing, mixing or otherwise preparing any prescription drug, including any controlled substance under state or federal law, for other than generally accepted therapeutic purposes in a state or federal court of competent jurisdiction, the Board shall deny an application for licensure or revoke the physician assistant's license without resort to the procedures set forth in section 16 of this rule. A certified copy of the guilty verdict or plea rendered is sufficient proof for licensure denial or revocation.

17.3. If the Board determines that a physician assistant is unqualified, the Board may enter an order denying an application or imposing any limitation, restriction or other disciplinary measure set forth in W. Va. Code §30-3-14(j) and/or 11 CSR 1A.

17.4. In their discretion, the Board and the Osteopathic Board may refer and receive information from one another concerning:

17.4.a. Mutual applicants and/or licensees;

17.4.b. Information developed during the complaint and investigation process of one board which implicates or otherwise relates to licensees of the other board;

17.4.c. Any Complaints received or discovered by one board which relate to mutual licensees or licensees of the other board.

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**September 10, 2017 at 10:30 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- July 9, 2017
- July 24, 2017
- August 21, 2017

***Agenda Items:***

- Board of Medicine Legislative Rules
  - 11 CSR 6
  - 11 CSR 1B
  - Emergency Rule 11 CSR 1B
- Interim Meetings of the WV Legislature
- WVU Meeting – Legislative Items of Interest

***ADJOURNMENT***



**WEST VIRGINIA BOARD OF MEDICINE**

**Legislative Committee Minutes**

**September 10, 2017**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 10<sup>th</sup> day of September, 2017, at 10:30 a.m.

The following Committee members were present:

Beth Hays, M.A., Chair  
Reverend O. Richard Bowyer  
Ahmed Faheem, M.D., D.L.F.A.P.A.  
David Mullins, M.D.

The following Committee member was absent:

K. Dean Wright, P.A.-C.

The following staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Ms. Hays called the meeting to order. Dr. Faheem moved that the minutes of the July 9, 2017, July 24, 2017 and August 21, 2017 meeting be approved. Dr. Mullins seconded, and the motion carried.

**CALL TO  
ORDER AND  
APPROVAL OF  
MINUTES**

Ms. Alley reported that the comment period regarding proposed amendments to 11 CSR 6, *Continuing Education for Physicians and Podiatrists*, concluded at 4:30 p.m. on Friday, July 21, 2017. There were no comments received. Board staff have filed the agency approved version of the proposed rule with the Secretary of State's office, and the Legislative Rule-Making Review Committee has authorized the Board to promulgate the proposed rule as filed with no modifications.

Mr. Spangler reported that the comment period regarding proposed amendments to 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, concluded at 4:30 p.m. on Thursday, August 10, 2017. The Legislative Committee met on Monday, August 21, 2017 and considered the eighteen comment that were submitted regarding the proposed amendments to the rule. Following review of the comments, minor modifications were made to the rule. Board staff have filed the agency approved version of the proposed rule with the Secretary of State's office.

In advance of today's meeting, a copy of the proposed Emergency Rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, was made available for committee members to review. Mr. Spangler reported to the Committee that Senate Bill 1014 was passed during the 2017 Special Session and became effective on September 7, 2017. This legislation authorizes changes to physician assistant practice including, among other things, expanded prescribing and signature authority. In order to implement the changes, the Board will need to file an Emergency Rule with the Secretary of State's office. Following discussion, Reverend Bowyer moved that the Committee recommend that the Board authorize staff to move forward with filing Emergency Rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, with the Secretary of State's office. Dr. Faheem seconded, and the motion carried.

Mr. Spangler reported that in August he and Mr. Wessels presented information to the Joint Committee on Health regarding the Board of Medicine's research into Medical Liability Review Panels. He reiterated to the Joint Committee on Health that the Board of Medicine is not the appropriate entity to administer such a panel. Board staff will monitor future legislative efforts to establish a Medical Liability Review Panel and will provide updates as necessary.

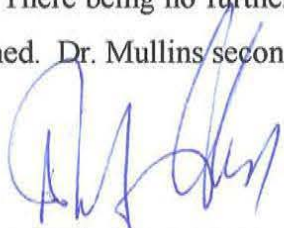
Mr. Spangler reported that the Board received a letter from Delegate Gary Howell, Chairman of the Government Organization Committee requesting an update during the September interim meeting regarding the status of a physician. The physician referenced in Chairman Howell's letter is an osteopathic physician. The Board responded to Chairman Howell indicating such.

Mr. Spangler reported to the Committee that in July, Ms. Alley, Mr. Wessels, Reverend Bowyer, Dr. Upton and himself met with representatives of West Virginia University (WVU) School of Medicine. During the meeting, WVU representatives identified the following issues that they hope to address cooperatively with the Board of Medicine:

1. The inability of a licensee who holds a temporary license to bill Medicaid;
2. The expansion of faculty licenses beyond a university's medical center; and
3. The ten year rule to pass all steps of the United States Medical Licensing Exam (USMLE).

Mr. Spangler reported he is working with Dr. Joseph Shapiro, Dean of Marshall University School of Medicine, to facilitate a visit to the Joan C. Edwards School of Medicine. Board members are encouraged to participate in the visit. Additional information will be provided as it becomes available.

There being no further business to consider, Dr. Faheem moved that the meeting **ADJOURNMENT** adjourned. Dr. Mullins seconded, and the motion carried.



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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**November 12, 2017 at 10:30 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- September 10, 2017

***Agenda Items:***

- Board of Medicine Legislative Rules
  - 11 CSR 1B
  - Emergency Rule - 11 CSR 1B – Effective October 20, 2017
- Potential Legislative Topics in 2018
  - Resident License
  - Burden of Proof in Disciplinary Proceedings
  - Authorization / Certification to Carry Firearms for Board Investigators
  - Physician Advertising
  - Medical Cannabis

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Legislative Committee Minutes**

**November 12, 2017**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 12<sup>th</sup> day of November, 2017, at 10:30 a.m.

The following Committee members were present:

Ahmed D. Faheem, M.D., D.L.F.A.P.A., Chair  
Reverend O. Richard Bowyer  
K. Dean Wright, P.A.-C.

The following Committee member was absent:

David Mullins, M.D.

The following staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

The following Board members were present:

Victoria Mullins, P.A.-C.  
Kishore K. Challa, M.D., F.A.C.C.  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

Dr. Faheem called the meeting to order. Reverend Bowyer moved that the minutes of the September 10, 2017 meeting be approved. Mr. Wright seconded, and the motion carried.

**CALL TO  
ORDER  
AND  
APPROVAL OF  
MINUTES**

Mr. Spangler reported that the Board's Emergency Rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, became effective on October 20, 2017. The companion legislative rule is scheduled for consideration by the Legislative Rule-Making Review Committee (LRMRC) during the interim committee

meetings which will be held on December 3-5, 2017. LRMRC Counsel has suggested that the Board consider modifying the rule to remove the requirement that licensees report their National Commission on Certification of Physician Assistants (NCCPA) certification status to the Board. Dr. Challa joined the meeting at this time. The Legislative Committee is not in favor of removing this requirement; however, the Board will comply if the Legislative Rule-Making Review Committee requires the change.

Mr. Spangler reported to the Committee that the Board of Medicine has received correspondence from Robert Whitler, Vice Present of Government and Community Affairs at Charleston Area Medical Center, requesting that the Board consider issuing educational permits to residents. The West Virginia Board of Osteopathic Medicine, in accordance with §24-1-13, issues postgraduate educational permits. The Committee is receptive to issuing educational permits to physicians participating in medical residencies, but will need to identify and define the parameters of such permits. Following discussion, Reverend Bowyer moved that the Committee recommend that the Board authorize staff to further research resident permits and draft a bill for the Committee and the Board to review at the January 2018 meeting, for possible introduction during the 2018 legislative session. Mr. Wright seconded, and the motion carried.

Mr. Spangler reported that the Board has previously expressed an interest in changing the burden of proof in Board disciplinary matters from clear and convincing evidence to a preponderance of evidence standard, which would align the Board of Medicine and the Board of Osteopathic Medicine. Discussion has occurred with legislative counsel, who suggests cleaning up section 14 of the Medical Practice Act in the process. Following discussion, Reverend Bowyer moved that the Committee recommend that the Board authorize staff to work collaboratively with legislative counsel on draft legislation to modify West Virginia Code §30-3-14 to include a change in the burden of proof and language clean-up, with the hope that the legislation will be introduced during the 2018 legislative session. Mr. Wright seconded, and the motion carried.

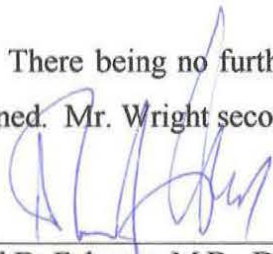
Mr. Spangler reported that the Board has previously identified seeking authorization for Board investigators to carry firearms as a 2018 legislative goal. Following discussion, Mr. Wright moved that the Committee recommend that the Board authorize staff to seek legislation that will allow at least one board investigator to carry a firearm once they have received appropriate training. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported that it is possible that during the 2018 legislative session there may be efforts to permit the use of patient testimonials in physician advertising in West Virginia. Board staff have researched surrounding states regulation regarding physician advertising, and determined that Ohio, Maryland and Virginia allow for the use of patient testimonials in physician advertising, while Kentucky and Tennessee prohibit it. Additionally, while the American Medical Association does not prohibit any form of advertising, it does disfavor the use of patient testimonials. Board staff will monitor legislation introduced in upcoming session, and will keep the Committee apprised regarding this matter.

Mr. Spangler reported that on behalf of the West Virginia Bureau for Public Health (BPH), the Board recently emailed information regarding a medical cannabis survey to medical doctors and podiatric physicians who hold an active license with this Board. The survey, which closes on November 14, 2017, seeks geographical information from physicians interested in prescribing medical cannabis to patients. Dr. Gupta joined the meeting at this time, and reported that the information collected from the survey, which was largely geographical, will be used by the BPH in making decisions to ensure that there is an adequate amount of medical cannabis available to patients suffering from serious medical conditions in all areas of the state.

ADJOURNMENT

There being no further business to consider, Reverend Bowyer moved that the meeting adjourned. Mr. Wright seconded, and the motion carried.



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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
Acting Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**January 7, 2018 at 9:30 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- November 13, 2017

***Agenda Items:***

- Board of Medicine Legislative Rule
  - 11 CSR 1B
- Proposed 2018 Interim Legislative Committee Meeting Dates
  - January 25, 2018 at 5:00 p.m.
  - February 8, 2018 at 5:00 p.m.
  - February 22, 2018 at 5:00 p.m.
  - March 8, 2018 at 5:00 p.m.
- Authorization of the Legislative Committee to Act on Behalf of the Board During the 2018 Legislative Session
- Proposed Rules Regarding Medical Cannabis
- Proposed Bill Regarding Reorganization of WVDHHR
- Potential Legislative Topics in 2018
  - Resident License
  - Burden of Proof in Disciplinary Proceedings/Opioid Reduction Act
  - Authorization / Certification to Carry Firearms for Board Investigators
  - Physician Advertising
  - RN/LPN Board Consolidation Bill and Related Matters
  - Prescribing Authority for Psychologists

***ADJOURNMENT***



**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Minutes**  
**January 7, 2018**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 7<sup>th</sup> day of January 2018, at 9:30 a.m.

The following Committee members were present:

K. Dean Wright, P.A.-C., Chair  
Ahmed D. Faheem, M.D., D.L.F.A.P.A  
Reverend O. Richard Bowyer  
Timothy Donatelli, D.P.M.  
Victoria Mullins, P.A.-C.  
Matthew Upton, M.D.

The following staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

The following Board member was present:

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

Mr. Wright called the meeting to order. Dr. Faheem moved that the minutes of the November 13, 2017 meeting be approved. Ms. Mullins seconded, and the motion carried.

**CALL TO  
ORDER  
AND  
APPROVAL OF  
MINUTES**

Mr. Spangler reported that the Legislative Rule-Making Review Committee has approved the Board's proposed legislative rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*. Board staff will monitor the rule throughout the 2018 legislative session.

The Legislative Committee reviewed the following proposed interim meeting dates:

Thursday, January 25, 2018 5:00 p.m.

Thursday, February 8, 2018 5:00 p.m.

Thursday, February 22, 2018 5:00 p.m.

Thursday, March 8, 2018 5:00 p.m.

Ms. Mullins moved that the proposed interim Legislative Committee meeting dates be approved. Dr. Upton seconded, and the motion carried. Dr. Faheem moved that the Committee recommend that the Board grant the Legislative Committee authority to act on behalf of the Board as necessary to respond to legislative matters, at these meetings and any other special meetings which may be necessary, during the 2018 legislative session. Dr. Upton seconded, and the motion carried.

At its November 2017 meeting, the Board authorized staff to research issuing educational permits to residents, and to draft a bill for the Committee and the Board to review for possible introduction in the 2018 legislative session. Prior to today's meeting, a proposed draft bill was made available for members to review. Mr. Spangler reported that the proposed bill removes language which provides that "a person engaged in graduate medical training in a program approved by the Accreditation Council for Graduate Medical Education or the board" is exempt from the licensing requirements. Additionally, the bill identifies the requirements that a resident must meet in order to be issued an educational permit by the Board. The bill also provides the Board authority to promulgate an emergency rule. Implementation of the rule will require a database change and a possible increase in staff; therefore, it is recommended that the implementation of the rule become effective in July 2019. Following discussion, Dr. Faheem moved that the Committee recommend that the Board support introduction of the bill relating to resident educational permits during the 2018 legislative session. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported that at its November 2017 meeting, the Board authorized staff to work collectively with legislative counsel on draft legislation to modify West Virginia Code §30-3-14 to include changing the burden of proof in Board disciplinary matters from clear and convincing evidence to a preponderance of evidence standard, which would align the Board of Medicine and the Board of Osteopathic Medicine. Rather than becoming an independent bill, the burden of proof standard has been incorporated in the Opioid Reduction Act. The language in the Opioid Reduction Act:

1. Changes the burden of proof in Board disciplinary matters from clear and convincing evidence standard to a preponderance of evidence standard;
2. Limits issuing an opiate to a patient in an emergency room setting for outpatient use to a three-day supply;
3. Limits the initial prescription of an opiate to a patient in an outpatient setting to a seven-day supply;
4. Sets forth requirements for practitioners, which includes requiring practitioners to access the Controlled Substance Monitoring Program (CSMP);
5. Broadens the access that licensing boards have regarding accessing the CSMP database;
6. Requires that the Board of Pharmacy report to licensing boards quarterly regarding abnormal prescribing practices; and
7. Establishes parameters on how a licensing board may use information gathered from quarterly CSMP reports received from the Board of Pharmacy.

Dr. Faheem moved that the Committee recommend that the Board support this bill in principal and monitor the bill during the upcoming legislative session. Reverend Bowyer seconded, and the motion carried.

Dr. Gupta joined the meeting at this time.

Mr. Spangler reported to the Committee that there has been legislation drafted which would permit at least one board investigator to carry a firearm once they have received appropriate training. Legislative counsel have been unable to find a sponsor for the bill, therefore, Board staff will seek to find a sponsor.

Mr. Spangler reported to the Committee that it is unclear if there will be legislation introduced during the 2018 legislative session related to physician advertising. Board staff will monitor any such legislation if it is introduced and will keep the Committee apprised.

Mr. Spangler reported that legislation will likely be introduced in the upcoming legislative session that would combine the West Virginia Board of Examiners for Registered Professional Nurses and the West Virginia Board of Examiners for Licensed Practical Nurses. Board staff will monitor any such legislation and will keep the Committee apprised.

Mr. Spangler reported to the Committee that there is talk of a bill which would provide for prescribing authority for psychologists who hold a Ph.D. Reverend Bowyer moved that the Committee recommend that the Board oppose legislation granting prescribing authority for Ph.D. psychologists, if such legislation is introduced. Dr. Faheem seconded, and the motion carried.

Dr. Gupta reported that the West Virginia Bureau for Public Health will be releasing a report regarding recommendations on how to address the opioid crisis. Reverend Bowyer moved that the Committee recommend that the Board delegate Mr. Spangler to take a position with regard to the report once it is released. Dr. Faheem seconded, and the motion carried.

Dr. Gupta reported to the Committee regarding the proposed medical cannabis rules. A recent survey completed by physicians licensed in West Virginia indicated that 82% of the physicians who responded to the survey are interested in participating in the medical cannabis program. Dr. Gupta encouraged the Board to work with the Cannabis Advisory Board Work Groups, and to use the work groups as a voice for the Board.

Dr. Gupta provided an overview of the draft bill which would reorganize the West Virginia Department of Health and Human Resources. This bill provides that the Board of Medicine, as well as other regulatory boards, would “remain as autonomous entities but may be subject to administrative oversight of the Department of Health and Compliance for purposes of consistency of service delivery.” Due to concerns with the way that the draft bill is proposed, Dr. Faheem moved that the Committee recommend that the Board not support the bill as written. Reverend Bowyer seconded, and the motion carried.

**ADJOURNMENT**

There being no further business to consider, Dr. Faheem moved that the meeting adjourned. Reverend Bowyer seconded, and the motion carried.



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K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**January 25, 2018 at 5:00 p.m.**

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***CALL TO ORDER***

***Agenda Items:***

- **Update on Board of Medicine bills**
  - **SB 197 and HB 4069** – 11 CSR 1B – Licensing and disciplinary procedures for physicians and podiatric physicians
  - **SB 198 and HB 4070** 11 CSR 6 – Continuing education for physicians and podiatric physicians
  - **HB 4027** – Creating an education permit for allopathic physician residents
  - **Burden of Proof**
  - **Authorization for investigators to carry firearms**
  
- **Bills related to responding to the opioid crisis and other matters related to controlled substances**
  - **SB 2** – Reducing use of opiates
  - **Other bills regarding prescribing limitations for opioids**
    - **SB 129** – Limiting time prescriptions may be issued for certain controlled substances
    - **SB 149** – Establishing safeguards for treatment of acute pain and opioid medications
    - **SB 273** – Reducing use of opiates
    - **SB 329** – Relating to prescribing opioids
    - **HB 4003** – Reducing the use of certain prescription drugs
  - **SB 272 and HB 4227** – Relating generally to drug control
  - **HB 2614** (carryover from previous session) – Prohibiting health care practitioners from knowingly and in bad faith prescribing or administering drugs
  - **HB 4172** – Establishing a crisis line and mobile application for the public to combat the crisis in this state posed by substance abuse
  - **HB 4181** – Permitting unused, unexpired nonnarcotic drugs to be distributed to free health care clinics
  - **HB 4215** – Involuntary hospitalization of persons administered opioid antagonists

- **Board regulation / government structure**
  - **HB 4014** – Reorganization of DHHR
  - **SB 269 and HB 4154** – 2018 Regulatory Reform Act
  - **SB 313** - Waiving occupational fees and licensing requirements for certain low-income individuals, military families, and young workers
  - **HB 2011** – Prohibiting state agencies and departments from acting outside their statutory scopes of authority
  - **HB 2216** (carryover from last session) – Making individuals responsible for the costs related to the filing of excessive false complaints
  - **HB 2521**(carryover from previous session) – APRN Compact
  - **HB 2823** (carryover from previous session) – Establishing a statewide call-in center to receive assistance with healthcare
  - **HB 2921** – Establishing a website clearinghouse for sharing information about potential sources of revenue, financial technical and legal assistance for government agencies
  
- **Bills related to immunization or other practice issues**
  - **SB 318** – Requiring influenza immunizations for health care workers
  - **SB 330 and HB 2945** – Relating to exemptions from mandated immunizations
  - **SB 337** – Permitting parents of newborns to decline administration of specific required medication at birth
  - **SB 25** – Prohibiting doctors and lawyers from filing fraudulent disability claims
  - **HB 2165** (carryover from last session) – Relating to out of state physicians and surgeons traveling with sports teams within this state
  - **HB 2327** (carryover from last session) – Protecting consumers from surprise bills by health care providers
  - **HB 2423** (carryover from last session) – Relating to the criminal offense of therapeutic deception
  - **HB 4035** – Creating a legislative coalition to study and report to the Legislature on palliative care
  - **HB 4175** – Preventing requirement that an APRN or PA participate in a collaborative relationship to obtain payment
  - **HB 4199** – Permitting a nursing home to use trained individuals to administer medication
  - **HB 4217** – Permitting an attending physician to obtain a patient’s autopsy report

- **HB 4218** – Relating to medical professional liability
- **HB 4239** – Relating to regulating prior authorizations
- **HB 4012 and HB 4246** - Relating to abortions
- **HB 4247** – Relating to life-sustaining treatment policies of health care facilities; “Simon’s law”
- **HB 4253** – Responders Protection Act
  
- **Other legislative topics of interest**
  - Professional Board structure, consolidation and termination
  - Special revenue bills and appropriations
  - Medical Cannabis
  - County Commissions
  - Physician Tax Credit
  
- **New bills introduced after January 22, 2018**
  - **HB 4260** – Prescriptive Authority for psychologists

## ***ADJOURNMENT***



**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Minutes**  
**January 25, 2018**

---

A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 25<sup>th</sup> day of January 2018, at 5:00 p.m.

The following Committee member was present:

Victoria Mullins, P.A.-C.

The following Committee members attended via teleconference:

K. Dean Wright, P.A.-C., Chair  
Kishore K. Challa, M.D.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A  
Reverend O. Richard Bowyer  
Matthew Upton, M.D.

The following Committee member was absent:

Timothy Donatelli, D.P.M.

The following Staff members were present:

Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order. Mr. Wright informed the Committee that Mr. Spangler would be absent from the meeting due to the funeral service of a close friend. CALL TO  
ORDER

Ms. Alley reported to the Committee that the following Board of Medicine legislative rule bills have been introduced and are single referenced to Senate Judiciary Committee: (1) **Senate Bill 197**, relating to licensure, disciplinary and complaint procedures, continuing education physician assistants; and (2) **Senate Bill 198**, relating to continuing education for

physicians and podiatric physicians. There has been no activity with regard to these bills since introduction.

Ms. Alley reported that the following Board of Medicine legislative rule bills have been introduced and have passed House Health and Human Resources Committee with no amendments: (1) **House Bill 4069**, relating to licensure, disciplinary and complaint procedures, continuing education physician assistants; and (2) **House Bill 4070**, relating to continuing education for physicians and podiatric physicians. Both of these bills now move to House Judiciary Committee.

Ms. Alley reported that **House Bill 4027**, creating an education permit for allopathic physicians, has been introduced. Mr. Spangler, Ms. Alley, Mr. Wessels, and Laura Boone, Director of Health Sciences Programs for the West Virginia Higher Education Policy Commission, recently met with counsel for the House Education Committee regarding this bill. A proposed strike and insert amendment has been drafted and was made available to members for review prior to today's meeting. Following discussion, Reverend Bowyer moved that the Committee support the proposed amendment and authorize Board staff to make the following non-substantive modifications:

1. modify the first paragraph to clarify that a licensee can participate in training if they have a permit or a license;
2. separate the educational pathways into three subparts for structural clarity; and
3. provide that an applicant is only eligible to apply for an education permit if they have never held a license to practice medicine and surgery in West Virginia.

Dr. Challa seconded, and the motion carried.

Dr. Faheem joined the meeting via teleconference at this time.

Ms. Alley reported that Mr. Spangler is seeking a sponsor to introduce a bill which would authorize at least one investigator to carry a firearm after receiving appropriate training. If a sponsor is obtained, the West Virginia Board of Pharmacy has requested that their investigator(s) be included in the bill.

Ms. Alley reported that **Senate Bill 2**, Opioid Reduction Act, has been introduced. This bill currently:

1. changes the burden of proof in Board disciplinary matters from a clear and convincing evidence standard to a preponderance of evidence standard;
2. limits issuing an opiate to a patient in an emergency room setting for outpatient use to a three-day supply;
3. limits the initial prescription of an opiate to a patient in an outpatient setting to a seven-day supply;
4. sets forth requirements for practitioners, which includes requiring practitioners to access the Controlled Substance Monitoring Program (CSMP);
5. broadens the access that licensing boards have regarding accessing the CSMP database;
6. requires that the Board of Pharmacy report to licensing boards quarterly regarding abnormal prescribing practices; and
7. establishes parameters on how a licensing board may use information gathered from quarterly CSMP reports received from the Board of Pharmacy.

Additionally, the bill grants the Board of Pharmacy emergency rule making authority to develop criteria for referral to the Board of Medicine and other licensing boards. It is likely that a Committee Substitute will be introduced which would:

1. strike the language which changes the burden of proof in Board disciplinary matters from a clear and convincing evidence standard to a preponderance of evidence standard;
2. remove Gabapentin from the updated list of schedule of controlled substances; and
3. remove the language which broadens the access that licensing boards have regarding accessing the CSMP database.

There has been no movement with regard to this bill since introduction. The Committee will continue to support this bill.

Several Senators are opposed to changing the burden of proof standard; therefore, it is likely that a committee substitute will be introduced, which will strike the burden of proof language from the bill. Reverend Bowyer moved that the Committee authorize Mr. Spangler to speak with representatives in the house and the senate to seek a sponsor to introduce legislation regarding the burden of proof standard. Ms. Mullins seconded, and the motion carried.

Ms. Alley reported that the following bills which relate to prescribing limitations for opioids have been introduced:

**Senate Bill 129**, limiting time prescriptions may be issued for certain controlled substances;

**Senate Bill 149**, establishing safeguards for treatment of acute pain and opioid medications;

**Senate Bill 273** and **House Bill 4263**, reducing the use of opiates;

**Senate Bill 329**, relating to prescribing opioids; and

**House Bill 4003**, reducing the use of certain prescription drugs

No action was taken with regard to these bills.

Ms. Alley reported that **Senate Bill 272** and **House Bill 4227**. These bills would require hospital emergency room departments, as well as certain other law-enforcement and medical care providers, to report suspected or confirmed drug overdoses, and other drug-related instances, to the Office of Drug Control Policy. Fiscal notes indicate no fiscal impact. Board staff will continue to monitor these bills.

Ms. Alley reported on **House Bill 2614**. This bill provides that it is unlawful for any practitioner to knowingly and in bad faith prescribe, dispense, administer, mix or otherwise prepare a drug, including any controlled substance under state or federal law, in a manner not in accordance with accepted medical standards in the course of the practitioner's professional practice. Any person who violates this law is guilty of a felony and, in addition to a minimum fine imposed of \$250,000, shall be imprisoned in a state correctional facility for not less than five nor more than ten years. The bill is single referenced to House Prevention and Treatment of Substance Abuse Committee, and there has been no movement since introduction.

Ms. Alley reported that **House Bill 4172**, establishing a crisis line and mobile application of the public to combat the crisis in this state posed by substance abuse, has been introduced. The bill would establish a program under the West Virginia Department of Health and Human Resources to ensure that trained health care professionals accessed through a crisis line or app are available to assist the public in areas or substance abuse, substance addiction, suicide prevention, mental health counseling or crisis intervention while maintaining confidentiality of the person utilizing the resource. Board staff will continue to monitor this bill.

Ms. Alley reported that **House Bill 4181** would permit unused, unexpired, nonnarcotic drugs, previously owned by nursing home patients or residents who subsequently have died, to be donated to free health care clinics throughout the state; provided, that the family of the deceased nursing home patient or resident gives consent for the donation of these drugs. Board staff will continue to monitor this bill.

Ms. Alley reported that **House Bill 4215**, involuntary hospitalization of persons administered opioid antagonists, has been introduced. This bill provides that any person who is administered an opioid antagonist by an initial responder is subject to the involuntary hospital provision of W.Va. Code §27-5-3. The bill also provides that administration of an opioid antagonist shall constitute a waiver of the requirements for a probable cause hearing under W.Va. Code §27-5-1 *et seq.*

Ms. Alley reported on **House Bill 4014**, reorganization of the West Virginia Department of Health and Human Resources. This bill provides that the Board of Medicine, as well as other chapter 30 boards, would remain autonomous entities, but may be subject to administrative oversight of the Department of Health and Compliance for purposes of consistency of service delivery. This bill was on the House Health and Human Resources Committee agenda for today, January 25, 2018, but was pulled off. The Committee previously voted not support this bill, and took no action to modify its position.

Ms. Alley reported that **Senate Bill 269** and **House Bill 4154**, 2018 Regulatory Reform Act, have been introduced. These bills would permit a person to apply to the West Virginia Development Office and request that a project be classified as a project of critical economic concern. If a project is designated a critical economic concern, within two months of the submission of a complete license or permit application, the state agency shall render a written report on the status of the application. The Board of Medicine generally already meets the two-month guideline. Board staff will continue to monitor this bill.

Ms. Alley reported on **Senate Bill 313** would require licensing authorities to waive all occupational fees and fees from licensing requirements for low-income individuals, military families and young workers. The bill also provides that the licensing authority shall process the application within 30 days of receiving it from the applicant. Dr. Challa moved that the Committee support the concept of waiving the licensure fees for military and indigent applicants,

but not support the remainder of the bill due to technical concerns. Dr. Upton seconded, and the motion carried.

Ms. Alley reported that the following bills have been introduced, but there has no movement since introduction:

**House Bill 2011** – prohibiting state agencies and departments from acting outside their statutory scopes of authority;

**House Bill 2216** – making individuals responsible for the costs related to the filing of excess false complaints;

**House Bill 2521** – Advance Practice Registered Nurse Compact; and

**House Bill 2823** – establishing a statewide call-in center to receive assistance with healthcare

Board staff will continue to monitor these bills.

Ms. Alley reported that **House Bill 2921**, establishing a website clearinghouse for sharing information about potential sources of revenue, financial, technical and legal assistance for government agencies, has been introduced. This bill would require each agency of state government to periodically provide the Secretary of Commerce with basic information about the programs, agencies, organizations and businesses with which the agency works or has worked with that offer or provide revenue, financial, technical and legal assistance for agencies of state and local government. Board staff will continue to monitor this bill.

Ms. Alley reported on **Senate Bill 318**, requiring influenza immunizations for health care workers. This bill would require a health care worker working in a health care facility to receive an annual influenza immunization between September 1<sup>st</sup> and October 1<sup>st</sup> of every year. If a health care worker does not receive the influenza immunization during the requisite time frame, he or she shall be suspended from his or her employment until he or she has received the

required immunization. The bills also provides that a health care worker will not be suspended from employment if he or she provides a certificate from a personal physician indicating that the vaccination is contraindicated. Dr. Upton moved that the Committee oppose this bill due to technical concerns regarding the time frame. Dr. Challa seconded, and the motion carried.

Ms. Alley reported that **Senate Bill 330** and **House Bill 2945**, relating to exemptions from mandated immunizations have been introduced. These bills would allow for religious and parental personal / conscientious objections exemptions from vaccinations. Board staff will continue to monitor these bills.

Ms. Alley reported that **House Bill 4260**, prescriptive authority for psychologists, has been introduced. This bill would allow prescriptive authority for Ph.D level psychologists who meet certain criteria and who are in a collaborative agreement with a physician. Delegated prescriptive authority would only including medications for the treatment of mental health disease or mental illness that the collaborating physician treats and would exclude:

1. patients under 17 years old and older than 65;
2. patients who are pregnant;
3. patients with serious medical conditions or developmental or intellectual disabilities;
4. schedule II controlled substances;
5. controlled substances delivered by injection;
6. prescription narcotic drugs; and
7. benzodiazepine and buprenorphine.

The prescribing certificate would be issued by the Board of Medicine. Reverend Bowyer moved that the Committee not support House Bill 4260, granting prescriptive authority for Ph.D. psychologists. Dr. Challa seconded, and the motion carried.

Dr. Faheem left the teleconference at this time.



Ms. Alley reported that the following bills related to immunizations or other practice issues have been introduced:

**Senate Bill 337** – permitting parents of newborns to decline administration of specific required medication at birth;

**Senate Bill 25** – Prohibiting doctors and lawyers from filing fraudulent disability claims;

**House Bill 2165** – relating to out of state physicians and surgeons traveling with sports teams within this state;

**House Bill 2327** – protecting consumers from surprise bills by health care providers; and

**House Bill 2423** – relating to the criminal offense of therapeutic deception.

Board staff will continue to monitor these bills and will keep the Committee apprised.

Ms. Alley reported that **House Bill 4035**, creating a legislative coalition to study and report to the Legislature on palliative care, has been introduced. This bill would create an Advisory Commission on the Quality of Life. The Commission would provide guidance to the Legislature on potential statutory solutions relative to regulation of palliative care, end of life care and hospice. Board staff will continue to monitor this bill.

Ms. Alley reported on **House Bill 4175**, preventing requirement that an advanced practice registered nurse or physician assistant participate in a collaborative relationship to obtain payment. This bill, as originally introduced, provided that “an insurance company, managed care organization or the Public Employees Insurance Agency may not require a physician assistance or advanced practice registered nurse to participate in a collaborative agreement in order to obtain payment for his or her services.” The bill was amended in House Banking and Insurance Committee. The amendment removed physician assistants from the bill and provides that “an insurance company or managed care organization may not require an advanced practice registered nurse to participate in a collaborative agreement in order to obtain payment for his or her services.”

Ms. Alley reported that **House Bill 4199** would permit a nursing home to use trained individuals to administer medication under the direction of a registered professional nurse. Board staff will continue to monitor this bill.

Ms. Alley reported on **House Bill 4217**, permitting an attending physician to obtain a patient's autopsy report. This bill, as originally introduced, added the attending physician to the list of individuals who may obtain autopsy report records. The bill was amended in House Health and Human Resources Committee. The amendment provides that "The Chief Medical Examiner is authorized to release a copy of the autopsy and toxicology reports upon the request of a treating physician whose patient has died for purposes of review and medical record completion." Board staff will continue to monitor this bill.

Ms. Alley reported on **House Bill 4218**, relating to medical professional liability. This bill sets out requirements for an expert who signs a certificate of merit. As originally introduced, the signer of a certificate of merit would need to:

1. be licensed to practice medicine as of the date of the affidavit;
2. in the twelve months immediately preceding the alleged negligent act has been engaged in the treatment of patients and/or in the teaching/academic side of medicine in the same field of medicine as the defendant or defendants; and
3. be board certified in the same field of medicine if the defendant or defendants is board-certified. The board certification requirement shall not apply to an expert that began the practice of medicine prior to the existence of board certification in the applicable specialty.

The bill was amended in House Health and Human Resources Committee yesterday, January 24, 2018. The amendment strikes numbers one and two above, and inserts a new subdivision (1), which reads:

"(1) In the twelve months immediately preceding the alleged negligent act has been engaged in the treatment of patients in accordance with §55-7B-7; and"

Board staff will continue to monitor this bill and keep the Committee apprised.

Mr. Wessels reported on **House Bill 4239**, relating to regulating prior authorizations. This bill would establish universal forms and deadlines when a prior authorization is submitted electronically. Board staff will continue to monitor this bill.

Ms. Alley reported on **House Bill 4012** and **House Bill 4246**, relating to abortions. House Bill 4012 passed House Health and Human Resources Committee today. This bill would amend the definition of medical services to exclude abortion. House Bill 4246 requires abortions to be performed by a physician. There has been no movement with regard to this bill since introduction.

Ms. Alley reported that **House Bill 4247**, relating to life-sustaining treatment policies of health care facilities, known as “Simon’s Law”, has been introduced. This bill would prohibit health care facilities and others from withholding life-sustaining procedures from a minor patient without the written consent of a parent or legal guardian. There has been no movement with regard to this bill since introduction.

Ms. Alley reported on **House Bill 4253**, Responders Protection Act. This bill would authorize supervising entities to permit ambulance crew members, firefighters, rescue squad members and emergency service personnel to carry firearms. Additionally, the bill specifies the training required for them to be eligible to carry a firearm and allows them to be reimbursed for the cost of the training.

Ms. Alley reported that **Senate Bill 288**, regulating cremation, embalming and directing of funeral services, would transfer the functions of the West Virginia Board of Funeral Service Examiners to the West Virginia Secretary of State’s Office. The Board of Funeral Service Examiners would be dissolved.

Ms. Alley reported that **House Bill 4304**, creating the Board of Nursing, would terminate the West Virginia Board of Licensed Professional Nurses and the West Virginia Board of Examiners for Registered Professional Nurses, and create a new West Virginia Board of Nursing. This bill also sets out the scope of practice for licensed professional nurses, registered professional nurses and advanced practice registered nurses. Board staff will continue to monitor this bill.

Ms. Alley reported that Mr. Spangler had previously requested an increase in the Board's spending authority. In the near future, Mr. Spangler will meet with Delegate Eric Nelson, Jr., Chair of the House Finance Committee, to discuss the Board's spending authority.

Dr. Challa briefly left the teleconference at this time due to connectivity issues. During his absence the remaining Committee members received reports from staff, however, no action was taken.

Mr. Wessels reported that there have been four bills introduced during the 2018 legislative session related to medical cannabis. None of the medical cannabis bills have moved since introduction. Board staff will continue to monitor these bills.

Ms. Alley reported that Senator Ryan Ferns has introduced a bill to mandate County Commission approval of county health department policies.

Mr. Alley reported that **Senate Bill 103**, establishing tax credits for certain physician who locate in West Virginia to practice, has been introduced. This bill would establish a tax credit for physicians who are new graduates and locate in West Virginia to practice medicine for at least six years. The bill passed Senate Health and Human Resources Committee today, January 25, 2018, and now moves to Senate Finance Committee. Board staff will continue to monitor this bill.

Dr. Challa rejoined the teleconference at this time.

Ms. Alley reported that **House Bill 2497**, prohibiting state licensing boards from hiring lobbyists, has been introduced. A companion bill, **Senate Bill 400**, is scheduled to be introduced tomorrow, January 26, 2017.

ADJOURNMENT

There being no further business to consider, Reverend Bowyer moved that the meeting be adjourned. Dr. Upton seconded, and the motion carried.



K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**February 8, 2018 at 5:00 pm**

**CALL TO ORDER**

**Agenda Items:**

- **Update on Board of Medicine Bills**
  - **SB 197 and HB 4069** – 11 CSR 1B – Licensure, disciplinary and complaint procedures, continuing education, physician assistants
  - **SB 198 and HB 4070** – 11 CSR 6 – Continuing education for physicians and podiatric physicians
  - **HB 4027** – Creating an educational permit for allopathic physician residents
  - Burden of proof
  - Authorization for investigators to carry firearms
  
- **Bills related to responding to the opioid crisis and other matters related to controlled substances**
  - **SB 273 and HB 4263**– Reducing use of opiates (Opioid Reduction Act)
  - **HB 4336** – Updating the schedule of controlled substances
  
- **Board regulation / government structure**
  - **HB 4413** - Permitting a Physician Assistant to Practice independent of a collaborating physician
  - **HB 4175** – Preventing requirement that an APRN participate in a collaborative relationship to obtain payment
  - **HB 4014** – Reorganization of DHHR
  - **SB 313** – Waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers
  - **HB 4260** – Prescriptive authority for psychologists
  - **SB 400 and HB 4297** – Prohibiting state licensing boards from hiring lobbyists
  - **SB 434** – Specifying documents not subject to discovery in certain proceedings
  - **SB 448** – Relating generally to professional associations
  - **SB 449** – Using criminal conviction records to disqualify a person from license or authorization to practice occupation
  - **HB 4301** – Requiring all state agencies to develop a plan to evaluate a transition to cloud based data storage
  - **HB 4323** – relating to non-renewal of any certificate, license, registration, to any person who is delinquent in the payment of state or local taxes
  - **HB 4334** – Requiring certain boards that seek to increase a fee or seek to impose a new fee to also submit cost saving measures
  - **HB 4360** – Relating to boards of examination
  
- **Bills related to immunization or other practice issues**
  - **SB 318** – Requiring influenza immunizations for health care workers

- **HB 4199** – Permitting a nursing home to use trained individuals to administer medication
  - **HB 4217** – Permitting an attending physician to obtain a patient’s autopsy report
  - **SB 436** – Creating nondiscrimination in Involuntary Denial of Treatment Act
  - **SB 442 and HB 4239** – Establishing universal forms and deadlines when submitting prior authorizations electronically
- **Other legislative topics of interest**
    - Physician Advertising
    - Pursuit of legislative language to ensure physicians with temporary licenses may be reimbursed for billing
    - Professional Board structure, consolidation and termination
    - Special revenue bills and appropriations
    - Medical cannabis
    - County commissions
    - Physician tax credit
- **New bills introduced after February 5, 2018**
- **Update on bills being monitored by the Board**
    - **SB 129** – Limiting time prescriptions may be issued for certain controlled substances
    - **SB 149** – Establishing safeguards for treatment of acute pain and opioid medications
    - **SB 273 and HB 4263**– Reducing use of opiates
    - **SB 329** – Relating to prescribing opioids
    - **HB 4003** – Reducing the use of certain prescription drugs
    - **SB 272 and HB 4227** – Relating generally to drug control
    - **HB 2614** – (carryover) Prohibiting health care professionals from knowingly and in bad faith prescribing or administering drugs
    - **HB 4172** – Establishing a crisis line and mobile application for the public to combat the crisis in this state posed by substance abuse
    - **HB 4181** – Permitting unused, unexpired nonnarcotic drugs to be distributed to free health care clinics
    - **HB 4215** – Involuntary hospitalization of persons administered opioid antagonists
    - **SB 269 and HB 4154** - 2018 Regulatory Reform Act
    - **HB 2011** – Prohibiting state agencies and departments from acting outside their statutory scopes of authority
    - **HB 2216** – (carryover) Making individuals responsible for the costs related to the filing of excessive false complaints
    - **HB 2521** – (carryover) APRN compact
    - **HB 2823** – (carryover) Establishing a statewide call-in center to receive assistance with healthcare
    - **HB 2921** – Establishing a website clearinghouse for sharing information about potential sources of revenue, financial technical and legal assistance for governmental agencies

- **SB 330 and HB 2945** – Relating to exemptions form mandated immunizations
- **SB 337** – Permitting parents of newborns to decline administration of specific required mediations at birth
- **SB 25** – Prohibiting doctors and lawyers from filing fraudulent disability claims
- **HB 2165** – (carryover) Relating to out of state physicians and surgeons traveling with sports teams within this state
- **HB 2327** – (carryover) Protecting consumers from surprise bills by health care providers
- **HB 2423** – (carryover) Relating to criminal offense of therapeutic deception
- **HB 4035** – Creating a legislative coalition to study and report to the Legislature on palliative care
- **HB 4218** – Relating to medical professional liability
- **HB 4239** – Relating to regulating prior authorizations
- **HB 4012 and HB 4246** – Relating to abortions
- **HB 4247** – Relating to life-sustaining treatment policies of health care facilities “Simon’s Law”
- **HB 4253** – Responders Protection Act



**WEST VIRGINIA BOARD OF MEDICINE**

**Legislative Committee Minutes**

**February 8, 2018**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 8<sup>th</sup> day of February 2018, at 5:00 p.m.

The following Committee member was present:

Victoria Mullins, P.A.-C.

The following Committee members attended via teleconference:

K. Dean Wright, P.A.-C., Chair  
Reverend O. Richard Bowyer  
Timothy Donatelli, D.P.M.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A  
Matthew Upton, M.D.

The following Committee member was absent:

Kishore K. Challa, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order.

CALL TO  
ORDER

Mr. Spangler provided an update with regard to the following Board of Medicine proposed legislative rule bills: (1) **Senate Bill 197** and **House Bill 4069**, relating to licensure, disciplinary and complaint procedures, continuing education physician assistants; and (2) **Senate Bill 198** and **House Bill 4070**, relating to continuing education for physicians and podiatric

physicians. There has been no activity with regard to the Senate bills since introduction. The House bills have passed House Health and Human Resources Committee and House Judiciary Committee, and have been incorporated into **House Bill 4079**, promulgating administrative rules by various executive or administrative agencies of the state.

Mr. Spangler reported that **House Bill 4027**, creating an education permit for allopathic physicians, was amended in House Education Committee. The strike and insert amendment is consistent with the language that the Legislative Committee voted to support at the January 25, 2018 meeting. The bill passed House Health and Human Resources Committee, as amended, this afternoon, February 8, 2018.

Ms. Mullins joined the meeting at this time.

Mr. Spangler reported that a bill is scheduled to be introduced in House Judiciary Committee tomorrow, February 9, 2018, which would permit at least one Board of Medicine investigator to carry a firearm after receiving appropriate training. The West Virginia Board of Pharmacy has requested that their investigator(s) be included in the bill.

Mr. Foster reported on **Senate Bill 273** and **House Bill 4263**, reducing use of opiates (Opioid Reduction Act). Board staff have spoken with Senator Takubo, Senator Stollings, and legislative legal staff, regarding concerns with this bill. The bill passed Senate Health and Human Resources Committee, and now moves to Senate Judiciary Committee.

Ms. Alley reported that **House Bill 4336**, updating the schedule of controlled substances, has passed House Prevention and Treatment of Substance Abuse Committee with an amendment which adds Gabapentin and Pregabalin to the list of Schedule V controlled substances. Additionally, Tramadol has been moved from a Schedule IV to a Schedule V controlled substance. The bill now moves to House Judiciary Committee. Board staff will continue to monitor this bill.

Mr. Spangler reported that **House Bill 4413**, permitting a physician assistant to practice independent of a collaborating physician, was introduced on Friday, February 2, 2018. This bill provides that the board shall authorize a physician assistant to practice independent of a collaborating physician and a practice agreement if the physician assistant has satisfied the following prerequisites:

1. has practiced for at least three years under supervision under a duly-documented practice agreement relationship with a collaborating physician;
2. is licensed in good standing with the board; and
3. has submitted a completed application on forms developed by the board and paid an application fee established by the board in legislative rule.

The bill further provides that, “the board may require a physician assistant to practice under a practice agreement and supervision of a collaborating physician if the board determines, by order arising out of the board’s complaint process, that a supervising relationship is necessary for the rehabilitation of a licensee or for protection of the public.” Following discussion, Dr. Faheem moved that that Board not support House Bill 4413. Reverend Bowyer seconded, and the motion carried.

Dr. Upton left the teleconference at this time.

Mr. Spangler reported that **House Bill 4175**, preventing insurance carriers from requiring that an advanced practice registered nurse participate in a collaborative relationship to obtain payment, has passed the House, and now moves to the Senate. As introduced, the bill provided that “An insurance company or managed care organization may not require a physician assistance or advanced practice registered nurse to participate in a collaborative agreement in order to obtain payment for his or her services.” The bill was amended in House Banking and Insurance Committee to remove physician assistants from the bill. This bill now moves to the Senate.

Mr. Spangler reported that **House Bill 4014**, reorganization of the Department of Health and Human Resources, was amended by the House Health and Human Resources Committee yesterday, February 7, 2017. The amendment:

1. establishes an Independent Office of Inspector General;
2. places the Office of Health Facility Licensure and Certification under the Office of Inspector General;
3. creates a Department of Healthcare Facilities; and
4. reorganizes units of government.

Chapter 30 Boards, including the Board of Medicine, are no longer included in this bill.

Mr. Spangler reported that there has been no activity with regard to **Senate Bill 313**, waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers, since introduction.

Mr. Spangler reported that **House Bill 4260** would allow prescriptive authority for Ph.D. level psychologists who meet certain criteria and who are in a collaborative agreement with a physician. At the January 25, 2018, Legislative Committee meeting, the Committee voted to oppose this bill. There has been no activity with regard to this bill since introduction.

Mr. Spangler reported that **Senate Bill 502**, Creating Patient Safety Evidence-Based Prescribing Act, was introduced yesterday, February 7, 2018. This bill creates the term “medical psychologist” which is defined as “a health service provider who has received from the board, pursuant to this article, a valid certificate granting prescriptive authority, and the certificate has not been revoked or suspended. The title “medical psychologist” shall not be restricted only to those psychologists who have been certified by the board to prescribe psychotropic medications and may be used by other licensed psychologists who demonstrate training and experience in the specialty.” The bill gives the West Virginia Board of Psychology authority to administer a certification process to grant psychologists prescriptive authority. The only prescribing limitation

is a prohibition on narcotics. Reverend Bowyer moved that the Board oppose House Bill 502. Dr. Faheem seconded, and the motion carried.

Mr. Spangler reported that **Senate Bill 400**, prohibiting state licensing boards from hiring lobbyist, passed the Senate on February 5, 2018, and now moves to the House. Board staff will continue to monitor this bill.

Ms. Alley reported on **Senate Bill 434**, specifying documents not subject to discovery in certain proceedings. This bill provides that “Any document prepared by or on behalf of a health care provider for the purpose of improving the quality, delivery or efficiency of health care or for the purpose of credentialing or reviewing health care providers is confidential and shall not be subject to discovery in a civil action or administrative proceeding. Such documents include:

- (1) Applications for employment, privileges, or credentials;
- (2) Incident reports;
- (3) Documents related to proceedings for hiring, disciplining, terminating, credentialing, issuing staff privileges, renewing staff privileges or alleged misconduct of a health care provider;
- (4) Review organizations’ documents;
- (5) Quality control documents;
- (6) Documents satisfying regulatory obligations related to quality assurance and performance improvement; and
- (7) Reviews, audits and recommendations of consultants or other persons or entities engaged in the performance of peer review.”

Following discussion, Reverend Bowyer moved that the Board seek an amendment which would provide an exception that authorizes chapter 30 licensing boards to receive such documents for use in administrative proceedings. Dr. Faheem seconded, and the motion carried.

Ms. Alley reported on **Senate Bill 448**, relating generally to professional associations. This bill excludes “legal, medical, podiatry or other lawfully organized professional

corporations” but then appears to regulate them. Board staff will continue to monitor this bill and will report back to the Committee at a later date.

Mr. Foster reported that **Senate Bill 449**, using criminal conviction records to disqualify a person from license or authorization to practice an occupation, has been introduced. This bill provides that licensing authorities must be specific about the types of convictions that would disqualify a person from receiving or keeping a license to practice, and state agencies must update their rules to follow the requirements of the act. Dr. Faheem moved that the Board oppose Senate Bill 449. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported that **House Bill 4301**, requiring all state agencies to develop a plan to evaluate a transition to cloud based data storage, has been introduced. This bill would require that a comprehensive written plan to evaluate transition to cloud-based data storage be submitted to the Joint Commission on Government and Finance by January 1, 2019. Board staff will continue to monitor this bill.

Mr. Spangler reported on **HB 4323**, relating to non-renewal of any certificate, license, or registration to any person who is delinquent in the payment of state or local taxes. This bill would prohibit the board from granting or renewing a certificate, license, registration or authority to a person who is delinquent in the payment of state or local taxes, fees, or other money due to the state or its subdivisions. The bill has passed House Government Organization Committee, and now moves to House Judiciary Committee.

Mr. Spangler reported that **House Bill 4334** would require certain boards that seek to increase a fee or seek to impose a new fee to also submit cost saving measures. Board staff will continue to monitor this bill.

Mr. Spangler reported that **House Bill 4360** would require boards of examination to maintain a free public access online site to view its books and registers. There has been no activity with regard to this bill since introduction.

Mr. Spangler provided an update with regard to **Senate Bill 318**, requiring influenza immunizations for health care workers. The West Virginia Department of Health and Human Resources Committee has submitted a fiscal note with regard to this bill in the amount of \$380,000. Board staff will continue to monitor this bill.

Mr. Spangler reported that **House Bill 4199**, permitting a nursing home to use trained individuals to administer medication, has passed the House, and now moves to Senate Health and Human Resources Committee.

Mr. Spangler reported that there has been no activity with regard to **House Bill 4217**, permitting an attending physician to obtain a patient's autopsy report, since the January 25, 2018 Legislative Committee meeting. Board staff will continue to monitor this bill.

Ms. Alley reported that **Senate Bill 436**, Creating Nondiscrimination in Involuntary Denial of Treatment Act, requires the provision of medical treatment under certain circumstances; requires the disclosure of policies related to the life-preserving treatment a patient may receive or be denied; and requires the Department of Health and Human Resources to maintain and report on certain information. There has been no activity with regard to this bill since introduction.

Mr. Spangler reported that there has been no activity with regard to **Senate Bill 442** and **House Bill 4239**, establishing universal forms and deadlines when submitting prior authorizations electronically, since introduction.

Mr. Spangler reported that it is possible that legislation may be introduced during the 2018 legislative session related to physician advertising. Currently, the Board of Medicine prohibits the use of patient testimonials in physician advertising. Board staff will continue to monitor legislation introduced and will report legislation regarding physician advertising to the Committee, if such legislation is introduced.

Mr. Spangler reported that on February 1, 2018, he and Ms. Alley met with Lauren Becker, D.O., of Charleston Area Medical Center, as well as representatives from Marshall University School of Medicine regarding pursuit of legislative language to ensure physicians with temporary licenses may be reimbursed for billing. Board staff are currently waiting to hear back from these individuals.

Mr. Spangler reported that Board staff continue to monitor **House Bill 4304**, creating the Board of Nursing, and **Senate Bill 288**, regulating cremation, embalming and directing of funeral services.

Mr. Spangler reported that to date, no special revenue bills or appropriations have been introduced which would affect the Board of Medicine. It is possible that legislation will be introduced during the 2018 legislative session which would extend collection of the Patient Injury Compensation Fund assessment fee through 2021-2022.

Mr. Wessels reported that there have been several bills introduced related to medical cannabis; however, there has been no activity with regard to any of the medical cannabis bills since introduction.

Mr. Spangler reported that **Senate Bill 499**, requiring one year of certain approved postgraduate clinical training for graduates of international medical schools, has been introduced. Following discussion, Reverend Bowyer moved that the Board seek support an amendment to



the bill to require two years of postgraduate clinical training for persons graduates of international medical schools. Ms. Mullins seconded, and the motion carried.

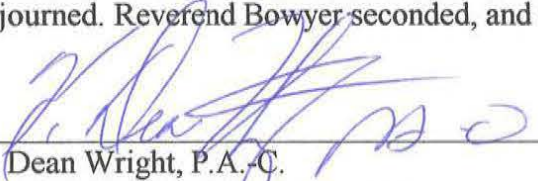
Mr. Spangler reported that **House Bill 4465**, authorizing the acupuncture board to issue certificates to perform auricular acudetox therapy, has been introduced. This bill allows a broad class of licensees to be certificate holders to perform auricular acudetox therapy under the Board of Acupuncture. Additionally, the Board of Acupuncture would have disciplinary authority. Board staff will continue to monitor this bill.

Mr. Spangler reported that Board staff continue to monitor the following bills:  
**Senate Bill 505**, requiring contact information of state official or employee mobile phone furnished by employer to be listed on a directory or website;  
**House Bill 4435**, Youth Mental Health Protection Act; and  
**House Bill 4473**, relating to use of state funds for advertising to promote a public official or government office.

Ms. Alley reported that Board staff continue to monitor several bills, including but not limited to:  
**Senate Bill 272** and **House Bill 4227**, relating generally to drug control;  
**Senate Bill 269** and **House Bill 4154**, 2018 Regulatory Reform Act;  
**House Bill 4035**, creating a legislative coalition to study and report to the Legislature on palliative care; and  
**House Bill 4218**, relating to medical professional liability.

ADJOURNMENT

There being no further business to consider, Dr. Faheem moved that the meeting be adjourned. Reverend Bowyer seconded, and the motion carried.

  
K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**February 22, 2018 at 5:00 pm**

**CALL TO ORDER**

**Agenda Items:**

- **Update on Board of Medicine Bills**
  - Board legislative rules 11 CSR 1B and 11 CSR 6
  - **HB 4027** – Creating an educational permit for allopathic physician residents
  - **HB 4600** – Providing an exception to the prohibitions of persons between the age of 18 and 21 of carrying concealed handguns (authorization for investigators to carry firearms)
  
- **Bills related to responding to the opioid crisis and other matters related to controlled substances**
  - **SB 273**– Reducing use of opiates (Opioid Reduction Act)
  - Other bills of note
  
- **Board regulation / government structure**
  - **HB 4413** - Permitting a Physician Assistant to Practice independent of a collaborating physician
  - **SB 502 and HB 4260** – Prescriptive authority for psychologists
  - **HB 4534** – Relating to the executive secretary of the Health Professional Licensing Boards
  - **HB 4609** – Relating to advertising by physicians and podiatrists
  - **SB 434** – Specifying documents not subject to discovery in certain proceedings
  - **SB 448** – Relating generally to professional associations
  - **SB 449 and HB 4461** – Using criminal conviction records to disqualify a person from license or authorization to practice occupation
  - **SB 499** – Requiring one year of certain approved postgraduate clinical training for persons with foreign medical degrees
  - **SB 313** – Waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers
  - **HB 4481** – Relating to mandatory inter-board reporting by licensees or registrants of the boards of medicine, osteopathic medicine and nursing
  - **HB 4497** – Exempting spouses of active military personnel from fees associated with occupational or professional licensing.
  
- **Bills related to immunization or other practice issues**
  - **SB 318 and HB 4581** – Requiring influenza immunizations for health care workers
  
- **Other legislative topics of interest**
  - Telemedicine / PEIA Pilot Project
  - Professional Board structure, consolidation and termination

- Medical cannabis
- Physician tax credit
- Patient Injury Compensation Fund (PICF) assessment fee
- **Update on bills being monitored by the Board – See attachment A**
- **Bills introduced or originating after February 19, 2018**

## **ADJOURNMENT**

Attachment A



Personalized Bill Tracking List

2018 - 2018 Regular Session					
Bill	Title	SA(Same As)/ SI(Similar To)	Last Action	Committee Reference	Notes
SB 1 <u>(None)</u>	Relating to partial filling of prescriptions		01/10/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
SB 2 <u>(None)</u>	Reducing use of opiates		01/10/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
SB 3 <u>(None)</u>	Relating to venue for certain claims against state		01/10/18 - To Senate Judiciary	Senate Reference 1 - Judiciary	
SB 25 <u>(None)</u>	Prohibiting doctors and lawyers from filing fraudulent disability claims		01/10/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
SB 46 <u>(None)</u>	Permitting pharmacists to inform customers of lower-cost alternative drugs		02/14/18 - To House Judiciary	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary Senate Reference 1 - Health and Human Resources	
SB 57 <u>(None)</u>	Relating to third-party litigation financing		02/14/18 - To House Government Organization	House Reference 1 - Government Organization House Reference 2 - Judiciary Senate Reference 1 - Judiciary Senate Reference 2 - Finance	
SB 65 <u>(None)</u>	Accessing controlled substance monitoring information		01/10/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
SB 103 <u>(None)</u>	Establishing tax credits for certain physicians who locate in WV to practice		01/26/18 - To Senate Finance	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Finance	
SB 129 <u>(None)</u>	Limiting time prescriptions may be issued for certain controlled substances		01/10/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
SB 149 <u>(None)</u>	Establishing safeguards for treatment of acute pain and opioid medications		01/10/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources	

SB 151 (None)	Creating Appropriation Supremacy Act of 2018		02/06/18 - To Senate Finance	Senate Reference 1 - Judiciary Senate Reference 2 - Finance	
SB 152 (None)	Budget Bill		01/10/18 - To Senate Finance	Senate Reference 1 - Finance	
SB 197 (None)	Board of Medicine rule relating to licensure, disciplinary and complaint procedures, continuing education, physician assistants	SI HB4069	01/11/18 - To Senate Judiciary	Senate Reference 1 - Judiciary	
SB 198 (None)	Board of Medicine rule relating to continuing education for physicians and podiatric physicians	SI HB4070	01/11/18 - To Senate Judiciary	Senate Reference 1 - Judiciary	
SB 269 (None)	Establishing 2018 Regulatory Reform Act	SI HB4154	01/12/18 - To Senate Government Organization	Senate Reference 1 - Government Organization Senate Reference 2 - Judiciary	
SB 272 (None)	Relating generally to drug control	SI HB4227	02/13/18 - To House Prevention and Treatment of Substance Abuse	House Reference 1 - Select Committee on Prevention and Treatment of Substance Abuse House Reference 2 - Finance Senate Reference 1 - Health and Human Resources Senate Reference 2 - Finance	
SB 273 (None)	Reducing use of certain prescription drugs	SI HB4263	02/19/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
SB 281 (None)	Relating to state's spending units	SI HB4200	01/15/18 - To Senate Government Organization	Senate Reference 1 - Government Organization	
SB 288 (None)	Regulating cremation, embalming and directing of funeral service	SI HB4167	02/15/18 - To House Government Organization	House Reference 1 - Government Organization House Reference 2 - Finance Senate Reference 1 - Government Organization	
SB 313 (None)	Waiving occupational fees and licensing requirements for certain low-income individuals, military families, and young workers		01/18/18 - To Senate Government Organization	Senate Reference 1 - Government Organization Senate Reference 2 - Finance	
SB 318 (None)	Requiring influenza immunizations for health care workers	SI HB4581	01/18/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Finance	
SB 329 (None)	Relating to prescribing opioids		01/19/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
SB 330 (None)	Relating to exemptions from mandated immunizations		01/19/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources	

				Senate Reference 2 - Judiciary	
SB 337 <u>(None)</u>	Permitting parents of newborns to decline administration of specific required medication at birth		01/22/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
SB 400 <u>(None)</u>	Prohibiting state licensing boards from hiring lobbyists	SI HB4297	02/06/18 - To House Government Organization	House Reference 1 - Government Organization House Reference 2 - Judiciary Senate Reference 1 - Government Organization	
SB 434 <u>(None)</u>	Specifying documents not subject to discovery in certain proceedings		01/31/18 - To Senate Judiciary	Senate Reference 1 - Judiciary	
SB 436 <u>(None)</u>	Creating Nondiscrimination in Involuntary Denial of Treatment Act	SI HB4467	01/31/18 - To Senate Judiciary	Senate Reference 1 - Judiciary Senate Reference 2 - Finance	
SB 442 <u>(None)</u>	Establishing universal forms and deadlines when submitting prior authorization electronically	SI HB4239	01/31/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Finance	
SB 448 <u>(None)</u>	Relating generally to professional associations		02/01/18 - To Senate Government Organization	Senate Reference 1 - Government Organization	
SB 449 <u>(None)</u>	Using criminal conviction records to disqualify person from license or authorization to practice occupation	SI HB4461	02/01/18 - To Senate Government Organization	Senate Reference 1 - Government Organization Senate Reference 2 - Judiciary	
SB 465 <u>(None)</u>	Relating to mandated reporting of child abuse and neglect	SI HB4589	02/14/18 - To Senate Judiciary	Senate Reference 1 - Education Senate Reference 2 - Judiciary	
SB 468 <u>(None)</u>	Changing date and recipients for submission of Auditor's annual report		02/13/18 - To House Government Organization	House Reference 1 - Government Organization Senate Reference 1 - Government Organization	
SB 469 <u>(None)</u>	Converting Addiction Treatment Pilot Program to permanent program		02/15/18 - To House Prevention and Treatment of Substance Abuse	House Reference 1 - Select Committee on Prevention and Treatment of Substance Abuse House Reference 2 - Health and Human Resources Senate Reference 1 - Health and Human Resources	
SB 487 <u>(None)</u>	Relating to WV Medical Cannabis Act		02/06/18 - To Senate Senator Plymale requests to be removed as sponsor of bill	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
SB 499 <u>(None)</u>	Requiring one year of certain approved postgraduate clinical training for persons with foreign medical degrees		02/07/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Government Organization	

SB 502 (None)	Creating Patient Safety Evidence-Based Prescribing Act	SI HB4260	02/07/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary
SB 505 (None)	Requiring contact information of state official or employee mobile phone furnished by employer be listed on directory or website		02/07/18 - To Senate Government Organization	Senate Reference 1 - Government Organization
SB 512 (None)	Authorizing certain WV courthouse security officers carry concealed weapons		02/20/18 - To Senate Effective from passage (Roll No. 160)	Senate Reference 1 - Judiciary
SB 517 (None)	Relating generally to drug overdoses and controlled substances monitoring		02/09/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary
SB 522 (None)	Relating generally to Administrative Procedures Act		02/20/18 - To Senate On 1st reading 1st Reading	Senate Reference 1 - Judiciary
SB 576 (None)	Relating to Patient Injury Compensation Fund		02/21/18 - To Senate On 1st reading 1st Reading	Senate Reference 1 - Judiciary Senate Reference 2 - Finance
SB 578 (None)	Relating to Youth Mental Health Protection Act	SI HB4435	02/16/18 - To Senate Health and Human Resources	Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary
HB 2011 (None)	Prohibiting state agencies and departments from acting outside their statutory scopes of authority		01/10/18 - To House Judiciary	House Reference 1 - Judiciary
HB 2028 (None)	Relating to the venue for suits and other actions against the state.		01/24/18 - To Senate Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary
HB 2030 (None)	Eliminating the requirement that proceedings against the State, a state agency or state officer be brought and prosecuted in the circuit court of Kanawha County		01/10/18 - To House Judiciary	House Reference 1 - Judiciary
HB 2165 (None)	Relating to out of state physicians and surgeons traveling with sports teams within this state		01/10/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary
HB 2192 (None)	Adding pharmacist and pharmacy to the definition of "health care provider" as used in the Medical Professional Liability Act		01/10/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary
HB 2216 (None)	Making individuals responsible for the costs relating to the filing of excessive false complaints		01/10/18 - To House Judiciary	House Reference 1 - Judiciary
HB 2327 (None)	Protecting consumers from surprise bills by health care providers		01/10/18 - To House Banking and Insurance	House Reference 1 - Banking and Insurance House Reference 2 - Health and Human Resources
HB 2423 (None)	Relating to the criminal offense of therapeutic deception		01/10/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary
HB 2521 (None)	Advanced Practice Registered Nurse Compact			House Reference 1 - Health and Human

			01/10/18 - To House Health and Human Resources	Resources	
HB 2614 (None)	Prohibiting health care practitioners from knowingly and in bad faith prescribing or administering drugs		01/10/18 - To House Prevention and Treatment of Substance Abuse	House Reference 1 - Select Committee on Prevention and Treatment of Substance Abuse House Reference 2 - Judiciary	
HB 2823 (None)	Establishing a statewide call-in center to receive assistance with healthcare		01/10/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Finance	
HB 2921 (None)	Establishing a website clearinghouse for sharing information about potential sources of revenue, financial, technical and legal assistance for government agencies		01/10/18 - To House Government Organization	House Reference 1 - Government Organization	
HB 2945 (None)	Relating to exemptions from mandated immunizations		01/10/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4003 (None)	Reducing the use of certain prescription drugs		01/12/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4005 (None)	Clarifying that appeals to the Supreme Court are a matter of right		01/19/18 - To Senate Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	
HB 4011 (None)	Requiring agencies, when submitting a new rule or changes, to also identify two existing rules that could be repealed		02/20/18 - To House On 2nd reading, Special Calendar 2nd Reading, Special Calendar	House Reference 1 - Government Organization	
HB 4012 (None)	Amending the definition of medical services, so as to exclude abortion	SI SB417	01/26/18 - To House Judiciary	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4014 (None)	Relating to reorganization of the West Virginia Department of Health and Human Resources		02/07/18 - To House Finance	House Reference 1 - Health and Human Resources House Reference 2 - Finance	
HB 4016 (None)	Relating to combatting waste, fraud, and misuse of public funds through investigations, accountability and transparency		02/06/18 - To House Finance	House Reference 1 - Judiciary House Reference 2 - Finance	
HB 4019 (None)	Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution		01/10/18 - To House Finance	House Reference 1 - Finance	
HB 4027 (None)	Creating an education permit for allopathic physician resident		02/15/18 - To Senate Health and Human Resources	House Reference 1 - Education House Reference 2 - Health and Human Resources Senate Reference 1 - Health and Human Resources	
HB 4035 (None)	Creating a legislative coalition to study and report to the Legislature on palliative care		01/29/18 - To Senate Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 -	



				Judiciary Senate Reference 1 - Health and Human Resources Senate Reference 2 - Judiciary	
HB 4038 <u>(None)</u>	Requiring training conducted on behalf of a state agency to be provided in state-owned facilities		01/17/18 - To House Finance	House Reference 1 - Government Organization House Reference 2 - Finance	
HB 4068 <u>(None)</u>	Board of Osteopathic Medicine, rule relating to osteopathic physician assistants	SI SB200	02/16/18 - To House Reported in Com. Sub. for H. B. 4079	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4069 <u>(None)</u>	Board of Medicine, rule relating to licensure, disciplinary and complaint procedures, continuing education, physician assistants	SI SB197	02/16/18 - To House Reported in Com. Sub. for H. B. 4079	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4070 <u>(None)</u>	Board of Medicine, rule relating to continuing education for physicians and podiatric physicians	SI SB198	02/16/18 - To House Reported in Com. Sub. for H. B. 4079	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4147 <u>(None)</u>	Authorizing the earlier issuance of identification cards to approved medical marijuana consumers and caregivers		01/16/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4148 <u>(None)</u>	Allowing medical marijuana to be grown outdoors by licensed growers		01/16/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4149 <u>(None)</u>	Authorizing possession and smoking of medical cannabis by approved persons		01/16/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4154 <u>(None)</u>	Establishing the 2018 Regulatory Reform Act	SI SB269	02/20/18 - To House On 2nd reading, Calendar 2nd Reading	House Reference 1 - Government Organization House Reference 2 - Judiciary	
HB 4167 <u>(None)</u>	Relating to regulation of cremation, embalming, and funeral service directing	SI SB288	01/17/18 - To House Government Organization	House Reference 1 - Government Organization House Reference 2 - Finance	
HB 4172 <u>(None)</u>	Establishing a crisis line and mobile application for the public to combat the crisis in this state posed by substance abuse		01/18/18 - To House Prevention and Treatment of Substance Abuse	House Reference 1 - Select Committee on Prevention and Treatment of Substance Abuse House Reference 2 - Finance	
HB 4175 <u>(None)</u>	Preventing requirement that an advanced practice registered nurse participate in a collaborative relationship to obtain payment		02/08/18 - To Senate Banking and Insurance	House Reference 1 - Banking and Insurance House Reference 2 - Health and Human Resources Senate Reference 1 - Banking and Insurance	
HB 4181 <u>(None)</u>	Permitting unused, unexpired, nonnarcotic drugs to be		01/18/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources	

	distributed to free health care clinics			House Reference 2 - Judiciary	
HB 4187 (None)	Business Liability Protection Act	SI SB484	02/09/18 - To House Judiciary	House Reference 1 - Small Business, Entrepreneurship and Economic Development House Reference 2 - Judiciary	
HB 4189 (None)	Prohibiting certain persons from operating state-owned vehicles		01/18/18 - To House Judiciary	House Reference 1 - Judiciary	
HB 4191 (None)	Prohibiting employees of the state who have convictions for driving under the influence from driving or operating state owned vehicle		01/18/18 - To House Judiciary	House Reference 1 - Judiciary	
HB 4199 (None)	Permitting a nursing home to use trained individuals to administer medication		02/07/18 - To Senate Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary Senate Reference 1 - Health and Human Resources	
HB 4200 (None)	Relating generally to the state's spending units	SI SB281	02/01/18 - To House Finance	House Reference 1 - Government Organization House Reference 2 - Finance	
HB 4215 (None)	Relating to the involuntary hospitalization of persons administered opioid antagonists		02/16/18 - To House Judiciary	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4217 (None)	Permitting an attending physician to obtain a patient's autopsy report		01/24/18 - To House Judiciary	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4218 (None)	Relating to medical professional liability		01/24/18 - To House Judiciary	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4227 (None)	Relating generally to drug control	SI SB272	01/19/18 - To House Prevention and Treatment of Substance Abuse	House Reference 1 - Select Committee on Prevention and Treatment of Substance Abuse House Reference 2 - Judiciary	
HB 4239 (None)	Relating to regulating prior authorizations	SI SB442	01/22/18 - To House Banking and Insurance	House Reference 1 - Banking and Insurance House Reference 2 - Judiciary	
HB 4246 (None)	Requiring abortions to be performed by a licensed physician		01/22/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4247 (None)	Relating to life-sustaining treatment policies of health care facilities; "Simon's Law"		01/22/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4252 (None)	Authorizing the prosecuting attorney to issue a subpoena duces tecum for certain documents		01/22/18 - To House Judiciary	House Reference 1 - Judiciary	

HB 4253 <u>(None)</u>	Responders Protection Act		01/22/18 - To House Fire Departments and Emergency Medical Services	House Reference 1 - House Reference 2 - Judiciary	
HB 4254 <u>(None)</u>	Placing a seven-day supply limitation on the amount of Schedule II drugs which can be lawfully prescribed		01/23/18 - To House Prevention and Treatment of Substance Abuse	House Reference 1 - Select Committee on Prevention and Treatment of Substance Abuse House Reference 2 - Judiciary	
HB 4260 <u>(None)</u>	Providing limited prescriptive authority to a licensed psychologist who meets certain criteria	SI SB502	01/23/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4263 <u>(None)</u>	Reducing the use of opiates	SI SB273	01/23/18 - To House Prevention and Treatment of Substance Abuse	House Reference 1 - Select Committee on Prevention and Treatment of Substance Abuse House Reference 2 - Judiciary	
HB 4294 <u>(None)</u>	Creating a state-administered wholesale drug importation program		01/25/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4297 <u>(None)</u>	Prohibiting state licensing boards from hiring lobbyists	SI SB400	01/25/18 - To House Government Organization	House Reference 1 - Government Organization House Reference 2 - Judiciary	
HB 4301 <u>(None)</u>	Requiring all state agencies to develop a plan to evaluate a transition to cloud based data storage		01/25/18 - To House Government Organization	House Reference 1 - Government Organization House Reference 2 - Finance	
HB 4304 <u>(None)</u>	Creating the Board of Nursing		02/20/18 - To House On 3rd reading, Special Calendar 3rd Reading, Special Calendar	House Reference 1 - Health and Human Resources House Reference 2 - Government Organization	
HB 4305 <u>(None)</u>	Authorizing the West Virginia Ethics Commission to sanction persons who have violated the Freedom of Information Act		01/26/18 - To House Judiciary	House Reference 1 - Judiciary House Reference 2 - Finance	
HB 4323 <u>(None)</u>	Relating to non-renewal of any certificate, license, registration, to any person who is delinquent in the payment of state or local taxes		02/07/18 - To House Judiciary	House Reference 1 - Government Organization House Reference 2 - Judiciary	
HB 4334 <u>(None)</u>	Requiring certain boards that seek to increase a fee or seek to impose a new fee to also submit cost saving measures		02/16/18 - To House Finance	House Reference 1 - Government Organization House Reference 2 - Finance	
HB 4336 <u>(None)</u>	Updating the schedule of controlled substances		02/02/18 - To House Judiciary	House Reference 1 - Select Committee on Prevention and Treatment of Substance Abuse House Reference 2 - Judiciary	
HB 4345 <u>(None)</u>	Relating to limitations on permits for growers, processors and dispensaries of medical cannabis		01/29/18 - To House Judiciary	House Reference 1 - Judiciary House Reference 2 -	

				Finance	
HB 4360 <u>(None)</u>	Relating to boards of examination		01/30/18 - To House Government Organization	House Reference 1 - Government Organization House Reference 2 - Finance	
HB 4400 <u>(None)</u>	Relating to the West Virginia Physicians Mutual Insurance Company		02/20/18 - To Senate Judiciary	House Reference 1 - Banking and Insurance House Reference 2 - Judiciary Senate Reference 1 - Judiciary	
HB 4413 <u>(None)</u>	Permitting a physician assistant to practice independent of a collaborating physician		02/02/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4415 <u>(None)</u>	The Protect Our Right to Unite Act		02/02/18 - To House Judiciary	House Reference 1 - Judiciary	
HB 4416 <u>(None)</u>	Increasing the amount of annual and incremental salary increases for eligible employees from \$60 to \$100		02/02/18 - To House Finance	House Reference 1 - Finance	
HB 4435 <u>(None)</u>	Youth Mental Health Protection Act		02/05/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4457 <u>(None)</u>	Relating to designation of hospitals for stroke treatment	SI SB510	02/07/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4461 <u>(None)</u>	Limiting the use of records of criminal conviction to disqualify a person from receiving a license or other authorization to practice an occupation	SI SB449	02/07/18 - To House Government Organization	House Reference 1 - Government Organization House Reference 2 - Judiciary	
HB 4465 <u>(None)</u>	Authorizing the acupuncture board to issue certificates to perform auricular acudetox therapy		02/14/18 - To House Government Organization	House Reference 1 - Health and Human Resources House Reference 2 - Government Organization	
HB 4467 <u>(None)</u>	Nondiscrimination in Involuntary Denial of Treatment Act	SI SB436	02/07/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources House Reference 2 - Judiciary	
HB 4473 <u>(None)</u>	Relating to use of state funds for advertising to promote a public official or government office		02/20/18 - To Senate Judiciary	House Reference 1 - Judiciary Senate Reference 1 - Judiciary	
HB 4479 <u>(None)</u>	Relating to the West Virginia Life And Health Insurance Guaranty Association Act		02/08/18 - To House Banking and Insurance	House Reference 1 - Banking and Insurance House Reference 2 - Judiciary	
HB 4481 <u>(None)</u>	Relating to mandatory inter-board reporting by licensees or registrants of the boards of medicine, osteopathic medicine, nursing		02/14/18 - To House Government Organization	House Reference 1 - Health and Human Resources House Reference 2 - Government Organization	
HB 4483 <u>(None)</u>	Relating to generic drug products		02/09/18 - To House Health and Human Resources	House Reference 1 - Health and Human Resources	

				House Reference 2 - Finance	
HB 4497 (None)	Exempting spouses of active military personnel from fees associated with occupational or professional licensing		02/16/18 - To House Finance	House Reference 1 - Government Organization House Reference 2 - Finance	
HB 4623 (None)	Relating to obtaining substance abuse treatment services		02/16/18 - To House Health and Human Resources	House Reference 1 - Select Committee on Prevention and Treatment of Substance Abuse House Reference 2 - Health and Human Resources	

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Minutes**  
**February 22, 2018**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 22<sup>nd</sup> day of February 2018, at 5:00 p.m.

The following Committee member was present:

Victoria Mullins, P.A.-C.

The following Committee members attended via teleconference:

K. Dean Wright, P.A.-C., Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, M.D.  
Timothy Donatelli, D.P.M.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A  
Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

One member of the public was present.

Mr. Wright called the meeting to order. Ms. Alley advised that Mr. Spangler was on his way back to the Board office from the capitol and would join the meeting shortly. CALL TO ORDER

Ms. Alley reported that **House Bill 4079**, the rule bundle bill which contains the Board of Medicine proposed legislative rule bills, has passed the House and now moves to the Senate.

Ms. Alley reported that **House Bill 4027**, creating an educational permit for allopathic physician residents, has passed the House. This bill was on the Senate Health and Human Resources Committee agenda today, February 22, 2018, but was not taken up.

Ms. Alley reported that **House Bill 4600** has been introduced. This bill authorizes an investigator who is between the ages of 18 and 21 and who is employed by the Board of Medicine, the Board of Osteopathic Medicine or the Board of Pharmacy to carry a concealed handgun. There are significant technical concerns with regard to the age restriction referenced in this bill. The bill has passed House Government Organization Committee, and now moves to House Judiciary Committee. Mr. Spangler plans to meet with members of the House Judiciary Committee regarding the technical concerns. Board staff will continue to monitor this bill.

Mr. Foster reported that **House Bill 273**, reducing the use of certain prescription drugs, has passed the Senate and now moves to House Health and Human Resources Committee. Board staff continue to converse with representatives in the Senate and the House regarding the Board's concerns with this bill and the interchanging use of "Schedule II" and "narcotic" medications.

Ms. Alley reported that there has been no activity with regard to **House Bill 4336**, updating the schedule of controlled substances, or **House Bill 4413**, permitting a physician assistant to practice independent of a collaborating physician, since the February 8, 2018 Legislative Committee meeting. Board staff will continue to monitor these bills.

Mr. Spangler joined the meeting at this time.

Mr. Wright elected to take the agenda out of order to accommodate guests who would like to address the Board regarding a PEIA pilot project utilizing telemedicine services. At this time Mr. Spangler called Ryan Wakim, M.D., President and CEO of GR&W, Inc. Dr. Wakim merged Michael Iaquina, President of iSelectMD, into the call. Ms. Alley alerted the guests to the procedure for making public comments at meetings of the Board, and stated that a copy of

this procedure is available for review on the Board's website. Mr. Wakim and Mr. Iaquinta addressed the Board. Following their address, Mr. Wright thanked the guests for their comments and stated that if legislation regarding telemedicine is introduced during the 2018 legislative session, the Committee will review the bill. Mr. Spangler disconnect the call with Mr. Wakin and Mr. Iaquinta at this time, and they were not in attendance for the remainder of the meeting.

Mr. Spangler reported that **House Bill 4304**, creating the Board of Nursing, has passed the House, and now moves to Senate Health and Human Resources Committee. It is possible that the bill will be amended to include language that would combine the Board of Medicine and the Board of Osteopathic Medicine. Board staff will continue to monitor this bill closely.

With the agreement of all Committee members present, Mr. Wright, Dr. Faheem and Dr. Challa called for a Legislative Committee meeting to be scheduled for Saturday March 3, 2018 at 9:00 a.m.

A member of the public who was attending the meeting the meeting room at this time and was not present for the remainder of the meeting.

Mr. Spangler reported that there has been no activity with regard to **Senate Bill 502** and **House Bill 4260**, providing limited prescriptive authority to a licensed psychologist who meets certain criteria, since introduction. It is likely that these bills will not be passed during the 2018 legislative session.

Mr. Spangler reported that **House Bill 4534**, relating to the executive secretary of the Health Professional Licensing Boards, has passed House Government Organization Committee, and now moves to House Finance Committee. Board staff will continue to monitor this bill.

Mr. Spangler provided an update regarding **House Bill 4609**. This bill has passed House Health and Human Committee with an amendment that provides the Board with rule-making



authority to permit and regulate the use of patient testimonials in advertising. The bill now moves to House Judiciary Committee.

Mr. Spangler reported that **Senate Bill 434**, specifying documents not subject to discovery in certain proceedings, is scheduled for first reading on the Senate floor tomorrow, February 23, 2018. Mr. Spangler continues to collaborate with representatives regarding an amendment which would allow the Board to be exempt for this bill. Board staff will continue to closely monitor this bill and will report back to the Committee at a later date.

Ms. Alley reported that **Senate Bill 448**, relating generally to professional associations, was on the Senate Government Organization Committee agenda for today, February 22, 2018, but was not taken up. If taken up, at the very least there will need to be a committee substitute introduced to remove language which references individuals license by the Texas State Board of Medical Examiners. Board staff will continue to monitor this bill.

Mr. Spangler reported that he has been at the capitol this afternoon where the Senate Judiciary Committee was scheduled to consider **Senate Bill 449**, using criminal conviction records to disqualify a person from license or authorization to practice occupation. The Senate Judiciary Committee adjourned without taking this bill up, but the Committee is scheduled to reconvene later this evening. This bill would require the Board to compile an exhaustive list of criminal conduct which would disqualify an applicant from receiving a license or maintaining a license to practice. Additionally, the bill provides that "If an individual has a valid criminal conviction for a crime that would disqualify the individuals from receiving a license or other authorization to practice, the disqualification shall not last longer than five years from the date of conviction." This bill would also require the Board, within thirty days of receiving a request, to determine whether an individual's criminal record would disqualify the individual from obtaining a license. Dr. Faheem moved that the Board oppose Senate Bill 449 as written. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler left the meeting at this time to return to the Senate Judiciary Committee meeting at the capitol.

Ms. Alley reported that **Senate Bill 499** has been amended to require that international medical school graduates must successfully complete a minimum of two years of ACGME approved postgraduate training. The grandfather clause permitting one year of ACGME training and ABMS Board Certification remains. The entire licensure section has been revised for clarity, but there are no other substantive changes. This bill is scheduled for second reading on the House floor tomorrow, February 23, 2018.

Ms. Alley reported that **Senate Bill 313**, waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers, is scheduled for second reading on the Senate floor tomorrow, February 23, 2018. Board staff will speak with representative in the House in an effort to see the bill amended.

Ms. Alley reported that **House Bill 4481**, relating to mandatory inter-board reporting by licensees or registrants of the boards of medicine, osteopathic medicine and nursing, was on first reading in the house today, February 22, 2018. Board staff will continue to monitor this bill.

Ms. Alley reported on **House Bill 4497**. This bill was amended in House Government Organization Committee to provide for reciprocity for occupational or professional licensing for military spouses. Additionally, the amendment would permit a board to deny a request for a reciprocal license if the criminal history records check provides reason to believe that the applicant does not meet the requirements of the board or presents a safety risk to the public. Board staff will continue to monitor this bill.

Ms. Alley reported that there has been no action with regard to **Senate Bill 318** and **House Bill 4581**, requiring influenza immunizations for health care workers, since introduction. Board staff will continue to monitor these bills.

Ms. Alley reported that Board staff continue to monitor legislation regarding medical cannabis, physician tax credit and the Patient Injury Compensation Fund assessment fee. Additionally, Board staff continue to monitor the following bills:

**Senate Bill 269**, Establishing 2018 Regulatory Reform Act

**Senate Bill 442**, Establishing universal forms and deadlines when submitting prior authorizations electronically

**Senate Bill 522**, relating generally to the Administrative Procedures Act

**House Bill 4011**, requiring agencies, when submitting a new rule or changes, to also identify two existing rules that could be repealed

**House Bill 4014**, relating to reorganization of the West Virginia Department of Health and Human Resources

**House Bill 4215**, relating to the involuntary hospitalization of persons administered opioid antagonists

**House Bill 4465**, authorizing the acupuncture board to issue certificate to perform auricular acudetox therapy

and

**House Bill 4473**, relating to the use of state funds for advertising to promote a public official or government office.

Mr. Wright thanked Board staff for their efforts during the 2018 legislative session.

ADJOURNMENT

There being no further business to consider, the meeting adjourned.

  
\_\_\_\_\_  
K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**March 3, 2018 at 9:00 am**

**CALL TO ORDER**

**Agenda Items:**

- **SB 313** – Waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers
- **SB 434** – Specifying documents not subject to discovery in certain proceedings
- **SB 448** – Relating Generally to professional associations
- **SB 499** – Requiring one year of certain approved postgraduate clinical training for persons with foreign medical degrees
- **HB 4304** – Creating the Board of Nursing
- **HB 4481** – Relating to mandatory inter-board reporting by licensees or registrants of the boards of medicine, osteopathic medicine and nursing
- **Report on Cross Over Bills**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Legislative Committee Minutes**

**March 3, 2018**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 3<sup>rd</sup> day of March 2018, at 9:00 a.m.

The following Committee member was present:

Victoria Mullins, P.A.-C.

The following Committee members attended via teleconference:

K. Dean Wright, P.A.-C., Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, M.D.  
Timothy Donatelli, D.P.M.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A

The following Committee member was absent:

Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order and thanked Board staff for their efforts during the 2018 legislative session. CALL TO  
ORDER

Mr. Spangler reported that the Board of Medicine, along with several other entities, have been provided with a proposed Senate Health and Human Resources Committee Substitute for

**House Bill 4304**, creating the Board of Nursing. In addition to creating the West Virginia Board of Nurses, the proposed committee substitute:

1. removes the Advanced Practice Registered Nurse (APRN) scope of practice that existed in the introduced version of House Bill 4304;
2. creates a new article in chapter 30 for the combination of the West Virginia Board of Medicine and the West Virginia Board of Osteopathic Medicine;
3. provides physician assistants the ability to practice independently after practicing for three years in a collaborative agreement with a physician; and
4. transfers regulatory authority for APRNs to the newly constituted Board of Medicine.

Following review of the proposed committee substitute and extensive discussion, Reverend Bowyer moved that the Board support the proposed committee substitute for House Bill 4043 with the following changes/modifications:

1. the creation of the West Virginia Board of Nurses and consolidation of the Board of Medicine and the Board of Osteopathic medicine, as well as the change of practice for physician assistants, all become effective on July 1, 2019;
2. remove one of the two podiatric physician members from the Board of Medicine and increase lay membership on the Board to three members, one of which would be a citizen over the age of 55 who can represent the interests of older healthcare consumers;
3. prohibit any members of the Board other than the State Health Office to be public employees, with the agreement that any current board member who is currently a doctor of osteopathic medicine and who is a public employee would be permitted to serve on the new board until their term expires, however, no newly appointed members may be public employees;
4. oppose rotating presidencies among professional classes;
5. include rulemaking authority regarding what conduct may constitute disciplinary and/or licensure denial offenses;

6. permit summary disciplinary hearings to be conducted before a hearing examiner and permit twenty days, rather than fifteen, for the summary hearing to occur;
7. modify language in the Physician Assistant Practice Act which would give further effect to the currently proposed changes regarding prescribing without a collaborative agreement;
8. changing the term podiatrist to podiatric physician globally; and
9. authorize Board staff to propose technical other non-substantive changes to the bill.

Dr. Faheem seconded, and the motion carried.

Mr. Spangler reported that there is a hearing scheduled for Monday, March 5, 2018, regarding **Senate Bill 313**, waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers. Mr. Spangler will attend the hearing, and Board staff will continue to closely monitor this bill.

Mr. Spangler reported that there is a hearing scheduled for Tuesday, March 6, 2019, regarding **Senate Bill 434**, specifying documents not subject to discovery in certain proceedings. Mr. Foster provided a brief overview of this bill. The Committee previously authorized staff to seek an amendment to ensure that the Board of Medicine continues to have access to peer review records. Following discussion, Reverend Bowyer moved that Board staff additionally seek an amendment which would provide for board investigations to be confidential and not subject to discovery. Dr. Faheem seconded, and the motion carried.

Ms. Alley reported on **Senate Bill 448**. The purpose of this bill is to create a new corporate entity in West Virginia where members of professions could create professional associations. There is a committee substitute for this bill which removed language that referenced the Texas State Board of Medical Examiners. Following discussion, Dr. Faheem moved that the Board not support Senate Bill 448 due to technical concerns with regard to the broadness of the language in the bill. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported that Board staff continue to monitor the following bills:  
**Senate Bill 499**, which requires that persons with foreign medical degrees must successfully complete a minimum of two years of certain approved postgraduate training;  
**House Bill 4481**, relating to mandatory inter-board reporting by licensees or registrants of the boards of medicine, osteopathic medicine and nursing, and  
**House Bill 4027**, creating an educational permit for allopathic physician residents.

Mr. Spangler reported that **House Bill 4079**, the rule bundle bill which contains the Board of Medicine proposed legislative rule bills, was amended in Senate Judiciary Committee. The amendment directs the Board of Medicine to strike 11 CSR 1A 12.1.ii.B, which prohibits the use of patient testimonials in physician advertising, and re-letters the remaining paragraphs.

Mr. Foster reported that **Senate Bill 273** was amended in House Judiciary Committee yesterday, March 2, 2018; however, board staff continue to have concerns with some of the components of the amended bill. Board staff will continue to speak with members of the House regarding the Board's concerns.

Mr. Spangler reported that to date, there has not been legislation introduced regarding iSelectMD's telemedicine efforts.

ADJOURNMENT

There being no further business to consider, Dr. Faheem moved that the meeting be adjourned. Reverend Bowyer seconded, and the motion carried.

  
K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee



**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**March 11, 2018 at 10:00 am**

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***CALL TO ORDER***

***Approval of Minutes:***

- January 7, 2018
- January 25, 2018
- February 8, 2018
- February 22, 2018
- March 3, 2018
- March 8, 2018

***Agenda Items:***

- Board of Medicine Legislative Rules 11 CSR 1B and 11 CSR 6
- Overview of the 2018 Legislative Session
- Rulemaking for the 2019 Legislative Session
- Legislative Goals for 2019

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

March 11, 2018

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 11<sup>th</sup> day of March 2018 at 10:00 am.

The following Committee members were present:

K. Dean Wright, P.A.-C., Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, M.D., F.A.C.C.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
Victoria Mullins, P.A.-C.

The following Committee members were absent:

Timothy Donatelli, D.P.M.  
Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew Wessels

Mr. Wright called the meeting to order and thanked Board and Staff members for their efforts during the 2018 legislative session. Dr. Faheem moved that the following meeting minutes be approved:

January 7, 2018  
January 25, 2018  
February 8, 2018  
February 22, 2018

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

March 3, 2018

Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported that the Board's legislative rules 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, and 11 CSR 6, *Continuing Education for Physicians and Podiatric Physicians*, have completed the legislative process and are awaiting the Governor's signature. The rule bundle bill, House Bill 4079, was amended in Senate Judiciary Committee. The amendment strikes 11 CSR 1A 12.1.ii.B, prohibiting the use of patient testimonials in physician advertising, and re-letters the remaining paragraph. Reverend Bowyer moved that the Committee authorize Board staff to amend 11 CSR 1A to remove 12.1.ii.B. Dr. Challa seconded, and the motion carried. Board staff will file the final rules with the Secretary of State's office. Licensees will be notified of the rule changes via electronic mail, and the changes will also be outlined in the June 2018 edition of the Board's newsletter.

Mr. Foster reported that **Senate Bill 273**, reducing the use of certain prescription drugs, has completed the legislative process and is awaiting the governor's signature. The Committee has concerns with the requirement in this bill which provides that the practitioner "shall consider" any of the following treatment alternatives prior to starting a patient on an opioid: physical therapy, acupuncture, massage therapy, osteopathic manipulation, chronic pain management program and chiropractic care. Additionally, this bill provides that a practitioner is required to conduct and document the results of a physical examination every ninety days for any patient that he or she continues to treat with any Schedule II controlled substance. The provisions of this bill do not apply to patients who were receiving opioids prior to January 1, 2018. The Committee authorized Board staff to explore seeking remove of the requirement that a physical examination be performed every ninety days.

Mr. Spangler reported that **Senate Bill 434**, specifying documents not subject to discovery in certain proceedings, has completed the legislative process and is awaiting the Governor's signature. This bill was amended to allow the Board access to peer review records for use in administrative proceedings. Additionally, the amendment provides that all peer review proceedings, communications, and documents of a review organization and all records developed

or obtained during an investigation are confidential and privileged and are not subject to discovery in any civil action or administrative proceeding.

Mr. Spangler reported that **House Bill 4199**, permitting a nursing home to use trained individuals to administer medication, has completed the legislative process and is awaiting the Governor's signature. This bill will allow individuals who meet eligibility requirements and who have passed training and competency tests developed by the authorizing agency to administer medications to residents of a nursing home. The Committee has concerns regarding the possible diversion of medications. Following discussion, Reverend Bowyer moved that Mr. Spangler speak with the Governor regarding the Board's concerns. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that **Senate Bill 499**, requiring two years of approved postgraduate clinical training for persons with foreign medical degrees, and **House Bill 4027**, creating an education permit for allopathic physician residents, have completed the legislative process and are awaiting the Governor's signature. These bills include rulemaking authority for the Board of Medicine.

Mr. Spangler reported that the following bills, which were monitored by the Committee, have completed the legislative process and are awaiting the Governor's signature:

**SB 313** – waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers

**SB 576** – relating to the Patient Injury Compensation Fund

**HB 4217** – permitting an attending physician to obtain a patient's autopsy report

**HB 4336** – updating the schedule of controlled substances

Dr. Gupta joined the meeting as a guest at this time.

Mr. Spangler reported to the Committee that the following bills were closely monitored by the Committee throughout the session, but were not passed:

**SB 448** – relating generally to professional associations

**SB 473** – requiring insurance coverage for the prescription drug Varenicline

**HB 4011** – requiring agencies, when submitting a new rule or changes, to also identify two existing rules that could be repealed

**HB 4014** – relating to reorganization of the WV Department of Health and Human Resources

**HB 4154** – establishing the 2018 Regulatory Reform Act

**HB 4218** – relating to medical professional liability

**HB 4304** – creating the Board of Nursing (contains language which combines the West Virginia Board of Medicine and the West Virginia Board of Osteopathic Medicine)

**HB 4345** – relating to limitation on permits for growers, processors and dispensaries of medical cannabis

**HB 4481** – relating to mandatory inter-board reporting by licensees or registrant of the boards of medicine, osteopathic medicine and nursing

Mr. Spangler reported that the following study resolutions were approved by the legislature:

- (1) the feasibility of a single building to house all occupational and professional regulatory boards
- (2) licensure, certification and registration forms of occupational and professional regulation
- (3) limiting the use of certain criminal records to disqualify a person from license to practice an occupation; and
- (4) iSelectMD pilot project regarding telemedicine

Mr. Spangler reported to the Committee that Board staff will begin modifying and drafting rules for consideration by the Committee for introduction in the 2019 legislative session. Such rulemaking includes:

- (1) creating an education permit for allopathic physician residents;
- (2) modifying 11 CSR 1A to provide that international medical school graduates must successfully complete a minimum of two years of ACGME approved postgraduate training
- (3) removing the prohibition on the use of patient testimonials in physician advertising, which is currently is 11 CSR 1A; and
- (4) waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers.

Mr. Spangler reported potential legislative goals for 2019, which include:

- (1) changing the burden of proof in disciplinary matters from a clear and convincing evidence standard to a preponderance of evidence standard, so that the Board of Medicine language and the Board of Osteopathic Medicine language align;
- (2) allowing at least one board investigator to carry a firearm;
- (3) initiating discussion with the Board of Osteopathic Medicine, as well as other interested organizations, regarding consolidation of the Board of Medicine and Board of Osteopathic Medicine; and
- (4) reviewing requirements related to physician assistants in an effort to lessen the regulatory burden without compromising safety.

Dr. Faheem moved that the Committee recommend that the Board authorize staff to explore the above-mentioned matters identified as legislative goals for 2019. Reverend Bowyer seconded, and the motion carried.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**May 6, 2018 at 10:00 am**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- March 11, 2018

***Agenda Items:***

- Report Regarding the FSMB Annual Meeting
- Board of Medicine Legislative Rules 11 CSR 1B and 11 CSR 6
- Board of Medicine Legislative Rule 11 CSR 1A
- Update on the 2018 Legislative Session
  - Action by the Governor
  - Senate Bill 273
- Regulatory Moratorium
- Rulemaking for the 2019 Legislative Session
  - 11 CSR 1A
  - Education Permit
- 2018 Special Meetings

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Legislative Committee Minutes**

**May 6, 2018**

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 6<sup>th</sup> day of May 2018, at 10:00 a.m.

The following Committee members were present:

K. Dean Wright, P.A.-C., Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, M.D.  
Timothy Donatelli, D.P.M.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A  
Matthew Upton, M.D.

The following Committee member was absent:

Victoria Mullins, P.A.-C.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order. Dr. Faheem moved that the minutes of the March 11, 2018 meeting be approved. Dr. Challa seconded, and the motion carried. **CALL TO ORDER**

Reverend Bowyer joined the meeting at this time.

Mr. Spangler reported that several board and staff members recently attended the Federation of State Medical Boards (FSMB) annual meeting in Charlotte, North Carolina. In total, the Board of Medicine had a representation of eleven members present for the meeting.



During the FSMB House of Delegates meeting, Mr. Spangler served as a teller and Dr. Faheem was elected to the FSMB Nominating Committee. Additionally, the House of Delegates adopted a proposal from the Bylaws Committee which creates a Staff Fellow category that will allow each member board to denote one individual to serve as a Staff Fellow of the FSMB. Dr. Faheem has nominated Mr. Spangler to serve in this capacity for the Board of Medicine.

Mr. Spangler reported that Administrators in Medicine (AIM) currently offers a certification program which is available to medical board executive directors and investigators. It was recently announced that beginning in October 2019 AIM will begin offering a certification program for medical board licensure analysts.

Mr. Spangler reported that the final version of the Board's legislative rules 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, and 11 CSR 6, *Continuing Education for Physicians and Podiatric Physicians*, have been filed with the Secretary of State's office and will become effective on July 1, 2018. Legislation was passed during the 2018 session which directs the Board of Medicine to strike 12.1.ii.B, prohibiting the use of patient testimonials in physician advertising, and re-letter the remaining paragraph of 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons*. Reverend Bowyer moved that the Committee recommend that the Board authorize staff to strike 12.1.ii.B and re-letter the remaining paragraph as directed and file 11 CSR 1A with the Secretary of State's Office. Dr. Challa seconded, and the motion carried. Licensees will be notified of the changes to these rules via electronic mail. The changes will also be outlined in the June 2018 edition of the Board's newsletter.

Mr. Spangler reported that the following bills, which were monitored by the Committee, completed the legislative process, but were vetoed by the Governor:

**Senate Bill 313** – waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers.

**Senate Bill 434** – specifying documents not subject to discovery in certain proceedings.

**Senate Bill 442** – establishing universal forms and deadlines when submitting prior authorizations electronically.

**House Bill 4199** – permitting a nursing home to use trained individuals to administer medication.

Mr. Spangler reported that Senate Bill 273, reducing the use of certain prescription drugs, was passed during the 2018 legislative session and becomes effective on June 7, 2018. The Committee has concerns with the provision of this bill which requires a practitioner to conduct and document the results of a physical examination every 90 days for any patient that he or she continues to treat with any Schedule II controlled substance, including non-opioids. Reverend Bowyer moved that the Committee recommend that the Board authorize Dr. Faheem to write a letter to the Governor which identifies the Board’s concerns regarding Senate Bill 273. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported to the Committee that the Governor has issued an Executive Order known as the “Regulatory Moratorium” which provides that “prior to filing any proposed rule with the Secretary of State and the Legislative Rule-Making Review Committee agencies shall provide written notice to the Governor.” Mr. Spangler has spoken with Ashley Summit, counsel at the Governor’s office, who stated that proposed modifications to an existing rule or any new rule will need to be submitted to her via electronic mail for review. Ms. Summit will review the rule and will respond via electronic mail, within a couple of days, indicating whether or not the agency is authorized to move forward with filing the proposed rule with the Secretary of State’s Office. The Committee encouraged Mr. Spangler to communicate with other Chapter 30 Boards to obtain their thoughts and opinions regarding the Moratorium.

Mr. Spangler reported that prior to the July 2018 meeting, rulemaking action will need to be taken with regard to 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons*, to bring it into alignment with the statutory changes passed during the 2018 legislative session regarding residency requirements for international medical

school graduates. Additionally, the Board will need to file a legislative rule and an emergency rule regarding the issuance of educational permits. The Committee scheduled a special meeting for Thursday June 14, 2018 at 5:00 p.m.

ADJOURNMENT

There being no further business to consider, Dr. Faheem moved that the meeting be adjourned. Reverend Bowyer seconded, and the motion carried.



K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**June 14, 2018 at 5:00 pm**

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***CALL TO ORDER***

***Public Comments***

***Agenda Items:***

- Rulemaking for the 2019 Legislative Session
  - 11 CSR 1A
  - Educational Permit
- Regulatory Moratorium

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

June 14, 2018

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 14<sup>th</sup> day of June 2018 at 5:00 pm.

The following Committee member was present:

K. Dean Wright, P.A.-C., Chair

The following Committee members attended the meeting via teleconference:

Reverend O. Richard Bowyer

Kishore K. Challa, M.D., F.A.C.C.

Timothy Donatelli, D.P.M.

Ahmed D. Faheem, M.D., D.L.F.A.P.A.

Victoria Mullins, P.A.-C.

Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.

Jamie S. Alley, Esq.

Jamie C. Frame

Andrew Wessels

Mr. Wright called the meeting to order. Prior to today's meeting, a copy of the proposed amendments to the Board's legislative rule 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons*, and a copy of a proposed new rule 11 CSR 12, *Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows*, was made available for members to review.

**CALL TO  
ORDER**

Ms. Alley reported that Senate Bill 499 was enacted during the 2018 legislative session. This bill changed the licensure requirements for medical doctors who have completed their medical education at an international medical school. Pursuant to Senate Bill 499, international medical school graduates are now required to have two years of ACGME-approved, post-graduate training instead of three years. Additionally, during the last several months the Board has identified a need to revisit the rule provisions related to medical professional liability reporting. The proposed amendments to 11 CSR 1A include the following:

The citation referenced in 4.1 was modified from §30-3-10 to §30-3-10(b).

Section 5 was modified to provide that in addition to other qualifications and requirements, an applicant for licensure who is a graduate of a medical school located outside of the United States, the Commonwealth of Puerto Rico or Canada is require to have been “engaged on a full-time professional basis in the practice of medicine within the state or jurisdiction where the applicant is fully licensed for a period of at least five years not to include practice via telemedicine technologies from a location physically outside of the state or jurisdiction of license.” Additionally, the rule was modified to provide that international medical school graduates are now required to have two years of ACGME-approved, post-graduate training, rather than three years.

Section 9 of the proposed rule was modified to clarify that United States graduates and international medical school graduates who apply for a medical license through the Board may be eligible for a temporary license if they meet the established qualifications.

Section 13 was modified to clarify the circumstances under which malpractice settlements and judgments must be reported to the Board and to align the Board’s malpractice reporting standards with other reporting requirements for malpractice, including the National Practitioner Data Bank. The intent of this amendment was to provide clarity to individuals who reporters and continuity in the required reporting with other entities.

Following discussion, Dr. Challa moved that the Committee recommend that the Board approve 11 CSR 1A as modified and authorize staff to move forward with promulgation of the rule. Reverend Bowyer seconded, and the motion carried.

Ms. Alley reported that House Bill 4027 was enacted during the 2018 legislative session. This bill established a requirement that all participants in post-graduate medical residency and fellowship training in West Virginia hold a training permit issued by the West Virginia Board of Medicine. All residents and fellows must comply with this requirement by July 1, 2019, but the statute authorizes the Board to promulgate emergency rules to implement the provisions of House Bill 4027 prior to that date. An emergency rule is needed for the Board to implement the educational permit requirement. With regard to the proposed rule:

Section 2 sets forth applicable definitions.

Section 3 identifies the requirements for all participants in West Virginia graduate medical education training and establishes that a participant must hold either a full medical license or an educational permit. This section also establishes the limitations of the permit, and that a permit will expire when a permit holder obtains a West Virginia medical license.

Section 4 sets forth the eligibility criteria, application process and fee for an educational permit.

Section 5 establishes the permit period and renewal process.

Section 6 identifies the obligations of an educational permit holder.

Section 7 sets forth permit denial, complaint and disciplinary procedures.

Section 8 identifies permit denial and disciplinary grounds.

Section 9 creates a process and eligibility criteria for reciprocal educational permits. These reciprocal permits would be issued to participants in residency training outside of West Virginia who wish to complete temporary rotations in West Virginia.

Section 10 establishes reporting obligations to the Board of Medicine by graduate medical education programs concerning the termination of medical education training contracts for permit holders.

Following discussion, Reverend Bowyer moved that the Committee recommend that the Board approve 11 CSR 12 as presented and authorize staff to move forward with promulgation of a regular rule and an emergency rule regarding educational permits. Dr. Challa seconded, and the motion carried.

Dr. Faheem left the teleconference at this time and was not present for the remainder of the meeting.

At the May 2018 meeting, Mr. Spangler reported to the Committee that the Governor has issued an Executive Order known as the “Regulatory Moratorium” which provides that “prior to filing any proposed rule with the Secretary of State and the Legislative Rule-Making Review Committee agencies shall provide written notice to the Governor.” Following discussion, Reverend Bowyer moved that a copy of the Board’s proposed rulemaking regarding 11 CSR 1A and 11 CSR 12, be submitted to the Governor’s office. Dr. Challa seconded, and the motion carried. Mr. Wright called for a roll call vote upon the motion. A vote was taken:

- Reverend O. Richard Bowyer – yes
- Kishore K. Challa, M.D., F.A.C.C. – yes
- Timothy Donatelli, D.P.M. – yes
- Victoria Mullins, P.A.-C. – yes
- Matthew Upton, M.D. – no
- K. Dean Wright, P.A.-C. – yes

By majority vote of a quorum of the Committee, the motion carried.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT

  
K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee



# **Executive / Management Committee Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**July 9, 2017 at 11:15 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- May 7, 2017

***Agenda Items:***

- Presentation by Danny Scalise, Executive Director of the WV State Medical Association
- Consideration of Correspondence Received from the WV State Medical Association
- Fiscal Reports and Purchasing Card Transactions for the Months of February, May and June
- 2017-2018 Contracts
- 2017 Renewal Results
- Licensure Fees
- Upcoming Outreach
- Updates
  - Big Picture
  - Interstate Medical Licensure Compact
  - Office Renovations

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

July 9, 2017

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 9<sup>th</sup> day of July 2017 at 11:15 am.

The following Committee members were present:

Ahmed Faheem, M.D., Chair  
Kishore K. Challa, M.D., F.A.C.C.  
Rahul Gupta, M.D., M.P.H.

The following Committee member was absent:

Reverend O. Richard Bowyer

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Jamie C. Frame

Dr. Faheem called the meeting to order. Dr. Gupta moved that the minutes of the May 7, 2017 meeting be approved. Dr. Challa seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

Danny Scalise, Executive Director of the West Virginia State Medical Association, addressed the Committee regarding concerns identified by some State Medical members regarding the potential practice of medicine by an advance practice registered nurse. Following discussion, Mr. Spangler indicated that he will pursue the filing of a complaint on behalf of this Board with the West Virginia Board of Examiners for Registered Professional Nurses regarding this matter, as the issue involves that Board's licensee. Committee members thanked Mr. Scalise for coming. Likewise, Mr. Scalise thanked committee members and left the meeting at this time.

In advance of the meeting, members were provided with a copy of the fiscal report and purchasing card transactions for the months of February, May and June 2017. The March and April reports were approved at the May 2017 meeting. Upon review of the expenditures, Dr. Challa moved that the purchasing card transactions for the months of February, May and June 2017 be approved. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that the Board's spending authority in relation to personnel has been increased, and that the Board recently advertised for a full-time Board Attorney. Interviews will be conducted this week, and on Friday, July 14, 2017, the top candidates will be interviewed by Executive/Management Committee members and key staff members. Thereafter, Mr. Spangler will fill the position.

Mr. Spangler reported that the bidding process for hearing examiners and court reporting services has concluded. The Board has contracted with the following six individuals to provide hearing examiner services for the 2017-2018 fiscal year:

- Lewis Brewer, Esq.
- Rudy Martin, Esq.
- Jack McClung, Esq.
- Janis Reynolds, Esq.
- Herschel Rose, Esq.
- Jennifer Taylor, Esq.

Additionally, the Board has contracted with the following four individuals / entities to provide court reporting services for the 2017-2018 fiscal year:

- Rebecca Baker
- Nancy McNealy
- Wilda Stonestreet
- Sargent's Court Reporting Services

Mr. Spangler reported that the Board will need to maintain a contract with Big Picture as we examine our current needs and explore database options. Therefore, the Board will enter into a one year maintenance agreement with Big Picture.

Mr. Spangler reported that the Board has received several requests for a roster of information regarding licensees of the Board. Currently, with the exception of a few entities for which the Board has an agreement, board staff directs individuals seeking a roster of licensee information to West Virginia University Office of Health Services Research. Following discussion, the Committee elected to maintain the current practice with regard to handling requests for licensee information.

Mr. Spangler reported on the 2017 licensure renewal for medical doctors; 2846 licensees renewed their license in active status, 203 licensees renewed in inactive status, and 531 licenses expired. With regard to podiatric physicians, 109 licensees renewed their license in active status, 6 licensees renewed in inactive status and 13 licenses expired.

Mr. Spangler reported that P. Bradley Hall, M.D., Executive Director of the West Virginia Medical Professionals Health Program (WVMPHP), has requested that the Board of Medicine licensure fees be increased by \$100.00 per licensee per renewal cycle to assist in funding the WVMPHP. Upon reviewing licensure fees in surrounding states, Maryland is the only state that currently charges higher licensing fees than West Virginia. The Committee acknowledged the important role that the WVMPHP plays, and would like to review statistical data regarding the number of referrals, outcomes, etc. regarding the program and work cooperatively with the WVMPHP towards a sound financial future for the organization. However, the Committee does not feel that it is possible to increase the licensure fee by \$100.00; therefore, Dr. Challa moved that the Committee recommend that the Board decline to support an increase in licensure fees at this time. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported to the Committee that he and Ms. Alley will be traveling to West Virginia University School of Medicine on July 25, 2017 to tour the school and meet with representatives. Additionally, Mr. Spangler and Ms. Alley will be meeting with representatives of West Virginia Mutual Insurance on July 27, 2017 to discuss working collaboratively on issues of common interest.

Mr. Spangler reported that he has attended an Interstate Medical Licensure Compact (IMLC) Commission meeting in St. Paul Minnesota, and has also participated in IMLC

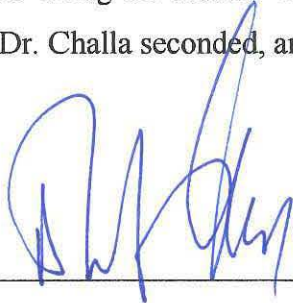
Commission teleconferences. The Board of Medicine has begun receiving applications for an IMLC license. The next face to face meeting of the IMLC Commission is scheduled to occur in November 2017.

Mr. Spangler reported that renovations to the new office space are nearing completion, and that the moving of offices is scheduled to begin later this week.

With regard to staff, Mr. Spangler reported that the Board recently terminated the employment of a staff member, and that Andrew Wessels will assume his position with the Board later this month.

**ADJOURNMENT**

There being no further business to consider, Dr. Gupta moved that the meeting be adjourned, Dr. Challa seconded, and the motion carried.



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Ahmed D. Faheem, M.D.

Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**September 10, 2017 at 11:15 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- July 9, 2017

***Agenda Items:***

- Fiscal Reports and Purchasing Card Transactions for the Months of July and August
- FSMB Guidelines for the Chronic Use of Opioid Analgesics
- NCCPA Request to Present to the Board
- WV Medical Professional Health Program
- WVU Meeting – Legislative Items of Interest
- Updates
  - Staff
  - Office Renovations
  - Interstate Medical Licensure Compact
  - Strategic Planning Meeting
  - Complaint Filed with the WV Board of Registered Professional Nurses

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

September 10, 2017

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 10<sup>th</sup> day of July 2017 at 11:15 am.

The following Committee members were present:

Ahmed Faheem, M.D., D.L.F.A.P.A., Chair

Reverend O. Richard Bowyer

Kishore K. Challa, M.D., F.A.C.C.

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

The following Staff members were present:

Mark A. Spangler, M.A.

Jamie S. Alley, Esq.

Greg S. Foster, Esq.

Jamie C. Frame

Dr. Faheem called the meeting to order. Reverend Bowyer moved that the minutes of the July 9, 2017 meeting be approved. Dr. Challa seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

In advance of the meeting, members were provided with a copy of the fiscal report and purchasing card transactions for the months of July and August 2017. Upon review of the expenditures, Reverend Bowyer moved that the purchasing card transactions for the months of July and August 2017 be approved. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that in April 2017 the Federation of State Medical Boards (FSMB) adopted Guidelines for the Chronic Use of Opioid Analgesics. Following discussion, Reverend Bowyer moved that the Committee recommend that the Board replace its current position



statement regarding opioid analgesics with the 2017 FSMB Guidelines for the Chronic Use of Opioid Analgesics. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that the Board has received correspondence from Dawn Morton-Rias, President and CEO of the National Commission on Certification of Physician Assistants, requesting an opportunity to address the Board. Ms. Morton-Rias will be invited to present to the Board, or at her discretion the Physician Assistant Committee, at a future meeting.

In advance of the meeting, Committee members were provided with a copy of correspondence from P. Bradley Hall, M.D., Executive Director of the West Virginia Medical Professionals Health Program (WVMPHP), regarding the financial future of the organization and providing statistical facts regarding the program. The Board will continue to work cooperatively with the WVMPHP towards a sound financial future for the organization.

Mr. Spangler reported to the Committee that in July, Ms. Alley, Mr. Wessels, Reverend Bowyer, Dr. Upton and himself met with representatives of West Virginia University (WVU) School of Medicine. During the meeting, WVU representatives identified the following issues that they hope to address cooperatively with the Board of Medicine:

1. The inability of a licensee who holds a temporary license to bill Medicaid;
2. The expansion of faculty licenses beyond a university's medical center; and
3. The ten year rule to pass all steps of the United States Medical Licensing Exam (USMLE).

Mr. Spangler reported to the Committee that he is working with Dr. Joseph Shapiro, Dean of Marshall University School of Medicine, to facilitate a visit to the Joan C. Edwards School of Medicine. Board members are encouraged to participate in the visit. Additional information will be provided as it becomes available.

Mr. Spangler reported that the Board has hired Andrew Wessels as the Director of Intergovernmental and Public Relations, Greg Foster as Board Attorney, and Diane Callison as Receptionist / Administrative Office Assistant.

Mr. Spangler reported to the Committee that the renovations to the new board room are nearing completion, and the room will be available for use by the October strategic planning meeting.

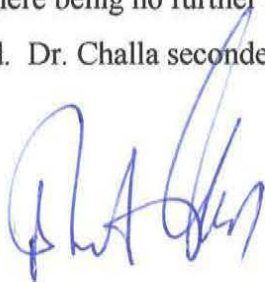
Mr. Spangler reported that the Board has issued 3 letters of qualification and 6 licenses pursuant to the Interstate Medical Licensure Compact (IMLC). Mr. Spangler was asked to assume the position of treasurer for the IMLC Commission, for which he has declined at this time due to work volume at the Board of Medicine. However, he will maintain his involvement as a commissioner.

Mr. Spangler reported that the Strategic Planning Meeting will be held on Saturday, October 7, 2017. Board and staff members will receive a series of surveys to complete in advance of the meeting. Additional information will be provided as it becomes available.

Mr. Spangler reported to the Committee that he has filed a complaint on behalf of the Board of Medicine with the West Virginia Board of Registered Professional Nurses regarding the potential practice of medicine by an advance practice registered nurse. The Board of Medicine has received confirmation from the West Virginia Board of Registered Professional Nurses that the complaint has been received. Mr. Spangler will keep the Committee apprised regarding this matter.

**ADJOURNMENT**

There being no further business to consider, Reverend Bowyer moved that the meeting be adjourned. Dr. Challa seconded, and the motion carried.



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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**November 12, 2017 at 11:15 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- September 10, 2017

***Agenda Items:***

- Fiscal Reports and Purchasing Card Transactions for the Months of September and October 2017
- Adoption of Mission, Vision and Core Values
- Selection of 2018 Meeting Dates:
  - January 8, 2018
  - March 12, 2018
  - May 7, 2018 or May 21, 2018
  - July 9, 2018
  - September 10, 2018
  - November 5, 2018 or November 19, 2018
- Resident License
- Reporting of Medical Malpractice Claims by Insurance Carriers
- Written Request for Telemedicine Correspondence Response
- Written Request from Mercer County Board of Health Regarding Standing Orders
- Complaint Filed with the WV Board of Registered Professional Nurses

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

November 12, 2017

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 12<sup>th</sup> day of November 2017 at 11:15 am.

The following Committee members were present:

Ahmed Faheem, M.D., D.L.F.A.P.A., Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, M.D., F.A.C.C.  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame

Dr. Faheem called the meeting to order. Reverend Bowyer moved that the minutes of the September 10, 2017 meeting be approved. Dr. Gupta seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

In advance of the meeting, members were provided with a copy of the fiscal report and purchasing card transactions for the months of September and October 2017. Upon review of the expenditures, Reverend Bowyer moved that the purchasing card transactions for the months of September and October 2017 be approved. Dr. Gupta seconded, and the motion carried.

The Committee reviewed the Board's draft mission statement, vision statement and core values that were established during the October 7, 2017 strategic planning meeting. Dr. Challa

moved that the Committee recommend that the Board adopt the mission statement, vision statement and core values. Reverend Bowyer seconded, and the motion carried.

The Committee reviewed the proposed schedule of 2018 Board meeting dates. Following discussion, Dr. Gupta moved that the following meeting dates be presented to the Board for approval:

January 8, 2018;  
March 12, 2018;  
May 7, 2018;  
July 9, 2018;  
September 10, 2018; and  
November 5, 2018.

Dr. Challa seconded, and the motion carried.

Mr. Spangler reported to the Committee that the Board has received correspondence requesting that the Board of Medicine consider issuing educational permits to physicians participating in medical residencies. The West Virginia Board of Osteopathic Medicine, in accordance with §24-1-13, issues postgraduate educational permits. During the Legislative Committee meeting held earlier today, the Committee authorized staff to further research resident permits and to draft a bill for review at the January 2018 meeting, for possible introduction during the 2018 legislative session.

Mr. Spangler reported that the Board has received correspondence inquiring about insurance company medical malpractice reporting requirements. Following discussion, Reverend Bowyer moved that the Committee authorize staff to respond to the inquiry indicating that all judgments, all settlements, and any payment made on behalf of a Board of Medicine licensee, regardless of whether the payment was made pre-or-post suit, needs to be reported to the Board. Dr. Challa seconded, and the motion carried.

The Committee reviewed and discussed correspondence seeking an opinion regarding whether certain telemedicine encounters involving solely asynchronous interactions between a

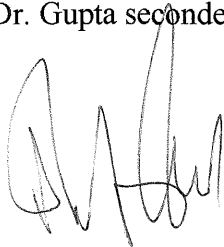
medical provider and a new patient are permissible under West Virginia telemedicine regulation. In reviewing the correspondence, the Committee was not able to determine whether the asynchronous interactive platforms that the letter was referencing are consistent with state law. Dr. Challa moved that the Committee authorize staff to respond to the correspondence received indicating that West Virginia Code §30-3-13a(c) establishes the methods through which a physician patient relationship can be established. Reverend Bowyer seconded, and the motion carried.

The Committee reviewed and discussed correspondence received from the Mercer County Board of Health, inquiring whether a physician can issue a standing order for an associate degree medical assistant to administer influenza vaccinations. Mr. Spangler will contact the Mercer County Board of Health and advise that their inquiry would be best addressed by Amy Atkins, Director of the West Virginia Center for Local Health.

Mr. Spangler reported that the Board has received correspondence from the West Virginia Board of Registered Professional Nurses notifying the Board that the complaint that Mr. Spangler submitted on behalf of the Board concerning the dermatology practice of an Advanced Practice Registered Nurse has been dismissed.

**ADJOURNMENT**

There being no further business to consider, Reverend Bowyer moved that the meeting be adjourned. Dr. Gupta seconded, and the motion carried.



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Ahmed D. Faheem, M.D.

Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**January 7, 2018 at 11:00 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- November 13, 2017

***Agenda Items:***

- Fiscal Reports and Purchasing Card Transactions for the Months of November and December
- Review of Board Policies and/or Procedures and Proposed Updates
  - Resolution Concerning Conflicts of Interest Policy
  - Procedure to be Followed by Persons Desiring to Address the Board
- West Virginia Ethics Commission Advisory Opinion Regarding the Use of Titles and Photographs in Educational Materials
- Convenience Fee Associated with Credit Card Payments
- Review of Uniform Application for Physicians and Associated Fees
- Potential Legislative Topics in 2018
- Nomination of Mr. Spangler as an FSMB Fellow
- Executive Director Twelve Month Employment Review
- Update, Review and Follow-up Regarding Strategic Planning

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

January 7, 2018

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 7<sup>th</sup> day of January 2018 at 11:00 am.

The following Committee members were present:

Ahmed Faheem, M.D., D.L.F.A.P.A., Chair  
Reverend O. Richard Bowyer  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

The following Committee member was absent:

Kishore K. Challa, M.D., F.A.C.C.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame

Dr. Faheem called the meeting to order. Dr. Gupta moved that the minutes of the November 13, 2017 meeting be approved. Reverend Bowyer seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

In advance of the meeting, members were provided with a copy of the fiscal report and purchasing card transactions for the months of November and December 2017. Upon review of the expenditures, Reverend Bowyer moved that the purchasing card transactions for the months of November and December 2017 be approved. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported to the Committee that he would like to begin the process of reviewing Board Position Statements for currentness of content. Prior to today's meeting the



Board's current policy regarding resolution concerning conflicts of interest was made available for members to review. This policy was originally adopted in 1988, and was amended in 2010. The Committee reviewed a draft revision of the policy, which provides guidance for members with regard to when and how to declare a conflict of interest. Reverend Bowyer moved that the Committee recommend that the Board adopt the *Conflict of Interest Policy* as presented. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that the Board's *Procedure to be Followed by Persons Desiring to Address the Board* was originally adopted in 2000, and was amended in 2010. The Committee reviewed a draft revision of the procedure. Following discussion, Board staff was directed to amend number two of the procedure to read as follows:

2. Each speaker will be allotted five minutes. However, if the number of persons who sign-up to address the Board is greater than persons, the Chair may identify a uniform time between one and five minutes to be allotted to each commenter.

Reverend Bowyer moved that the Committee recommended that Board adopt the amended *Procedure for Making Public Comments at Meetings of the Board*. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported to the Committee that at the November 2017 State Auditor's Conference, the West Virginia Ethics Commission presentation provided that the Ethics Act prohibits a public official's name or likeness (i.e. title and photograph) from being placed on education materials. The Committee reviewed an Ethics Commission Advisory Opinion regarding the use of titles and photographs in educational materials, and it remains unclear as to whether the Board's newsletter is considered "educational material." Reverend Bowyer moved that Board staff obtain an opinion from the Ethics Commission regarding the use of names, titles and photographs in future Board of Medicine newsletters. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that the West Virginia Treasure's Office applies a 2.25% convenience fee to all payments made to the Board via credit card transaction. In January 2016, the Board elected to absorb the 2.25% convenience fee applied to credit card transactions for a period of two years, and reevaluate thereafter. Following discussion, Reverend Bowyer moved that the Committee recommend that the Board continue to absorb the 2.25% convenience fee

associated with credit card transactions for a period of two years and reevaluate thereafter. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that currently the only pathway for a physician to apply for a license to practice medicine in West Virginia is to submit a Uniform Application (UA). The fee that an applicant is charged to utilize the UA is \$60.00. Following discussion, the Committee directed Board staff to begin developing a paper application that could be utilized by applicants applying for initial licensure with the Board.

Dr. Faheem reported that the Federation of State Medical Boards (FSMB) has modified their bylaws to allow medical board executive directors to become a FSMB fellow. Following discussion, Dr. Gupta moved that the Committee recommend that the Board nominate Mr. Spangler as a FSMB fellow. Reverend Bowyer seconded, and the motion carried.

Dr. Faheem reported to the Committee that Mr. Spangler is approaching completion of his first year in the executive director position, and recommended that the Committee perform a twelve-month employment review. Reverend Bowyer moved that the Committee enter into executive session pursuant to W.Va. Code §6-9A-4 to consider personnel matters regarding the executive director position. Dr. Gupta seconded, and the motion carried. Mr. Spangler, Ms. Alley, Ms. Frame and Mr. Foster left the meeting room at this time.

**EXECUTIVE  
SESSION**

The executive session concluded, and the public session commenced. All of the staff members who had left the meeting room when the Committee entered into executive session returned to the room at this time.

**PUBLIC  
SESSION**

Reverend Bowyer moved that the base salary for the executive director position be adjusted to \$116,000 annually, effective upon completion of all necessary administrative processing to make this change. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that the Board has begun incorporating the Mission, Vision and Core Values that were adopted in 2017. Member were provided with a draft copy of the goals and objectives that were identified during the Board's strategic planning session. Strategic planning

will be placed on the March 2018 Executive / Management Committee agenda, and the Committee will further discuss the draft goals and objective. The Committee would like to begin conducting annual strategic planning sessions. For 2018, the proposed date for a half-day planning session is Saturday, October 20, 2018.

ADJOURNMENT

There being no further business to consider, Reverend Bowyer moved that the meeting be adjourned. Dr. Gupta seconded, and the motion carried.



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Ahmed D. Faheem, M.D.

Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**March 11, 2018 at 10:45 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- January 7, 2018

***Agenda Items:***

- Correspondence Received Regarding Malpractice Reporting
- Correspondence Received Regarding Supporting the Practice of Physician Assistants
- Correspondence Received Regarding Temporary License Billing and Credentialing
- Correspondence Received Regarding Suggested Changes to the Ryan Haight Act Regulations
- Fiscal Reports and Purchasing Card Transactions for the Months of January and February
- Review of Board Policies and/or Procedures and Proposed Updates
  - Position Statement on the Corporate Practice of Medicine
  - Collaborative Relationships for Prescriptive Authority with APRNs or Certified Nurse Midwives
- Legislative Topics
- Update, Review and Follow-up Regarding Strategic Planning

- Updates
  - West Virginia Ethics Commission Advisory Opinion Regarding the Use of Titles and Photographs in Educational Materials
  - Review of Uniform Application for Physicians and Associated Fees

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

March 11, 2018

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 11<sup>th</sup> day of March 2018 at 11:00 am.

The following Committee members were present:

Ahmed Faheem, M.D., D.L.F.A.P.A., Chair

Reverend O. Richard Bowyer

Kishore K. Challa, M.D., F.A.C.C.

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

The following Staff members were present:

Mark A. Spangler, M.A.

Greg S. Foster, Esq.

Jamie C. Frame

Dr. Faheem called the meeting to order. Reverend Bowyer moved that the minutes of the January 7, 2018 meeting be approved. Dr. Challa seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

Tim Linkous, Esquire, of Linkous Law, PLLC was present for the meeting and signed up to address the Committee. Mr. Linkous was provided with a copy of the *Procedure for Making Public Comments at Meetings of the Board*. Following Mr. Linkous' address to the Committee, members thanked him for his comments.

PUBLIC  
COMMENTS

Mr. Linkous left the meeting at this time.

In advance of the meeting, committee members were provided with a copy of correspondence that was received regarding the reporting of medical malpractice settlements and judgements to the Board of Medicine. Reverend Bowyer moved that the Committee authorize

Board staff to begin reviewing the Board's *Medical Professional Liability Claim Report Form*, and present proposed modifications to the Committee at the May meeting. Dr. Gupta seconded, and the motion carried.

The Committee reviewed and discussed correspondence that was received which requests expungement of a medical malpractice settlement claim report from a licensee's record. Dr. Challa moved that Board legal staff review the request for expungement and provide a recommendation to the Committee at the May meeting. Dr. Gupta seconded, and the motion carried.

The Committee reviewed and discussed correspondence that was received from the Washington State Medical Commission (WSMC). The WSMC is unable to attend the 2018 Federation of State Medical Board's annual meeting and asks that the West Virginia Board of Medicine speak to the WSMC's resolution entitled *Supporting the Practice of Physician Assistants*. The Committee believes that it would be premature to opine on this issue until ample time for further discussion and consideration is had. Mr. Spangler will follow-up with the WSMC regarding this matter.

The Committee reviewed and discussed correspondence that was received regarding the ability for licensees who hold an active temporary license with the Board of Medicine to bill for their services. Mr. Spangler will respond to this request indicating that a temporary license is an active license, and therefore licensees who hold a temporary license should not be treated any different than other licensees who hold an active license with the Board.

The Committee reviewed correspondence that was received regarding the Drug Enforcement Agency's efforts to amend the regulations of the Ryan Haight Act, which relates to prescribing controlled substances through the use of telemedicine. Reverend Bowyer moved that the Committee recommend that the Board oppose any changes to the Ryan Haight Act. Dr. Gupta seconded, and the motion carried.

The Committee reviewed correspondence that was received from a student at George Washington University's School of Public Health. The correspondence addresses prescription

drug related overdose deaths in West Virginia. Mr. Spangler will respond to the sender indicating that current legislation and other initiatives are in alignment with her recommendations.

Prior to today's meeting, Committee members were provided with a copy of the fiscal report and purchasing card transactions for the months of January and February 2018. Mr. Spangler reported that the Board's request for a budget increase has been approved. Upon review of the expenditures, Reverend Bowyer moved that the purchasing card transactions for the months of January and February 2018 be approved. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that the Board's *Position Statement on the Corporate Practice of Medicine* was adopted in 2013. Following review, Dr. Gupta moved that the Committee recommend that Board re-adopt the *Position Statement on the Corporate Practice of Medicine* as presented with no modification. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported that the Board's current policy regarding collaborative relationships for prescriptive authority with advanced practice registered nurses or certified nurse midwives was adopted in March 2012. Dr. Gupta moved that the Committee recommend that the Board re-adopt the policy regarding collaborative relationships for prescriptive authority with APRNs or certified midwives and authorize Board staff to make technical, non-substantive changes to the policy. Reverend Bowyer seconded, and the motion carried.

Prior to today's meeting, Committee members were provided with a copy of the Board's strategic plan for 2018, which identifies the Boards goals and objectives for the year. Dr. Challa moved that the Committee recommend that the Board ratify the strategic plan as presented. Reverend Bowyer seconded, and the motion carried.

At the January 2018 meeting, the Committee recommended, and the Board approved, that a half-day strategic planning session be held on October 20, 2018. Due to scheduling conflicts, the Committee will recommend that the Board conduct the strategic planning session on either Saturday October 6<sup>th</sup> or Saturday October 13<sup>th</sup>, 2018.



There being no further business to consider, the meeting adjourned.

ADJOURNMENT



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Ahmed D. Faheem, M.D.

Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**May 6, 2018 at 10:45 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- March 11, 2018

***Agenda Items:***

- Correspondence Received Regarding the Corporate Practice of Medicine
- Medical Professional Liability Reporting
  - Proposed revisions regarding reporting settlements / judgements to the Board
  - Correspondence Received Requesting Expungement of Report of Settlement
    - Abnash C. Jain, M.D.
    - Brian Powell, M.D.
    - Alison Wilson, M.D.
    - Mahreen Hashmi, M.D.
- Review of Board Policies and/or Procedures and Proposed Updates
  - Collaborative Relationships for Prescriptive Authority with APRNs or Certified Nurse Midwives
- Board of Medicine Guidance Regarding Closing or Departing from Practice
- Board of Medicine Guidance Regarding Termination of the Patient – Physician Relationship
- Fiscal Reports and Purchasing Card Transactions for the Months of March and April 2018
- 2019 Budget

- Office Updates
  - 2018 Renewal
  - 2018 Upcoming Presentations
  - Staffing
  - Strategic Planning

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

May 6, 2018

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 6<sup>th</sup> day of May 2018 at 10:45 am.

The following Committee members were present:

Ahmed Faheem, M.D., D.L.F.A.P.A., Chair

Reverend O. Richard Bowyer

Kishore K. Challa, M.D., F.A.C.C.

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

The following Staff members were present:

Mark A. Spangler, M.A.

Jamie S. Alley, Esq.

Greg S. Foster, Esq.

Jamie C. Frame

Dr. Faheem called the meeting to order. Reverend Bowyer moved that the minutes of the March 11, 2018 meeting be approved. Dr. Challa seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

Steven Luby, Esquire, of Steptoe & Johnson, PLLC was present for the meeting and signed up to address the Committee. Mr. Luby was provided with a copy of the *Procedure for Making Public Comments at Meetings of the Board*. Following Mr. Luby's address to the Committee, members thanked him for his comments.

PUBLIC  
COMMENTS

Mr. Luby left the meeting at this time.

In advance of the meeting, committee members were provided with a copy of correspondence that was received concerning a request to address the prohibition against the

corporate practice of medicine as it applies to physician-owned for-profit hospitals. The requestor asked the Board to extend the current exemption for non-profit hospitals to for-profit hospitals which are entirely physician owned. Reverend Bowyer moved that the Committee enter into executive session for the purpose of obtaining legal advice. Dr. Challa seconded, and the motion carried.

EXECUTIVE  
SESSION

The Executive session concluded, and the Committee re-entered into public session. Dr. Gupta moved that the Committee take no action with regard to the request at this time and authorize staff to research how other states apply the prohibition against the corporate practice of medicine to both for-profit and not-for-profit hospitals. Dr. Challa seconded, and the motion carried. Staff will report back to the Committee at the July 2018 meeting regarding this matter.

PUBLIC  
SESSION

At the March 2018 meeting, the Committee authorized Board staff to begin reviewing the Board's Medical Professional Liability Claim Report Form, and to present proposed modifications to the Committee. Board staff have concluded that no modifications are needed to the report form. Draft *Guidelines for Identifying and Reporting Practitioners on a Medical Professional Liability Claim Report* were made available to Committee members prior to the meeting. Additionally, Committee members reviewed a draft letter to be sent to practitioners informing them that the Board has been notified that a medical malpractice payment was made on their behalf and allowing them 30 days to contest the validity of the report prior to the report becoming part of the his or her historical record with the Board. Reverend Bowyer moved that the Committee recommend that the Board adopt the *Guidelines for Identifying and Reporting Practitioners on a Medical Professional Liability Claim Report* and the letter to practitioner's informing them that a malpractice payment has been made on their behalf. Dr. Gupta seconded, and the motion carried.

At its March 2018 meeting, the Committee reviewed and discussed correspondence that was received which requests expungement of a medical malpractice settlement claim report from a licensee's record. The Committee directed Board legal staff review the request for expungement, and to provide a recommendation to the Committee at the May meeting. Since the March meeting, the Board has received additional requests for expungement of medical malpractice settlement claim reports. Following discussion, Dr. Gupta moved that the Committee recommend that the Board expunge the medical malpractice settlement claim report for the following licensees:

Abnash C. Jain, M.D.; Brian Powell, M.D.; and Alison Wilson, M.D. Dr. Challa seconded, and the motion carried.

A request was submitted for expungement of a medical malpractice settlement claim report involving Mahreen Hashmi, M.D. Dr. Hashmi was identified by name in the Notice of Claim and complaint and was identified by conduct in the Release. Dr. Gupta moved that the Committee recommend that the Board decline the request for expungement of the medical malpractice settlement claim report regarding Mahreen Hashmi, M.D. Reverend Bowyer seconded, and the motion carried.

Following review of the requests for expungement of medical malpractice settlement claim reports, Dr. Gupta moved that the Committee recommend that the Board delegate authority to staff to act upon expungement requests related to malpractice reporting if it is clearly determined that the licensee was improperly reported to the Board, and that the Executive / Management Committee review all requests that are deemed questionable by staff. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that the Board's current policy regarding collaborative relationships for prescriptive authority with advanced practice registered nurses or certified nurse midwives was adopted in 2012. Board staff removed outdated terminology, which referenced certified nurse midwives, throughout the policy. Reverend Bowyer moved that the Committee recommend that the Board adopt the *Policy Statement Regarding Minimum Requirements and Guidelines for Physicians in Collaborative Relationships for Prescriptive Authority with Advanced Practice Registered Nurses; Standard of Practice*. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that Board staff frequently receive telephone calls inquiring about closing or departing from a medical practice, terminating the patient-physician relationship, and records retention requirements. Currently, callers are referred to Board of Medicine newsletter articles, which were published in December 2015, that relate to these topics. Staff have requested, and the Committee has approved placing the articles concerning terminating the physician-patient relationship and closing a medical practice in a more prominent position on the Board's website.

Board staff will seek input from other entities regarding record retention guidelines and will revise the records retention article accordingly for inclusion on the website at a later date.

Prior to today's meeting, Committee members were provided with a copy of the fiscal report and purchasing card transactions for the months of March and April 2018. Upon review of the expenditures, Reverend Bowyer moved that the purchasing card transactions for the months of March and April 2018 be approved. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that the 2018 license renewal for physicians with last names beginning with the letters A-L, controlled substance dispensing practitioners with last names beginning with the letters A-L, and professional limited liability companies (PLLCs) began on May 2, 2018. The Board is utilizing paper renewal applications for controlled substance dispensing practitioner registrations and PLLCs.

Mr. Spangler reported that the following individuals will present at upcoming Board meetings:

Michael Zanolli, M.D. of the Federation of State Medical Boards will present at the July 2018 meeting.

Ryan Wakim, M.D., President and CEO of GR&W, and Michael Iaquina, President of iSelectMD, will present at the July 2018 meeting.

Dawn Morton-Rias, Ed.D., P.A.-C. of the National Commission on the Certification of Physician Assistants will present at the November 2018 meeting.

Mr. Spangler reported to the Committee that the Complaints Coordinator and the Paralegal for the Board recently resigned. The Board wishes them both well in their future endeavors.

Mr. Spangler reported that the annual Board of Medicine strategic planning session will be held on Saturday October 6, 2018. Further information will be provided as it becomes available.

Dr. Faheem reported that he has appointed the following members to serve on the Nominating Committee:

Reverend O. Richard Bowyer, Chair

Matthew Upton, M.D.

Victoria Mullins, P.A.-C

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



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Ahmed D. Faheem, M.D.  
Chair of the Executive/Management Committee



# **Nominating Committee Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**  
**Nominating Committee Agenda**  
**June 19, 2018 at 4:45 p.m.**

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***CALL TO ORDER***

***Public Comments***

- Consideration and Development of a Slate of Nominees for the Offices of President and Vice-President for the Election of Officers at the July meeting of the Board.

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Nominating Committee Minutes

June 19, 2018

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A meeting of the West Virginia Board of Medicine Nominating Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 19<sup>th</sup> day of June 2018 at 4:45 pm.

The following Committee member was present:

Victoria Mullins, P.A.-C.

The following Committee members joined the meeting via teleconference:

Reverend O. Richard Bowyer, Chair

Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.

Jamie S. Alley, Esq.

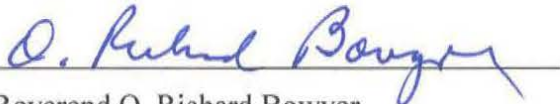
Jamie C. Frame

Reverend Bowyer called the meeting to order, and a review of the candidates who expressed interest in the offices of president and vice-president of the Board was undertaken. Following discussion, Dr. Upton moved that the slate of nominees for the offices of president and vice-president to be presented at the July 9, 2018 meeting of the Board be Kishore Challa, M.D. and Ashish Sheth respectively, and that the change in officers become effective July 10, 2018. Ms. Mullins seconded, and the motion carried.

CALL TO  
ORDER

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



Reverend O. Richard Bowyer

Chair of the Nominating Committee

# **Personnel Committee Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**  
**Personnel Committee Agenda**  
**May 6, 2018 at 11:45 am**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- May 7, 2017

***Agenda Items:***

- Employee Evaluation Review and Recommendation

***ADJOURNMENT***

# **Complaint Committee Meeting Agendas and Minutes**



WEST VIRGINIA BOARD OF MEDICINE

Complaint Committee Public Agenda

July 9, 2017

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**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

May 7, 2017 Meeting Minutes

May 25, 2017 Special Meeting Minutes

**(Motion Required)**

**I. COUNSEL'S REPORT**

CO	Yasar Aksoy, M.D.
17-08-W	Russell Biundo, M.D.
17-09-W	Paul Christian Brown, M.D.
17-12-W	Jodi Michelle Cisco-Goff, M.D.
16-02-W	William Douglas Given, M.D.
17-76-W	Ali Akbar Khan, M.D.
17-77-W	Salvatore LaNasa, M.D.
17-26-W	Munawar Siddiqi, M.S.

**II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**III. INTERVIEWS**

**IV. COMPLAINT COMMITTEE ACTIVITY**

**A. Returning Complaints**

**B. New Complaints**

**C. Other Ongoing Matters**

**V. POSSIBLE COMPLAINTS TO INITIATE**

**VI. DISCUSSION AND POSSIBLE ACTION**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**  
**Complaint Committee Meeting Minutes**  
**July 9, 2017**

---

A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 9th day of July, 2017 beginning at 12:30 p.m.

The following Committee members were present:

Kishore K. Challa, M.D., Chair  
Matthew Upton, M.D.

The following Committee members were absent:

Cheryl Henderson, Esquire  
Rusty L. Cain, D.P.M.

The following Board member was present and sitting on the Committee by designation:

Ashish P. Sheth, M.D.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Leslie A. Thornton, CMBI  
Patrick A. Muncie  
Felicia A. Bryant  
Rhonda A. Dean

**CALL TO ORDER** Dr. Challa called the meeting to order.

**APPROVAL OF PUBLIC MINUTES** Dr. Upton made a motion to approve the minutes of May 7, 2017. Dr. Sheth seconded the motion, and the motion carried.

**BOARD COUNSEL REPORT** Ms. Alley provided an update with respect to the Consent Orders offered by the Committee. Since the May meeting, fully executed Consent Orders have been entered with respect to the following licensees:



**Yasar Aksoy, M.D.** – On May 30, 2017, the Board summarily suspended Dr. Aksoy’s medical license for continuing to prescribe opioid drug products in violation of a temporary restraining order issued by a circuit court. The Board determined this conduct to be an immediate danger to the public. On June 9, 2017, the licensee entered into a Consent Order with the Board which effectuated the permanent voluntary surrender of his West Virginia medical license in lieu of proceeding to a public hearing.

**Russell Biundo, M.D.** – On June 27, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$800.00 for not reporting a medical professional liability settlement on his 2016 license renewal application.

**Paul Christian Bown, M.D.**- On June 9, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$800.00 for not reporting a medical professional liability settlement on his 2016 license renewal application.

**Jodi Michelle Cisco-Goff, M.D.**- On June 7, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$800.00 for not reporting a medical professional liability settlement on her 2016 license renewal application.

**William Douglas Given, M.D.** – On June 27, 2017, the licensee entered into a Consent Order with the Board which imposed terms and conditions on his medical license that require him to have a controlled substance agreement with his patients that he regularly prescribes controlled substances to, and to monitor the patients with drug screenings and random pill counts. Dr. Given must also complete a Medical Record Keeping Course and, for the next 3 years, provide on-site access for chart review.

**Ali Akbar Khan, M.D.** - On June 7, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for failing to produce documentation in response to a CME audit demonstrating his successful completion of a Board approved course on drug diversion training and best practicing of controlled substance during the requisite time frame.

**Salvatore LaNasa, M.D.**- On June 6, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for failing to produce documentation in response to a CME audit demonstrating his successful completion of a Board approved course on drug diversion training and best practicing of controlled substance during the requisite time frame.

**Munawar Siddiqi, M.D.** – On June 9, 2017, the licensee entered into a Consent Order with the Board which imposed reciprocal discipline based upon action taken against his license in Kentucky. Dr. Siddiqi’s West Virginia license shall remain in inactive status until he possesses an unrestricted medical license in Kentucky.

## **EXECUTIVE**

**SESSION** Dr. Upton made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Sheth. The

motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6.

**PUBLIC**

**SESSION** The Executive Session concluded and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTIONS**

Upon return to public session, Dr. Upton moved that the Committee take the following actions:

CLOSURES

17-88-P	Ziad Abed Al-Kariem Al-Qudah, M.D.
17-94-A	John David Angotti, M.D.
16-148-W	Ajay Anand, M.D.
17-97-S	Christopher Oliver Branam, M.D.
17-29-C	Carroll David Christiansen, M.D.
17-103-W	John Edwin Cornell, M.D.
17-84-W	Pramoda Kumari Devabakhtuni, M.D.
17-105-W	Joseph Hugo Duvert, M.D.
17-48-N	Michael Lee Ferrebee, M.D.
16-150-W	John Dae Harrah, Jr., M.D.
16-130-W	Mohammad Khalid Hasan, M.D.
16-131-W	Omar Khalid Hasan, M.D.
17-37-P	David Elwood Hess, M.D.
16-51-A	Hassan Arshad Jafary, M.D.
17-40-P	Hassan Arshad Jafary, M.D.
16-52-A	Hassan Asghar Jafary, M.D.
17-51-M	Teodoro Dimaano Jimenez, M.D.
16-146-W	Joseph Anthony Jurand, M.D.
17-45-O	Anthony Adolphus McFarlane, M.D.
17-118-W	Dennis Raymond Meurer, M.D.
17-91-S	Susan Wolf Miller, M.D.
17-46-M	Ahmet Husamettin Ozturk, M.D.
17-38-P	Justine Abigail Pagenhardt, M.D.
17-90-T	Ashok Kumar Patnaik, M.D.
17-86-P	Maurice Clement Rhodes, M.D.
17-80-W	Brian Keith Richardson, M.D.
17-42-H	Robert Edward Shapiro, M.D.
17-93-F	Michael Shramowiat, M.D.
17-50-L	Vineet Kumar Sood, M.D.
17-87-P	Bill Dean Underwood, M.D.
17-114-W	Patricia Dawn Webster, P.A.-C

INITIATED COMPLAINTS

17-135-W  
17-136-W  
17-137-W  
17-138-W  
17-139-W  
17-140-W  
17-141-W

WITHDRAWAL OF PREVIOUS INITIATED COMPLAINTS

17-52-W  
17-55-W  
17-119-W

Dr. Sheth seconded the motion, and the motion carried.

Thereafter, Dr. Upton moved that the Committee make the following finding:

**FINDINGS OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-101-W      Stephen Scott Brown, M.D.

Dr. Sheth seconded the motion, and the motion carried.

**ADJOURNMENT**      There being no further business, the Complaint Committee determined by consensus to adjourn.

  
\_\_\_\_\_  
Kishore K. Challa, M.D.  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Special Meeting**

**Public Agenda**

**August 3, 2017**

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**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

**I. COUNSEL'S REPORT**

**II. INTERVIEWS**

**III. COMPLAINT COMMITTEE ACTIVITY**

**A. Returning Complaints**

**B. New Complaints**

**C. Other Ongoing Matters**

**IV. POSSIBLE COMPLAINTS TO INITIATE**

**V. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**VI. COMPLAINT COMMITTEE ACTIONS AND RECOMMENDATIONS**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee**

**Special Meeting Minutes**

**August 3, 2017**

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A special meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 3<sup>rd</sup> day of August 2017, at 4:30 p.m.

The following Committee members were present and participated via telephone:

Kishore K. Challa, M.D., Chair  
Cheryl Henderson, J.D.  
Matthew Upton, M.D.  
Rusty L. Cain, D.P.M.

The following Staff members were present:

Mark A. Spangler, Director  
Jamie S. Alley, Esquire  
Leslie A. Thornton, CMBI  
Rhonda A. Dean

**CALL TO  
ORDER**

Dr. Challa called the meeting to order.

**EXECUTIVE  
SESSION**

Ms. Henderson made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) to discuss effecting a license as well as related information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Cain. The motion carried, and the Complaint Committee entered into Executive Session to consider matters pursuant to West Virginia Code §30-3-6 and W. Va. Code § 6-9A-4(b)(4) and (6).

**PUBLIC  
SESSION**

The Executive Session concluded and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTIONS**

Upon return to public session, Ms. Henderson moved that the Committee take the following

Actions:

INITIATED COMPLAINT

17-145-W

17-146-W

17-147-W

Dr. Upton seconded the motion, and the motion carried.

**ADJOURNMENT**

There being no further business, the Complaint Committee determined by consensus to adjourn.



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Kishore K. Challa, M.D.  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Public Agenda**

**September 10, 2017**

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**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

July 9, 2017 Meeting Minutes  
August 3, 2017 Special Meeting Minutes  
**(Motion Required)**

**I. COUNSEL'S REPORT**

16-89-W	Jamie L. Hall-Jasper, D.P.M.
16-34-W	James E. Prommersberger, D.P.M.
17-122-W	Marc J. Spelar, M.D.

**II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**III. INTERVIEWS**

**IV. COMPLAINT COMMITTEE ACTIVITY**

- A. Returning Complaints
- B. New Complaints
- C. Other Ongoing Matters

**V. POSSIBLE COMPLAINTS TO INITIATE**

**VI. DISCUSSION AND POSSIBLE ACTION**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**  
**Complaint Committee Meeting Minutes**  
**September 10, 2017**

---

A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 10th day of September, 2017 beginning at 12:30 p.m.

The following Committee members were present:

Kishore K. Challa, M.D., Chair  
Cheryl Henderson, Esquire  
Rusty L. Cain, D.P.M.

The following Committee member was absent:

Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Patrick A. Muncie  
Felicia A. Bryant  
Rhonda A. Dean

**CALL TO ORDER** Dr. Challa called the meeting to order.

**APPROVAL OF PUBLIC MINUTES** Dr. Cain made a motion to approve the minutes of the July 9, 2017 and August 3, 2017 meetings. Ms. Henderson seconded the motion, and the motion carried.

**BOARD COUNSEL REPORT** Ms. Alley provided an update with respect to the Consent Orders offered by the Committee. Since the July meeting, fully executed Consent Orders have been entered with respect to the following licensees:

1. Jamie Hall-Jasper, D.P.M. – On July 10, 2017, and the Board voluntarily entered into a Consent Order that imposes a public reprimand and places Dr. Hall-Jasper’s license in probationary status



for three years. During her period of probation, Dr. Hall-Jasper is subject to specific controlled substance prescribing restrictions and limitations. Additionally, she must maintain a controlled substance prescription log, she is subject to prescription and medical record monitoring by the Board, and she must complete continuing education as identified in her Consent Order.

2. James Prommersberger, D.P.M. – On July 10, 2017, Dr. Prommersberger entered into a Consent Order that imposed a three year stayed suspension and a three year period of probation on his West Virginia podiatric license. During his period of probation, Dr. Prommersberger may not treat chronic pain with opioid medications and is further subject to specific controlled substance prescribing restrictions and limitations. Additionally, he must maintain a controlled substance prescription log, he is subject to prescription and medical record monitoring by the Board, and he must complete continuing education as identified in his Consent Order.
3. Marc Spelar, M.D. – On August 30, 2017, the licensee entered into a Consent Order with the Board that temporarily prohibits Dr. Spelar from practicing medicine in West Virginia during the pendency of a current Board investigation. Dr. Spelar is prohibited from engaging in any form of clinical medicine, including all patient care/and or treatment of any kind. Dr. Spelar is strictly prohibited from administering, ordering dispensing, or prescribing any and all medications.

#### **EXECUTIVE**

**SESSION** Ms. Henderson made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Cain. The motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6.

#### **PUBLIC**

**SESSION** The Executive Session concluded and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTIONS**

Upon return to public session, Dr. Cain moved that the Committee take the following actions:

CLOSURES

17-130-A	Magdi Ahmed Salah El Din Abbas, M.D.
17-127-J	Shelly Rene Bailey, M.D.
17-96-P	Charles David Burtner, M.D.
17-13-W	John Michael Coleman, M.D.
16-62-W	Prafull Kanaiyalal Dave, M.D.
17-64-W	John Thomas Dorsey, III, M.D.
17-65-W	Thomas Alan Durnell, M.D.
17-99-J	Warren Lee Grace, III, M.D.
17-132-B	Gina Jereza-Harris, M.D.
17-128-J	James Christian Jensen, M.D.
17-136-W	Jonathan Michael Johnson, M.D.
17-111-W	Mohamad Samah Kalou, M.D.
17-133-P	Robby Lee Keith, M.D.
17-119-L	Barrett Asher Loudon, M.D.
17-134-C	Charles Lye, M.D.
17-98-U	Earl Lynn Nelson, M.D.
16-153-W	Michael Vincent O'Keefe, M.D.
17-125-N	Govindbhai Mafatlal Patel, M.D.
17-113-W	Avinash Govind Ram Purohit, M.D.
17-121-J	Ammar Akram Shammaa, M.D.
17-126-J	Anthony Frank Sibley, M.D.
17-129-H	Heather Michelle Skeens, M.D.
17-28-W	Sue Ann Westfall, M.D.
16-160-W	Robert Cheng Yee, M.D.

INITIATED COMPLAINTS

17-164-W  
17-165-W  
17-166-W  
17-167-W  
17-168-W

WITHDRAWAL OF PREVIOUS INITIATED COMPLAINT

17-137-W

Ms. Henderson seconded the motion, and the motion carried.

Thereafter, Dr. Cain moved that the Committee make the following finding:

**FINDING OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-147-W      Paul Webber Burke, Jr., M.D.

Ms. Henderson seconded the motion, and the motion carried.

The Committee discussed developing a policy regarding the review of complaints filed against Board members. Dr. Cain moved that to avoid any appearance of impropriety, all complaints against sitting Board members be sent out for independent review as a matter of Complaint Committee policy. Ms. Henderson seconded the motion, and the motion carried.

**ADJOURNMENT**      There being no further business, the Complaint Committee determined by consensus to adjourn.



Kishore K. Challa, M.D.  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Special Meeting**

**Public Agenda**

**September 28, 2017**

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**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

- I. COUNSEL'S REPORT**
- II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**
- III. INTERVIEWS**
- IV. COMPLAINT COMMITTEE ACTIVITY**
  - A. Returning Complaints**
  - B. New Complaints**
  - C. Other Ongoing Matters**
- V. POSSIBLE COMPLAINTS TO INITIATE**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**  
**Complaint Committee**  
**Special Meeting Minutes**  
**September 28, 2017**

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A special meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 28th day of September 2017, at 4:30 p.m.

The following Committee members were present and participated via teleconference:

Kishore K. Challa, M.D., Chair  
Cheryl Henderson, J.D.  
Matthew Upton, M.D.  
Rusty L. Cain, D.P.M.

The following Staff members were present:

Mark A. Spangler, Director  
Jamie S. Alley, Esquire  
Leslie A. Thornton, CMBI  
Rhonda A. Dean

The following legal counsel from the West Virginia Attorney General's Office was present:

Katherine A. Campbell, Assistant Attorney General

**CALL TO  
ORDER**

Dr. Challa called the meeting to order.

**EXECUTIVE  
SESSION**

Dr. Cain made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) to discuss effecting a license as well as related information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Ms. Henderson. The motion carried, and the Complaint Committee entered into Executive Session to consider matters pursuant to West Virginia Code §30-3-6 and W. Va. Code § 6-9A-4(b)(4) and (6).

**PUBLIC  
SESSION**

The Executive Session concluded and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTIONS**

Upon return to public session, Ms. Henderson moved that the Committee take the following Action:

INITIATED COMPLAINT

17-171-W

Dr. Cain seconded the motion, and the motion carried.

**ADJOURNMENT**

There being no further business, the Complaint Committee determined by consensus to adjourn.



Kishore K. Challa, M.D.  
Chair of the Complaint Committee

WEST VIRGINIA BOARD OF MEDICINE

Complaint Committee Public Agenda

November 12, 2017

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**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

September 10, 2017 Meeting Minutes  
September 28, 2017 Special Meeting Minutes  
**(Motion Required)**

**I. COUNSEL'S REPORT**

- 17-53-W Riad S. Al-Asbahi, M.D.
- 17-56-W Ron Bonfiglio, M.D.
- 17-57-W Frederick Brautigan, M.D.
- 17-147-W Paul Webber Burke, Jr., M.D.
- 17-59-W Garry Wayne Burkholder, M.D.
- 17-60-W James Butterworth, M.D.
- 17-102-W Robert A. Caveny, M.D.
- 17-62-W Anup Kumar Das, M.D.
- 17-104-W Russell Andrew DeGroot, M.D.
- 17-63-W Antonio Damaoal, M.D.
- 17-67-W Johnny Dy, M.D.
- 17-68-W Cheryl Pixley Entress, M.D.
- 17-106-W Miechia Esco, M.D.
- 17-69-W Stephen Flax, M.D.
- 17-70-W Kelby Frame, M.D.
- 17-108-W Rochelle Goldberg, M.D.
- 17-71-W Ryan Christopher Hall, M.D.
- 17-72-W Douglas Grover Harrison, M.D.
- 17-74-W Bethany Morris Honce, M.D.
- 17-109-W Manish Jhavar, M.D.
- 17-112-W Sophie Lanciers, M.D.
- 17-78-W Lap-Yang Joseph Li, M.D.
- 17-140-W Anita Petite, P.A.-C.

**II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**III. INTERVIEWS**

**IV. COMPLAINT COMMITTEE ACTIVITY**

**A. Returning Complaints**

**B. New Complaints**

**C. Other Ongoing Matters**

**V. POSSIBLE COMPLAINTS TO INITIATE**

**VI. DISCUSSION AND POSSIBLE ACTION**

**ADJOURNMENT**



**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Meeting Minutes**

**November 12, 2017**

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A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 12th day of November, 2017 beginning at 12:30 p.m.

The following Committee members were present:

Kishore K. Challa, M.D., F.A.C.C., Chair  
Matthew Upton, M.D.  
Ashish P. Sheth, M.D.  
Reverend O. Richard Bowyer

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Patrick A. Muncie  
Felicia A. Bryant  
Rhonda A. Dean

**CALL TO ORDER** Dr. Challa called the meeting to order. Dr. Challa welcomed Dr. Sheth and Reverend Bowyer to the Committee.

**ORDER**

**APPROVAL  
OF PUBLIC**

**MINUTES** Dr. Upton made a motion to approve the minutes of the September 10, 2017 meeting. Dr. Sheth seconded the motion, and the motion carried.

Reverend Bowyer made a motion to approve the minutes of the September 28, 2017 special meeting. Dr. Sheth seconded the motion, and the motion carried.

**BOARD  
COUNSEL**

**REPORT** Ms. Alley provided an update with respect to the Consent Orders offered by the Committee. Since the September meeting, fully executed Consent Orders have been entered with respect to the following licensees:

1. Riad S. Al-Asbahi, M.D.- On September 11, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$1,850.00 and was required to complete 18.5 hours of CME to satisfy his CME deficiency.
2. Ron Bonfiglio, M.D. – On October 5, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
3. Frederick Brautigan, M.D.- On September 11, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
4. Paul Webber Burke Jr., M.D. – On October 5, 2017, the licensee entered into a Consent Order with the Board for non-compliance with the West Virginia Medical Professional Health Program. Dr. Burke’s medical license shall remain on probationary status and subject to his Amended Consent Order dated April 16, 2014, which shall remain in full force and effect until his medical license is surrendered to the Board on December 31, 2017.
5. Garry Wayne Burkholder, M.D.- On September 11, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
6. James Butterworth, M.D.- On September 8, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
7. Robert A. Caveny, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

8. Anup Kumar Das, M.D.- On October 5, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
9. Russell Andrew DeGroot, M.D.- On September 11, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
10. Antonio Domaoal, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
11. Johnny Dy, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
12. Cheryl Pixley Entress, M.D.- On September 28, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
13. Miechia Esco, M.D.- On October 7, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
14. Scott Walker Findley, M.D.- On November 1, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

15. Stephen Flax, M.D.- On October 5, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
16. Kelby Frame, M.D.- On September 28, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
17. Rochelle Goldberg, M.D.- On September 28, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
18. Ryan Christopher Hall, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
19. Douglas Grover Harrison, M.D.- On September 28, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
20. Bethany Morris Honce, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
21. Manish Jhavar, M.D.- On October 24, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$3,800 and was required to complete 38 hours of CME to satisfy his CME deficiency.

22. Sophie Lanciers, M.D.- On October 7, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
  
23. Lap-Yang Joseph Li, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
  
24. Anita Petite, P.A.-C.- On October 24, 2017, the licensee entered into a Consent Order with the Board which Publicly Reprimanded the licensee for knowingly misrepresenting her prescribing status on her 2017 renewal application.

**EXECUTIVE**

**SESSION** Dr. Upton made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Sheth. The motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6.

**PUBLIC**

**SESSION** The Executive Session concluded and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTIONS**

Upon return to public session, Reverend Bowyer moved that the Committee take the following actions:

CLOSURES

17-58-W	Ellen Renee Brown, M.D.
17-61-W	Juliet Anne Cha, M.D.
16-129-W	Adam Joseph Corcovilos, M.D.
17-116-W	Touraj Farid, M.D.
17-143-W	Warren Lee Grace, III, M.D.
17-120-W	Bruce Fredric Haupt, M.D.
17-73-W	Suzanne Holroyd, M.D.
17-89-C	Suzanne Holroyd, M.D.
17-152-B	Yaser Homsy, M.D.
17-153-C	Thomas Martin Jung, M.D.
17-139-W	Kathryn A. Knodel, M.D.
17-150-M	Charles Lye, M.D.
17-151-M	Sandra K. May, P.A.-C
17-131-S	Prasadarao B. Mukkamala, M.D. (Abstention due to declared conflict: Dr. Challa)
17-162-M	Rahmet Muzaffer, M.D.
17-85-W	Alexander Arpad Nagy, M.D.
17-154-O	Kelly Raphael Nelson, M.D.
17-124-C	Gerard Joseph Oakley, M.D.
17-167-W	Ramanathan Padmanaban, M.D. (Abstention due to declared conflict: Dr. Challa)
17-81-W	Ajai K. Sandhir, M.D.
17-82-W	Ujjal Singh Sandhu, M.D. (Abstention due to declared conflict: Dr. Challa)
17-95-J	Robert Dale Santrock, M.D.
17-148-D	Letitia Elaine Tierney, M.D.
17-142-Y	Robert Brian Wade, M.D.
17-144-M	Rajwardhan Harishcandra Yadav, M.D.

#### INITIATED COMPLAINTS

17-180-W  
 17-181-W  
 17-182-W  
 17-183-W  
 17-184-W  
 17-185-W  
 17-186-W  
 17-187-W  
 17-188-W  
 17-189-W  
 17-190-W  
 17-191-W  
 17-192-W  
 17-193-W

Dr. Sheth seconded the motion, and the motion carried.

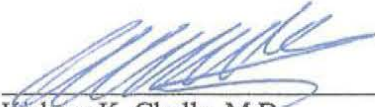
Thereafter, Dr. Upton moved that the Committee make the following finding:

**FINDING OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-122-W      Marc Jonathan Spelar M.D.

Reverend Bowyer seconded the motion, and the motion carried.

**ADJOURNMENT**      There being no further business, the Complaint Committee determined by consensus to adjourn.

  
\_\_\_\_\_  
Kishore K. Challa, M.D.  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Special Meeting**

**Public Agenda**

**November 30, 2017**

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**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

- I. COUNSEL'S REPORT**
- II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**
- III. INTERVIEWS**
- IV. COMPLAINT COMMITTEE ACTIVITY**
  - A. Returning Complaints**
  - B. New Complaints**
  - C. Other Ongoing Matters**
- V. POSSIBLE COMPLAINTS TO INITIATE**

**ADJOURNMENT**



**WEST VIRGINIA BOARD OF MEDICINE**  
**Complaint Committee**  
**Special Meeting Minutes**  
**November 30, 2017**

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A special meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 30th day of November 2017, at 4:30 p.m.

The following Committee members were present and participated via teleconference:

Kishore K. Challa, M.D., F.A.C.C., Chair  
Ashish P. Sheth, M.D.  
Reverend O. Richard Bowyer

The following Committee member was absent:

Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, Director  
Jamie S. Alley, Esquire  
Leslie A. Thornton, CMBI  
Rhonda A. Dean

**CALL TO  
ORDER**

Dr. Challa called the meeting to order.

**EXECUTIVE  
SESSION**

Reverend Bowyer made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) to discuss effecting a license as well as related information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Sheth. The motion carried, and the Complaint Committee entered into Executive Session to consider matters pursuant to West Virginia Code §30-3-6 and W. Va. Code § 6-9A-4(b)(4) and (6).

**PUBLIC  
SESSION**

The Executive Session concluded and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTIONS**

Upon return to public session, Reverend Bowyer moved that the Committee take the following Action:

INITIATED COMPLAINT

17-197-W

Dr. Sheth seconded the motion, and the motion carried.

**ADJOURNMENT**

There being no further business, the Complaint Committee determined by consensus to adjourn.



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Kishore K. Challa, M.D.  
Chair of the Complaint Committee

WEST VIRGINIA BOARD OF MEDICINE

Complaint Committee Public Agenda

January 7, 2018

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CALL TO ORDER

COMPLAINT COMMITTEE APPROVAL

November 12, 2017 Meeting Minutes  
November 30, 2017 Special Meeting Minutes  
**(Motion Required)**

- I. COUNSEL'S REPORT  
17-75-W Charles Paul Honsinger, III, M.D.
  
- II. CONSENT ORDER AND DISCIPLINARY ACTIVITY
  
- III. INTERVIEWS
  
- IV. COMPLAINT COMMITTEE ACTIVITY
  - A. Returning Complaints
  - B. New Complaints
  - C. Other Ongoing Matters
  
- V. POSSIBLE COMPLAINTS TO INITIATE
  
- VI. DISCUSSION AND POSSIBLE ACTION

ADJOURNMENT

**WEST VIRGINIA BOARD OF MEDICINE**  
**Complaint Committee Meeting Minutes**  
**January 7, 2018**

---

A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dec Drive, Charleston, West Virginia, on the 7th day of January, 2018 beginning at 12:30 p.m.

The following Committee members were present:

Matthew Upton, M.D.  
Ashish P. Sheth, M.D.  
Reverend O. Richard Bowyer  
Ahmed Daver Faheem, M.D., D.L.F.A.P.A. (sitting by designation for consideration of four matters currently before the Committee)

The following Committee member was absent:

Kishore K. Challa, M.D., F.A.C.C., Chair

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Patrick A. Muncie  
Felicia A. Bryant  
Rhonda A. Dean

**CALL TO ORDER** Dr. Upon, presiding as Acting Chair by designation, called the meeting to order.

**APPROVAL OF MINUTES** Reverend Bowyer made a motion to approve the minutes of the November 12, 2017 meeting. Dr. Sheth seconded the motion, and the motion carried.

Dr. Sheth made a motion to approve the minutes of the November 30, 2017 special meeting. Reverend Bowyer seconded the motion, and the motion carried.

**BOARD COUNSEL REPORT** Mr. Foster provided an update with respect to the Consent Orders offered by the Committee. Since the November meeting, fully executed Consent Orders have been

entered with respect to the following licensees:

1. Charles Paul Honsinger, III, M.D.- On November 13, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
2. Rodhan Abass Khthir, M.D. – On January 2, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
3. Paul Basil Papadimitriou, M.D.- On January 2, 2018, the licensee entered into a Consent Order with the Board which publicly reprimanded the licensee for improper treatment of a patient and placed licensee on probation for one year with specific terms and conditions, including successful completion of training and education and maintaining proper prescribing records when regularly prescribing controlled substances to a patient.

## **EXECUTIVE SESSION**

Dr. Bowyer moved that the public session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy at which time. A second was given by Dr. Sheth. The motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6. Prior to commencing in executive session, Dr. Faheem left the meeting room, as he was not scheduled to participate in the matters appearing first on the agenda.

## **PUBLIC**

**SESSION** The Committee re-entered public session. Dr. Upton declared a conflict in three pending Complaint Committee matters. Dr. Upton identified the matters as three confidential reports pending

before the Committee for the possible initiation of committee complaints and investigations. Having declared conflicts, Dr. Upton exited the meeting room at this time. Dr. Faheem rejoined the meeting, and a quorum was present for the consideration of the three matters for which Dr. Upton declared a conflict.

#### **EXECUTIVE**

**SESSION** Dr. Sheth moved that the public session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. Dr. Faheem seconded the motion, and the motion carried. The Committee entered into Executive Session at this time.

#### **PUBLIC**

**SESSION** The Committee re-entered public session. Dr. Sheth moved that the Committee initiate Complaint No. 18-02-W, with full investigatory authority delegated to staff. Dr. Faheem seconded the motion, and the motion carried. Reverend Bowyer moved that the Committee concluded that it lacks jurisdiction to proceed upon the report submitted by M.H. Dr. Sheth seconded the motion, and the motion carried. The Committee took no other action at this time. Having dispatched the matters for which Dr. Upton had declared a conflict, Dr. Upton returned to the meeting room at this time.

Reverend Bowyer declared conflict with respect to pending matter 17-164-W, and left the meeting room at this time.

#### **EXECUTIVE**

**SESSION** Dr. Sheth moved that the public session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters related to pending matter 17-164-W, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. Dr. Faheem seconded the motion, and the motion carried.

#### **PUBLIC**

**SESSION** The Committee re-entered public session. Dr. Faheem moved that the Committee close its investigation into Complaint No. 17-164-W and determine that there is a lack of probable cause to substantiate the initiation of disciplinary charges upon this complaint. Dr. Sheth seconded the motion,

and the motion carried. Reverend Bowyer returned to the meeting room at this time. The Committee having taken up those matter for which Dr. Faheem was sitting by appointment to form a quorum, Dr. Faheem left the meeting, and was absent for the remainder of the meeting.

#### **EXECUTIVE**

**SESSION** Reverend Bowyer moved that the public session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. Dr. Sheth seconded the motion, and the motion carried. The Committee entered into Executive Session at this time.

#### **PUBLIC SESSION/ ADDITIONAL COMPLAINT COMMITTEE ACTIONS**

The Committee re-entered public session. Reverend Bowyer moved that the Committee take the following actions:

#### CLOSURES

17-170-P	David Mark Anderson, M.D.
17-146-W	Deborah Lynn Chadwick, M.D.
17-179-V	David Wellington Cook, M.D.
17-165-W	Thomas Alan Durnell, M.D.
17-149-H	Michael L. Harris, M.D.
16-151-W	Mohammad Khalid Hasan, M.D.
17-18-W	Mohammad Khalid Hasan, M.D.
17-166-W	Nolan Mark Hill, M.D.
17-117-W	James Michael Holehouse, M.D.
17-169-F	Antonio Santiago Garcia Merino, M.D.
17-155-F	Georgianna Maynell Richards, M.D.

17-83-W William Peter Matthew Southcott, M.D.

17-172-W Terence Wayne Triplett, M.D.

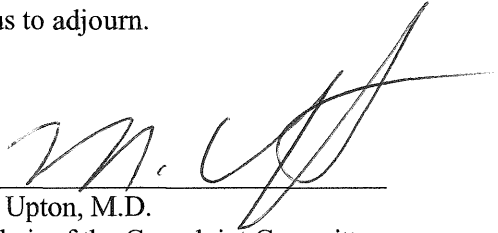
INITIATED COMPLAINTS WITH INVESTIGATORY  
AUTHORITY DELEGATED TO STAFF

18-03-W  
18-04-W  
18-05-W  
18-06-W  
18-07-W  
18-08-W  
18-09-W  
18-10-W  
18-11-W  
18-12-W  
18-13-W  
18-14-W  
18-15-W  
18-16-W  
18-17-W  
18-18-W  
18-19-W  
18-20-W  
18-21-W  
18-22-W

Reverend Bowyer further moved that the Committee seek authorization from the Board to offer Consent Orders and/or Amended Consent Orders in four matters.

Dr. Sheth seconded the motion, and the motion carried.

**ADJOURNMENT** There being no further business, the Complaint Committee determined by consensus to adjourn.

  
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Matthew Upton, M.D.  
Acting Chair of the Complaint Committee



**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Public Agenda**

**March 11, 2018**

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**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

January 7, 2018 Meeting Minutes

**(Motion Required)**

- I. COUNSEL'S REPORT**  
17-66-W George Michael Dwyer, M.D.
  
- II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**
  
- III. INTERVIEWS**
  
- IV. COMPLAINT COMMITTEE ACTIVITY**
  - A. Returning Complaints**
  - B. New Complaints**
  - C. Other Ongoing Matters**
  
- V. POSSIBLE COMPLAINTS TO INITIATE**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Meeting Minutes**

**March 11, 2018**

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A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 11th day of March 2018 beginning at 12:30 p.m.

The following Committee members were present:

Kishore K. Challa, M.D., F.A.C.C., Chair  
Ashish P. Sheth, M.D.  
Reverend O. Richard Bowyer

The following Committee member was absent:

Matthew Upton, M.D.

The following Board member was present and sitting on the Committee by designation:

Wes Steele, M.D.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Patrick A. Muncie  
Felicia A. Bryant  
Rhonda A. Dean

The following Staff member was absent:

Jamie S. Alley, Esquire

**CALL TO ORDER** Dr. Challa called the meeting to order.

**APPROVAL OF PUBLIC MINUTES** Reverend Bowyer made a motion to approve the minutes of the January 7, 2018 meeting. Dr. Sheth seconded the motion, and the motion carried.

**BOARD COUNSEL REPORT** Mr. Foster provided an update with respect to the Consent Orders offered by the

Committee. Since the January meeting, fully executed Consent Orders have been entered with respect to the following licensees:

1. George Michael Dwyer, M.D.- On January 8, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
2. Joy Jeannine Juskowich, M.D. – On March 5, 2018, the licensee entered in a Consent Order with the Board which imposed that her medical license remain in an inactive status until she fully complies with all required treatment programs and practice recommendation under her WVMPHP agreement.

**EXECUTIVE**

**SESSION** Reverend Bowyer made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Sheth. The motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6.

**PUBLIC**

**SESSION** The Executive Session concluded and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTIONS**

Upon return to public session, Reverend Bowyer moved that the Committee take the following actions:

CLOSURES

17-141-W	Charlotte Martha Akor, M.D.
17-196-M	Ziad Abed Al-Kareim Al-Qudah, M.D.
18-20-W	Ellen Renee Brown, M.D.
17-92-J	Daniel Scott Frame, M.D.

17-183-W Rachel S. Gilman, M.D.  
17-173-H Dawn Reed Jones, M.D.  
17-202-N Donald Gerould Klinestiver, M.D.  
17-194-F Jeffry Shobe Life, M.D.  
17-199-T Charles Lye, M.D.  
17-161-B Sandra K. May, P.A.-C  
17-174-W Kathryn S. Moffett, M.D.  
17-177-H Rafael Evencio Molina, M.D.  
18-10-W Darren Blaine Nease, M.D.  
18-12-W John Eugene Parker, M.D.  
17-184-W Victor Thomas Perrone, M.D.  
17-175-W Mitchell Nicholas Rashid, M.D.  
17-185-W Salah Philip Razzook, M.D.  
17-186-W Patrick Gerard Rosario, M.D.  
17-190-W Hassan Nicholas Shamma, M.D.  
17-200-M Robert Lee Wheeler, M.D.  
18-18-W Alison Marie Wilson, M.D.  
18-19-W Jessica Rose Galang Ybanez-Morano, M.D.

INITIATED COMPLAINTS

18-41-W  
18-42-W  
18-43-W  
18-44-W  
18-45-W  
18-46-W  
18-47-W  
18-48-W  
18-49-W  
18-50-W  
18-51-W  
18-52-W  
18-53-W  
18-54-W  
18-55-W  
18-56-W  
18-57-W  
18-58-W  
18-59-W  
18-60-W  
18-61-W

WITHDRAWAL OF PREVIOUS INITIATED COMPLAINTS

18-06-W

18-11-W

18-13-W

18-15-W

Dr. Sheth seconded the motion, and the motion carried.

Thereafter, Reverend Bowyer moved that the Committee make the following finding:

**FINDING OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-123-W Sarah Brooke Cash, M.D.

Dr. Sheth seconded the motion, and the motion carried.

**ADJOURNMENT** There being no further business, the Complaint Committee determined by consensus to adjourn.

  
Kishore K. Challa, M.D.  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Special Meeting**

**Public Agenda**

**April 27, 2018**

---

**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

- I. COUNSEL'S REPORT
- II. CONSENT ORDER AND DISCIPLINARY ACTIVITY
- III. INTERVIEWS
- IV. COMPLAINT COMMITTEE ACTIVITY
  - A. Returning Complaints
  - B. New Complaints
  - C. Other Ongoing Matters
- V. POSSIBLE COMPLAINTS TO INITIATE

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee**

**Special Meeting Minutes**

**April 27, 2018**

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A special meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 30th day of April 27, 2018, at 12:00 p.m.

The following Committee members were present and participated via teleconference:

Kishore K. Challa, M.D., F.A.C.C., Chair  
Ashish P. Sheth, M.D.  
Reverend O. Richard Bowyer  
Matthew Upton, M.D.  
Wes Steele, M.D.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg S. Foster, Esquire  
Leslie A. Thornton, CMBI  
Patrick A. Muncie, Investigator

**CALL TO  
ORDER**

Dr. Challa called the meeting to order.

**EXECUTIVE  
SESSION**

Dr. Steele made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) to discuss effecting a license as well as related information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Upton. The motion carried, and the Complaint Committee entered into Executive Session to consider matters pursuant to West Virginia Code §30-3-6 and W. Va. Code § 6-9A-4(b)(4) and (6).

**PUBLIC  
SESSION**

The Executive Session concluded and the Complaint Committee returned to Public Session.

**ADJOURNMENT**

There being no further business, the Complaint Committee determined by consensus to adjourn.



Kishore K. Challa, M.D.  
Chair of the Complaint Committee



**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Public Agenda**

**May 6, 2018**

---

**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

March 11, 2018 Meeting Minutes

**(Motion Required)**

- I. COUNSEL'S REPORT, M.D.**
  - 17-24-W Stephen J. Mallott, M.D.
  - 17-115-W Isabelita T. de Mesa, M.D.
  - 17-171-W Alberto A. Fernandez, M.D.
  - 18-02-W Joseph H. Matusic, M.D.
  - 18-09-W Scott A. Naegele, M.D.
  - 18-17-W Michael Roy Spindel, M.D.
  
- II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**
  
- III. INTERVIEWS**
  
- IV. COMPLAINT COMMITTEE ACTIVITY**
  - A. Returning Complaints**
  - B. New Complaints**
  - C. Other Ongoing Matters**
  
- V. POSSIBLE COMPLAINTS TO INITIATE**
  
- VI. POSSIBLE ACTION AND DISCUSSION**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Meeting Minutes**

**May 6, 2018**

---

A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 6th day of May 2018 beginning at 12:30 p.m.

The following Committee members were present:

Kishore K. Challa, M.D., F.A.C.C., Chair  
Ashish P. Sheth, M.D.  
Reverend O. Richard Bowyer  
Matthew Upton, M.D.  
Wes Steele, M.D.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Patrick A. Muncie

**CALL TO ORDER** Dr. Challa called the meeting to order.

**APPROVAL OF PUBLIC MINUTES**

Reverend Bowyer made a motion to approve the minutes of the March 11, 2018 Complaint Committee meeting. Dr. Sheth seconded the motion, and the motion carried. Dr. Upton made a motion to approve the minutes of the Committee's March 11, 2018 and April 27, 2018 meeting. Reverend Bowyer seconded the motion, and the motion carried.

**BOARD COUNSEL REPORT**

Mr. Foster provided an update with respect to the Consent Orders offered by the Committee. Since the March meeting, fully executed Consent Orders have been entered with respect to the following licensees:

1. Anna Nicole Antolini, P.A.-C.: On April 30, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$200.00 for an inaccurate response to Professional Practice Question Number Twelve on her renewal application.
2. Darci Nicole Barger, P.A.-C.: On April 30, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$200.00 for an inaccurate response to Professional Practice Question Number Twelve on her renewal application.
3. Stephen J. Mallott, M.D.: On April 18, 2018 the licensee entered into a Consent Order with the Board which imposed a public reprimand for improper treatment of a patient and placed his license in a probationary status for a period of two years with terms, conditions, limitations and restrictions regarding the licensee's prescribing practices.
4. Isabelita T. de Mesa, M.D.: On April 18, 2018 the licensee entered into a Consent Order with the Board which imposed a public reprimand for her dishonorable, unprofessional and unethical behavior with respect to her failure to secure her prescription pads and for illegible medical records. Licensee must successfully enroll and complete Case Western Reserve University's Intensive CME Course in Medical Documentation: Clinical, Legal and Economic Implications for Healthcare Providers Clinical.
5. Alberto A. Fernandez, M.D.: On April 24, 2018 the licensee entered into a Consent Order with the Board which imposed a public reprimand for his dishonorable, unprofessional and unethical conduct and suspended the license. The suspension imposed by the Consent Order shall remain in effect until it is lifted or otherwise modified pursuant to a subsequent Order issued by the Board.
6. Joseph Henry Matusic, M.D.: On April 18, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to Professional Practice Question Number Twelve on his renewal application.
7. Scott Alan Naegele, M.D.: On April 18, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to Professional Practice Question Number Twelve on his renewal application.

8. Michael Roy Spindel, M.D.: On April 24, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to Professional Practice Question Number Twelve on his renewal application.

**EXECUTIVE**

**SESSION** Dr. Upton made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Sheth. The motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6.

**PUBLIC**

**SESSION** The Executive Session concluded, and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE**

**ACTIONS**

Dr. Upton having previously declared a conflict in a pending Complaint Committee matter, Complaint No. 18-05-W, and having been absent for all prior discussion regarding this complaint, exited the meeting room. After Dr. Upton left the meeting room, Dr. Sheth moved that Complaint No. 18-05-W against Michael Anthony Covelli, M.D. be closed without further action. Reverend Bowyer seconded the motion, and the motion carried. Thereafter, Dr. Upton returned to the meeting room and was present for the remainder of the meeting.

Reverend Bowyer moved that the Committee take the following additional actions:

**CLOSURES**

16-152-W	Hassan Arshad Jafary, M.D.
17-20-W	Hassan Arshad Jafary, M.D.
17-135-W	Shawn Wayne Coffman, M.D.
17-203-S	Bruce Max Rothchild, M.D.
17-195-S	Shelana Marie Gibbs-McElvy, M.D.
18-26-M	Coy Alden Flowers, M.D.
18-31-S	Mohamad Bassam Haffar, M.D.

18-25-P Sandra K. May, P.A.-C.  
18-28-M Pushpa Nambi Joseph, M.D.  
18-30-B Muhammad Salman, M.D.  
18-65-H Russell Irvin Voltin, M.D.

**INITIATED COMPLAINTS**

18-77-W  
18-78-W  
18-79-W  
18-80-W  
18-81-W  
18-82-W  
18-83-W  
18-84-W

**WITHDRAWAL OF PREVIOUS INITIATED COMPLAINTS**

18-58-W

Dr. Sheth seconded the motion, and the motion carried.

Reverend Bowyer moved that the Committee seek authority from the Board to issue Consent Orders or Amended Consent Orders in four ongoing matters. Dr. Sheth seconded the motion, and the motion carried.

Reverend Bowyer moved that the Committee make the following findings:

**FINDING OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-100-W Nathan David Airhart, M.D.  
16-107-W Steven Scott Melek, D.P.M.  
16-36-W David Carol Shamblin, M.D.  
16-154-W David Carol Shamblin, M.D.

Dr. Sheth seconded the motion, and the motion carried.

The Complaint Committee has been investigating Complaint No. 16-107-W, against Steven Scott Melek, D.P.M., podiatric license number 269. This complaint was initiated by the Complaint Committee based upon a report from a physician regarding Dr. Melek's prescribing of opioid medication to a patient. Reverend Bowyer moved that, based upon all of the information developed by the investigation since the Committee's March 11, 2018 meeting, that the Committee find that probable cause exists to substantiate charges to disqualify Dr. Melek from the practice of medicine in West Virginia due to apparent violations of:

- a. W. Va. Code § 30-3-14(c)(13), related to prescribing a controlled substance other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the podiatric physician's professional practice; and/or
- b. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.2.a, related to dishonorable unethical or unprofessional conduct including, but not limited to prescribing or dispensing any controlled substance:
  - i. With the intent or knowledge that a controlled substance will be used or is likely to be used other than medicinally or for an accepted therapeutic purpose; and/or
  - ii. With the intent to evade any law with respect to the sale, use or disposition of the controlled substances; and/or
  - iii. For the licensee's personal use, or for the use of his or her immediate family when the licensee knows or has reason to know that an abuse of controlled substance(s) is occurring, or may result from such a practice; and/or
  - iv. In such amounts that the licensee knows or has reason to know, under the attendant circumstances, that the amounts prescribed or dispensed are excessive under accepted and prevailing medical practice standards; and/or
- c. W. Va. Code § 30-3-14(c)(20) and W. Va. Code R. § 11-1A-12.1.i, related to demonstrating a lack of professional competence to practice medicine or podiatry with a reasonable degree of skill and safety for patients; and/or

- d. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.x, related to engaging in malpractice or failing to practice medicine with that level of care, skill and treatment which is recognized by a reasonable, prudent, podiatric physician; and/or
- e. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.e and j, related to engaging in unprofessional conduct of a character likely to deceive, defraud or harm the public or any member thereof; and/or
- f. W. Va. Code §30-3-14(c)(19), related to gross negligence in the use and control of prescription forms; and/or
- g. W. Va. Code §30-3-14(c)(16) and W. Va. Code R. §11-1A-12.1.aa, related to delegating professional responsibilities to a person whom the licensee knew or had reason to know is not qualified by training, experience or licensure to perform the responsibilities; and/or
- h. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.o, related to the failure to perform any statutory or legal obligation placed upon a licensed physician or podiatric physician, including but not limited to his obligation pursuant to W. Va. Code § 60A-9-5a and W. Va. Code R. § 11-10-3 to access the West Virginia CSMP in association with his prescribing of controlled substances to treat chronic nonmalignant pain; and/or
- i. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.bb, related to the violation of any law which relates to the practice of medicine or podiatric medicine and surgery, when the licensee knows or should know that such action is violative of the law; and/or
- j. W. Va. Code § 30-3-14(c)(11) and W. Va. Code R. § 11-1A-12.jj, related to the failure to maintain a medical record justifying the course of treatment of a patient; and/or
- k. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.w, related to self-prescribing controlled substances; and/or
- l. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.z, related to practicing medicine and surgery beyond the licensee's scope of practice.

Reverend Boyer further moved that the Complaint Committee conclude that Dr. Melek's continuation in practice constitutes an immediate danger to the public and recommend that the Board ratify the Committee's probable cause findings and that the Board further find that the criteria for summary suspension of Dr. Melek's license have been met. Dr. Steele seconded the motion, and the motion carried.

**ADJOURNMENT** There being no further business, the Complaint Committee determined by consensus to adjourn.



Kishore K. Challa, M.D.  
Chair of the Complaint Committee



# **Board Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**July 10, 2017 at 9:00 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- **May 8, 2017**
- **May 25, 2017**
- **June 6, 2017**
- **June 19, 2017**

***Announcements***

***Committee and Staff Reports, Discussion and Action:***

- ***West Virginia Board of Medicine, Petitioner, v. Omar Khalid Hasan, M.D., Respondent – Request for Stay of Final Order Submitted on Behalf of the Licensee***
- **Executive/Management Committee**
- **Legislative Committee**
- **Board Attorney Report**
- **Physician Assistant Committee**
- **Licensure Committee**
- **Complaint Committee**

***Presentation by P. Bradley Hall, Executive Director of the WVMPHP***

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**July 10, 2017**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 10<sup>th</sup> day of July 2017 at 9:00 a.m.

The following Board members were present for the meeting:

Ahmed D. Faheem, M.D., President  
Kishore K. Challa, M.D., F.A.C.C., Vice President  
Rahul Gupta, M.D., M.P.H., Secretary  
Reverend O. Richard Bowyer  
Harry Duncan, M.D.  
Beth Hays, M.A.  
Cheryl Henderson, J.D.  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Mustafa Rahim, M.D.  
Ashish Sheth, M.D.  
Wes Steele, M.D.  
Matthew Upton, M.D.  
K. Dean Wright, P.A.-C.

The following Board member was absent:

Rusty Cain, D.P.M.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI

Dr. Faheem called the meeting to order and announced that following the May 2017 Board meeting, members were contacted regarding their preference regarding the date to hold a strategic planning meeting this fall. The majority of members indicated that

**CALL TO  
ORDER,  
ANNOUNCEMENTS  
AND APPROVAL  
OF MINUTES**

Saturday, October 7, 2017, was their preference; therefore, the meeting will be scheduled for this date. Further information regarding the meeting will be provided as it becomes available. Dr. Mullins moved that the minutes of the May 8, 2017 meeting be approved. Ms. Henderson seconded, and the motion carried. Dr. Duncan moved that the May 25, 2017 meeting minutes be approved. Reverend Bowyer seconded, and the motion carried. Ms. Hays moved that the minutes of the June 6, 2017 meeting be approved. Dr. Rahim seconded, and the motion carried. Dr. Rahim moved that the June 19, 2017 meeting minutes be approved. Ms. Hays seconded, and the motion carried.

With regard to the next agenda item, *West Virginia Board of Medicine, Petitioner, v. Omar Khalid Hasan, M.D., Respondent* – Request for Stay of Final Order Submitted on Behalf of the Licensee, the following members declared a conflict and left the meeting room at this time:

Ahmed Faheen<sup>1</sup>, M.D., President  
Kishore Challa, M.D., F.A.C.C., Vice President  
Cheryl Henderson, J.D.  
Matthew Upton, M.D.

In the absence of the Board President and Vice President, the meeting was chaired by Dr. Gupta. Ms. Alley reported that on June 19, 2017, a special Board meeting was held and the Board voted to issue a Final Order with regard to this matter. The Order imposed, among other terms and conditions, a one year suspension of Dr. Hasan's license to practice medicine and surgery in West Virginia. To facilitate the transition of care for Dr. Hasan's current patients, the period of suspension imposed by the Order is scheduled to begin at 12:01 a.m. on Monday, July 24, 2017. The Order was signed on June 21, 2017 and served later that week. Counsel for Dr. Hasan notified the Board that Dr. Hasan intends to appeal the Final Order and requests a stay of the Board's Final Order, and asks that the Board stay its order pending resolution of the appeal. Ms. Alley also advised that the appeal has been

filed, and a similar motion is pending before the circuit court. Following discussion, Reverend Bowyer moved that the Board deny Dr. Hasan's request for a stay of the Final Order. Dr. Steele seconded, and the motion carried.

Dr. Faheem, Dr. Challa, Ms. Henderson and Dr. Upton returned to the meeting room at this time. Dr. Faheem chaired the remainder of the meeting.

P. Bradley Hall, M.D., Executive Director of the West Virginia Medical Professionals Health Program (WVMPHP), addressed the Board regarding the future of the organization.

PRESENTATION

Dr. Faheem reported that the Executive/Management Committee met yesterday morning, Sunday, July 9, 2017, at which time Danny Scalise, Executive Director of the West Virginia State Medical Association, addressed the Committee regarding concerns about the potential practice of medicine by an advanced practice registered nurse. Following discussion, Mr. Spangler indicated that he will pursue the filing of a formal complaint with the West Virginia Board of Registered Professional Nurses regarding this matter.

EXECUTIVE /  
MANAGEMENT  
COMMITTEE  
REPORT

The Committee approved the fiscal report and purchasing card transactions for the months of February, May and June 2017. The March and April reports were approved at the May 2017 meeting. Dr. Faheem reported that the Board's spending authority in relation to personnel has been increased, and that the Board recently advertised for a full-time Board Attorney. Interviews will be conducted this week, and on Friday, July 14, 2017, the top candidates will be interviewed by Executive/Management Committee members and key staff members. Thereafter, Mr. Spangler will fill the position.

Dr. Faheem reported that the bidding process for hearing examiners and court reporting services has concluded. The Board has contracted with six individuals to provide hearing examiners services for the 2017-2018 fiscal year. Additionally, the Board has contracted with four entities to provide court reporting services.

Dr. Faheem reported that the Board will need to maintain a contract with Big Picture as we examine our current needs and explore database options. Therefore, the Board will enter into a one year maintenance agreement with Big Picture.

Dr. Faheem reported that the Board has received several requests for a roster of information regarding licensees of the Board. Currently, with the exception of a few entities for which the Board has an agreement, board staff directs individuals seeking a roster of information to West Virginia University Office of Health Services Research. Following discussion, the Committee elected to maintain the current practice with regard to handling requests for licensee information.

Dr. Faheem reported on the 2017 licensure renewal for medical doctors; 2846 renewed their license in active status, 203 renewed in inactive status, and 531 licenses expired. With regard to podiatric physicians, 109 renewed their license in active status, 6 renewed in inactive status and 13 licenses expired.

Dr. Faheem reported that P. Bradley Hall, Executive Director of the WVMPHP, has requested that the Board of Medicine licensure fees be increased by \$100.00 per licensee per renewal cycle to assist in funding the WVMPHP. The Committee acknowledges the important role that the WVMPHP plays, and would like to review statistical data regarding the number of referrals, outcomes, etc. regarding the WVMPHP program and work cooperatively with the WVMPHP towards a sound financial future for the organization. Upon reviewing licensure fees in surrounding states, Maryland is the only

state that currently charges higher licensing fees than West Virginia. At this time, the Committee does not feel that it is possible to increase the licensure fee by \$100.00; therefore, the Committee recommended that the Board decline to support an increase in licensure fees at this time. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that Mr. Spangler and Ms. Alley will be traveling to West Virginia University School of Medicine on July 25, 2017 to tour the school and meet with representatives. The invitation was extended to Board members. Additionally, Mr. Spangler and Ms. Alley will be meeting with representative of West Virginia Mutual Insurance on July 27, 2017 to discuss working collaboratively on issues of common interest.

Dr. Faheem reported that Mr. Spangler has attended an Interstate Medical Licensure Compact (IMLC) Commission meeting in St. Paul, MN, and he has also participated in IMLC Commission teleconferences. The Board of Medicine has begun receiving applications for an IMLC license.

Dr. Faheem reported that renovations to the new office space are nearing completion, and that the moving of offices is scheduled to begin later this week.

Dr. Faheem notified the Board of the separation from employment of one employee. Dr. Faheem also reported that as planned for several months, Andrew Wessels will join the staff later this month.

Dr. Faheem moved that the Board accept and ratify the report of the Executive / Management Committee. The motion carried.

Ms. Hays reported that the Legislative Committee met yesterday, Sunday, July 9, 2017. The Board's legislative rules 11 CSR 1A, *Licensing and Disciplinary Procedures for Physicians and Podiatric Physicians*; 11 CSR 1B, *Licensure, disciplinary and Complaint Procedures, and Continuing Education for Physician Assistants*, and 11 CSR 5, *Dispensing of Prescription Drugs by Practitioners*, became effective on July 5, 2017.

Ms. Hays reported that with regard to Board's legislative rule 11 CSR 6, *Continuing Education for Physicians and Podiatrists*, Board staff have filed Notice of a Comment Period on a Proposed Rule with the Secretary of State's office. The comment period ends on July 21, 2017. To date, no comments have been received.

Ms. Hays reported that Ohio currently allows for patient testimonials to be included in physician advertising. It is possible that during the 2018 legislative session, there may be legislation introduced relating to utilizing patient testimonials in physician advertising in West Virginia.

Ms. Hays reported that Board staff have worked diligently on proposed amendments to 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*. The proposed changes to this rule include: changing "supervising physician" to "collaborating physician" and "supervision" to "collaboration" throughout; prescribing parity with APRNs; removing the requirement that a physician assistant maintain national certification through the National Commission on Certification of Physician Assistants; granting physician assistants global signature authority; modernizing the Continuing Medical Education (CME) language to be consistent with the CME language for physicians and podiatric physician; and expanding signature authority. The rule also provides that if an initial license is granted within 30 days prior to licensure renewal, the license renewal be waived for that cycle. Additionally, the proposed rule modifies sections relating to requirements that a collaborating physician be on-site. The Committee recommended that that Board approve the revision of 11 CSR 1B,



and authorize staff to move forward with promulgation of the rule. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Ms. Hays reported that action will need to be taken with regard to 11 CSR 6, *Continuing Education for Physicians and Podiatrists*, and 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, between now and the September meeting. The Legislative Committee moved that the Board authorize the Legislative Committee to act on behalf of the Board regarding these rules, and convene special meetings to do so as appropriate. The motion of the Committee was given by Ms. Hays, and the motion carried.

Ms. Hays moved that the Board accept and ratify the report of the Legislative Committee. The motion carried.

Ms. Alley reported that a Final Order has been served in the matter of Joel David Shiffler, M.D. Dr. Shiffler has until the end of July to appeal the Board's Order, if he so chooses.

**BOARD  
ATTORNEY  
REPORT**

Ms. Alley reported that in January 2017, the Board issued a Final Order denying the application for licensure to practice medicine and surgery in the state of West Virginia, in the matter of Diane Elaine Shafer, M.D. Dr. Shafer filed a Petition in Mingo County Circuit Court to appeal the Board's Final Order. Briefs have been submitted, and Mr. Spangler and Ms. Alley recently traveled to Mingo County Circuit Court for oral arguments upon the appeal. We anticipate a decision with regard to this matter in the near future.

Ms. Alley reported that on February 17, 2017, the Kanawha County Circuit Court issued an Order Denying Appeal of the Board's Final Order in the matter of *Shivkumar Iyer, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent*. The circuit court

affirmed the Board's Final Order. Dr. Iyer has filed an appeal in the West Virginia Supreme Court. Dr. Iyer's brief has been filed, and the Board of Medicine's brief is due on August 7, 2017. Assistant Attorney General Greg Foster is handling this appeal.

Ms. Alley reported on the matter of *West Virginia Board of Medicine, Petitioner, v. Omar Khalid Hasan, M.D., Respondent*. Dr. Hasan has filed a Petition for Appeal of the Board's Final Order, and a Motion for Stay pending the appeal in the Circuit Court of Kanawha County. Ms. Alley is handling the appeal in the matter. Briefs will be due later this summer.

Mr. Wright provided the report of the Physician Assistant Committee, which met on Saturday, July 8, 2017.

**PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT**

Mr. Wright reported that its May 2017 meeting the Physician Assistant Committee reviewed the quarterly status reports submitted pursuant to the September 27, 2016 Consent Order of Kimberly Elaine Connor, P.A.-C. Ms. Connor was restricted to direct supervision for a minimum period of six months. Her supervising physician had recommended that the restriction be lifted. The Physician Assistant Committee recommended that Ms. Connor be released from her Consent Order. An Order Terminating Consent Order was entered on May 15, 2017.

Mr. Wright asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. No conflicts were declared.

The Physician Assistant Committee recommended the following applicants be approved for physician assistant licensure:

Jackson Barkley Austin, P.A.-C.

Haley May Baird, P.A.-C.  
Christian August Barill, P.A.-C.  
Lorin Ashley Belcher, P.A.-C.  
Terri Leanne Belcher, P.A.-C.  
Kristen Marie Bilby, P.A.-C.  
Jordan Ashley Britton, P.A.-C.  
Christopher Timothy Burgan, P.A.-C.  
Taylor W. Callahan, P.A.-C.  
Dana Frances DeGeorge, P.A.-C.  
Ashley Lynn Delashmutt, P.A.-C.  
Kelly Elizabeth Demuynck, P.A.-C.  
Ellen Adelia Doebler, P.A.-C.  
Jenna Lee Enoch, P.A.-C.  
Erika Nicole Fox, P.A.-C.  
Gerald Edward Frey, Jr., P.A.-C.  
Brittany Lynn Giesken, P.A.-C.  
Stephanie Anne Hamrick, P.A.-C.  
Timothy David Hontz, P.A.-C.  
Travis Wayne Hughes, P.A.-C.  
Mark Edward Javins, P.A.-C.  
Tara Carson Jernejcic, P.A.-C.  
Mallory Ann Ledergerber, P.A.-C.  
Heather Kay Legg, P.A.-C.  
Christina Michelle Manchin-Newlon, P.A.-C.  
Heather Ann Nattkemper, P.A.-C.  
Bailey Bierhuizen O'Bannon, P.A.-C.  
Kayleigh Coffey Ramaley, P.A.-C.  
William Joseph Roberts, P.A.-C.  
Kelsey Lynn Roetenberg, P.A.-C.  
Erika Blythe Saunders, P.A.-C.  
Aris Leshae Smith, P.A.-C.  
Norman Lee Walker, P.A.-C.  
Elisabeth May Walls, P.A.-C.  
Josee Leigh Zydonik, P.A.-C.

The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

The Physician Assistant Committee recommended that Lynne Alice Shaver, P.A.-C be approved for reinstatement of physician assistant licensure. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

The Physician Assistant Committee reviewed the proposed practice agreement between James Michael Lackey, P.A.-C. and Prasad Polisetty, M.D., which was submitted for its review prior to authorization pursuant to Mr. Lackey's Consent Order of January 4, 2016. The Physician Assistant Committee recommended that the Board authorize the agreement. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

The Physician Assistant Committee reviewed the proposed practice agreement between Amanda Marie Skrinjorich, P.A.-C. and Ryan Wakim, M.D. The Committee will request that Ms. Skrinjorich, as well as Dr. Wakim if he chooses, appear before the Committee at its September 2017 meeting prior to any further determination of authorization.

Mr. Wright reported that the Physician Assistant Committee reviewed and discussed Senate Bill 1014 and the proposed amendments to 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*. Mr. Wright commended Mr. Spangler and Ms. Alley in their revising of the proposed rule.

Mr. Wright reported that Board staff have authorized forty-six (46) practice agreements for the period of May 8, 2017 through July 7, 2017. Additionally, twenty-five (25) alternate supervisors were designated.

Mr. Wright moved that the Board accept and ratify the report of the Physician Assistant Committee. The motion carried.

Dr. Rahim delivered the report of the Licensure Committee, which met on Saturday, July 8, 2017.

LICENSURE  
COMMITTEE  
REPORT

Nine applicants appeared before the Committee on Saturday to discuss their applications. Based upon the Committee's review of the relevant applications, and its discussion with the applicants, the Committee made the following recommendations:

1. Approve Steven Michael Fish, M.D. for permanent medical licensure.
2. Approve Anil Dutt, M.D. for permanent medical licensure pending payment of the patient injury compensation fund assessment fee.
3. Approve Niv Ad, M.D. and Jeremiah William Hayanga, M.D. for medical school faculty licensure.
4. Place the following applications on hold pending receipt of additional information:  
Saeed Fatenejad, M.D.  
Gianna Joanne Link, M.D.  
Ever Luizaga Coca, M.D.

The motion of the licensure committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that Alvin Chan Wee, M.D. appeared before the Licensure Committee in support of his application for an extraordinary circumstances medical license. The Licensure Committee recommend that the Board approve Dr. Wee's application for licensure pursuant to WV Code § 30-3-10(e) based on the following findings:

1. The applicant has exceptional education, training and practice credentials, including:
  - a. Establishing and eight years of experience serving as the Program Director of the Kidney and Kidney/Pancreas Program at St. Vincent Hospital in Indianapolis, Indiana, a satellite transplant program for the Cleveland Clinic, during which time the program has substantively contributed to a significant decrease in the kidney transplant wait time for the state of Indiana with the program itself having the second shortest wait time in the region;

- b. Over ten years of clinical experience in Kidney and Pancreas Transplantation, including laparoscopic living donor nephrectomies;
- c. Serving as a Living Donor Primary Surgeon for the Kidney and Kidney/Pancreas Program at St. Vincent Hospital in Indianapolis, Indiana;
- d. Appointment as Assistant Professor for the Cleveland Clinic Lerner College of Medicine;
- e. Serving as the Region 10 Representative for United Network for Organ Sharing;
- f. Completion of a two year Renal/Pancreas Transplant Fellowship at the Glickman Urological and Kidney Institute at the Cleveland Clinic; and
- g. Publication in the subject matter area of transplant medicine, including pancreas transplantation.

2. The applicant's practice in the state would be beneficial to the public welfare. Currently, there are no physicians in West Virginia performing live donor kidney transplants, and only one physician performing deceased donor kidney transplants. Dr. Wee performs live and deceased donor kidney transplants, and his licensure would provide access to live donor kidney transplants to residents of this state.

3. The availability of live donor kidney transplant procedures can affect the length of transplant wait times for West Virginia patients, and can maximize opportunities and outcomes for certain patient populations.

4. The applicant received six years of postgraduate training outside of the United States and its territories, including four years of urologic surgery. Additionally, Dr. Wee completed one year of ACGME post-graduate medical training in internal medicine and two years of fellowship training in Renal/Pancreas Transplant at the Glickman Urological and Kidney Institute at the Cleveland Clinic.

5. The applicant's education and initial post-graduate training occurred outside of the United States and are not, standing alone, substantially equivalent to the requirements of licensure in this state, however the totality of his education, training, and practice

credentials are substantially equivalent to the requirements of licensure established in W. Va. Code §30-3-10(f).

6. The applicant has no disciplinary action which would render him ineligible for an extraordinary circumstances license.

7. The applicant is eligible for a restricted license in extraordinary circumstances.

The Committee further recommended that Dr. Wee be approved for an extraordinary license limited according to practice location at the locations of Charleston Area Medical Center, Charleston, West Virginia, and that the applicant's license be restricted to the practice of transplant surgery. The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that at the May 2017 meeting, the Licensure Committee reviewed and discussed the application for reactivation of the permanent medical license of Anthony Todde Securo, M.D. Dr. Securo was requested to appear before the Licensure Committee at its July 2017 meeting. Dr. Securo appeared in support of his application. The Committee recommended that the Board approve Dr. Securo for reactivation of licensure through proposed Consent Order with the following terms, conditions, limitations and restrictions: 1) Dr. Securo shall not practice pain management or work in a pain management clinic, and shall refer patients with chronic pain, as necessary, to a pain management specialist or licensed clinic; 2) In the event that Dr. Securo regains a DEA registration which permits the prescribing of schedule II and III controlled substances he shall not prescribe controlled substances to any patient at an amount more than the morphine equivalent daily dose (MEDD) of 30mg and such prescriptions shall not be for more than one (1) week of medication per procedure; 3) Prior to prescribing, administering, ordering or dispensing any controlled substances, Dr. Securo shall detail in full, in the patient's file, the examination performed and diagnosis reached in the particular patient's file. Dr. Securo shall specifically record all physical data of the patient and detail the exact nature of his evaluation of the patient. In addition to this requirement, Dr. Securo agrees to comply with all record keeping requirements of the Board; 4) At six month intervals

after the date of entry of this Consent Order, the Board may, in its discretion, query Dr. Securo's controlled substance prescribing practices with the West Virginia Board of Pharmacy's Controlled Substance Monitoring Database and/or similar state or federal entities in surrounding states to monitor Dr. Securo's compliance with the prescribing restrictions imposed by this Order; 5) Dr. Securo acknowledges that it is a best practice to chart in the medical record the name of the chaperone and/or female staff member present whenever he conducts a breast examination, gynecological examination, or any other medical test or procedure which requires contact with or exposure of the breast or genitals. Dr. Securo agrees that he will strictly comport with this practice and will always chart the name of the female staff member/chaperone present for all such medical procedures; 6) Dr. Securo shall maintain current and accurate contact information with the Board, including home address, preferred mailing address, all practice addresses in West Virginia and e-mail address. Dr. Securo shall provide the Board with any changes or additions to his contact information within 5 days of any such change; 7) Within ten days of commencing practice at any place of practice in West Virginia, and for so long as the practice restrictions imposed by this Consent Order remain in place, Dr. Securo shall provide a complete copy of the fully executed Consent Order, to any and all employers and places where he practices and/or has privileges in West Virginia; 7) Dr. Securo shall appear before the Licensure Committee on an annual basis, at the discretion of the Board, to discuss his practice of medicine and/or his compliance with the terms of his probation or this Consent Order; and 8) After Dr. Securo has been in active practice in West Virginia for one full year, he may petition to the Board to modify and/or lift the practice restrictions related thereto which are imposed by this Order. The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Licensure Committee reviewed and discussed six applications. Base thereupon, the Committee made the following recommendations:



1. Approve Kyle Matthew Burner, M.D. for permanent medical licensure pending payment of the patient injury compensation fund assessment fee.

2. Accept postgraduate training as satisfactorily verified and approve Wayne Ernest Tobin, M.D. for permanent medical licensure pending payment of the patient injury compensation fund assessment fee based on the fact that Dr. Tobin's residency training was verified and he holds lifetime Board certification in neurology.

3. Accept the total hours of continuing medical education as satisfactory and approve Deborah Lynn Green-Chadwick (Chadwick), M.D. and Deborah Sue Davis, M.D. for reactivation of permanent medical licensure.

4. Approve David Austin Bennion, Jr., M.D. and Maryam Hussain, M.D. for permanent medical licensure pending receipt of satisfactory evidence of verification of completion of postgraduate training and pending payment of the patient injury compensation fund assessment fee.

The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Licensure Committee will refer a matter to the Complaint Committee for potential Licensure Consent Order violation.

Based upon review of application materials, the Committee elected to invite Peter Matthew Gannon, M.D. to appear at the Committee's September 2017 meeting.

Dr. Rahim asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared.

The Committee recommended that the Board approve the following applicants for licensure:

**Permanent medical licensure**

Abdelfattah, Mohamad Bashar

Abunnaja, Salim Salaheddin

Adhikari, Shubash

Aizad, Tazeem Ahmad

Alaqzam, Tasneem Saleh

Albert, Deborah Louise

Aljohani, Sami Mohammad

Anguh, Terence Tsiambuom

Appel, Jeffrey Paul

Atkinson, Joshua Aubrey

Baig, Aneeqah

Baker, Danile Mark

Barr, Karen Patricia

Begole, Mary Jeannette

Bendel, Laima Pauliukonis

Benhacene, Assia

Berardinelli, Andrew John

Beville, III, Lee Walker

Blankenship, Will Owen

Bostian, Phillip Andrew

Brady, IV, John Paul

Brehm, Anthony

Brooks, Douglas Paul

Brown, Thomas William

Brown, III, Merritt Weaver

Browne, Alysia Dawn

Brownfield, Aaron Matthew

Bukamur, Hazim Said

Cassara, Antonio

Catt, Karyn Emmanuel

Cohen, Jonathan

Conjeski, Jacob Matthew

Cook, Benjamin Charles

Cormack, Graham Michael

Couvillion, Joseph Anthony

Dabir, Amann

Daigle, Jessica Simone Butler

Dolganiuc, Angela

Dothager, Matthew David

Driscoll, Maggie Marie

Driver, Kevin Albert

Eizember, Frances Lim

Estrada Trejo, David Ernesto

Evans, Aaron Michael

Faluade, II, Emmanuel

Farrah, Thomas Grayson

Fonebi, Gwendoline Akwen

Franke, David Dale Johnson

Gabino Miranda, Gustavo Andres  
Garcia Lopez deVictoria, Elizabeth  
Geatrakas, Christina Sharon  
Gebremedhin, Binyam  
Gibbs-McElvy, Shelana Marie  
Grubb, Kristen Rae  
Gupta, Sumeet Kumar  
Gwynne, Mackenzie Jo

Haile, Morgan Cheatham  
Hayanga, Heather Kaiser  
He, Peimei  
Hensley, Christina Ann  
Hill, Garick David  
Hintz, Brace Leland  
Hoffman, Matthew Timothy  
Horner, Jr., Michael Vernon  
Hudkins, Matthew Gregory  
Hustead, Jeremy Daniel

Irfan, Affan Bin  
Ivan, Mihaela

Jackson, Laura Elizabeth Evans  
Jain, Priya Kumari  
Jakob, John Andrew  
Johnson, Charles Edward  
Johnson, Dustin Lee

Karpurapu, Hemamalini  
Kasirajan, Lakshmi Priya  
Katcheves, Alexandr Steve  
Khan, Muhammad Usman  
Khan, Samira  
Kilgore, Brian Alan  
Kothari, Viral Dilip

Labi, Marhon Amos  
Lai, Peter Ping-Kwong  
Lawrence, Karena Gildea  
Leung, Richard W.  
Levora, Jan  
Lopez, Eric Mark Jaurique

Malik, Asifa Mahboob  
Mannan, Abdul  
Mardanlou, Sarah Ruth  
Mawari, Samih Kasim  
Mazza, Pamela Patricia  
McMillion, Brent Michael  
Mehta, Rashi Ishwar  
Miah, Abdul Rahman  
Miller, Audrey Nicole  
Mittal, Abhinav  
Moser, Benjamin Douglas  
Mourany, John E.  
Muench, Michael Vaughn  
Munir, Muhammad Bilal

Muthalakuzhy, George Sunil

Nahar, Niru Nazmun

Nath, Sujai Deep

Nayyar, Ankit

Neely, Grant Alexander

Newatia, Amit

Nkamany, Mary Ngaleu

Northrup, George Michael

O'Brien, Daniel Columcille

O'Donnell, Brighid Moran

Omatseye, Jr., Jim Oritsetimeyin

Ost, Michael Cecil

Panikkath, Ragesh

Parrish, Kylie Lenae

Patel, Kinjan Punkajkumar

Payne, Andrew Nathaniel

Phan, Nicolas

Plumby, Mark Christopher

Pollack, Tal

Poudel, Atul

Purewal, Rupeena

Raman, Dileep

Reynolds, Alexandra Holly

Roberts, Jr., Harold Gene

Rokosz, Jennifer Ann

Sahin, Azize  
Salman, Muhammad  
Samiappan, Ambiga  
Sankineni, Spoorthi Kiran  
Schessler, Matthew Joseph  
Schleter, Brian James  
Schlossman, Todd William  
Shah, Kuldeep Bharat  
Shah-Khan, Sardar Musa  
Shamsi, Sohaib  
Sharma, Shree Gopal  
Shoe, Katelyn Marie  
Shubert, Daniel Jordan  
Silver, Martine Tamara  
Singasani, Reddy Sreenivas  
Sternberg, Madison Anne  
Stump, III, Alfred Bailey  
Subrayappa, Navin Kumar  
Summers, Gregory T.  
Sunkara, Srinivas  
Sunzeri, Lindsay Leigh  
Surgenor, Stephen David  
  
Tager, David Samuel  
Tammana, Venkata S. M. Suneel K.  
Taub, Ariela Sarah  
Thirumalai, Shanti Sengamalam  
Tintner, Ron  
Tovar Marmolejo, Yara Elizabeth

Travis, Talitha Skory  
Turner, Jennifer Sarah  
Tylke, James Edward

Ullah, Imdad  
Usmani, Arif Suhail

Vakkalanka, Sujit  
Van Horn, Lee Aaron  
Vethachalam, Sandhya  
Vincent, Patrick David  
Vo, Quynh Van Ngoc

Walker, Gregory Brett  
Warren, Ward Randall  
Watchko, Jon Freeman  
Wernli, Betsy Jane  
Westin, Charles William  
Willis, Anthony Joseph  
Wood, Terry Dale  
Wu, Gary

Yalamanchili, Rama Krishna  
Yi, Chong Kun  
Yousufzai, Bilal Khan

Zank, Jennifer S



**Permanent medical licensure pending receipt of payment of the patient injury compensation fund assessment fee:**

Maghoub, Musadag Mamoun

White, Jermaine Kyong

**Permanent medical licensure pending receipt of official USMLE transcript:**

Jason Clark Statler, M.D.

**Reactivation of permanent medical licensure:**

Vadlamani, Lalit Kumar

**Permanent podiatric licensure:**

Inthavongxay, Jessica

Vess, Vincent

The motion of the Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Committee approved the Drug Dispensing Registration application and the Charitable Exemption Authorization form.

Dr. Rahim reported the following information regarding the 2017 renewal for medical doctors M-Z, podiatric physicians, drug dispensing registration and professional limited liability companies:

Active medical doctors renewed:	2846
Inactive medical doctors renewed:	203
Active podiatric physicians renewed:	109
Inactive podiatric physicians renewed:	6

Drug dispensing registrations: 227  
Professional limited liability companies: 136

Dr. Rahim moved that the Board accept and ratify the report of the Licensure Committee. The motion carried.

Dr. Challa provided the report of the Complaint Committee, which met on Sunday, July 9, 2017. Dr. Challa reported the following activities:

COMPLAINT  
COMMITTEE  
REPORT

### CLOSURES

17-88-P	Ziad Abed Al-Kariem Al-Qudah, M.D.
17-94-A	John David Angotti, M.D.
16-148-W	Ajay Anand, M.D.
17-97-S	Christopher Oliver Branam, M.D.
17-29-C	Carroll David Christiansen, M.D.
17-103-W	John Edwin Cornell, M.D.
17-84-W	Pramoda Kumari Devabakhtuni, M.D.
17-105-W	Joseph Hugo Duvert, M.D.
17-48-N	Michael Lee Ferree, M.D.
16-150-W	John Dae Harrah, Jr., M.D.
16-130-W	Mohammad Khalid Hasan, M.D.
16-131-W	Omar Khalid Hasan, M.D.
17-37-P	David Elwood Hess, M.D.
16-51-A	Hassan Arshad Jafary, M.D.
17-40-P	Hassan Arshad Jafary, M.D.
16-52-A	Hassan Asghar Jafary, M.D.
17-51-M	Teodoro Dimaano Jimenez, M.D.
16-146-W	Joseph Anthony Jurand, M.D.
17-45-O	Anthony Adolphus McFarlane, M.D.
17-118-W	Dennis Raymond Meurer, M.D.
17-91-S	Susan Wolf Miller, M.D.
17-46-M	Ahmet Husamettin Ozturk, M.D.
17-38-P	Justine Abigail Pagenhardt, M.D.
17-90-T	Ashok Kumar Patnaik, M.D.
17-86-P	Maurice Clement Rhodes, M.D.
17-80-W	Brian Keith Richardson, M.D.
17-42-H	Robert Edward Shapiro, M.D.
17-93-F	Michael Shramowiat, M.D.
17-50-L	Vineet Kumar Sood, M.D.
17-87-P	Bill Dean Underwood, M.D.

17-114-W Patricia Dawn Webster, P.A.-C

**INITIATED COMPLAINTS**

17-135-W  
17-136-W  
17-137-W  
17-138-W  
17-139-W  
17-140-W  
17-141-W

**WITHDRAWAL OF PREVIOUS INITIATED COMPLAINTS**

17-52-W  
17-55-W  
17-119-W

**FINDINGS OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-101-W Stephen Scott Brown, M.D.

**CONSENT ORDERS**

Dr. Challa requested that the Board authorize the Complaint Committee to move forward with offering twenty-four (24) Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Complaint Committee was given by Dr. Challa, and the motion carried.

**FULLY EXECUTED CONSENT ORDERS**

Dr. Challa reported that since the May meeting, fully executed Consent Orders have been

entered with respect to the following licensees:

**Yasar Aksoy, M.D.** – On May 30, 2017, the Board summarily suspended Dr. Aksoy’s medical license for continuing to prescribe opioid drug products in violation of a temporary restraining order issued by a circuit court. The Board determined this conduct to be an immediate danger to the public. On June 9, 2017, the licensee entered into a Consent Order with the Board which effectuated the permanent voluntary surrender of his West Virginia medical license in lieu of proceeding to a public hearing.

**Russell Biundo, M.D.** – On June 27, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$800.00 for not reporting a medical professional liability settlement on his 2016 license renewal application.

**Paul Christian Bown, M.D.** - On June 9, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$800.00 for not reporting a medical professional liability settlement on his 2016 license renewal application.

**Jodi Michelle Cisco-Goff, M.D.**- On June 7, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$800.00 for not reporting a medical professional liability settlement on her 2016 license renewal application.

**William Douglas Given, M.D.** – On June 27, 2017, the licensee entered into a Consent Order with the Board which imposed terms and conditions on his medical license that require him to have a controlled substance agreement with his patients that he regularly prescribes controlled substances to, and to monitor the patients with drug screenings and random pill counts. Dr. Given must also complete a Medical Record Keeping Course and, for the next 3 years, provide on-site access for chart review.

Ali Akbar Khan, M.D. - On June 7, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for failing to produce documentation in response to a continuing medical education audit demonstrating his successful completion of a Board approved course on drug diversion training and best practicing of controlled substance during the requisite time frame.

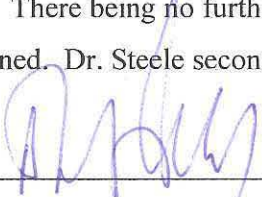
Salvatore LaNasa, M.D.- On June 6, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for failing to produce documentation in response to a continuing medical education audit demonstrating his successful completion of a Board approved course on drug diversion training and best practicing of controlled substance during the requisite time frame.


Munawar Siddiqi, M.D. – On June 9, 2017, the licensee entered into a Consent Order with the Board which imposed reciprocal discipline based upon action taken against his license in Kentucky. Dr. Siddiqi’s West Virginia license shall remain in inactive status until he possesses an unrestricted medical license in Kentucky.

All Consent Orders are available on the Board’s website.

Dr. Challa moved that the Board accept and ratify the report of the Complaint Committee, and the motion carried.

There being no further business to consider, Dr. Rahim moved that the meeting be adjourned. Dr. Steele seconded, and the motion carried. ADJOURNMENT

  
\_\_\_\_\_  
Ahmed D. Faheem, M.D.  
President

  
\_\_\_\_\_  
Rahul Gupta, M.D., M.P.H  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**September 11, 2017 at 9:00 a.m.**

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***CALL TO ORDER***

***Approval of Minutes***

- **July 10, 2017**

***Announcements***

***Committee and Staff Reports, Discussion and Action:***

- **Executive/Management Committee**
- **Legislative Committee**
- **Board Attorney Report**
- **Physician Assistant Committee**
- **Licensure Committee**
- **Complaint Committee**

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**September 11, 2017**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 11<sup>th</sup> day of September 2017 at 9:00 a.m.

The following Board members were present for the meeting:

Ahmed D. Faheem, M.D., D.L.F.A.P.A., President  
Kishore K. Challa, M.D., F.A.C.C., Vice President  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Reverend O. Richard Bowyer  
Rusty Cain, D.P.M.  
Harry Duncan, M.D.  
Beth Hays, M.A.  
Cheryl Henderson, J.D.  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Mustafa Rahim, M.D.  
Ashish Sheth, M.D.  
K. Dean Wright, P.A.-C.

The following Board members were absent:

Wes Steele, M.D.  
Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI  
Andy Wessels  
Diane Callison

Dr. Faheem called the meeting to order. In remembrance of the victims of the September 11, 2001 terrorist attacks, the Board held a moment of silence followed by prayer, which was lead by Reverend Bowyer.

**CALL TO  
ORDER AND  
MOMENT OF  
SILENCE**

Dr. Faheem introduced and welcomed the following new staff members: Andrew Wessels, Director of Intergovernmental and Public Relations; Greg Foster, Board Attorney; and Diane Callison, Receptionist / Administrative Office Assistant.

**WELCOME NEW  
MEMBERS**

Dr. Faheem reminded members that a strategic planning meeting will be held on Saturday, October 7, 2017 in the Board of Medicine conference room. He announced that prior to the meeting, board and staff members will receive a series of surveys that will need to be completed and submitted.

**ANNOUNCEMENTS**

Dr. Faheem announced that the board membership term for the following individuals will expire on September 30, 2017:

Kishore K. Challa, M.D., F.A.C.C.;

Rusty Cain, D.P.M.;

Beth Hays, M.A.;

Cheryl Henderson, J.D.; and

K. Dean Wright, P.A.-C.

Dr. Challa has served one term on the board, and is therefore eligible for reappointment; however, the remainder of members have served two consecutive terms on the board and are not eligible for reappointment. Dr. Faheem thanked each of the members for their dedication and commitment to the Board of Medicine, and announced that the members are welcome, and encouraged, to remain on the Board until a successor is appointed. Ms. Callison left the meeting room at this time, and was not present for the remainder of the meeting.



Dr. Rahim moved that the July 10, 2017 minutes be approved. Ms. Hays seconded, and the motion carried.

APPROVAL OF  
MINUTES

Dr. Faheem reported that the Executive/Management Committee met yesterday morning, Sunday, September 10, 2017, at which time the Committee approved the fiscal report and purchasing card transactions for the months of July and August 2017.

EXECUTIVE /  
MANAGEMENT  
COMMITTEE  
REPORT

Dr. Faheem reported that the Committee reviewed the Federation of State Medical Boards (FSMB) Guidelines for the Chronic Use of Opioid Analgesics. Prior to today's meeting, a copy of the guidelines was made available for members to review. Reverend Bowyer moved that the Board replace its current position statement, Use of Opioid Analgesics in the Treatment of Chronic Pain, with the 2017 FSMB Guidelines for the Chronic Use of Opioid Analgesics. Ms. Henderson seconded, and the motion carried.

The Committee reviewed correspondence from Dawn Morton-Rias, President and Chief Executive Officer of the National Commission on Certification of Physician Assistants, requesting an opportunity to address the Board. Ms. Morton-Rias will be invited to present to the Board at a future meeting.

The Committee reviewed and discussed correspondence from P. Bradley Hall, M.D., Executive Director of the West Virginia Medical Professionals Health Program (WVMPHP), regarding the financial future of the organization and providing statistical facts regarding the program. No action was taken with regard to the WVMPHP.

Dr. Faheem reported that several board and staff members met with representatives of West Virginia University (WVU) in July. During the meeting, WVU representatives identified several issues that they hope to address cooperatively with the Board of Medicine.

Dr. Faheem reported that Mr. Spangler is working with Dr. Joseph Shapiro, Dean of Marshall University School of Medicine, to facilitate a visit to the Joan C. Edwards School of Medicine. Board members are encouraged to participate in the visit. Additional information will be provided once it becomes available.

Dr. Faheem reported that renovations to the new board room are nearing completion, and that the room will be available for use by the October strategic planning meeting.

Dr. Gupta joined the meeting at this time. Dr. Faheem reported that the Board has issued three letters of qualification and six licenses pursuant to the Interstate Medical Licensure Compact (IMLC). Mr. Spangler was asked to assume the position of treasurer for the IMLC Commission. He has declined the position at this time due to work volume at the Board of Medicine. However, he will maintain his involvement as a commissioner.

Dr. Duncan moved that the Board accept and ratify the report of the Executive / Management Committee. Ms. Hays seconded, and the motion carried.

Ms. Hays reported that the Legislative Committee met yesterday, Sunday, September 10, 2017. The comment period regarding proposed amendments to the Board's legislative rule 11 CSR 6, *Continuing Education for Physicians and Podiatrists*, concluded on July 21, 2017. No comments were received. Board staff have filed the Agency Approved version of the rule with the Secretary of State's office. The Legislative Rule-Making Review Committee has authorized the Board to promulgate the rule as filed with no modifications.

**LEGISLATIVE  
COMMITTEE  
REPORT**

The comment period regarding proposed amendments to the Board's legislative rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing*

*Education, Physician Assistants*, concluded on August 10, 2017. The Legislative Committee met on August 21, 2017 and considered the eighteen comments that were submitted with regard to this rule. Minor modifications were made. Board staff have filed the Agency Approved version of the rule with the Secretary of State's office.

Ms. Hays reported that Senate Bill 1014 was passed during the 2017 legislative session, and became effective on September 7, 2017. This legislation authorizes changes to physician assistant practice including, among other things, expanded prescribing and signature authority. In order to implement the prescribing changes, the Board will need to file an Emergency Rule. Mr. Wright moved that the Board authorize staff to move forward with filing Emergency Rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants* with the Secretary of State's Office. Dr. Rahim seconded, and the motion carried.

Ms. Hays reported that in August, Mr. Spangler presented information to the West Virginia Legislature's Joint Committee on Health regarding the Board's research into medical liability review panels. He reiterated to the Joint Committee on Health that the Board of Medicine is not the appropriate entity to house such a panel. Board staff will monitor future legislative efforts regarding establishing a medical liability review panel and will provide updates as necessary.

Dr. Rahim moved that the Board accept and ratify the report of the Legislative Committee. Mr. Wright seconded, and the motion carried.

Ms. Alley reported that there was a disciplinary hearing scheduled to occur later this week, Wednesday, September 12, 2017, through Friday, September 15, 2017; however, the Hearing Examiner has continued the hearing at the request of the licensee. There is currently a disciplinary hearing scheduled to occur in October.

BOARD  
ATTORNEY  
REPORT

Ms. Alley reported that there are two cases which are ripe for the filing of a Complaint and Notice of Hearing. Hearings with regard to these cases will be scheduled for later this year.

Ms. Alley reported that a Petition to Quash an Administrative Subpoena has been filed in Kanawha County Circuit Court. A hearing is scheduled before Judge Stucky this afternoon, Monday, September 11, 2017, regarding this matter.

Ms. Alley reported that the matter of *Shivkumar Iyer, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent* is currently going through the appeal process, and the Board is awaiting the Supreme Court's ruling.

Ms. Alley reported on the matter of *West Virginia Board of Medicine, Petitioner, v. Omar Khalid Hasan, M.D., Respondent*. Dr. Hasan filed a Petition for Appeal of the Board's Final Order, and a Motion for Stay pending the appeal in the Circuit Court of Kanawha County. The Board's Order was stayed, and the licensee is currently practicing. The Board's brief in this matter is due on September 27, 2017, and proposed orders are due to the Court on October 12, 2017.

Ms. Alley reported that on July 19, 2017, the Mingo County Circuit Court affirmed the Board's decision to deny Diane Elaine Shafer, M.D. a West Virginia medical license. Dr. Shafer has filed a Motion for Reconsideration. The Board has submitted a proposed Order denying reconsideration and is awaiting action by the court.

In the absence of Mr. Wright, Dr. Sheth chaired the Physician Assistant Committee meeting on Saturday, September 9, 2017, and provided the following report.

PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT

Dr. Sheth asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. Dr. Mullins declared a conflict with regard to Tabitha Eve Cox, P.A.-C.

The Physician Assistant Committee recommended the following applicants be approved for physician assistant licensure:

Nancy Jean Balewski, P.A.-C.  
Joyce Mary Brun, P.A.-C.  
Courtney Rae Cira, P.A.-C.  
Brienne Nicole Clark, P.A.-C.  
Alexandra Korin Higginbotham, P.A.-C.  
Nancy Louis Jones, P.A.-C.  
Jaime Legaspi Lazaro, Jr., P.A.-C.  
Kelsey M. Leadman, P.A.-C.  
Claire Hillman Leinhauser, P.A.-C.  
Robert Joshua Logan, P.A.-C.  
Leanne Kocher Mazzella, P.A.-C.  
Andie Elizabeth Meade, P.A.-C.  
Katherine Laura Moio, P.A.-C.  
Nathan Merl Musser, P.A.-C.  
Rosa Lea Nardo, P.A.-C.  
Natalie Hope Stanley, P.A.-C.  
Kayla Nicole Strimel, P.A.-C.

The motion of the Physician Assistant Committee was given by Dr. Sheth, and the motion carried.

Dr. Mullins left the meeting room at this time. Dr. Sheth recommended that Ms. Cox be approved for physician assistant licensure. The motion of the Physician Assistant Committee was given by Dr. Sheth, and the motion carried. Dr. Mullins returned to the meeting room.

The Physician Assistant Committee recommended that Richard Santostefano, Sr., P.A.-C. be approved for physician assistant licensure contingent upon his acceptance of a

Consent Order with the following terms: (1) that any proposed practice agreement submitted delineating advanced duties to Mr. Santostefano must be reviewed by the Physician Assistant Committee; (2) that Mr. Santostefano practice under direct supervision for a minimum of six months; and (3) that Mr. Santostefano's supervising/collaborating physician send quarterly status reports updating the Committee on his progress and a recommendation regarding when the direct supervision requirement should be lifted. The motion of the Physician Assistant Committee was given by Dr. Sheth, and the motion carried.

The Physician Assistant Committee recommended that Kerry Sue Brinager, P.A.-C. be approved for reinstatement of licensure. The motion of the Committee was given by Dr. Sheth, and the motion carried.

Amanda Marie Skrinjorich, P.A.-C., and her supervising physician, Ryan Wakim, M.D., appeared before the Physician Assistant Committee for discussion of matters related to her proposed practice agreement. Dr. Sheth reported that the Committee voted to approve authorization of Ms. Skrinjorich's practice agreement pending satisfactory receipt of the following additional information for the Medication Assisted Treatment (MAT) advance duty in an office setting: (1) evidence of a minimum of one year of experience in substance use disorder treatment and medication assisted treatment settings; or (2) a statement from the medical director of the MAT practice location indicating that the physician assistant has completed or is actively enrolled in a plan of education for obtaining competence in MAT methods and substance use disorders that is approved by the medical director with a description of the educational plan; and (3) a narrative description from the collaborating physician of the model of patient treatment and Ms. Skrinjorich's role in patient care for MAT patients.

Dr. Sheth reported that the Committee discussed the development of a policy regarding what needs to be included in practice agreements requesting authorization to delegate the advanced duty of treatment of MAT patients and the procedure for staff

authorization of such practice agreements. The Committee concluded that a practice agreement requesting the advanced duty of MAT should include the following:

- 1) Identification and evidence of the source of the DATA 2000 waiver under which the physician assistant will practice.
- 2) A) Evidence that the physician assistant has a minimum of one year of experience in substance use disorder treatment and medication-assisted treatment settings; or B) A statement from the medical director of the MAT practice location indicating that the physician assistant has completed or is actively enrolled in a plan of education for obtaining competence in MAT methods and substance use disorders that is approved by the medical director with a description of the educational plan; and
- 3) A narrative description from the collaborating physician of the model of patient treatment and the physician assistant's role in patient care for MAT patients.

Dr. Sheth reported that the Committee conducted an annual review of the Physician Assistant Formulary. The Committee recommended that the following formulary become effective upon enactment of the Board's emergency rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*:

- 1) Physician assistants may not prescribe: any Schedule I or II Controlled Substances of the Uniform Controlled Substances Act; Clozapine; Antineoplastics; Radio-Pharmaceuticals; or General Anesthetics.
- 2) Physician assistants may prescribe Schedule III Controlled Substances, but no greater than a non-refillable thirty-day supply.
- 3) Physician Assistants may prescribe Schedule IV or V Controlled Substances as set forth in the practice agreement.
- 4) Physician assistants may generally prescribe prescription drugs which are not excluded or otherwise limited hereinabove, and physician assistants may prescribe up to an annual supply of any drug, other than a controlled substance, for the

treatment of a chronic condition (other than chronic pain management) as defined by the Board's legislative rules governing the practice of physician assistants.

The motion of the Physician Assistant Committee was given by Dr. Sheth, and the motion carried.

Dr. Sheth reported that the Committee reviewed the following forms which will need revision upon approval of the Emergency Rule, 11 CSR 1B: Practice Agreement; Appendix A; Appendix B; Notification of Termination of a Practice Agreement; Physician Assistant Application for Licensure; and 2017 Physician Assistant Reinstatement of Licensure Application. The Committee authorized board staff to amend the forms as necessary.

The Committee discussed how to facilitate utilization of the new Physician Assistant Formulary once the emergency rule goes into effect. All current practice agreements incorporate the current Physician Assistant formulary which limits Schedule III Controlled Substances to a 72-hour supply. The Committee recommended that physician assistants and their collaborating physicians who wish to amend their current practice agreement solely for the purpose of changing the delegation of prescribing authority may submit a Board approved amendment form prior to December 31, 2017, at no additional fee. The motion of the Committee was given by Dr. Sheth, and the motion carried.

The Committee discussed the Federation of State Medical Board's request to utilize its newly available Uniform Application (UA) for physician assistants. The Committee deferred this discussion to a later date.

Dr. Sheth reported that Board staff have authorized sixty-three (63) practice agreements for the period of July 10, 2017 through September 8, 2017. Additionally, twenty (20) alternate supervisors were designated.



Dr. Cain moved that the Board accept and ratify the report of the Physician Assistant Committee. Ms. Henderson seconded, and the motion carried.

Dr. Rahim delivered the report of the Licensure Committee, which met on Saturday, September 9, 2017.

Dr. Rahim reported that three applicants appeared before the Licensure Committee to discuss their applications. Based upon the Committee's review of the relevant applications, and its discussion with the applicants, the Committee recommended that Khalil Mohammad Alsoutary, M.D., Albert Mark Bleggi, M.D. and Martin John Oates, M.D. be approved for permanent medical licensure pending payment of the patient injury compensation fund assessment fee. The motion of the Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Licensure Committee reviewed and discussed nineteen (19) applications. Base thereupon, the Committee made the following recommendations:

Approve the following applicants for permanent medical licensure:

Ankush Agarwal, M.D.

Sunil Gurudas Kamat, M.D.

Dhruv Joshi, M.D.

Stephanie Anne Wright, M.D.

Approve the following applicants for permanent medical licensure pending payment of the patient injury compensation fund assessment fee:

Gilbert Almaraz, M.D.

Ever Luizaga Coca, M.D.

Gregory Lynn Spears, M.D.

Joel Eleazar Gomez, M.D.

Victor Jaramillo, M.D.

Dean Eric Wolz, M.D.

Jason Alexis Parker, M.D.

Santiago Miro, M.D.

Accept the total hours of continuing medical education as satisfactory and approve Darrell Lee Donley, M.D. and Bert E. Mason, D.P.M. for reactivation of permanent licensure.

Approved David Elmer Thomas, M.D. for permanent medical licensure pending receipt of a copy of his medical school diploma and certificate of postgraduate training and payment of the patient injury compensation fund assessment fee.

The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

The Committee recommended that the Board accept Peter Mathew Gannon's request for withdrawal of his application. The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Committee will maintain Anthony Todde Securo, M.D. and Saeed Fatenejad, M.D.'s applications pending additional information / follow-up action from the applications.

Dr. Rahim reported Robert Paul Kocher, M.D. will be invited to appear before the Committee in November 2017.

Dr. Rahim asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared.

The Committee recommended that the Board approve the following applicants for licensure:

**Permanent medical licensure**

Abdelqader, Abdelhai

Abid, Ayesha

Adelman, Avram Eli

Allgaier, Jeffrey Todd

Al-Qawasmi, Halima

Arehart, Eric James

Arekapudi, Smitha

Aromin, Jourdan Tyler

Balla, Sudarshan

Bryant, Keisha Kadesha

Cartagena, Jr., Rafael

Chacko, Binu Thomas

Clarkson, Mackenzie James

Cundiff, Courtney Anne

Davis, Sean Germaine

Dilcher, Brian Zachary

Elkamberg, Hussam Mohamed Aly Iskander

Estaphan, Nevine Albert Naguib

Fleming, Michael James

Galvan Turner, Valerie Biana

Garcia, Chanel Amber

Garg, Shweta

Geist, Derik Josef

Graumann, Martin P.

Green, Thomas John

Hammad, Walid Mohamed Fawzy Mohamad

Hollander, Susan Lindsay

Hornsby, Kristan Michelle

Jacob, Sneha

Judhan, Rudy Jewan

Khan, Nadia N.  
Kotsko, Jude David  
Kumar, Mukesh  
Kupferberg, David Howard

Lastrapes, Scott Christopher  
Lee, Brent Robert  
Lenahan, Susan Ellen  
Liubicich, Jeffrey Felice  
Lull, Lisa Schiller

McBeth, Ryan Kent  
McLeod, Nathanael David  
Moczygemba, Roger Michael  
Mohiuddin, Atif Zaher  
Moufarrege, Ghassan Toufic

Neidhardt, Jessica Marie  
Nicolwala, Hormuz Adil

Onuigbo, Sunny Nduka

Papani, Ravikanth  
Parrino, Michael Patrick Howard  
Pickett, Jason Raine

Randazzo, William Thoburn  
Rathore, Sulaiman Aziz  
Reinsel, Tom E.  
Rothman, Richard Brian  
Rouse, Eden Maria

Saenz, Monica Lisa  
Sanjeevi, Arunkumar  
Sargent, Donald Lee  
Schulman, Rebecca Lauren  
Schwartz, Andrew William  
Shmookler, Aaron Daniel  
Shou, Jason  
Sreeharikesan, Suppiramaniam  
Swackhammer, Randy Lee

Tan, Mary Aldrene Lee

Vu, Hang Thanh

Waldeck, Kate Marie  
Ward, Richard James  
Wardell, Richard Mark  
Wynn, Vander Mark

Zelenak, Timothy Gerald

**Permanent medical licensure pending receipt of payment of the patient injury compensation fund assessment fee:**

Musa, Abdullahi Mohamad Mukhtar  
Peralta, Brannon Phillip Dumag

**Reactivation of permanent medical licensure:**

Chesnut, Joy Cruz  
Elbash, Ahmad Feras  
Petty, Gary Joe  
Teferra, Ethiopia

**Permanent podiatric licensure:**

Bosia, Katheryn June

The motion of the Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the following six applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an Interstate Medical Licensure Compact Commission (IMLCC) application between the July and September Board meetings:

Behrens, Jacob M.	Wisconsin
Dillard, Shelia Diane	Alabama
Krainin, Joseph Gordon	Kansas
McRae, Gina Alexandra	Alabama
Moore, Joyce Geneva	Kansas
Yovichin, Mark Daniel	Idaho

Also, the Board has received eight requests for Letters of Qualification (LOQ) to be issued by the Board as the state of principal licensure. Of these, three applications are pending completion and two may be ineligible for a LOQ. LOQs were issued to:

Clarke, Gregory Dresel

Lambert, Matt Wade

Sethi, Sushil M.

Dr. Rahim moved that the Board accept and ratify the report of the Licensure Committee. The motion carried.

Dr. Challa provided the report of the Complaint Committee, which met on Sunday, September 10, 2017. Dr. Challa reported the following activities:

**COMPLAINT  
COMMITTEE  
REPORT**

**CLOSURES**

17-130-A	Magdi Ahmed Salah El Din Abbas, M.D.
17-127-J	Shelly Rene Bailey, M.D.
17-96-P	Charles David Burtner, M.D.
17-13-W	John Michael Coleman, M.D.
16-62-W	Prafull Kanaiyalal Dave, M.D.
17-64-W	John Thomas Dorsey, III, M.D.
17-65-W	Thomas Alan Durnell, M.D.
17-99-J	Warren Lee Grace, III, M.D.
17-132-B	Gina Jereza-Harris, M.D.
17-128-J	James Christian Jensen, M.D.
17-136-W	Jonathan Michael Johnson, M.D.
17-111-W	Mohamad Samah Kalou, M.D.
17-133-P	Robby Lee Keith, M.D.
17-119-L	Barrett Asher Loudon, M.D.
17-134-C	Charles Lye, M.D.
17-98-U	Earl Lynn Nelson, M.D.
16-153-W	Michael Vincent O'Keefe, M.D.
17-125-N	Govindbhai Mafatlal Patel, M.D.
17-113-W	Avinash Govind Ram Purohit, M.D.
17-121-J	Ammar Akram Shammaa, M.D.

17-126-J Anthony Frank Sibley, M.D.  
17-129-H Heather Michelle Skeens, M.D.  
17-28-W Sue Ann Westfall, M.D.  
16-160-W Robert Cheng Yee, M.D.

**INITIATED COMPLAINTS**

17-164-W  
17-165-W  
17-166-W  
17-167-W  
17-168-W

**WITHDRAWAL OF PREVIOUSLY INITIATED COMPLAINT**

17-137-W

**FINDINGS OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-147-W Paul Webber Burke, Jr., M.D.

**CONSENT ORDERS**

Dr. Challa requested that the Board authorize the Complaint Committee to move forward with offering four Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Complaint Committee was given by Dr. Challa, and the motion carried.

**FULLY EXECUTED CONSENT ORDERS**

Dr. Challa reported that since the July meeting, fully executed Consent Orders have been entered with respect to the following licensees:

Jamie Hall-Jasper, D.P.M. – On July 10, 2017, Dr. Hall-Jasper entered into a Consent Order that imposes a public reprimand and places her license in probationary status for three years. During her period of probation, Dr. Hall-Jasper is subject to specific controlled substance prescribing restrictions and limitations. Additionally, she must maintain a controlled substance prescription log, she is subject to prescription and medical record monitoring by the Board, and she must complete continuing education as identified in her Consent Order.

James Prommersberger, D.P.M. – On July 10, 2017, Dr. Prommersberger entered into a Consent Order that imposed a three-year stayed suspension and a three-year period of probation on his West Virginia podiatric license. During his period of probation, Dr. Prommersberger may not treat chronic pain with opioid medications and is further subject to specific controlled substance prescribing restrictions and limitations. Additionally, he must maintain a controlled substance prescription log, he is subject to prescription and medical record monitoring by the Board, and he must complete continuing education as identified in his Consent Order.

Marc Spelar, M.D. – On August 30, 2017, Dr. Spelar entered into a Consent Order with the Board that temporarily prohibits him from practicing medicine in West Virginia during the pendency of a current Board investigation. Dr. Spelar is prohibited from engaging in any form of clinical medicine, including all patient care/and or treatment of any kind. Dr. Spelar is strictly prohibited from administering, ordering, dispensing, or prescribing any and all medications.

All Consent Orders are available on the Board’s website.

Dr. Challa reported that the Complaint Committee voted to adopt a policy regarding the review of complaints filed against board members, subject to ratification by the Board. Under the policy, in order to avoid any appearance of impropriety, all complaints against board members would be sent to an independent consultant for review. The motion of the Complaint Committee was given by Dr. Challa, and the motion carried.



Dr. Challa moved that the Board accept and ratify the report of the Complaint Committee, and the motion carried.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
President



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Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Strategic Planning Meeting Agenda**  
**October 7, 2017 at 10:00 a.m.**

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*Agenda Items:*

- Strategic Plan
- Mission Statement
- Vision Statement

## WEST VIRGINIA BOARD OF MEDICINE

### Strategic Planning Meeting Minutes

October 7, 2017

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A West Virginia Board of Medicine strategic planning meeting was held at 101 Dee Drive, Charleston, West Virginia, on the 7<sup>th</sup> day of October 2017 at 10:00 a.m.

The following Board members were present for the meeting:

Ahmed D. Faheem, M.D., D.L.F.A.P.A., President  
Kishore K. Challa, M.D., F.A.C.C., Vice President  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Reverend O. Richard Bowyer

The following Staff members were present for the meeting:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Sheree Thompson  
Leslie A. Thornton, CMBI

The following AlignHR representatives were present for the meeting:

Zachary T. Abraham, MSIR, SPHR, SHRM-SCP  
Leonard "Lenny" Hannigan, II

Dr. Faheem called the meeting to order and thanked board and staff members for completing to the online surveys that were sent to members in advance of today's meeting. Additionally, Mr. Spangler thanked members for their responsiveness to the surveys, and for their attendance at today's meeting.

**CALL TO  
ORDER**

Mr. Hannigan and Mr. Abraham provided an overview of the Value Statement Scoring Summary for the West Virginia Board of Medicine, and assisted members with establishing the following four preliminary core values for the Board:

1. Public Protection (Compliance)
2. Integrity (Dedicated and Fair)
3. Accountability (Accuracy)
4. Trust (Reliability and Respect)

Following establishment of the primary core values, Mr. Hannigan and Mr. Abraham worked with members to develop a preliminary mission statement for the Board.

The following Board members joined the meeting at noon:

Rusty Cain, D.P.M.  
Harry Duncan, M.D.  
Beth Hays, M.A.  
Cheryl Henderson, J.D.  
Carrie Lakin, D.P.M.  
Dave Mullins, M.D.  
Mustafa Rahim, M.D.  
Asish P. Sheth, M.D.  
Wes Steele, M.D.  
Matthew Upton, M.D.  
K. Dean Wright, P.A.-C.

Mr. Abraham provided a recap of the morning session, and shared with the members who recently joined the meeting the preliminary core values and the preliminary mission statement developed earlier in the day. Members deliberated regarding the mission statement, and developed a working draft mission states that provides:

The West Virginia Board of Medicine is the State agency charged with protecting the health and safety of the public by licensing, regulating and oversight of medical doctors, podiatric physicians, and collaborating physician assistants.

Mr. Abraham assisted members in developing a strengths, weaknesses, opportunities and threats (SWOT) analysis. The SWOT analysis was then used by members to develop the following draft vision statement for the Board:

We will become a national leader in innovative health professional oversight.

AlignHR staff guided members to develop the following three preliminary mutually accountable goals for the Board:

1. Protect public and health safety by efficiently, effectively and fairly regulating the practice of medicine.
2. Proactively develop and maintain productive relationships with other health professions to facilitate consistency in the delivery of health care services.
3. Evaluate processes

There being no further business to consider, the meeting adjourned.

**ADJOURNMENT**

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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
President

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Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**November 13, 2017 at 9:00 a.m.**

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***CALL TO ORDER***

***Announcements***

***Approval of Minutes***

- **September 11, 2017**
- **October 7, 2017**

***Committee and Staff Reports, Discussion and Action:***

- **Consideration of Potential Consent Order**
- **Executive/Management Committee**
- **Legislative Committee**
- **Board Attorney Report**
- **Physician Assistant Committee**
- **Licensure Committee**
- **Complaint Committee**

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**November 13, 2017**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 13<sup>th</sup> day of November 2017 at 9:00 a.m.

The following Board members were present for the meeting:

Ahmed D. Faheem, M.D., D.L.F.A.P.A., President  
Kishore K. Challa, M.D., F.A.C.C., Vice President  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Reverend O. Richard Bowyer  
Timothy Donatelli, D.P.M.  
Harry Duncan, M.D.  
Reverend Janet Harman  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Victoria Mullins, P.A.-C.  
Mustafa Rahim, M.D.  
Ashish Sheth, M.D.  
Wes Steele, M.D.  
Matthew Upton, M.D.  
Russell O. Wooton  
K. Dean Wright, P.A.-C.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI  
Andy Wessels

The following consultant from the Attorney General's Office was present:

Katherine Campbell, Esq.

Dr. Faheem called the meeting to order. Dr. Rahim moved that the September 11, 2017 Board meeting minutes be approved. Reverend Bowyer seconded, and the motion carried. Dr. Rahim moved that the October 7, 2017 strategic planning meeting minutes be approved. Dr. Lakin seconded, and the motion carried.

**CALL TO  
ORDER AND  
APPROVAL OF  
MINUTES**

Dr. Faheem announced the recent appointment of the following board members: Timothy Donatelli, D.P.M. of Beckley; Reverend Janet Harman of Charleston, Victoria Mullins of Charleston; and Russell O. Wooton, Esquire of Beckley. He welcomed these members to the Board.

**WELCOME NEW  
MEMBERS**

Dr. Faheem announced that the Board received correspondence from former member, Cheryl Henderson, J.D., thanking board and staff members for their assistance through the years, and wishing the Board the best of luck in the coming years.

**ANNOUNCEMENTS**

Dr. Faheem reminded everyone that following today's board meeting, Mike Hall or Photografix will be onsite taking photographs of the newly appointed members as well as a group photograph of all members.

Dr. Faheem announced that the West Virginia State Auditor's Conference will be held on November 29, 2017 at the Marriott Hotel in Charleston, West Virginia. All Board members are required by statute to attend this annual conference at least once during their tenure. Any members who are interested in attending the conference this year should see Mr. Spangler following the meeting.

Mr. Wooton joined the meeting at this time, and Dr. Faheem welcomed him to the Board.



Dr. Faheem announced that travel and per diem documents are on the table in front of each member. Once completed, the documents should be given to Ms. Frame.

Dr. Faheem announced that a former board member, M.K. Hasan, recently passed away. The Board greatly appreciates Dr. Hasan's service and contributions to the Board of Medicine. On behalf of the Board, Mr. Spangler sent a letter of condolence to Dr. Hasan's family. A moment of silence was held in honor of Dr. Hasan.

Prior to today's meeting, a Potential Consent Order, which has been signed by Mitchell Simon Finkel, was made available for members to review. Ms. Campbell reported to the Board that having found probable cause to institute disciplinary charges against Dr. Finkel, on March 30, 2017, the Board served him with a *Complaint, Notice of Hearing, Pre-Hearing Deadlines and Protective Order* with regard to complaint numbers 15-96-W and 16-19-H. Unrelated to the facts and circumstances which formed her complaint with the Board, the patient who filed complaint number 16-19-H against Dr. Finkel passed away unexpectedly. As a result of her untimely passing, the complainant is unable to provide sworn testimony in support of her complaint or to be cross-examined by Dr. Finkel regarding her allegations. In light of the facts and circumstances set forth above, Dr. Finkel has agreed to enter into a Consent Order with the Board to resolve all matters currently pending before the Board which relate to him, including complaint numbers 15-96-W and 16-19-H. Ms. Campbell reported that the Complaint Committee recommends that the Board enter into the Consent Order signed by Dr. Finkel on October 2, 2017, to resolve all matters currently pending before the Board with respect to Dr. Finkel. The motion of the Complaint Committee was given by Ms. Cambell, and the motion carried. Ms. Campbell left the meeting at this time and was not present for the remainder of the meeting.

**CONSIDERATION  
OF POTENTIAL  
CONSENT ORDER**

Dr. Faheem reported that the Executive/Management Committee met yesterday morning, Sunday, November 12, 2017, at which time the Committee approved the fiscal report and purchasing card transactions for the months of September and October 2017.

Dr. Faheem reported that the Committee reviewed the Board's draft mission statement, vision statement and core values that were established during the October 7, 2017 strategic planning meeting. Prior to today's meeting, a copy of the draft mission statement, vision statement and core values was made available for members to review. Dr. Rahim moved that the Board adopt the mission statement, vision statement and core values as presented. Mr. Wright seconded, and the motion carried.

The Committee recommended that the Board approve the following 2018 Board meeting dates:

January 8, 2018

March 12, 2018

May 7, 2018

July 9, 2018

September 10, 2018

November 5, 2018

Reverend Bowyer moved that the 2018 Board meeting dates be approved as presented. Dr. Duncan seconded, and the motion carried.

Dr. Faheem reported that the Committee reviewed and discussed correspondence received inquiring about insurance company medical malpractice reporting requirements. The Committee authorized staff to respond to the inquiry indicating that all judgments, all settlements, and any payment made on behalf of a Board of Medicine licensee, regardless of whether the payment was made pre-or-post suit, needs to be reported to the Board.

Dr. Faheem reported that the Committee reviewed and discussed correspondence received seeking an opinion regarding whether certain telemedicine encounters involving solely asynchronous interactions between a medical provider and a new patient are permissible under West Virginia telemedicine regulation. In reviewing the correspondence, the Committee was not able to determine the asynchronous interaction platforms that the letter was referencing. The Committee authorized staff to respond to the letter indicating that West Virginia Code §30-3-13a(c) establishes the methods through which a physician patient relationship can be established.

Dr. Faheem reported that the Committee reviewed correspondence received from the Mercer County Board of Health, inquiring whether a physician can issue a standing order for a medical assistant to administer flu vaccinations. The Board of Medicine will refer the Mercer County Board of Health to Ms. Amy Atkins, Director of the West Virginia Center for Local Health.

Dr. Faheem reported that the Committee reviewed correspondence received from the West Virginia Board of Registered Professional Nurses indicating that the Board of Medicine's complaint with regard to Krystal Tawney, APRN, has been dismissed.

Dr. Faheem moved that the Board accept and ratify the report of the Executive / Management Committee. The motion carried.

Dr. Faheem reported that the Legislative Committee met yesterday, Sunday, November 12, 2017, at which time Mr. Spangler reported that the Board's Emergency Rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, became effective on October 20, 2017. The companion legislative rule is scheduled to be considered by the Legislative Rule-Making Review Committee (LRMRC) during the interim Committee meetings which will be held on December 3-5,

**LEGISLATIVE  
COMMITTEE  
REPORT**

2017. LRMRC counsel has suggested that the Board consider modifying the rule to remove the requirement that licensees report their NCCPA status to the Board. The Legislative Committee is not in favor of removing this requirement; however, the Board will comply if the LRMRC requires this change.

Dr. Faheem reported that the Committee reviewed and discussed correspondence received from Robert Whitler, Vice President of Government and Community Affairs at Charleston Area Medical Center, requesting that the Board consider issuing educational permits to residents. The West Virginia Board of Osteopathic Medicine currently issues educational permits to residents. The Legislative Committee is in favor of issuing such permits, but will need to identify and define the parameters of the permits. The Committee recommended that the Board authorize staff to research resident educational permits, and draft a bill for the Committee and the Board to review at the January 2018 meeting, for possible introduction during the 2018 legislative session. The motion of Legislative Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that the Board has previously expressed an interest in changing the burden of proof in Board disciplinary matters from clear and convincing evidence to a preponderance of evidence standard, which would align the Board of Medicine and the Board of Osteopathic Medicine. Discussion on this issue has occurred with legislative counsel, who suggests cleaning up section 14 in the process. The Committee recommended that the Board authorize staff to work collaboratively with legislative counsel on draft legislation to modify West Virginia Code §30-3-14 to include a change in the burden of proof and language clean-up, with the hope that the legislation will be introduced during the 2018 session. The motion of the Legislative Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that the Committee discussed authorization for Board investigators to carry a firearm. Discussion ensued and Dr. Gupta asked Ms. Thornton if

in the last thirty days while carrying out her duties as an investigator for the Board she had encountered any events in which an individual was armed. Ms. Thornton answered yes. Following discussion, the Committee recommended that the Board authorize staff to seek legislation that will allow at least one board investigator to carry a firearm once they have received appropriate training. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that physician advertising and medical cannabis will likely be topics of interest in the 2018 legislative session. Mr. Wessels will monitor the upcoming legislative session and keep the Board apprised of legislative matters.

Mr. Wright moved that the Board accept and ratify the report of the Legislative Committee. Dr. Steele seconded, and the motion carried.

Ms. Alley reported that she and Mr. Foster recently attended the Federation of State Medical Boards annual Board Attorney Workshop, and that it was a productive session.

**BOARD  
ATTORNEY  
REPORT**

Ms. Alley reported that the matter of *Shivkumar Iyer, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent* is currently going through the appeal process, and is currently pending before the West Virginia Supreme Court of Appeals.

Ms. Alley reported on the matter of *Omar Khalid Hasan, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent*, Civil Action No. 17-AA-53. Dr. Hasan filed a Petition for Appeal of the Board's Final Order, and a Motion for Stay pending the appeal in the Circuit Court of Kanawha County. The Board's Order was stayed, and the licensee is currently practicing. The matter has been fully briefed, and proposed orders have been submitted to the Court for consideration.

Ms. Alley reported that there is currently a hearing scheduled to convene January 9-11, 2018. There are two additional matters which will likely be set for hearing in 2018.

Mr. Wright provided the report of the Physician Assistant Committee, which met on Saturday, November 11, 2017.

**PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT**

Mr. Wright reported that at the September 11, 2017 Board meeting, the Physician Assistant Committee recommended, and the Board approved, that Richard Santostefano, Sr., P.A.-C. be approved for physician assistant licensure through a Consent Order with the following terms: (1) that any practice agreement submitted delineating advanced duties must be reviewed by the Physician Assistant Committee prior to authorization; (2) that Mr. Santostefano practice under direct supervision for a minimum of six months; and (3) that Mr. Santostefano's supervising/collaborating physician send quarterly status reports updating the Committee on his progress and a recommendation regarding when direct supervision should be lifted. Mr. Santostefano entered into the proposed Consent Order with the Board on October 4, 2017.

Mr. Wright asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. Mr. Wright advised the Board that one candidate up for licensure was inadvertently omitted from the list. Mr. Wright identified the candidate as Cintia Henriques Hultz. No conflicts were declared.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Bryant, Jr., George Burton  
Buch, Sarah Elizabeth  
Burruss, Jr., James Keith  
Costa, Lyndsey Catherine  
Dillon, Kelsey Lynn

Dooley, II, Tommy Dorsey  
Gaffney, Sean Michael  
Galvan, Leonard Bernard  
Hill, Adam Nathaniel  
Holtz, Eric A.  
Hultz, Cintia  
Krull, Jami Lee  
Lee, Holly Shae  
MacDowell, Krystal Marie  
McCune, Ryan Alexander  
Murphy, Sr., Ronald J.  
Osbourn, Kaitlin Clark  
O'Dell, Pamela Michelle  
O'Kernick, Ashlee Kristine  
Perry, Chadwick Jay  
Prado, Kelley Kathleen  
Price, Stephanie Nicole  
Ramsey, Derek Landon  
Russell, Douglas Kendal  
Scarberry, Kaitlin Christine  
Stewart, Brandon Joseph  
Yanociak, Kyria Grace  
Young, Tyler John

The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

The Physician Assistant Committee recommended that Kaleb Paul Rush, P.A.-C. and Anna C. Stout-Tuckwiller, P.A.-C. be approved for reinstatement of licensure. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that two applicants appeared before the Physician Assistant Committee to discuss their applications. Based upon the Committee's review of the relevant applications, and its discussion with the applicants, the Committee recommended that the application of Allison Ann Brown, P.A.-C., be placed on hold pending receipt of evidence that Ms. Brown has complied with an Oder of the Delaware Board relating to her controlled substance registration in that state. The Committee further recommended that Melissa

Fabiola Culver, P.A.-C, be approved for physician assistant licensure. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that Jessica Faye Dunkley, P.A.-C., entered into a Consent Order with the Board on April 4, 2017, which restricted her practice as a physician assistant to direct supervision for a minimum period of six months. Ms. Dunkley's collaborating physician has submitted documentation recommending lifting the direct supervision. The Physician Assistant Committee recommended issuing an Order terminating the Consent Order. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the Committee reviewed and discussed the Consent Order of Tyson E. Bubnar, P.A.-C., which was entered with the Board on June 26, 2015. Staff will continue monitoring the Consent Order to determine continued compliance and determine the potential conclusion date of the probationary period.

Mr. Wright reported that the Committee discussed the requirement in the Board's proposed legislative rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, that physician assistants keep the Board informed of current NCCPA status, even though continued NCCPA certification is no longer a requirement of license renewal. The Committee indicated that NCCPA certification status is important information to collect for a number of reasons.

Mr. Wright reported that the Committee discussed the enactment of the Emergency Rule, 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, which became effective on October 20, 2017.

The Committee recommended that the following revised forms be approved:

- Practice Agreement and Instructions
- Appendix A
- Appendix B



- Additional instructions for the Delegation of Medication Assisted Treatment (MAT)
- Notification of Termination of a Practice Agreement
- Prescriptive Authority Amendment Form
- 2017 Physician Assistant Reinstatement of Licensure Application.

The motion of the Physician Assistant Committee was given by Mr. Wight, and the motion carried.

Mr. Wright reported that the Committee discussed the delegation of duties in a hospital setting, and how to facilitate full utilization of physician assistants in this practice setting. A physician assistant may only be delegated advanced duties which are within the scope and customary practice of the collaborating physician. The Committee and staff will continue to monitor this issue to determine if there may be a future need to consider a legislative fix for institutional practice.

Mr. Wright reported that the Committee reviewed an inquiry regarding collaborating physician co-evaluation of new patients and if direct supervision is required for ultraviolet light therapy. The Committee concluded that ultraviolet light therapy is a core duty for which co-evaluation is not routinely required.

Mr. Wright reported that the Committee reviewed an inquiry regarding antineoplastic restrictions and directed staff to respond that no changes have occurred in the formulary regarding antineoplastics.

Mr. Wright reported that the Committee reviewed a proposed practice agreement for sufficient evidence of advanced duty experience/training that included cryosurgery. The Committee directed staff upon the appropriate follow-up. Cryosurgery will be added to Appendix A as a Committee approved advanced duty.

Mr. Wright reported that Board staff have authorized sixty-four (64) practice agreements for the period of September 11, 2017 through November 10, 2017. Additionally, fifty-nine (59) alternate supervisors were designated. Staff also processed thirty-eight (38) Prescriptive Authority Amendment Forms for currently authorized practice agreements.

The Physician Assistant Committee recommended that the Board accept and ratify the report of the Physician Assistant Committee. The motion of the Committee was given by Mr. Wright, and the motion carried.

Dr. Rahim delivered the report of the Licensure Committee, which met on Saturday, November 11, 2017.

LICENSURE  
COMMITTEE  
REPORT

Dr. Rahim reported that on October 26, 2017, Anthony Todde Securo, M.D. and the Board entered into a Consent Order which established the terms of the reactivation of his license. A copy of the Consent Order is available on the Board's website, and the terms of the Consent Order were reported in the minutes of the Board's July 2017 meeting.

Dr. Rahim reported that six applicants appeared before the Licensure Committee to discuss their applications. Based upon the Committee's review of the relevant applications, and its discussion with the applicants, the Committee recommended that Kayla Donn Halsey, M.D., Adam Hubert Schindzielorz, M.D. and Scott Wilbert Caldwell, M.D. be approved for permanent medical licensure, and that Robert Roy Harris, M.D. and Robert Paul Kocher, M.D. be approved for permanent medical licensure pending payment of the patient injury compensation fund assessment fee. The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the permanent podiatric licensure application of Amy Alise Davidson, D.P.M. was placed on hold pending receipt of additional information.

Dr. Rahim reported that the Licensure Committee reviewed and discussed ten (10) applications. Base thereupon, the Committee made the following recommendations:

Approve the following applicants for permanent medical licensure:

Ahmed Rabie Abdelkarim, M.D.

Manuel Carlos Guerrero, M.D.

Julie Bess Frank, M.D.

Accept the total hours of continuing medical education as satisfactory and approve Charles Winters, Jr., M.D. for reactivation of permanent licensure pending receipt of DC license verification and payment of the patient injury compensation fund assessment fee.

Accept the first two years of medical school as satisfactorily verified and approve Beverly Ann Carl, M.D. for permanent medical licensure.

The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

The Committee recommended that the Board accept Saeed Fatenjad M.D.'s request to withdrawal his application. The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Committee will maintain the applications of Michael Patrick Parsons, M.D. and Gianna Joanne Link, M.D. pending additional information / follow-up action from the applicants.

Dr. Rahim reported that Gilbert Niles Clinton, II, M.D. and Kelsey Aleen Musgrove, M.D. will be invited to appear before the Committee in January 2018.

Dr. Rahim asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared.

The Committee recommended that the Board approve the following applicants for licensure:

Abraham, Andrew Jacob

Brown, Sherry Bernita

Chinbuah, Egya Nyameke  
Collins-Gibbard, Roslinde Mary  
Corman, Adam Ransford

DeBerry, Jason Wayne  
Diamond, Amy R.  
Din, Farid Ud  
Doumit, Jimmy  
Dunkle-Blatter, Stephanie Erlynn

Eckert, Thomas Francis  
Egli, Kenneth James

Fogle, William Albert  
Fowler, Mariecken Verspoor  
Friedling, Ted David

Gates, James Lawrence  
Gounder, Celine Rani  
Gross, Michal

Howell, Keith Andre

Levine, Myron Arnold

Marcovici, Iacob

Marcuccio, Elisa  
McLain, Kelly Lynn  
McQuade, Elizabeth Anne  
Mehyar, Lubna Shafiq Naim  
Mitros, Mark Michael  
Monastiriotes, Spyridon  
Moore, Fletcher Brady  
Murphy, Dewey Scott

Oneal, Cindy Marie  
Overton, III, Clayton Justus

Patel, Paulina Narendra  
Patterson, Eltanya Angelita  
Piris, Adriano  
Poole, Edward Charles  
Pulido, Bernard Joseph Navarro

Ramos, Peter  
Reddy, Srikar Thummala

Sadia, Umama  
Salas, Stephanie Ann  
Sasidharan Nirmala, Nishanth  
Scott, IV, Frank Duncan  
Seaman, David Edward  
Shanlikian, George Harry  
Sharif, Khalid Saud  
Sheikh, Zubeda Begum  
Shiflett, Brandon Scott  
Slusher, Laura Austin

Turner, Meghan Thompson  
Turnier, Anne-Marie

Verhoeven, Pieter Alexander  
Vucelik, Andrew William

Weir, Robert Edward Peter  
White, Kevin Daniel  
Whitley, Danielle  
Williams, Carlin Arel

Yeh, David Li-Ten

Young, Rebekah Lynn

**Permanent medical licensure pending receipt of payment of the patient injury compensation fund assessment fee:**

Jovanovich, Alexander  
Moore, Carisa Hines  
Wang, Clifford Tau

**Permanent medical licensure pending receipt of Illinois license verification and payment of the patient injury compensation fund assessment fee:**

McCollester, Sarah M.

**Reactivation of permanent medical licensure:**

Hutchens, Kelli Ann  
Samanie, David Keith

The motion of the Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the following nine applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an Interstate Medical Licensure Compact Commission (IMLCC) application between the September and November 2017 Board meetings:

Crepps, Jr., Joseph Thomas	Wisconsin
Gard, Narendra	Illinois
Jacobs, Richard Randall	Illinois
Kumar, Mudhuresh	Illinois
Marks, Allan Steven	Wyoming
Marvin, Leigh Jennifer	Kansas
Pandit, Meenakshi	Arizona

Rudy, George Barrett Wyoming  
Wantuck, James Matthew Wyoming

Also, the Board has received seven requests for Letters of Qualification (LOQ) to be issued by the Board as the state of principal licensure. Of these, three applications are pending completion.

Letters of Qualification were issued to Jennifer Lynn Brown, M.D. and Andrew Christian Retzinger, M.D.

Letters of Qualification Denial were issued to Adam Jared Kaplan, M.D. and Hussain El-Sayed El-Khatib, M.D..

Dr. Rahim reported that the Committee discussed FBI guidelines regarding communicating the results of a criminal record check with applicants. Staff will continue to seek additional information and clarification to resolve this issues in a manner consistent with other medical Boards across the country.

Dr. Rahim reported that the Committee provided staff with guidance for responding to an inquiry regarding podiatric scope of practice, and an inquiry from a former licensee regarding change of license status.

Dr. Rahim moved that the Board accept and ratify the report of the Licensure Committee. The motion carried.

Dr. Challa reported that complaint numbers 17-145-W, 17-146-W and 17-147-W were initiated at a special meeting of the Complaint Committee, which was held on August 3, 2017.

**COMPLAINT  
COMMITTEE  
REPORT**

Dr. Challa reported that complaint number 17-171-W was initiated at a special meeting on the Complaint Committee, which was held on September 28, 2017.

Dr. Challa provided the report of the Complaint Committee, which met on Sunday, November 12, 2017. Dr. Challa reported the following activities:

### CLOSURES

17-58-W	Ellen Renee Brown, M.D.
17-61-W	Juliet Anne Cha, M.D.
16-129-W	Adam Joseph Corcovilos, M.D.
17-116-W	Touraj Farid, M.D.
17-143-W	Warren Lee Grace, III, M.D.
17-120-W	Bruce Fredric Haupt, M.D.
17-73-W	Suzanne Holroyd, M.D.
17-89-C	Suzanne Holroyd, M.D.
17-152-B	Yaser Homsy, M.D.
17-153-C	Thomas Martin Jung, M.D.
17-139-W	Kathryn A. Knodel, M.D.
17-150-M	Charles Lye, M.D.
17-151-M	Sandra K. May, P.A.-C
17-131-S	Prasadarao B. Mukkamala, M.D
17-162-M	Rahmet Muzaffer, M.D.
17-85-W	Alexander Arpad Nagy, M.D.
17-154-O	Kelly Raphael Nelson, M.D.
17-124-C	Gerard Joseph Oakley, M.D.
17-167-W	Ramanathan Padmanaban, M.D.
17-81-W	Ajai K. Sandhir, M.D.
17-82-W	Ujjal Singh Sandhu, M.D.
17-95-J	Robert Dale Santrock, M.D.
17-148-D	Letitia Elaine Tierney, M.D.
17-142-Y	Robert Brian Wade, M.D.
17-144-M	Rajwardhan Harishcandra Yadav, M.D.

### INITIATED COMPLAINTS

17-180-W  
17-181-W



17-182-W  
17-183-W  
17-184-W  
17-185-W  
17-186-W  
17-187-W  
17-188-W  
17-189-W  
17-190-W  
17-191-W  
17-192-W  
17-193-W

**FINDING OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-122-W      Marc Jonathan Spelar M.D.

**CONSENT ORDERS**

Dr. Challa requested that the Board authorize the Complaint Committee to move forward with offering four Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Complaint Committee was given by Dr. Challa, and the motion carried.

**FULLY EXECUTED CONSENT ORDERS**

Dr. Challa reported that since the September meeting, fully executed Consent Orders have been entered with respect to the following licensees:

Riad S. Al-Asbahi, M.D.- On September 11, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$1,850.00 and was required to complete 18.5 hours of CME to satisfy his CME deficiency.

Ron Bonfiglio, M.D. – On October 5, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Frederick Brautigan, M.D.- On September 11, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Paul Webber Burke Jr., M.D. – On October 5, 2017, the licensee entered into a Consent Order with the Board for non-compliance with the West Virginia Medical Professional Health Program. Dr. Burke’s medical license shall remain on probationary status and subject to his Amended Consent Order dated April 16, 2014, as he winds down his medical practice in advance of surrendering his license to the Board, effective December 31, 2017.

Garry Wayne Burkholder, M.D.- On September 11, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

James Butterworth, M.D.- On September 8, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Robert A. Caveny, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Anup Kumar Das, M.D.- On October 5, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Russell Andrew DeGroot, M.D.- On September 11, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Antonio Domaoal, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Johnny Dy, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Cheryl Pixley Entress, M.D.- On September 28, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Miechia Esco, M.D.- On October 7, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Scott Walker Findley, M.D.- On November 1, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Stephen Flax, M.D.- On October 5, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Kelby Frame, M.D.- On September 28, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Rochelle Goldberg, M.D.- On September 28, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Ryan Christopher Hall, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Douglas Grover Harrison, M.D.- On September 28, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Bethany Morris Honce, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Manish Jhavar, M.D.- On October 24, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$3,800 and was required to complete 38 hours of CME to satisfy his CME deficiency.

Sophie Lanciers, M.D.- On October 7, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation

during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Lap-Yang Joseph Li, M.D.- On September 25, 2017, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

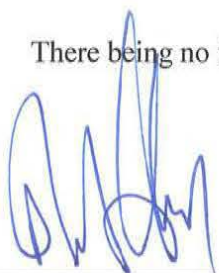
Anita Petite, P.A.-C.- On October 24, 2017, the licensee entered into a Consent Order with the Board which Publicly Reprimanded the licensee for knowingly misrepresenting her prescribing status on her 2017 renewal application.

All Consent Orders are available on the Board's website.

Dr. Challa moved that the Board accept and ratify the three reports of the Complaint Committee, and the motion carried.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
President



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Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**January 8, 2018 at 9:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes*** - November 13, 2017

***Committee and Staff Reports, Discussion and Action:***

- **Executive/Management Committee Report and Recommended Actions**
  - Fiscal Reports / Purchasing Card Transactions for November and December 2017
  - Review of Board Policies and/or Procedures and Proposed Updates
    - Resolution Concerning Conflicts of Interest
    - Procedure to be Followed by Persons Desiring to Address the Board
  - WV Ethics Commission Advisory Opinion Regarding the Use of Titles and Photographs in Education Materials
  - Convenience Fee Associated with Credit Card Payments
  - Review of Uniform Application for Physicians and Associated Fees
  - Nomination of Mr. Spangler as an FSMB Fellow
  - Update, Review and Follow-up Regarding Strategic Planning
  - Report of Other Discussion Which Occurred at the January 7, 2018 Committee Meeting
  
- **Legislative Committee Report and Recommended Actions**
  - Board of Medicine Legislative Rule 11 CSR 1B
  - Proposed 2018 Interim Legislative Committee Meeting Dates
  - Authorization of Legislative Committee to Act on Behalf of the Board During the 2018 Legislative Session
  - Proposed Rules Regarding Medical Cannabis

- Proposed Bill Regarding Reorganization of DHHR
- Potential Legislative Topics in 2018
  - Physician Resident License / Educational Permit
  - Burden of Proof in Disciplinary Proceedings/Opioid Reduction Act
  - Authorization/Certification to Carry Firearms for Board Investigators
  - Physician Advertising
  - RN/LPN Board Consolidation Bill and Related Matters
  - Prescribing Authority for Psychologists
- Report of Other Discussion Which Occurred at the January 7, 2018 Committee Meeting
  
- **Board Attorney Report**
  - Update on Pending Litigation Matters
    - *Shivkumar Iyer, M.D. v. West Virginia Board of Medicine*
    - *Omar Khalid Hasan, M.D. v. West Virginia Board of Medicine*
    - Report on Number and Dates of Upcoming Public Hearings
  
- **Physician Assistant Committee Report and Recommended Actions**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Physician Assistants)
    - Appearances
    - Discussions
    - Other New Applicants
    - Reinstatement / Reactivation Applicants
  - Report of Other Discussion Which Occurred at the January 6, 2018 Committee Meeting
  
- **Licensure Committee Report and Recommended Actions**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussions
    - Other New Applicants
    - Reinstatement / Reactivation Applicants



- Report of IMLC Licensure Statistics from November 2017 Board meeting through the present
- Report of Other Discussion Which Occurred at the January 6, 2018 Committee Meeting
- **Complaint Committee Report and Recommended Actions**
  - Complaint Closures
  - Complaints Initiated by the Complaint Committee
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14, if any
  - Request for Authorization to present Consent Orders
  - Report of Fully Executed Consent Orders since November 2017 meeting
  - Consideration of Interim Consent Order in the Matter of *West Virginia Board of Medicine v. Muhammed Samer Nasher-Alneam, M.D.*
  - Report of Any Other Matters Originating from the January 7, 2018 Committee Meeting

## ***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**January 8, 2018**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 8<sup>th</sup> day of January 2018 at 9:00 a.m.

The following Board members were present for the meeting:

Ahmed D. Faheem, M.D., D.L.F.A.P.A., President  
Kishore K. Challa, M.D., F.A.C.C., Vice President  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Reverend O. Richard Bowyer  
Timothy Donatelli, D.P.M.  
Harry Duncan, M.D.  
Reverend Janet Harman  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Victoria Mullins, P.A.-C.  
Mustafa Rahim, M.D.  
Ashish Sheth, M.D.  
Wes Steele, M.D.  
Matthew Upton, M.D.  
Russell O. Wooton  
K. Dean Wright, P.A.-C.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI  
Andrew R. Wessels  
Joshua R. Waine

The following former Board member was present:

Beth Hays, M.A.

Dr. Faheem called the meeting to order. Dr. Rahim moved that the November 13, 2017 board meeting minutes be approved. Dr. Upton seconded, and the motion carried.

**CALL TO  
ORDER AND  
APPROVAL OF  
MINUTES**

Dr. Faheem introduced and welcomed Joshua R. Waine as the new administrative office assistant / receptionist for the Board. The former receptionist, Diane Callison, is now the physician assistant licensure analyst for the Board.

**WELCOME NEW  
EMPLOYEE**

Dr. Faheem welcomed former Board member, Beth Hays, M.A. Ms. Hays' board membership term ended on September 30, 2017. In recognition of her dedicated service during her tenure on the Board, Dr. Faheem presented Ms. Hays with a plaque. Ms. Hays expressed her gratitude.

**RECOGNITION OF  
FORMER BOARD  
MEMBERS**

Dr. Faheem recognized the service of former Board members, Rusty Cain, D.P.M and Cheryl Henderson, J.D., who were unable to attend today's meeting.

Ms. Hays left the meeting at this time, and was not present for the remainder of the meeting.

Dr. Faheem recognized Dr. Gupta, who was one of five individuals profiled by the Sunday Gazette-Mail as West Virginias of the year for 2017 in their efforts in battling the State's opioid epidemic.

**ANNOUNCEMENTS**

Mr. Wooton joined the meeting at this time.

Dr. Faheem announced that all Board members are required to file financial disclosures with the West Virginia Ethics Commission annually. He reminded everyone that the deadline for filing disclosures is February 1, 2018.

Dr. Faheem announced that the 2018 Federation of State Medical Boards annual meeting will be held on April 26-28, 2018, in Charlotte, North Carolina. There are a limited number of scholarships available for public members of medical boards, which are available on a first come, first serve basis. He instructed any member who is interested in attending the meeting to see Mr. Spangler or himself at the conclusion of today's meeting.

Dr. Faheem reported that the Executive/Management Committee met yesterday morning, Sunday, January 7, 2018, at which time the Committee approved the fiscal report and purchasing card transactions for the months of November and December 2017.

EXECUTIVE /  
MANAGEMENT  
COMMITTEE  
REPORT

Dr. Faheem reported that the Committee is implementing a process for reviewing Board Position Statements for currentness of content. The Board's current policy regarding resolution concerning conflicts of interest was originally adopted in 1988, and was amended in 2010. At yesterday's meeting, the Committee reviewed a draft revision of the policy, which provides guidance for members with regard to when and how to declare a conflict of interest. A copy of the proposed revisions was made available to all Board members. The Committee recommended that the Board adopt the *Conflict of Interest Policy* as presented. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that the Board's *Procedure to be Followed by Persons Desiring to Address the Board* was originally adopted in 2000 and was amended in 2010. A copy of the proposed revisions was made available to all board members. The Committee recommended that the Board adopt the *Procedure for Making Comments at Meetings of*

*the Board* as presented. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that at the November 2017 West Virginia State Auditor's Conference, the West Virginia Ethics Commission presentation provided that the West Virginia Ethics Act prohibits a public official's name or likeness (i.e. title and photograph) from being placed on educational material. The Committee reviewed an Ethics Commission Advisory Opinion regarding the use of titles and photographs in educational material, and it remains unclear as to whether the Board's newsletter is considered "educational material." The Committee directed Board staff to obtain an opinion from the Ethics Commission regarding the use of names, titles and photographs in future Board of Medicine newsletters.

Dr. Faheem reported that the West Virginia State Treasurer's Office applies a 2.25% convenience fee to all payments made to the Board of Medicine via credit card transaction. In January 2016, the Board elected to absorb the 2.25% convenience fee applied to credit card transactions for a period of two years, and reevaluate thereafter. Dr. Rahim moved that the Board continue to absorb the 2.25% convenience fee associated with credit card transactions for a period of two years, and reevaluate thereafter. Mr. Wooton seconded, and the motion carried.

Mr. Spangler reported that currently the only pathway for a physician to apply for a license to practice medicine in this state is to submit a Uniform Application. At yesterday's meeting, the Committee directed Board staff to begin developing a paper application that could be utilized by applicants applying for initial licensure with the Board.

Dr. Faheem reported that the Federation of State Medical Boards (FSMB) has modified their bylaws to allow medical board executive directors to become a FSMB fellow. As a fellow, the executive director would be eligible to run for office and /or to be

appointed to committees. Dr. Steele moved that the Board nominate Mr. Spangler as a FSMB fellow. Dr. Upton seconded, and the motion carried.

Dr. Faheem reported that the Committee met in executive session yesterday to discuss a personnel matter, the salary of the executive director position. Mr. Spangler is approaching completion of his first year in this position, and the Committee reviewed the salary range for this position. Reverend Bowyer moved that the Board enter into executive session pursuant to W.Va. Code §6-9A-4 to consider personnel matters regarding the salary of the executive director position. Dr. Gupta seconded, and the motion carried. Mr. Spangler, Ms. Alley, Mr. Foster, Ms. Frame, Ms. Thornton, Mr. Waine, Mr. Wessels, and a member of the public left the meeting room at this time.

**EXECUTIVE  
SESSION**

The executive session concluded, and the public session commenced. All of the individuals who left the meeting room when the Board entered into executive session returned to the meeting room at this time.

**PUBLIC  
SESSION**

Reverend Bowyer moved that the Board accept the Committees recommendation to adjust the Executive Directors salary as reported effective upon completion of all necessary administrative processing to make this change. Dr. Gupta seconded, and the motion carried.

Dr. Faheem reported that the Board has begun incorporating the Mission, Vision and Core Values that were adopted in 2017. Moving forward, the Executive Management Committee will begin to build upon the goals and objectives that were identified during the Board's strategic planning session. The Board would like to begin conducting annual strategic planning sessions. For 2018, the proposed date for a half-day planning session is Saturday, October 20, 2018.

Dr. Faheem moved that the Board accept and ratify the report of the Executive /

Management Committee. The motion carried.

Dr. Rahim delivered the report of the Licensure Committee, which met on Saturday, January 6, 2018.

LICENSURE  
COMMITTEE  
REPORT

Dr. Rahim reported that three applicants appeared before the Licensure Committee to discuss their applications. Based upon the Committee's review of the relevant applications, and its discussion with the applicants, the Committee recommended that Ali Kooshkabadi, M.D. and Kelsey Aleen Musgrove, M.D. be approved for permanent medical licensure. The motion of Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the permanent medical licensure application of Sandor Mecs, M.D. was placed on hold pending receipt of additional information.

Dr. Rahim reported that the Licensure Committee reviewed and discussed eleven (11) applications. Based thereupon, the Committee made the following recommendations:

Approve the following applicants for permanent medical licensure:

Amjad Hassan Alwaal, M.D.  
David B. Fromberg, M.D.  
Sai Praveen Haranath, M.D.  
Dianah Thelma Lake, M.D.

Approve the following applicants for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Ibrahim Abu Munkalia, M.D.  
Bipin Lal Shrestha, M.D.

Approve Nirupama Seemaladinne, M.D. for permanent medical licensure pending receipt of satisfactory evidence of completion of third year of accredited postgraduate training and receipt of the patient injury compensation fund assessment fee.

Accept the total hours of continuing medical education as satisfactory and approve Tina Marie Hendrix, M.D. for reactivation of permanent medical licensure.

The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Committee will maintain the application of Gianna Joanne Link, M.D. on hold pending receipt of additional information.

Dr. Rahim reported that Gilbert Niles Clinton, II, M.D. and Butchi Babu Paidipaty, M.D. will be invited to appear before the Committee in March 2018 in support of their applications.

Dr. Rahim asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared.

The Committee recommended that the Board approve the following applicants for licensure:

**Permanent medical licensure**

Abou Mrad, Romy  
Adam, Nazir Ahmed  
Akiko, Michelle N.  
Almutairi, Heba  
Aly, Jasmine M.  
Amin, Md. Shahrier

Bakinde, Nicolas  
Bandak, Ghassan Salim Issa  
Beaver, Thomas Richard  
Benning, Ethan Michael



Bernard, Jonathan David  
Boils, Christie  
Bondalapati, Naveen Kumar Reddy  
Boyd, Jr., Charles Edward  
Bronstein, Yulia

Clayton, Frederick Paul  
Colletti, Richard

Deppe, Scott Allen  
Doyle, John Joseph

Fadakar, Paul K.

Glass, Daniel Matthew  
Gonzalez, Celsio Emil  
Grover, Robert  
Gyulai, Ferenc Emil

Hennigar, Randolph Alexander  
Hinkle, David Miguel  
Huff, Mary Wood

Jahan, Ishrat  
Johnson, Ryan Edward

Kapoor, Mohit  
Khan, Akhtar Sultan  
Kollins, Kevin Michael  
Krish, Sonia Nagesh  
Kuperman, Michael Benjamin

Laferla, John James  
Lasure, Benjamin Lee  
Le, Andrew Toan  
Lee, Allen Sanghun

Mastores, Scott Frank  
McCarthy, Paul Joseph  
Middleman, Edward Louis

Nandwani, Veena

Pratt, Alan Goodale

Rezai, Ali R.  
Rich, Jr., David Howard  
Roberts, Edmond Alan Vernon  
Roy, Aviral

Saraiya, Rupali  
Scott, Grant Robert  
Singh, Kartik  
Singh, Meenu  
Stavens, Gerasimos Stefanatos  
Stern, Joel Benjamin  
Stokes, Robert Fraser

Vidwans, Malavika Aniruddha

Zavaleta, Ernesto Gustavo

**Reactivation of permanent medical licensure:**

Bardes, Allison Grace  
Bardes, James Migliaccio

Someshwar, Jean Ruth  
Strafford, James Craigmiles

Uihlein, Thomas William

**Permanent podiatric physician licensure:**

Yeaman, William Edward Daniel

The motion of the Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the following six applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an Interstate

Medical Licensure Compact Commission (IMLCC) application between the November 2017 and January 2018 Board meetings:

Campbell, John David	Arizona
Collins, James Ivan	Arizona
Hasenyager, Carol Ann	Wisconsin
Prabhu, Maitreyi Ramrao	Arizona
Toh, Benjamin Teong	Illinois
Youssef, Nancy Hany	Illinois

Also, the Board has received five requests for Letters of Qualification (LOQ) to be issued by the Board as the state of principal licensure. Of these, three applications are pending completion. Letters of Qualification were issued to Jacqueline Joy Kraus, M.D. and Sean Michael Rogers, M.D.

Dr. Rahim reported that the Committee discussed FBI guidelines for communicating with applicants regarding the results of a criminal history record check.

Dr. Lakin moved that the Board accept and ratify the report of the Licensure Committee. Mr. Wooton seconded, and the motion carried.

Dr. Rahim extended his thanks to Dr. Faheem and the Board for taking the report of the the Licensure Committee out of turn. Dr. Rahim left the meeting at this time, and was not present for the remainder of the meeting.

Mr. Wright reported that the Legislative Committee met yesterday, Sunday, January 7, 2018, at which time Mr. Spangler reported that the Legislative Rule-Making Review Committee has approved the Board's proposed legislative rule 11 CSR 1B,

**LEGISLATIVE  
COMMITTEE  
REPORT**

*Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants.* Board staff will monitor the rule as it goes through the 2018 legislative session.

Mr. Wright reported that the Committee will hold four interim meetings between this Board meeting and the March 12, 2018 Board meeting. The tentative dates of these meetings are:

January 25, 2018	5:00 pm
February 8, 2018	5:00 pm
February 22, 2018	5:00 pm
and	
March 8, 2018	5:00 pm.

Ms. Harman moved that the Board to delegate authority to the Legislative Committee to act on behalf of the Board as necessary to respond to legislative matters at these meetings, and any other meetings which may become necessary during the 2018 legislative session. Dr. Steele seconded, and the motion carried.

Mr. Wright reported that at its November 2017 meeting, the Board authorized staff to research issuing educational permits to residents, and to draft a bill for the Committee and Board to review for possible introduction in the 2018 legislative session. A copy of the draft bill was available for members to review. The bill removes language which provides that “a person engaged in graduate medical training in a program approved by the Accreditation Council for Graduate Medical Education or the board” is exempt from the licensing requirements. Additionally, the bill identifies the requirements that a resident must meet in order to be issued an educational permit by the Board. The bill provides the Board authority to promulgate an emergency rule. Implementation of the rule will require a database change and a possible increase in staff; therefore, the Committee recommends that the implementation of the rule become effective in July 2019. Dr. Gupta moved that the Board support introduction of the bill relating to the issuance of resident educational permits in the 2018 legislative session. Reverend Bowyer seconded, and the motion carried.

Mr. Wright reported that at its November 2017 meeting, the Board authorized staff to work collectively with legislative counsel on draft legislation to modify West Virginia Code §30-3-14 to include changing the burden of proof in Board disciplinary matters from clear and convincing evidence to a preponderance of evidence standard, which would align the Board of Medicine and the Board of Osteopathic Medicine. Rather than becoming an independent bill, the burden of proof standard has been incorporated in the Opioid Reduction Act. The language in the Opioid Reduction Act:

1. Changes the burden of proof in Board disciplinary matters from clear and convincing evidence standard to a preponderance of evidence standard;
2. Limits issuing an opiate to a patient in an emergency room setting for outpatient use to a three-day supply;
3. Limits the initial prescription of an opiate to a patient in an outpatient setting to a seven-day supply;
4. Sets forth requirements for practitioners, which includes requiring practitioners to access the Controlled Substance Monitoring Program (CSMP);
5. Broadens the access that licensing boards have regarding accessing the CSMP database;
6. Requires that the Board of Pharmacy report to licensing boards quarterly regarding abnormal prescribing practices; and
7. Establishes parameters on how a licensing board may use information gathered from quarterly CSMP reports received from the Board of Pharmacy.

The Committee recommended that the Board support this bill in principal and monitor the bill during the upcoming legislative session. The motion of the Legislative Committee was given by Wright, and the motion carried.

Mr. Wright reported that the West Virginia Bureau for Public Health will be releasing a report regarding recommendations to address the opioid crisis. The Committee recommended that the Board delegate Mr. Spangler authority to take a position with regard to the report. The motion of the Legislative Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that there has been legislation drafted which would permit at least one Board investigator to carry a firearm once they have received appropriate training; however, legislative counsel have been unable to find a sponsor for the bill. Board staff will seek a sponsor for the bill.

Mr. Wright reported that it is unclear if there will be legislation introduced during the 2018 session related to physician advertising, but Board staff will monitor any such legislation if it is introduced, and will report back to the Committee and the Board.

Mr. Wright reported that legislation will likely be introduced in the upcoming legislative session that would combine the West Virginia Board of Examiners for Registered Professional Nurses and the West Virginia Board of Licensed Practical Nurses. Board staff will monitor any such legislation, and will keep the Committee and the Board apprised.

Mr. Wright reported that there is talk of a bill which would provide for prescribing authority for psychologists who hold a Ph.D. The Committee recommended that the Board oppose legislation granting prescribing authority for Ph.D. psychologists, if such legislation is introduced. The motion of the Legislative Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that during the Legislative Committee meeting, Dr. Gupta reported on the proposed medical cannabis rules.

Mr. Wright reported that during the Legislative Committee meeting, Dr. Gupta reported on the bill to be introduced in the upcoming legislative session in an effort to reorganize the West Virginia Department of Health and Human Resources. This bill provides that the Board of Medicine, as well as other regulatory boards, would “remain as autonomous entities but may be subject to administrative oversight of the Department of Health and Compliance for purposes of consistency of service delivery.” The Committee has concerns with the way the draft bill is proposed, and therefore recommended that the Board not support the bill as written. The motion of the Legislative Committee was given by Mr. Wright, and the motion carried.

Mr. Wright moved that the Board accept and ratify the report of the Legislative Committee. The motion carried.

Ms. Alley provided an update on two pending litigation matters. The matter of *Shivkumar Iyer, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent* is currently going through the appeal process, and the Board is awaiting the Supreme Court’s ruling.

**BOARD  
ATTORNEY  
REPORT**

In the matter of *Omar Khalid Hasan, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent*, briefs have been submitted, and the Board is awaiting a decision by the Kanawha County Circuit Court

Ms. Alley reported that there was a hearing scheduled to convene January 9-11, 2018; however, the hearing has been continued.

Ms. Alley reported that there is a hearing scheduled to convene on February 2, 2018, in a disciplinary matter. The Board anticipates that one more hearing will be

scheduled in the near future.

Mr. Wright provided the report of the Physician Assistant Committee which met on Saturday, January 6, 2018.

**PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT**

Mr. Wright reported that Jessica Faye Dunkley, P.A.-C. entered into a Consent Order with the Board on April 4, 2017, which restricted her practice as a physician assistant to direct supervision for a minimum period of six months. At its November 2017 meeting, the Physician Assistant Committee reviewed the documentation submitted by her supervising physician, who had also recommended lifting the restriction of direct supervision. The Committee recommended Ms. Dunkley be released from her Consent Order. An Order Terminating Consent Order was entered on November 13, 2017.

Mr. Wright asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. Reverend Bowyer declared a conflict with regard to Patricia Ann Parrish, P.A.-C., as Ms. Parrish will be employed by Fairmont Clinic, and he is a member of the Fairmont Clinic Board. Reverend Bowyer left the meeting room at this time. Mr. Wright recommended that Ms. Parrish be approved for physician assistant licensure. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried. Reverend Bowyer returned to the meeting room at this time.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Toni Rebekah Davison, P.A.-C.  
Jason R. Fantini, P.A.-C.  
Samantha Jane Hanson, P.A.-C.  
Maureen E. McDonough, P.A.-C.  
James Carroll O'Connor, P.A.-C.  
Emily N. Penz, P.A.-C.  
Heather Ann Whetzel, P.A.-C.



The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that Meredith L. Wisser, P.A.-C. requested to practice in her maiden name of George, although she has legally changed her name to Wisser. The Committee recommended that Ms. Wisser be approved for physician assistant licensure pending receipt of an application submitted in her legal name of Meredith L. Wisser, P.A.-C. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that Allison Ann Brown, P.A.-C. appeared before the Physician Assistant Committee at its November 2017 meeting to discuss her application. Her application was placed on hold pending receipt of additional information from the Delaware Board of Medicine. Based upon the Committee's review of the additional information submitted, the Committee recommended that Ms. Brown be approved for physician assistant licensure. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

The Physician Assistant Committee recommended that Brian Thomas Jarrell, P.A.-C. be approved for reinstatement of licensure. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that Board staff have authorized forty-one (41) practice agreements for the period of November 13, 2017 to January 5, 2018. Additionally, fifty-nine (59) collaborating physicians were designated. Staff also processed a total of 339 Prescriptive Authority Amendment Forms for currently authorized practice agreements.

Mr. Wright reported that the National Commission on Certification of Physician Assistants (NCCPA) certification for seven actively licensed physician assistants expired

effective December 31, 2017. These physician assistants have been notified to practice using the designation of P.A. rather than P.A.-C.

Mr. Wright moved that the Board accept and ratify the report of the Physician Assistant Committee. The motion carried.

Dr. Challa was not present at the January 7, 2018, Complaint Committee meeting. In his absence, Dr. Upton chaired the meeting and provided the following report:

**COMPLAINT  
COMMITTEE  
REPORT**

A special meeting of the Complaint Committee was held on November 30, 2017, at which time the Committee initiated complaint number 17-197-W.

Pursuant to the January 7, 2018, Complaint Committee meeting, Dr. Upton reported the following activities:

#### **CLOSURES**

17-170-P	David Mark Anderson, M.D.
17-146-W	Deborah Lynn Chadwick, M.D.
17-164-W	David Anthony Ciarolla, M.D.
17-179-V	David Wellington Cook, M.D.
17-165-W	Thomas Alan Durnell, M.D.
17-149-H	Michael L. Harris, M.D.
16-151-W	Mohammad Khalid Hasan, M.D.
17-18-W	Mohammad Khalid Hasan, M.D.
17-166-W	Nolan Mark Hill, M.D.
17-117-W	James Michael Holehouse, M.D.
17-169-F	Antonio Santiago Garcia Merino, M.D.
17-155-F	Georgianna Maynell Richards, M.D.
17-83-W	William Peter Matthew Southcott, M.D.
17-172-W	Terence Wayne Triplett, M.D.

## INITIATED COMPLAINTS

18-02-W  
18-03-W  
18-04-W  
18-05-W  
18-06-W  
18-07-W  
18-08-W  
18-09-W  
18-10-W  
18-11-W  
18-12-W  
18-13-W  
18-14-W  
18-15-W  
18-16-W  
18-17-W  
18-18-W  
18-19-W  
18-20-W  
18-21-W  
18-22-W

## CONSENT ORDERS

Dr. Upton requested that the Board authorize the Complaint Committee to move forward with offering four Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Complaint Committee was given by Dr. Upton, and the motion carried.

## FULLY EXECUTED CONSENT ORDERS

Dr. Upton reported that since the November meeting, fully executed Consent Orders have been entered with respect to the following licensees:

Charles Paul Honsinger, III, M.D. – On November 13, 2017, the licensee entered into a Consent

Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Rodhan Abass Khthir, M.D. – On January 2, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Paul Basil Papadimitriou, M.D. – On January 2, 2018, the licensee entered into a Consent Order with the Board which publicly reprimanded him for improper treatment of a patient and placed him on probation for one year with specific terms and conditions, including successful completion of training and education and a requirement that he engage in appropriate practices and maintain proper prescribing records when he regularly prescribes controlled substances to a patient.

All Consent Orders are available on the Board's website.

Dr. Upton reported that a public hearing was scheduled to convene on January 9, 10 and 11, 2018, in the matter of Muhammed Samer Nasher-Alneam, M.D. Prior to the public hearing, Dr. Nasher-Alneam moved to continue the hearing. In conjunction with his motion to continue, Dr. Nasher-Alneam agreed to certain restrictions and limitations on his practice, in the form of a Proposed Interim Consent Order, that would remain in effect until the complaints at issue are resolved by a Final Board Order. The public hearing was continued by Order of the Hearing Examiner, and the Proposed Interim Consent Order was submitted to the Complaint Committee for consideration. Prior to today's meeting, the Proposed Interim Consent Order was made available for Board members to review. Mr.

Foster reported that the Interim Consent Order does not impose discipline upon the physician, rather it restricts the physicians prescribing to ensure public protection while the matter is pending. The Complaint Committee recommended that the Board accept Dr. Nasher-Alneam's Interim Consent Order. The motion of the Committee was given by Dr. Upton, and the motion carried.

Dr. Upton moved that the Board accept and ratify the report of the Complaint Committee, and the motion carried.

There being no further business to consider, Reverend Bowyer moved that the meeting be adjourned. Dr. Steele seconded, and the motion carried. **ADJOURNMENT**



Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
President



Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**March 12, 2018 at 9:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes*** – January 8, 2018

***Committee and Staff Reports, Discussion and Action:***

- **Executive/Management Committee Report**
  - Correspondence Received Regarding Malpractice Reporting
  - Correspondence Received Regarding Supporting the Practice of Physician Assistants
  - Correspondence Received Regarding Temporary License Billing and Credentialing
  - Correspondence Received Regarding Suggested Changes to the Ryan Haight Act Regulations
  - Correspondence Received Regarding Prescription Drug Related Overdose Deaths in West Virginia
  - Fiscal Reports / Purchasing Card Transactions for January and February 2018
  - Review of Board Policies and/or Procedures and Proposed Updates
    - Position Statement on Corporate Practice of Medicine
    - Collaborative Relationships for Prescriptive Authority with APRNs or Certified Nurse Midwives
  - Update, Review and Follow-up Regarding Strategic Planning
  - Report of Other Discussion Which Occurred at the March 11, 2018 Meeting
  
- **Legislative Committee Report**
  - Board of Medicine Legislative Rules 11 CSR 1B and 11 CSR 6
  - Overview of the 2018 Legislative Session
  - Rulemaking for the 2019 Legislative Session
  - Legislative Goals for 2019

- Report of Other Discussion Which Occurred at the March 11, 2018 Meeting
- **Board Attorney Report**
  - Update on Pending Litigation Matters
    - *Shivkumar Iyer, M.D. v. West Virginia Board of Medicine*
    - *Omar Khalid Hasan, M.D. v. West Virginia Board of Medicine*
    - Pending Public Hearings
  - Review of Recent Kentucky Opinion Regarding the North Carolina Dental Board Case
- **Physician Assistant Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Physician Assistants)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the March 10, 2018 Meeting
- **Licensure Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the March 10, 2018 Meeting
- **Complaint Committee Report**
  - Closures
  - Initiated Complaints
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14, if any
  - Authorization of Consent Orders

- Consent Order Update
- Consideration of Possible Revocation Pursuant to W. Va. Code §30-3-14(d) – Rodney Lee Curtis, II, M.D.
- Other Matters Originating from the March 11, 2018 Meeting

***ADJOURNMENT***



**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**March 19, 2018 at 9:00 a.m.**

---

***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes*** – January 8, 2018

***Committee and Staff Reports, Discussion and Action:***

- **Executive/Management Committee Report**
  - Correspondence Received Regarding Malpractice Reporting
  - Correspondence Received Regarding Supporting the Practice of Physician Assistants
  - Correspondence Received Regarding Temporary License Billing and Credentialing
  - Correspondence Received Regarding Suggested Changes to the Ryan Haight Act Regulations
  - Correspondence Received Regarding Prescription Drug Related Overdose Deaths in West Virginia
  - Fiscal Reports / Purchasing Card Transactions for January and February 2018
  - Review of Board Policies and/or Procedures and Proposed Updates
    - Position Statement on Corporate Practice of Medicine
    - Collaborative Relationships for Prescriptive Authority with APRNs or Certified Nurse Midwives
  - Update, Review and Follow-up Regarding Strategic Planning
  - Report of Other Discussion Which Occurred at the March 11, 2018 Meeting
  
- **Legislative Committee Report**
  - Board of Medicine Legislative Rules 11 CSR 1B and 11 CSR 6
  - Overview of the 2018 Legislative Session
  - Rulemaking for the 2019 Legislative Session
  - Legislative Goals for 2019

- Report of Other Discussion Which Occurred at the March 11, 2018 Meeting
- **Board Attorney Report**
  - Update on Pending Litigation Matters
    - *Shivkumar Iyer, M.D. v. West Virginia Board of Medicine*
    - *Omar Khalid Hasan, M.D. v. West Virginia Board of Medicine*
    - Pending Public Hearings
  - Review of Recent Kentucky Opinion Regarding the North Carolina Dental Board Case
- **Physician Assistant Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Physician Assistants)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the March 10, 2018 Meeting
- **Licensure Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the March 10, 2018 Meeting
- **Complaint Committee Report**
  - Closures
  - Initiated Complaints
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14, if any
  - Authorization of Consent Orders

- Consent Order Update
- Consideration of Possible Revocation Pursuant to W. Va. Code §30-3-14(d) – Rodney Lee Curtis, II, M.D.
- Other Matters Originating from the March 11, 2018 Meeting

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**March 19, 2018**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 19<sup>th</sup> day of March 2018 at 9:00 a.m.

The following Board members were present for the meeting:

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Reverend Janet Harman  
Carrie Lakin, D.P.M.  
Victoria Mullins, P.A.-C.  
Ashish Sheth, M.D.  
Russell O. Wooton  
K. Dean Wright, P.A.-C.

The following Board members attended the meeting via teleconference:

Ahmed D. Faheem, M.D., D.L.F.A.P.A., President  
Kishore K. Challa, M.D., F.A.C.C., Vice President  
Reverend O. Richard Bowyer  
Harry Duncan, M.D.  
David Mullins, M.D.  
Mustafa Rahim, M.D.  
Wes Steele, M.D.  
Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI  
Andrew R. Wessels

Dr. Faheem called the meeting to order. Reverend Bowyer moved that the January 8, 2018 board meeting minutes be approved. Dr. Challa seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL OF  
MINUTES

Dr. Faheem announced that the 2018 Federation of State Medical Boards annual meeting will be held on April 26-28, 2018, in Charlotte, North Carolina. The early-bird registration deadline is today, March 19, 2018, and registration closes on April 9, 2018. He instructed any member who is interested in attending the meeting to see Mr. Spangler at the conclusion of today's meeting.

ANNOUNCEMENTS

Mr. Spangler congratulated Dr. Faheem on his nomination to serve on the Federation of State Medical Boards Nominating Committee.

Dr. Faheem reported that the Executive/Management Committee met on Sunday, March 11, 2018, at which time the Committee reviewed and discussed correspondence regarding the reporting of medical malpractice settlements and judgments to the Board of Medicine. The Committee authorized Board staff to begin reviewing the Board's Medical Professional Liability Claim Report Form, and to present proposed modifications to the Committee at the next meeting. Additionally, the Committee directed legal staff to review a request for expungement of a medical malpractice settlement claim report and provide a recommendation at the May 2018 Legislative Committee meeting regarding this matter.

EXECUTIVE /  
MANAGEMENT  
COMMITTEE  
REPORT

Dr. Faheem reported that the Committee reviewed and discussed correspondence from the Washington State Medical Commission (WSMC). The WSMC is unable to attend the 2018 Federation of State Medical Boards meeting and asks that the West Virginia Board of Medicine speak to WSMC's resolution entitled *Supporting the Practice Physician Assistants*. The Committee believes that it would be premature to opine on the issue until ample time for further discussion and consideration is had.

Dr. Faheem reported that the Committee reviewed and discussed correspondence that was received regarding the ability for licensees who hold an active temporary license with the Board to bill for their services. Mr. Spangler will follow-up with the appropriate individuals regarding this request, indicating that a temporary license is an active license, and therefore they should not be treated any different than other licensees who hold an active license with the Board.

Dr. Faheem reported that the Committee reviewed correspondence that was received regarding the Drug Enforcement Agency's efforts to amend the regulations of the Ryan Haight Act, which relates to prescribing controlled substances through the use of telemedicine. The Committee recommended that the Board oppose any changes to the Ryan Haight Act. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that the Committee reviewed correspondence that was received from a student at George Washington University's School of Public Health regarding addressing prescription drug related overdose deaths in West Virginia. Mr. Spangler will respond to the sender reporting that current legislation and other initiatives are in alignment with her recommendations.

Dr. Faheem reported that the Committee reviewed and approved the fiscal report and purchasing card transactions for the months of January and February 2018.

Dr. Faheem reported that the Board's current position statement on the corporate practice of medicine was adopted in November 2013. The Committee recommended that the Board re-adopt the Position Statement on the Corporate Practice of Medicine without modification. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that the current policy regarding collaborative relationships for prescriptive authority with Advanced Practice Registered Nurses (APRNs) or certified nurse midwives was adopted in March 2012. The Committee recommended that the Board adopt the policy regarding collaborative relationships for prescriptive authority with APRNs or certified midwives and authorize Board staff to make technical, non-substantive changes to the policy. The motion of the Committee was given by Dr. Faheem, and the motion carried. The revised policy will be presented to the Board for consideration at the May 2018 meeting.

Dr. Faheem reported that the Committee reviewed the Board's strategic plan for 2018, which identifies the Board's goals and objectives for the year. A copy of the document was made available to members for review. The Committee recommended that the Board ratify the strategic plan as presented. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that the Committee would like to begin conducting annual strategic planning sessions. At the January meeting, the Committee selected October 20, 2018 as the proposed date for a half-day planning session. Due to schedule conflicts, the Committee recommended that the Board hold a strategic planning session on either Saturday October 6, 2018 or Saturday October 13, 2018. Dr. Faheem asked members to review their calendar and email their preferred date for the meeting to Ms. Frame as soon as possible.

Dr. Faheem moved that the Board accept and ratify the report of the Executive / Management Committee. The motion carried.

Mr. Wright reported that the Legislative Committee met on Sunday, March 11, 2018, at which time Mr. Spangler reported that the Board's legislative rules 11 CSR 1B,

*Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, and 11 CSR 6, *Continuing Education for Physician and Podiatric Physicians*, have completed the legislative process and are awaiting the Governor's signature. The rule bundle bill, which contained 11 CSR 1B and 11 CSR 6, was amended in Senate Judiciary Committee. The amendment strikes 12.1.ii.B of 11 CSR 1A, prohibiting the use of patient testimonials in physician advertising, and re-numbers the remaining paragraph. Board staff will file the final rules with the Secretary of State's office. Licensees will be notified of the changes to these rules via e-mail. The changes will also be outlined in the June 2018 edition of the Board's newsletter.

Mr. Wright reported that Senate Bill 273, reducing the use of certain prescription drugs, was monitored closely throughout the session by the Committee. The bill has completed the legislative process and is awaiting the Governor's signature. The Committee has concerns with the requirement in this bill which provides that the practitioner "shall consider" any of the following treatment alternatives prior to starting a patient on an opioid: physical therapy, acupuncture, massage therapy, osteopathic manipulation, chronic pain management program and chiropractic care. The final version of the bill was not available online at the time of the Legislative Committee meeting on Sunday, May 11, 2018. Based upon a subsequent review of the final version by Board staff, Mr. Wright reported to the Board that the language is "shall refer or prescribe" rather than "shall consider." Additionally, a practitioner is required to conduct and document the results of a physical examination every 90 days for any patient that he or she continues to treat with any Schedule II controlled substance. The Committee recommended that the Board authorize staff to explore seeking removal of the requirement that a physical examination be performed every 90 days. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that House Bill 4199, permitting a nursing home to use trained individuals to administer medication, has completed the legislative process and is awaiting



the Governor's signature. This bill will allow individuals who meet eligibility requirements and who have passed training and competency tests developed by the authorizing agency to administer medications to residents of a nursing home. The Committee has concerns with this bill and has authorized Mr. Spangler to speak with the Governor regarding the concerns.

Mr. Wright reported that the following bills, which were monitored by the Committee, have completed the legislative process and are awaiting the Governor's signature:

**Senate Bill 313** – waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers

**Senate Bill 434** – specifying documents not subject to discovery in certain proceedings

**Senate Bill 499** – requiring two years of approved postgraduate clinical training for persons with foreign medical degrees

**Senate Bill 576** – relating to the Patient Injury Compensation Fund

**House Bill 4027** – creating an education permit for allopathic physician residents

**House Bill 4217** – permitting an attending physician to obtain a patient's autopsy report

**House Bill 4336** – updating the schedule of controlled substances

Mr. Wright reported that the following bills were closely monitored by the Committee, but were not passed:

**Senate Bill 448** – relating generally to professional associations

**Senate Bill 473** – requiring insurance coverage for the prescription drug Varenicline

**House Bill 4011** – requiring agencies, when submitting a new rule or changes, to also identify two existing rules that could be repealed

**House Bill 4014** – relating to reorganization of the West Virginia Department of Health and Human Resources

**House Bill 4154** – establishing the 2018 Regulatory Reform Act

**House Bill 4218** – relating to medical professional liability

**House Bill 4304** – creating the Board of Nursing

**House Bill 4345** – relating to limitation on permits for growers, processors and dispensaries of medical cannabis

**House Bill 4481** – relating to mandatory inter-board reporting by licensees or registrant of the boards of medicine, osteopathic medicine and nursing

Mr. Wright reported that the following study resolutions were approved by the legislature:

1. the feasibility of a single building to house all occupational and professional regulatory boards;
2. licensure, certification and registration forms of occupational and professional regulation;
3. limiting the use of certain criminal records to disqualify a person from license to practice an occupation; and
4. iSelect MD pilot project regarding telemedicine.

Mr. Wright reported that Board staff will begin rulemaking for introduction in the 2019 legislative session.

Mr. Wright reported on potential legislative goals for 2019, which include:

1. changing the burden of proof in disciplinary matters from a clear and convincing evidence standard to a preponderance of evidence standard, so that the Board of Medicine language and the Board of Osteopathic Medicine language align;
2. permitting at least one board investigator to carry a firearm;
3. consolidation of the Board of Medicine and Board of Osteopathic Medicine; and
4. physician assistant requirements.

The Committee recommended that the Board authorize staff to explore the above matters that are identified as 2019 legislative goals. The motion of the Committee was given by

Mr. Wright, and the motion carried.

Mr. Wright moved that the Board accept and ratify the report of the Legislative Committee. The motion carried.

Mr. Wright acknowledged the Board and Staff members for the excellent job that they did throughout the 2018 legislative session.

Ms. Alley provided an update on two pending litigation matters. The matter of *Shivkumar Iyer, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent* is currently going through the appeal process, and the Board is awaiting the Supreme Court's ruling.

**BOARD  
ATTORNEY  
REPORT**

The Board is awaiting a decision by the Kanawha County Circuit Court in the matter of *Omar Khalid Hasan, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent*.

Ms. Alley reported that a hearing was held on February 2, 2018, in a disciplinary matter. The Board anticipates receiving the Hearing Examiner's *Findings of Fact, Conclusions of Law and Recommended Decision* with regard to this matter in the spring.

Ms. Alley reported that there are two complaint matters which are in a continued posture, and the public hearings in those matters will be rescheduled at a later date.

Ms. Alley reported that there are two matters for which it is anticipated that a Complaint Notice of Hearing will be issued later this spring.

Ms. Alley provided an overview of a recent Kentucky opinion regarding the North

Carolina Dental Board case. This was a favorable case, with a Board structure similar to our Board. Also, like our Board, their rules were subject to the legislative process. Board staff will continue to monitor judicial opinions related to this topic.

Mr. Wright provided the report of the Physician Assistant Committee which met on Saturday, March 10, 2018.

**PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT**

Mr. Wright asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. No conflicts were declared.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Amber Mae Beckman, P.A.-C.  
Ronald Winston Bewick, Jr., P.A.-C.  
Richard Annon Corley, Jr., P.A.-C.  
Rebecca Lynn D'Eramo, P.A.-C.  
Randi Linn Dillon, P.A.-C.  
Cody Ann McGovern Eccard, P.A.-C.  
Kaitlyn Arielle Garnett, P.A.-C.  
Jessica Chaney Hansroth, P.A.-C.  
Holly Marie Harris, P.A.-C.  
Randall Douglas Kelly, P.A.-C.  
Jordan Rhea Kerr, P.A.-C.  
Skerdilaid Licaj, P.A.-C.  
Joshua James Rogers, P.A.-C.  
Megan J. Schweid, P.A.-C.  
Natalie Anne Sesto, P.A.-C.  
Thomas A. White, P.A.-C.  
Eric Francis Williams, P.A.-C.

The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the Committee will maintain the application of Lindsey Megan Fancett, P.A.-C. on hold pending receipt of additional information.

The Licensure Committee recommended that Sarah Legih LaSala, P.A.-C. be offered approval of licensure through a Consent Order with the following terms:

1. that any practice agreement submitted must be reviewed by the Physician Assistant Committee prior to authorization;
2. that Ms. LaSala practice under direct supervision for a minimum of six months; and
3. that Ms. LaSala's collaborating physician send quarterly status reports updating the Committee on her progress and a recommendation regarding when direct collaboration should be lifted.

The Committee reviewed a proposed practice agreement which may be resubmitted to include the modifications required by the Consent Order. The motion of the Committee was given by Mr. Wright, and the motion carried.

The Physician Assistant Committee recommended that Weslyn Anna Leffler, P.A.-C. and David Runyon, P.A.-C. be approved for reinstatement of licensure. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the Committee discussed the delegation of morphine pump refills and maintenance in an office-based setting. The Committee directed staff to authorize agreements delegating this advanced duty with evidence of the appropriate training and logs for refills and maintenance only. Physician assistants are not permitted to make changes in dosage/calibration of the pump without direction from the collaborating physician.

Mr. Wright reported that the Committee discussed a proposed practice agreement which requested delegation of joint aspirations. The logs submitted were not site specific as is required for joint injections. The Committee directed staff that joint aspiration delegation

would also be site specific and would require the appropriate logs for authorization to delegate this advanced duty.

Mr. Wright reported that the Committee discussed the inquiry of a physician assistant relating to the emergent administration of morphine for cardiac treatment in the absence of the collaborating physician. The Committee directed staff to inform the physician assistant that the collaborating physician may delegate this in the Emergency Care section of the delegated medical acts provided that specific protocols are outlined in the agreement.

Mr. Wright reported that Board staff have authorized 121 practice agreements for the period of January 8, 2018 to March 9, 2018. Additionally, 148 alternate collaborating physicians were designated.

Mr. Wright moved that the Board accept and ratify the report of the Physician Assistant Committee. The motion carried.

Dr. Rahim delivered the report of the Licensure Committee, which met on Saturday, March 11, 2018.

**LICENSURE  
COMMITTEE  
REPORT**

Dr. Rahim reported that four applicants appeared before the Licensure Committee to discuss their applications. Based thereupon the Committee made the following recommendations:

Approve Cletus Cheyuo, M.D. for permanent medical licensure;

Approve Khurram Nawaz Ali, M.D. for reactivation of licensure; and

Approve Butchi Babu Paidipaty, M.D. for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee.

The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Committee will maintain the application of Gilbert Niles Clinton, II, M.D. on hold pending receipt of additional information.

Dr. Rahim reported that the Licensure Committee reviewed and discussed fifteen applications. Based thereupon, the Committee made the following recommendations:

Approve the following applicants for permanent medical licensure:

Esther S. V. Ajjarapu, M.D.  
Mohammed Abdulaziz AlJasmi, M.D.  
Gary Saint Aubyn Letts, M.D.  
David Julius Zelman, M.D.

Approve Kinila T. Mohan, M.D. for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee.

Accept the work history as satisfactory and approve Linda Carol Jackson, M.D. for permanent medical licensure based on the following factors: Dr. Jackson has practiced medicine in the US territory of the Virgin Islands since March 2011; she is fully and actively licensed in two other states; she holds American Board of Medical Specialties Board certification; and she passed the SPEX exam in July 2013.

Accept the total hours of continuing medical education as satisfactory and approve Jesus Alfredo Martinex, Jr., M.D., for reactivation of permanent medical licensure pending receipt of the patient injury compensation fund assessment fee.

The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

The Licensure Committee recommended that the Board accept the respective requests to withdrawal their application from:

Sandor Meecs, M.D.

Michael Patrick Parsons, M.D.

The motion of the Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Committee will maintain the applications of Gianna Joanne Link, M.D. and Amy Alice Davidson, D.P.M. on hold pending receipt of additional information.

Dr. Rahim reported that the following applicants will be invited to appear before the Committee in May:

Tarek Alasil, M.D.

Dennis Michael Grolman, M.D.

Alddo Antonio Molinar, M.D.

Walid Mohamed Radwan, M.D.

Dr. Rahim asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared.

The Committee recommended that the Board approve the following applicants for permanent medical licensure:

Amro Almradi

Stuart Douglas Anderson

Jaime Sa Moreira De Argila

Sadaf Ashfaq

Achuta Ram Aynampudi

Jeffrey Brian Banyas

Brian Anthony Boone

Joseph Lin-Yun Chow



Kristen Marie Critelli

Melanie Chang Elchico  
Karen Darfler Ernst

Lora Beth Fetty

Deborah Lynn Gever  
Peter Louis Griffin

Tuan Xuan Ha  
Dona Tawfig Hasou  
Tia Heng  
Richard Manalo Hidalgo  
Todd Mark Hoffman  
Farnaz Houshmand

Viacheslav Iremashvili  
Tina Islam

Susanne Sugeen Kim

Jacob Keenon Labahn  
Andrew David Levin  
Diana Patricia Lewis

Richard Alexander Misiaszek  
Alicia Ann Morgan  
William Stuart Musser

Vivien Louise Ruth Newbold

Ajitesh Ojha  
Annette Corinne Olin  
Francis Onwudimisho Onwochei  
Cletus Kobiah Oppong

Rahul Nileshkumar Patel  
Casey Dawn Patick  
James Willis Patterson  
Phillip Ryan Purnell

Kristina Kimberley Rached  
Azeem Abdul Rehman

Gary Dean Ross

Jawad Ahmed Salim  
Molly Elizabeth Seidler  
Asad Shafiq  
Sanaz Nicky Soltani  
Josif Stakic

Constance Roseann Tambakis-Odom  
Jhapat Bahadur Thapa  
Brett Alan Tomlin  
Gregory Todd Trecha

Neil Alden Venard

Sam Obi Wanko  
Kylen Pierce Whipp  
Authrine Chevanne Whyte  
Jon Daniel Wilson  
William Leicester Woodard, Jr.

Paul Andrew Yates

The motion of the Committee was given by Dr. Rahim, and the motion carried.

The Committee recommended that the Board approve the following applicants for licensure:

Permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Honorio Manuel Valdes Murua  
Irfan Zeb

Permanent podiatric physician licensure:

Amber Marie Allen  
Jenna Louise Hollnagel

The motion of the Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the following eight applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an Interstate Medical Licensure Compact Commission (IMLCC) application between the January 2018 and March 2018 Board meetings:

Jennifer Kim Bogan	Arizona
Cedric Emden Davis, II	Arizona
Mark Nutter Griffith	Wisconsin
Johara Adam Hassan	Illinois
Vikas Jain	Illinois
Gary Stewart Meredith	Arizona
James Albert Meserow	Illinois
Troy Lane Potthoff	Nebraska

Also, during this period, the Board received four requests for a Letter of Qualification (LOQ) to be issued by the Board as the state of principal licensure. Letters of Qualification were issued to:

Mohamad Bassam Haffar  
Camille Marie Ristroph  
Krzysztof Maciej Sobieraj

A Letter of Qualification denial was issued to Jamie Lee Cichon, M.D.

Dr. Rahim reported that the completion of several applications is being delayed by the lengthy turnaround time for another medical board to provide primary source verification of its licensee's status to our Board. Staff confirmed with staff from the other Board that verifications are currently being processed approximately 11 weeks after receipt. The Committee recommended that the Executive Director send a letter to the other Board regarding concerns with the delayed response time and its impact on applicants.

Dr. Rahim moved that the Board accept and ratify the report of the Licensure Committee. The motion carried.

Dr. Challa delivered the report of the Complaint Committee, which met on Sunday, March 11, 2018.

COMPLAINT  
COMMITTEE  
REPORT

### CLOSURES

17-141-W	Charlotte Martha Akor, M.D.
17-196-M	Ziad Abed Al-Kareim Al-Qudah, M.D.
18-20-W	Ellen Renee Brown, M.D.
17-92-J	Daniel Scott Frame, M.D.
17-183-W	Rachel S. Gilman, M.D.
17-173-H	Dawn Reed Jones, M.D.
17-202-N	Donald Gerould Klinestiver, M.D.
17-194-F	Jeffrey Shobe Life, M.D.
17-199-T	Charles Lye, M.D.
17-161-B	Sandra K. May, P.A.-C
17-174-W	Kathryn S. Moffett, M.D.
17-177-H	Rafael Evencio Molina, M.D.
18-10-W	Darren Blaine Nease, M.D.
18-12-W	John Eugene Parker, M.D.
17-184-W	Victor Thomas Perrone, M.D.
17-175-W	Mitchell Nicholas Rashid, M.D.
17-185-W	Salah Philip Razzook, M.D.
17-186-W	Patrick Gerard Rosario, M.D.
17-190-W	Hassan Nicholas Shamma, M.D.
17-200-M	Robert Lee Wheeler, M.D.
18-18-W	Alison Marie Wilson, M.D.
18-19-W	Jessica Rose Galang Ybanez-Morano, M.D.

### INITIATED COMPLAINTS

18-41-W  
18-42-W

18-43-W  
18-44-W  
18-45-W  
18-46-W  
18-47-W  
18-48-W  
18-49-W  
18-50-W  
18-51-W  
18-52-W  
18-53-W  
18-54-W  
18-55-W  
18-56-W  
18-57-W  
18-58-W  
18-59-W  
18-60-W  
18-61-W

**WITHDRAWAL OF PREVIOUS INITIATED COMPLAINTS**

18-06-W  
18-11-W  
18-13-W  
18-15-W

**FINDINGS OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-123-W Sarah Brooke Cash, M.D.

**CONSENT ORDERS**

Dr. Challa requested that the Board authorize the Complaint Committee to move forward with offering twelve Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Complaint Committee was given by Dr. Challa, and the motion carried.

## FULLY EXECUTED CONSENT ORDERS

Dr. Challa reported that since the January meeting, fully executed Consent Orders have been entered with respect to the following licensees:

George Michael Dwyer, M.D. – On January 8, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation during the CME audit which demonstrated successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Joy Jeannine Juskowich, M.D. – On March 5, 2018, the licensee entered into a Consent Order with the Board which establishes the terms and conditions under which she may maintain her inactive status license and a process for Dr. Juskowich to demonstrate her fitness to practice medicine and, at a future date, petition for an active status license.

All Consent Orders are available on the Board's website.

Dr. Challa moved that the Board accept and ratify the report of the Complaint Committee, and the motion carried.

Dr. Challa reported that the Complaint Committee reviewed certified court records regarding Rodney Lee Curtis, II, M.D., license number 15668, in association with an ongoing matter. Copies of certified court records were made available for all members to review. Dr. Challa asked Jamie Alley to present this matter to the Board.

Ms. Alley reported that §30-3-14(d) of the West Virginia Medical Practice Act imposes a nondiscretionary duty upon the Board to revoke a license if a licensee has been found guilty and / or pled guilty in a court of competent jurisdiction to any felony involving

prescribing, selling, administering, dispensing, mixing or otherwise preparing a prescription drug, including a controlled substance under state or federal law, for other than generally accepted therapeutic purposes. The Board has obtained certified documents from the Court of Common Pleas in Belmont County, Ohio which verify that Dr. Curtis was found guilty of two counts of drug trafficking involving controlled substances, two counts of possession of controlled substance drugs, and one misdemeanor count of possession of drugs. Reverend Bowyer moved that the Board concluded that it had received sufficient proof to determine that Dr. Curtis has been found guilty in a court of competent jurisdiction of four felonies involving prescribing, selling, administering, dispensing, mixing or otherwise preparing a prescription drug, including a controlled substance under state or federal law, for other than generally accepted therapeutic purposes, and that his license therefore be revoked pursuant to W. Va. Code § 30-3-14(d). Dr. Rahim seconded the motion. Dr. Faheem ordered a roll call vote upon the motion. A vote was taken:

Reverend O. Richard Bowyer – aye

Kishore K. Challa, M.D. – aye

Timothy Donatelli, D.P.M. - aye

Ahmed D. Faheem, M.D., D.L.F.A.P.A. – aye

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., - aye

Reverent Janet Harman – aye

Carrie Lakin, D.P.M. – aye

David Mullins, M.D. – aye

Victoria Mullins, P.A.-C. – aye

Mustafa Rahim, M.D. – aye

Ashish Sheth, M.D. – aye

Wes Steele, M.D. – aye

Matthew Upton, M.D. – aye

Rusty Wooton – aye

K. Dean Wright, P.A.-C. – aye

By unanimous vote, with a quorum of the Board present and voting, the motion carried.

There being no further business to consider, Mr. Wright moved that the meeting be adjourned. Mr. Wooton seconded, and the motion carried. **ADJOURNMENT**



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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
President



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Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary



**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**May 7, 2018 at 9:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes*** – March 19, 2018

***Committee and Staff Reports, Discussion and Action:***

- **Consideration of Recommended Decision and Possible Board Action**
  - Stephen Scott Brown, M.D.
  
- **Executive/Management Committee Report**
  - Correspondence Received Regarding the Corporate Practice of Medicine
  - Medical Professional Liability Reporting
    - Proposed revisions regarding reporting settlement / judgments to the Board
    - Correspondence Received Requesting Expungement of Report of Settlement
      - Abnash C. Jain, M.D.
      - Brian Powell, M.D.
      - Alison Wilson, M.D.
      - Mahreen Hashmi, M.D.
  - Review of Board Policies and/or Procedures and Proposed Updates
    - Collaborative Relationships for Prescriptive Authority with APRNs or Certified Nurse Midwives
  - Board of Medicine Guidance Regarding Closing or Departing from Practice
  - Board of Medicine Guidance Regarding Termination of the Patient – Physician Relationship\
  - Board of Medicine Guidance Regarding Records Retention
  - Fiscal Reports / Purchasing Card Transactions for March and April 2018

- 2019 Budget
- Updates
  - 2018 Renewal
  - 2018 Upcoming Presentations/Requests
  - Staffing
  - Strategic Planning
- Report of Other Discussion Which Occurred at the May 6, 2018 Meeting
  
- **Legislative Committee Report**
  - Report Regarding the FSMB Annual Meeting
  - Board of Medicine Legislative Rules 11 CSR 1B and 11 CSR 6
  - Board of Medicine Legislative Rule 11 CSR 1A
  - Update on the 2018 Legislative Session
    - Action by the Governor
    - Senate Bill 273
  - Regulatory Moratorium
  - Rulemaking for the 2019 Legislative Session
    - 11 CSR 1A
    - Education Permit
  - 2018 Special Meetings
  - Report of Other Discussion Which Occurred at the May 6, 2018 Meeting
  
- **Personnel Committee Report**
  - Employee Evaluation Review and Recommendation
  - Report of Other Discussion Which Occurred at the May 6, 2018 Meeting
  
- **Board Attorney Report**
  - Update on Pending Litigation Matters
    - *Shivkumar Iyer, M.D. v. West Virginia Board of Medicine*
    - *Omar Khalid Hasan, M.D. v. West Virginia Board of Medicine*
  - Pending Public Hearings
  
- **Physician Assistant Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Physician Assistants)

- Appearances
  - Discussion
  - New Applicants
  - Reinstatement / Reactivation
- Report of Other Discussion Which Occurred at the May 5, 2018 Meeting
  
- **Licensure Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the May 5, 2018 Meeting
  
- **Complaint Committee Report**
  - Closures
  - Initiated Complaints
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14, if any
  - Authorization of Consent Orders
  - Consent Order Update
  - Other Matters Originating from the May 6, 2018 Meeting

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**May 7, 2018**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 7<sup>th</sup> day of May 2018 at 9:00 a.m.

The following Board members were present for the meeting:

Ahmed D. Faheem, M.D., D.L.F.A.P.A., President  
Kishore K. Challa, M.D., F.A.C.C., Vice President  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Reverend O. Richard Bowyer  
Timothy Donatelli, D.P.M.  
Reverend Janet Harman  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Victoria Mullins, P.A.-C.  
Mustafa Rahim, M.D.  
Ashish Sheth, M.D.  
Wes Steele, M.D.  
Matthew Upton, M.D.  
Russell O. Wooton  
K. Dean Wright, P.A.-C.

The following Board member was absent:

Harry Duncan, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI  
Andrew R. Wessels

The following representative from the Attorney General's office was present:

Kelli Talbott, Deputy Attorney General

Dr. Faheem called the meeting to order. Dr. Rahim moved that the March 19, 2018 board meeting minutes be approved. Reverend Bowyer seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL OF  
MINUTES

Dr. Faheem announced that in preparation for the election of officers at the July 2018 Board meeting, he has established a Nominating Committee which will consist of the following members:

ANNOUNCEMENTS

Reverend O. Richard Bowyer, Chair

Victoria Mullins, P.A.-C.

Matthew Upton, M.D.

He further announced that if any Board member is interested in running for office or would like to recommend a fellow Board member for nomination, to contact a member of the Nominating Committee. The Committee will meet in June to develop a slate of nominees for the election of officers at the July 2018 meeting of the Board.

Dr. Faheem introduced Kelli Talbott, Deputy Attorney General, who was present to advise the Board in the matter of *West Virginia Board of Medicine, Petitioner, v. Stephen Scott Brown, M.D., Respondent*, Complaint No. 17-101-W. The following members declared a conflict with regard to this matter, and left the meeting room at this time:

Ahmed D. Faheem, M.D., President

Kishore K. Challa, M.D., Vice President

Reverend O. Richard Bowyer

Ashish P. Sheth, M.D.

Wes Steele, M.D.

Matthew Upton, M.D.

Mr. Spangler, Ms. Alley, Ms. Thornton, and Mr. Foster also left the meeting room at this time.

Prior to today's meeting, a copy of the hearing documents, the *Hearing Examiner's Recommended Findings of Fact, Conclusions of Law and Recommended Decision*, and a draft Board of Medicine Final Decision and Order was made available to the members who are not conflicted from this matter. A quorum of the Board being present, Ms. Talbott gave the procedural history of the case and reported on the *Hearing Examiner's Findings of Fact, Conclusions of Law and Recommended Decision*. Following discussion, Dr. Rahim moved that the Board adopt and accept the *Hearing Examiner's Recommended Findings of Fact, Conclusions of Law and Recommended Decision* as presented. Dr. Rahim further moved that the Board modify the Final Decision and Order to include that Dr. Brown shall not be eligible to apply for, or to be considered for, re-licensure with the Board until he has obtained unrestricted re-licensure in the Commonwealth of Kentucky. Mr. Wooton seconded, and the motion carried unanimously.

Dr. Faheem reported that the Executive/Management Committee met on Sunday, May 6, 2018, at which time the Committee reviewed and discussed correspondence concerning a request to address the prohibition against the corporate practice of medicine as it applies to physician-owned for-profit hospitals. The requestor asked the Board to extend the current exemption for non-profit hospitals to for-profit hospitals which are entirely physician owned. The Committee considered this issue at length and heard from the attorney for the hospital in question. Based upon its review, the Committee had several unanswered questions and has directed staff to research how other states apply the prohibition against the corporate practice of medicine to both for-profit and not-for-profit hospitals, and report back. The Committee will revisit the issue at its July 2018 meeting.

EXECUTIVE /  
MANAGEMENT  
COMMITTEE  
REPORT

Dr. Faheem reported that at its March 2018 meeting, the Committee authorized Board staff to begin reviewing the Board's Medical Professional Liability Claim Report Form, and to present proposed modifications to the Committee. Board staff concluded that no modifications were needed to the report form. Draft Guidelines for Identifying and Reporting Practitioners on a Medical Professional Liability Claim Report were presented to the Committee for consideration. These guidelines will be available on the Board's website and will be provided to medical malpractice insurance carriers. Additionally, Committee members reviewed a draft letter to be sent to practitioners informing them when the Board has been notified a medical malpractice payment was made on their behalf and allowing them 30 days to contest the validity of the report prior to the report becoming part of the physician's historical record. The Committee recommended that the Board adopt the Guidelines and the letter as presented. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that at its March 2018 meeting, the Committee directed legal staff to review a request for expungement of a medical malpractice settlement claim report and provide a recommendation at the next meeting regarding this matter. Since the March meeting, the Board has received additional requests for expungement of medical malpractice settlement claim reports. The Committee recommended that the Board expunge the medical malpractice settlement claim report for the following licensees:

Abnash C. Jain, M.D.

Brian Powell, M.D.

Alison Wilson, M.D.

The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that a request was submitted for expungement of a medical malpractice settlement claim report involving Mahreen Hashmi, M.D. Upon review, Board

staff have determined that Dr. Hashmi was identified by name in the Notice of Claim and complaint, and was identified by conduct in the Release. Therefore, the Committee recommended that the Board decline the request for expungement of the medical malpractice settlement claim report regarding Mahreen Hashmi, M.D. The motion of the Committee was given by Dr. Faheem, and the motion carried.

The Committee recommended that the Board delegate authority to staff to act upon expungement requests related to malpractice reporting if it is clearly determined that the licensee was improperly reported to the Board, and that the Executive / Management Committee will review all requests that are questionable. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that the Board's current policy regarding collaborative relationships for prescriptive authority with advanced practice registered nurses or certified nurse midwives was adopted in 2012. The Committee recommended that the Board adopt the *Policy Statement Regarding Minimum Requirements and Guidelines for Physicians in Collaborative Relationships for Prescriptive Authority with Advanced Practice Registered Nurses; Standard of Practice* as presented. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that Board staff frequently receive telephone calls inquiring about closing or departing from a medical practice, termination of the patient-physician relationship, and records retention requirements. Currently, callers are referred to Board of Medicine newsletter articles, which were published in December 2015, that relate to these topics. Staff have requested, and the Committee has approved placing the articles concerning terminating the physician-patient relationship and closing a medical practice in a more prominent position on the Board's website. Board staff will seek input from other entities regarding record retention guidelines and will revise the records retention article accordingly for inclusion on the website at a later date.



Dr. Faheem reported that the Committee approved the fiscal report and purchasing card transactions for the months of March and April 2018.

Dr. Faheem reported that the 2018 license renewal for physicians with last names beginning with the letters A-L, controlled substance dispensing practitioners with last names beginning with the letters A-L, and PLLCs began on May 2, 2018. The Board is utilizing paper renewal applications for controlled substance dispensing practitioner registrations and PLLCs.

Dr. Faheem reported that the following individuals will present to the Board at upcoming meetings:

Michael Zanolli, M.D. of the FSMB will present at the July 2018 meeting

Dawn Morton-Rias, Ed,D,, P.A.-C. will present at the November 2018 meeting

Dr. Faheem reported that the Complaints Coordinator and the Paralegal for the Board recently resigned. We wish them both well in their future endeavors.

Dr. Faheem reported that the annual Board of Medicine strategic planning session will be held on Saturday October 6, 2018. Further information will be provided as it becomes available.

Dr. Faheem moved that the Board accept and ratify the report of the Executive / Management Committee. The motion carried.

Dr. Faheem reported that the Personnel Committee met with Mr. Spangler on Sunday, May 6, 2018, and reviewed staff performance evaluations and current staffing

**PERSONNEL  
COMMITTEE  
REPORT**

composition. The Committee discussed the Executive Director's recommendatin for salary increases. The Committee recommended that the Board adopt the Executive Director's recommendations for salary increases for the fiscal year 2019 in a manner consistent with the State Budget Office's across the Board raises as established by the legislature. The motion of the Committee was give by Dr. Faheem, and the motion carried.

Dr. Faheem moved that the Board accept and ratify the report of the Personnel Committee. The motion carried.

Mr. Wright reported that the Legislative Committee met on Sunday, May 6, 2018, at which time Mr. Spangler reported that several board and staff members recently attended the Federation of State Medical Boards (FSMB) annual meeting in Charlotte, N.C.

LEGISLATIVE  
COMMITTEE  
REPORT

During the House of Delegates meeting, Mr. Spangler served as a teller and Dr. Faheem was elected to the FSMB Nominating Committee. Additionally, the House of Delegates adopted a proposal from the Bylaws Committee which creates a Staff Fellow category that will allow each member board to denote one individual to serve as a Staff Fellow of the FSMB. Dr. Faheem has nominated Mr. Spangler to serve in this capacity for the Board of Medicine.

Additionally, during the Administrators In Medicine (AIM) meeting, it was announced that beginning in October 2019, there will be a certification program available to licensing Board analysts. Our Board is excited to participate in this upcoming certification program.

Mr. Wright reported that the final version of the Board's legislative rules 11 CSR 1B and 11 CSR 6 have been filed with the Secretary of State's office and will become effective on July 1, 2018. Legislation was passed during the 2018 session which directs the

Board to strike 12.1.ii.B of 11 CSR 1A, prohibiting the use of patient testimonials in physician advertising, and re-letter the remaining paragraph. The Secretary of State's office has directed the Board to modify 11 CSR 1A prior to May 9, 2018. The Committee recommended that the Board authorize staff to file 11 CSRA 1A with the Secretary of State's Office. The motion of the Committee was given by Mr. Wright, and the motion carried. This change will be communicated to Board licensees.

Mr. Wright reported that the following bills, which were monitored by the Committee, completed the legislative process, but were vetoed by the Governor:

Senate Bill 313 – waiving occupational fees and licensing requirements for certain low-income individuals, military families and young workers

Senate Bill 434 – specifying documents not subject to discovery in certain proceedings

Senate Bill 442 – establishing universal forms and deadlines when submitting prior authorizations electronically

House Bill 4199 – permitting a nursing home to use trained individuals to administer medication

Mr. Wright reported that Senate Bill 273, reducing the use of certain prescription drugs, was passed during the 2018 legislative session and becomes effective on June 7, 2018. A synopsis of this bill is available on the Board's website. The Committee has concerns with the requirement in this bill which requires a practitioner to conduct and document the results of a physical examination every 90 days for any patient that he or she continues to treat with any Schedule II controlled substance. The Committee recommended that the Board authorize Dr. Faheem to write a letter to the Governor which identifies the Board's concerns regarding Senate Bill 273. The motion of the Committee was given by

Mr. Wright, and the motion carried.

Mr. Wright reported that the Governor has issued an Executive Order known as the “Regulatory Moratorium” which provides that “prior to filing any proposed rule with the Secretary of State and the Legislative Rule-Making Review Committee agencies shall provide written notice to the Governor.” Mr. Spangler has spoken with Ashley Summit, counsel at the Governor’s office, who stated that proposed modifications to an existing rule or any new rule will need to be submitted to her via e-mail for review. Ms. Summit will review the rule and will respond via e-mail, within a couple of days, indicating whether or not the agency is authorized to move forward with filing the proposed rule with the Secretary of State’s office. The Committee encouraged Mr. Spangler to communicate with other Chapter 30 Boards to obtain their thoughts and opinions regarding the moratorium.

Mr. Wright reported that prior to the July 2018 meeting, rulemaking action will need to be taken with regard to 11 CSR 1A to bring it into alignment with the statutory changes regarding residency requirements for international medical graduates and to promulgate legislative and emergency rules regarding educational permits. The Committee scheduled a special meeting for Thursday June 14, 2018 at 5:00 p.m.

Mr. Wright moved that the Board accept and ratify the report of the Legislative Committee. The motion carried.

Mr. Foster provided an update on two pending litigation matters. The matter of *Shivkumar Iyer, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent* is currently going through the appeal process, and the Board is awaiting the Supreme Court’s ruling.

**BOARD  
ATTORNEY  
REPORT**

Mr. Foster reported that the Board is awaiting a decision by the Kanawha County Circuit Court in the matter of *Omar Khalid Hasan, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent*.

Mr. Foster reported that there are two complaint matters which are in a continued posture, and the public hearings in those matters will be rescheduled at a later date.

Mr. Wright provided the report of the Physician Assistant Committee which met on Saturday, May 5, 2018.

PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT

Mr. Wright reported that at the March 19, 2018 Board meeting, the Physician Assistant Committee recommended, and the Board approved, that Sara Leigh LaSala, P.A.-C. be granted licensure pursuant to a Consent Order with the following terms: (1) that any practice agreement submitted must be reviewed by the Physician Assistant Committee; (2) that Ms. LaSala practice under direct collaboration for a minimum of six months; and (3) that Ms. LaSala's collaborating physician send quarterly status reports updating the Committee on her progress and a recommendation regarding when direct collaboration should be lifted. Ms. LaSala agreed to these terms and a Consent Order to that effect was entered on April 24, 2018.

Mr. Wright asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. No conflicts were declared.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Danielle Marie Abel, P.A.-C.

Caitlyn Anne Andryka, P.A.-C.

Matthew Edward Barker, P.A.-C.

Morgan Leigh Copeland, P.A.-C.

Christopher Wayne Milligan, P.A.-C.

Megan Diane Przybrowski, P.A.-C.

Beth Ann Ryan, P.A.-C.

Susan Post Tubens, P.A.-C.

The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the Committee will maintain the application of Cheryl-Ann Leslie-Theal, P.A.-C. on hold pending receipt of additional information and will request that Ms. Leslie-Theal appear before the Committee at its July 2018 meeting.

The Physician Assistant Committee recommended that Saudat Olayink Olushola Akinola-Hadley, P.A.-C. be approved for licensure pending receipt of an original verification document. The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that Richard Santostefano, P.A.-C entered into a Consent Order with the Board on October 4, 2017, which restricted his practice as a physician assistant to direct collaboration for a minimum period of six months. Mr. Santostefano's collaborating physician has submitted quarterly status reports and has recommend lifting the restriction of direct supervision. The Committee recommended that Mr. Santostefano be released from his Consent Order through an Order Terminating Consent Order. The motion of the Committee was given by Mr. Wright, and the motion carried.

The Physician Assistant Committee recommended that Lindsey Megan Fancett, P.A.-C.'s amended application be accepted, and that Ms. Fancett be approved from licensure. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that due to a data entry error, the license expiration date for Cynthia Jean Hurst, P.A.-C. was out of alignment with the Board of Medicine physician assistant licensure cycle. Ms. Hurst has submitted a modified renewal application. The Committee recommended that the Board accept Ms. Hurst's license renewal application and adjust her license expiration date to March 31, 2019. The motion of the Committee was given by Mr. Wright, and the motion carried.

The Committee received correspondence from Janice Shipe-Spotloe, P.A.-C, Director of Advanced Practice Professionals at West Virginia University Medicine asking the Board: (1) to remove the current requirements which limits the number of physician assistants a physician may collaborate with; and (2) to make an exception regarding this requirement for clinics which are part of the West Virginia University Heart & Vascular Institute. Currently, a physician may collaborate with up to five physician assistants. In an emergency room or other hospital setting, a physician may collaborate with up to five physician assistants per shift. The Committee directed staff to send a letter to West Virginia University Medicine which explains that the collaboration limitations identified in the submitted correspondence are set by statute, and the Board does not have the authority to change them or approve exceptions to them absent legislative action.

Mr. Wright reported that the Committee reviewed two practice agreements which involves the use of telemedicine for Medication Assisted Treatment (MAT).

Mr. Wright reported that Board staff have authorized 93 practice agreements for the period of March 10, 2018 to May 4, 2018. Additionally, 207 alternate collaborating physicians were designated.

Mr. Wright moved that the Board accept and ratify the report of the Physician Assistant Committee. The motion carried.

Dr. Rahim delivered the report of the Licensure Committee, which met on Saturday, May 5, 2018.

Dr. Rahim reported that five applicants appeared before the Licensure Committee to discuss their applications. Based thereupon the Committee made the following recommendations:

Approve Matthew Steven Zell, M.D. for permanent medical licensure; and

Approve Aldo Antonia Molinar, M.D. for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee.

The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Committee will maintain the application for the following individuals on hold pending receipt of additional information:

Cnythia Erin Prather, M.D.

Richard Mendel, M.D.

Tarek Alasil, M.D.

Dr. Rahim reported that in addition to the applicants listed above, Walid Mohamed Radwan, M.D. appeared before the Committee to discuss a matter related to his current Consent Order. No action was taken with regard to Dr. Radwan.

Dr. Rahim reported that the Licensure Committee reviewed and discussed thirteen applications. Based thereupon, the Committee made the following recommendations:



Approve the following applicants for permanent medical licensure:

Mark Daniel Fierro, M.D.  
Christopher Paul Graviss, M.D.  
John Willard Horns, M.D.  
Casey John Jason, M.D.  
Kim Bridgette Jones-Fearing, M.D.

Approve for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Diana Whiteman Muldrow, M.D.  
David Douglas Schram, M.D.

Accept the medical school education verification for Gita Haddadi, M.D. from Isfahan University in Iran as satisfactorily verified based on the following factors: there is currently no diplomatic relationship between the Iranian and US governments, Isfahan University has not complied with the requests for verification of education from the FCVS; and in accordance with current Board policy, two of the applicant's classmates have submitted notarized letters attesting to graduating from medical school with her, and approve Dr. Haddadi for permanent medical licensure.

Accept the total hours of continuing medical education as satisfactory and approve the following applicants for reactivation of permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Kevin Gerard Hibbett, M.D.  
Justin Alexander Saunders, M.D.

The motion of the Licensure Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the Committee will maintain the application of Mohammed Ahmed Abdel Salam Osman, M.D. on hold until the July 2018 Board meeting.

Dr. Rahim reported that the following applicants will be invited to appear before the Committee in May:

Benjamin Jay Bryant, M.D.  
Gregory Arnold Nelcamp, M.D.

Dr. Rahim asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared.

The Committee recommended that the Board approve the following applicants for licensure:

Anil Agarwal  
Farzad Amiri  
Soon Bahramil  
Cortney Rae Ballengee  
Elizabeth Marianne Bass  
Bonny Lorraine Beck  
Katherine Marie Beckett  
Michael D. Berven  
Anthony Michael Briningstool  
Benjamin Keith Brooks  
Thomas Darrell Carico  
Antonios Emanuel Chryssos  
Craig Daniel Clark  
Mircea N. Coca  
Neil Russell Copeland  
Jonathan David Cuda  
Heman Kirit Dave  
Marek Tadeusz Didluch  
Susan Victoria Ellor  
Cherie Darlene Ertha  
Kirmanj Muhammad Faraj  
Linda Ann Friehling  
Gayle Ann Galan  
Juanita Garces

Salwa Morcos Gendi  
Christopher Alan Gisler  
Kenneth Alan Griggs  
Priyadarshan Gupta  
Shipra Gupta  
Srilekha Sudha Hota  
Bruce Oliver Hough  
Ronald Jay Innerfield  
Vishal Hitendrabhai Jariwala  
Russell Oliver Kosik  
Richard Scott Krupkin  
Elizabeth Jane May  
Bruce McNeil Milburn, Jr.  
Stephen Lawrence Miller  
Melissa Ann Moore  
Marco Naguib  
Suman Narasimhamurthy  
Arbi Nazarian  
Matthew David Nicholls  
Matthew David Nitz  
Orestis Pappas  
Claire Elizabeth Paxton  
David Matthew Paxton  
Lucas Benjamin Payor  
Colleen Megan Pettrey  
Behdod Poushanchi  
Apoorv Prasad  
Wasiq Faraz Rawasia  
Travis Logan Rearick  
Andrew Mark Reibach  
Syed Muhammad Azfar Rizvi  
Brian Edwin Rose  
Neil Bruce Rosenshein  
Amit Arun Sangave  
Mahdis Sarrafi  
Katherine Blaney Seachrist  
Sonya Colleen Seccuro  
Rohan Vipulkumar Shah  
Marlana Renee Sheridan  
Robert Paul Smith  
Anthony Francis Steratore  
Levi Daniel Stevens  
Suraj Suku  
Bonnie Heather Templeton

Parthasarathy Deenadayalan Thirumala  
Jacklyn Bichthuy Tran-Nguyen  
Sean Robert Tubens  
Wallisa Tejarnette Vaughn  
Jeffrey Lawrence Werchowski  
Philip Matthew Yargosz  
Yosaf Zeyed  
Sasa Zivkovic  
Candace Folley Zubricky

Permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Toks Ebiyon Macarthy  
Mark Daniel Miller  
Matthew Scott Ruyle  
Terry Gene Sanders, II  
David Shi

Reactivation of permanent medical licensure:

Sean Matthew Porbin

Permanent podiatric physician licensure:

Jeffrey Addison Michael  
Daniel Robert Wright

The motion of the Committee was given by Dr. Rahim, and the motion carried.

Dr. Rahim reported that the following eight applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an Interstate Medical Licensure Compact Commission (IMLCC) application between the March 2018 and May 2018 Board meetings:

John David Harrington	NE
Heather Dawn Hawthorne	KS
Omar Krad	IL
Jane Eleanor Lykins	AZ
Rastislav Osadsky	AZ
Lee Douglass Roberson	AL
Adam Justin Rodos	IL
Diya Hassan Tantawi	WI

Also, during this period, the Board received four requests for a Letter of Qualification (LOQ) to be issued by the Board as the state of principal licensure. Letters of Qualification were issued to:

Samir Agarwal  
Wesley Lee Asbury, Jr.  
Sean Thomas Keesee  
Hang Thanh Vu

The following applicants requested but were ineligible to receive a Letter of Qualification:

Ronald Jay Innerfield  
Stephen Ray Smith

Dr. Rahim moved that the Board accept and ratify the report of the Licensure Committee. The motion carried.

Dr. Challa delivered the report of the Complaint Committee, which met on Sunday, May 6, 2018.

COMPLAINT  
COMMITTEE  
REPORT

## CLOSURES

16-152-W Hassan Arshad Jafary, M.D.

17-20-W Hassan Arshad Jafary, M.D.  
17-135-W Shawn Wayne Coffman, M.D.  
17-203-S Bruce Max Rothchild, M.D.  
18-05-W Michael Anthony Covelli, M.D.  
17-195-S Shelana Marie Gibbs-McElvy, M.D.  
18-26-M Coy Alden Flowers, M.D.  
18-31-S Mohamad Bassam Haffar, M.D.  
18-25-P Sandra K. May, P.A.-C.  
18-28-M Pushpa Nambi Joseph, M.D.  
18-30-B Muhammad Salman, M.D.  
18-65-H Russell Irvin Voltin, M.D.

### **INITIATED COMPLAINTS**

18-77-W  
18-78-W  
18-79-W  
18-80-W  
18-81-W  
18-82-W  
18-83-W  
18-84-W

### **WITHDRAWAL OF PREVIOUS INITIATED COMPLAINT**

18-58-W

### **FINDINGS OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF DISQUALIFICATION UNDER WV CODE §30-3-14**

17-100-W Nathan David Airhart, M.D.  
16-107-W Steven Scott Melek, D.P.M.  
16-36-W David Carol Shamblin, M.D.  
16-154-W David Carol Shamblin, M.D.

### **CONSENT ORDERS**

Dr. Challa requested that the Board authorize the Complaint Committee to move forward with offering four Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Complaint Committee was given by Dr.

Challa, and the motion carried.

### **FULLY EXECUTED CONSENT ORDERS**

Dr. Challa reported that since the May meeting, fully executed Consent Orders have been entered with respect to the following licensees:

Anna Nicole Antolini, P.A.-C.: On April 30, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$200.00 for an inaccurate response to Professional Practice Question Number Twelve on her renewal application.

Darci Nicole Barger, P.A.-C.: On April 30, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$200.00 for an inaccurate response to Professional Practice Question Number Twelve on her renewal application.

Stephen J. Mallott, M.D.: On April 18, 2018 the licensee entered into a Consent Order with the Board which imposed a public reprimand for improper treatment of a patient and placed his license in a probationary status for a period of two years with terms, conditions, limitations and restrictions regarding the licensee's prescribing practices.

Isabelita T. de Mesa, M.D.: On April 18, 2018 the licensee entered into a Consent Order with the Board which imposed a public reprimand for her dishonorable, unprofessional and unethical behavior with respect to her failure to secure her prescription pads and for illegible medical records. She must also successfully enroll and complete Case Western Reserve University's Intensive CME Course in Medical Documentation: Clinical, Legal and Economic Implications for Healthcare Providers Clinical.

Alberto A. Fernandez, M.D.: On April 24, 2018 the licensee entered into a Consent Order with the Board which imposed a public reprimand for his dishonorable, unprofessional and unethical conduct and suspended the license. The suspension imposed by the Consent Order shall remain in effect until it is lifted or otherwise modified pursuant to a subsequent Order issued by the Board.

Joseph Henry Matusic, M.D.: On April 18, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to Professional Practice Question Number Twelve on his renewal application.

Scott Alan Naegele, M.D.: On April 18, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to Professional Practice Question Number Twelve on his renewal application.

Michael Roy Spindel, M.D.: On April 24, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to Professional Practice Question Number Twelve on his renewal application.

All Consent Orders are available on the Board's website.

Dr. Challa reported that the next matter relates to possible discipline of a licensee, Steven Scott Melek, D.P.M., license number 269. Dr. Challa asked if there were any declarations of conflict by the Board members present. No conflicts were declared.

Dr. Challa reported that the Complaint Committee has provided Board members with evidence concerning a podiatric physician who may constitute a potential immediate danger to the public if he is allowed to continue to be licensed to practice.



The Complaint Committee has been investigating Complaint No. 16-107-W, against Dr. Melek. This complaint was initiated by the Complaint Committee based upon a report from a physician regarding Dr. Melek's prescribing of opioid medication to a patient. The significant issues of this case are discussed in the report submitted by the Board's podiatric expert and investigative reports prepared by Board investigators. The issues are further articulated in the proposed preliminary findings of fact which were forwarded to the members of the Board for consideration.

Mr. Wessels joined the meeting at this time.

Dr. Challa reported that yesterday, May 6, 2018, the Complaint Committee reviewed of all of the information developed by the investigation since the Committee's March 11, 2018 meeting, and determined that, with respect to probable cause exists to substantiate charges to disqualify Dr. Melek from the practice of medicine in West Virginia due to apparent violations of:

- a. W. Va. Code § 30-3-14(c)(13), related to prescribing a controlled substance other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the physician's professional practice; and/or
- b. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.2.a, related to dishonorable unethical or unprofessional conduct including, but not limited to prescribing or dispensing any controlled substance:
  - i. With the intent or knowledge that a controlled substance will be used or is likely to be used other than medicinally or for an accepted therapeutic purpose; and/or
  - ii. With the intent to evade any law with respect to the sale, use or disposition of the controlled substances; and/or
  - iii. For the licensee's personal use, or for the use of his or her immediate family when the licensee knows or has reason to know that an abuse of controlled substance(s) is occurring, or may result from such a practice; and/or

- iv. In such amounts that the licensee knows or has reason to know, under the attendant circumstances, that the amounts prescribed or dispensed are excessive under accepted and prevailing medical practice standards; and/or
- c. W. Va. Code § 30-3-14(c)(20) and W. Va. Code R. § 11-1A-12.1.i, related to demonstrating a lack of professional competence to practice medicine or podiatry with a reasonable degree of skill and safety for patients; and/or
- d. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.x, related to engaging in malpractice or failing to practice medicine with that level of care, skill and treatment which is recognized by a reasonable, prudent, podiatric physician; and/or
- e. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.e and j, related to engaging in unprofessional conduct of a character likely to deceive, defraud or harm the public or any member thereof; and/or
- f. W. Va. Code §30-3-14(c)(19), related to gross negligence in the use and control of prescription forms; and/or
- g. W. Va. Code §30-3-14(c)(16) and W. Va. Code R. §11-1A-12.1.aa, related to delegating professional responsibilities to a person whom the licensee knew or had reason to know is not qualified by training, experience or licensure to perform the responsibilities; and/or
- h. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.o, related to the failure to perform any statutory or legal obligation placed upon a licensed physician or podiatric physician, including but not limited to his obligation pursuant to W. Va. Code § 60A-9-5a and W. Va. Code R. § 11-10-3 to access the West Virginia CSMP in association with his prescribing of controlled substances to treat chronic nonmalignant pain; and/or
- i. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.bb, related to the violation of any law which relates to the practice of medicine or podiatric medicine and surgery, when the licensee knows or should know that such action is violative of the law; and/or
- j. W. Va. Code § 30-3-14(c)(11) and W. Va. Code R. § 11-1A-12.jj, related to the failure to maintain a medical record justifying the course of treatment of a patient; and/or

- k. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.w, related to self-prescribing controlled substances; and/or
- l. W. Va. Code § 30-3-14(c)(17) and W. Va. Code R. § 11-1A-12.1.z, related to practicing medicine and surgery beyond the licensee's scope of practice.

The West Virginia Medical Practice Act §30-3-14(k) provides that:

if the board determines the evidence in its possession indicates that a physician's continuation in practice or unrestricted practice constitutes an immediate danger to the public, the board may take any of the actions provided for in subsection (j) of this section on a temporary basis and without a hearing, if institution of procedures for a hearing before the board are initiated simultaneously with the temporary action and begin within fifteen days of the action. The board shall render its decision within five days of the conclusion of a hearing under this subsection.

The Complaint Committee has concluded that the continued practice of Dr. Melek constitutes an immediate danger to the public and recommends that the Board ratify the Committee's probable cause findings and that the Board further find that the criteria for summary suspension of Dr. Melek's license have been met.

Dr. Challa moved that the Board accept and ratify the Complaint Committee report with the exception of the possible summary suspension matter, which will require separate consideration and action by the Board. The motion carried.

The following members left the meeting room at this time:

Kishore K. Challa, M.D., F.A.C.C.

Reverend O. Richard Bowyer

Wes Steele, M.D.

Ashish P. Sheth, M.D.

Matthew Upton, M.D.

Ms. Alley provided an overview of the facts and circumstances forming the basis

of the recommendation from the Complaint Committee. After discussion, and with a quorum of the Board present and voting, Dr. Gupta moved that the Board find that it has received evidence that indicates that the continuation in practice of Dr. Melek is a threat to the public, and that the Board summarily suspend Dr. Melek's podiatric license. Mr. Wright seconded, and the motion carried unanimously. Dr. Gupta moved that the summary suspension become effective at 11:59 p.m., today, May 7, 2018. Dr. Lakin seconded, and the motion carried unanimously. Dr. Gupta moved that Notice of Hearing on the summary suspension be provided to the licensee, informing him that a hearing will be held on May 21, 2018 beginning at 9:00 a.m. at the Board office. Dr. Mullins seconded, and the motion carried unanimously. Dr. Gupta moved that the Board authorize the Hearing Examiner to handle non-depository matters regarding this matter. Reverend Harmon seconded, and the motion carried unanimously.

All board members who had left the meeting room, returned to the room at this time.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
President



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Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**June 19, 2018 at 5:00 p.m.**

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***CALL TO ORDER***

***Public Comments***

- Rulemaking for the 2019 Legislative Session
  - 11 CSR1A
  - Educational Permit
  
- Regulatory Moratorium

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**June 19, 2018**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 19<sup>th</sup> day of June 2018 at 5:00 pm.

The following Board members were present for the meeting:

Reverend Janet Harman  
Victoria Mullins, P.A.-C.

The following Board members attended the meeting via teleconference:

Ahmed D. Faheem, M.D., D.L.F.A.P.A., President  
Kishore K. Challa, M.D., F.A.C.C., Vice President  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Reverend O. Richard Bowyer  
Harry Duncan, M.D.  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Mustafa Rahim, M.D.  
Wes Steele, M.D.  
Matthew Upton, M.D.  
Russell O. Wooton  
K. Dean Wright, P.A.-C.

The following Board member was absent:

Ashish Sheth, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Jamie C. Frame

Dr. Faheem called the meeting to order. Prior to today's meeting, a copy of the proposed amendments to the Board's legislative rule 11 CSR 1A, *Licensing and*

**CALL TO  
ORDER**

*Disciplinary Procedures: Physicians; Podiatric Physician and Surgeons*, and copy of a proposed new rule series 11 CSR 12, *Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows*, was made available to members for review.

Mr. Wright reported that the Legislative Committee met on June 14, 2018 to consider the proposed rules. The Committee recommends that the Board approve 11 CSR 1A as modified and authorize staff to move forward with promulgation of the rule. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the Committee recommends that the Board approve 11 CSR 12 as presented and authorize staff to move forward with promulgation of the legislative rule and an emergency rule. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Spangler reported that prior to filing the proposed rules with the Secretary of State's Office, the Board will provide copies to the Governor's Officer per the direction of the Legislative Committee.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
President



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Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary

# **Fiscal 2019 Committee Meeting Agendas and Minutes**





# Physician Assistant Committee Meeting Agendas and Minutes



# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA SATURDAY, JULY 7, 2018

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## **Call to Order**

## **Approval of Minutes**

Approval of May 5, 2018, Physician Assistant Committee Meeting Minutes.

## **Presentation by Committee Chair**

Discussion on Collaboration and Practice Agreements

## **Appearance**

Cheryl-Ann Leslie-Theal, P.A.-C.

## **Consent Order Update**

Richard Santostefano, Sr., P.A.-C.

## **New Licensure Applicants**

1. Edward Beck Baldwin, III, P.A.-C.
2. Jean Trimble Bried, P.A.-C.
3. Holli Lucia Dalton, P.A.-C.
4. Lynn Ann Damico, P.A.-C. - #1190
5. Pricilla Gail Delp, P.A.-C.
6. Amy Leigh Dingess, P.A.-C.
7. Kari Rae Hunter, P.A.-C.
8. Kayla Marie Johns, P.A.-C.
9. Erica Michelle Paul, P.A.-C.
10. Kate Kennedy Pierce, P.A.-C.
11. Ashley Grace Reese, P.A.-C.
12. Adele Denise Rinchuse, P.A.-C.
13. Jenna Alyse Saltgaver, P.A.-C.
14. Brittany Ann Sebben, P.A.-C.
15. Peter John Womack, P.A.-C.
16. Brandon Phillip Carag, P.A.-C. – add-on

## **Discussions**

- A. Practice Agreement Delegating Telemedicine
- B. Practice Agreement Delegating MAT with Telemedicine Component
- C. Practice Agreement Status
- D. James Michael Lackey, P.A.-C. – add-on

## **Adjournment**

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**July 7, 2018**

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A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 7<sup>th</sup> day of July 2018 at 9:00 a.m.

The following Committee members were present:

Kenneth Dean Wright, P.A.-C.  
Harry E. Duncan, Jr., M.D.  
Carrie Lakin, D.P.M.  
Rev. Janet Harman  
Victoria (Tori) Mullins, P.A.-C.

The following Committee members were absent:

David A. Mullins, M.D.  
Russell O. Wooton, Esq.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing  
Diane M. Callison, Physician Assistant Licensure Analyst

With a quorum present, Mr. Wright called the meeting to order. A motion was made by Dr. Lakin to approve the minutes of the May 5, 2018, meeting of the Physician Assistant Committee. Dr. Duncan seconded the motion, and the motion carried.

**CALL TO  
ORDER**

Mr. Wright led a brief discussion on collaboration practice between physician assistants and physicians in relation to the requirement of practice agreements. A follow-up on this topic is planned for the September Board meeting, including a discussion of possible recommendations to the Legislative Committee.

**APPROVAL  
OF PUBLIC  
MINUTES**

At its May 2018 meeting, the Physician Assistant Committee reviewed the licensure application of Cheryl-Ann Leslie-Theall, P.A.-C. Ms. Leslie-Theall's application was placed on hold and she was requested to review and amend her application prior to appearing before the Committee at its July meeting. Ms. Leslie-Theall submitted an amended application and she appeared before the Committee in support of her application. After an in-depth discussion with the applicant, including a discussion of continued omissions in her work and licensure history, Dr. Duncan moved that Ms. Leslie-Theall be given the opportunity to withdraw her application. Dr. Lakin seconded the motion, and the motion carried.

The Committee received an update in the matter of Richard Santostefano, Sr., P.A.-C. Mr. Santostefano entered with the Board on October 4, 2017, which restricted his practice to direct collaboration for a minimum period of six months. At its May meeting, the Physician Assistant Committee reviewed the documentation submitted by his collaborating physician, who had recommended lifting the direct supervision restriction. The Committee recommended Mr. Santostefano be released from his Consent Order. An Order Terminating Consent Order was entered on May 7, 2018.

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

1. Edward Beck Baldwin, III, P.A.-C.
2. Jean Trimble Bried, P.A.-C.
3. Brandon Phillip Carag, P.A.-C.
4. Holli Lucia Dalton, P.A.-C.
5. Lynn Ann Damico, P.A.-C. - #1190
6. Pricilla Gail Delp, P.A.-C.
7. Amy Leigh Dingess, P.A.-C.
8. Kari Rae Hunter, P.A.-C.
9. Kayla Marie Johns, P.A.-C.
10. Erica Michelle Paul, P.A.-C.
11. Kate Kennedy Pierce, P.A.-C.
12. Ashley Grace Reese, P.A.-C.
13. Adele Denise Rinchuse, P.A.-C.
14. Jenna Alyse Saltgaver, P.A.-C.
15. Brittany Ann Sebben, P.A.-C.

No conflicts being declared, Dr. Lakin moved that the Committee recommend each such applicant for Physician Assistant licensure by the Board. Ms. Mullins seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the licensure application of Peter John Womack, P.A.-C. A discrepancy was noted by Board staff between the date of graduation on the diploma and the date on the education verification form submitted by George Washington University. Board policy has been to use the diploma date for data entry purposes, however, the diploma date only includes the month and year. Dr. Duncan moved that the Board utilize the graduation date provided on the verification form, and approve Mr. Womack for Physician Assistant licensure. Dr. Duncan further moved that in the event that the University provides different documentation of Mr. Womack's graduation date, his record be modified accordingly. Dr. Lakin seconded the motion, and the motion carried.

The Committee reviewed and discussed a proposed practice agreement that includes the delegation of physician assistant practice via telemedicine. Dr. Lakin moved that the agreement be authorized. Dr. Duncan seconded the motion, and the motion carried.


The Committee reviewed and discussed an amended proposed practice agreement that includes the delegation of MAT, including via telemedicine. Ms. Harman moved that the agreement be authorized. Dr. Duncan seconded the motion, and the motion carried.

The Committee reviewed the Consent Order and quarterly collaborating physician status reports of James Michael Lackey, P.A.-C. The two-years of continuous employment probationary period began with his employment on September 14, 2016. Ms. Harman moved that Mr. Lackey appear before the Physician Assistant Committee at its September meeting. Dr. Duncan seconded the motion, and the motion carried.

Ms. Thompson reported that sixty-six (66) practice agreements were authorized since the May 2018 meeting. Additionally, sixty-eight (68) alternate supervisors were designated.

There being no further business, the Physician Assistant Committee was adjourned by consensus.

**ADJOURNMENT**



\_\_\_\_\_  
Kenneth Dean Wright, P.A.-C.  
Chair of the Physician Assistant Committee

# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA

## SATURDAY, SEPTEMBER 8, 2018

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### **Call to Order**

### **Approval of Minutes**

Approval of July 7, 2018, Physician Assistant Committee Meeting Minutes.

### **New Licensure Applicants**

1. Caitlyn Justine Asbury, P.A.-C.
2. Brandon Edouard Bolduc, P.A.-C.
3. Jon-Michael Brunner, P.A.-C.
4. Daniel Thomas Burns, Jr., P.A.-C.
5. Emily Jane Butler, P.A.-C.
6. Chelsea Marie Camerlengo, P.A.-C.
7. Kaitlyn Nicole Crites, P.A.-C.
8. Jennifer Lynn Fisher, P.A.-C.
9. Ryan John Gratchick, P.A.-C.
10. Makenzie Taylor Hamrick, P.A.-C.
11. Cara Garrett Housden, P.A.-C.
12. Erin Rae Kenny, P.A.-C.
13. Victoria Danielle Kissell, P.A.-C.
14. Jillian Mari Laslo, P.A.-C.
15. Karen Malee Palmateer, P.A.-C.
16. Jacob Roger Stoner, P.A.-C.
17. Heidi Jo Stout, P.A.-C.
18. Laura Alohalani Waialae, P.A.-C.
19. Elizabeth Virginia Ward, P.A.-C.
20. Hannah Elizabeth Warner, P.A.-C.
21. Laura Michelle Dent, P.A.-C.- add-on

### **Appearance**

James Michael Lackey, P.A.-C.

### **Discussions**

- A. Cheryl-Ann Leslie-Theal, P.A.-C.
- B. Potential Legislative Changes for PAs in 2019
- C. Practice Agreement Status
- D. Scope of Practice Question – add-on

### **Adjournment**

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**September 8, 2018**

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A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 8<sup>th</sup> day of September 2018 at 9:00 a.m.

The following Committee members were present:

Kenneth Dean Wright, P.A.-C.  
Harry E. Duncan, M.D.  
Carrie Lakin, D.P.M.  
David A. Mullins, M.D.  
Victoria (Tori) Mullins, P.A.-C.  
Russell O. Wooton, Esq.

The following Committee member was absent:

Rev. Janet Harman

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Sheree J. Thompson, Supervisor of Licensing

With a quorum present, Mr. Wright called the meeting to order. A motion was made by Dr. Duncan to approve the minutes of the July 7, 2018, meeting of the Physician Assistant Committee. Dr. Lakin seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

James M. Lackey, P.A.-C. appeared before the Physician Assistant Committee in accordance with the terms of the Consent Order he entered with the Board on January 4, 2016. Mr. Wooton joined the meeting during Mr. Lackey's appearance before the Committee. Mr. Lackey was granted a physician assistant license pursuant to a period of probation which was imposed for his first two full years of practice after licensure. The probationary period is expected to end on September 18, 2018. After a thorough



discussion with Mr. Lackey, the Committee did not recommend any further action with respect to Mr. Lackey.

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

1. Caitlyn Justine Asbury, P.A.-C.
2. Brandon Edouard Bolduc, P.A.-C.
3. Jon-Michael Brunner, P.A.-C.
4. Daniel Thomas Burns, Jr., P.A.-C.
5. Emily Jane Butler, P.A.-C.
6. Chelsea Marie Camerlengo, P.A.-C.
7. Kaitlyn Nicole Crites, P.A.-C.
8. Laura Michelle Dent, P.A.-C.
9. Jennifer Lynn Ensminger (formerly Fisher), P.A.-C.
10. Ryan John Gratchick, P.A.-C.
11. Makenzie Taylor Hamrick, P.A.-C.
12. Cara Garrett Housden, P.A.-C.
13. Erin Rae Kenny, P.A.-C.
14. Victoria Danielle Kissell, P.A.-C.
15. Jillian Mari Laslo, P.A.-C.
16. Karen Malee Palmateer, P.A.-C.
17. Jacob Roger Stoner, P.A.-C.
18. Heidi Jo Stout, P.A.-C.
19. Elizabeth Virginia Ward, P.A.-C.
20. Hannah Elizabeth Warner, P.A.-C.

No conflicts having been declared, Dr. Lakin moved that the Committee recommend each such applicant for physician assistant licensure by the Board. Dr. Mullins seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the physician assistant licensure application of Laura Alohalani Waialae, P.A.-C. After a thorough discussion, Dr. Duncan moved that the Committee recommend Ms. Waialae for physician assistant licensure by the Board. Ms. Mullins seconded the motion, and the motion carried.

At its May 2018 meeting, the Physician Assistant Committee reviewed the licensure application of Cheryl-Ann Leslie-Theall, P.A.-C. Ms. Leslie-Theall's application was placed on hold and she was requested to review and amend her application prior to appearing before the Committee at its July meeting. Ms. Leslie-

Theall submitted an amended application and she appeared before the Committee in support of her application. After her appearance in July, Ms. Leslie-Theall was given the opportunity to withdraw her application. Ms. Leslie-Theall submitted a request to withdraw her application. Dr. Lakin moved that the Committee recommend to the Board to permit Ms. Leslie-Theall to withdraw her application for physician assistant licensure. Dr. Mullins seconded the motion, and the motion carried.

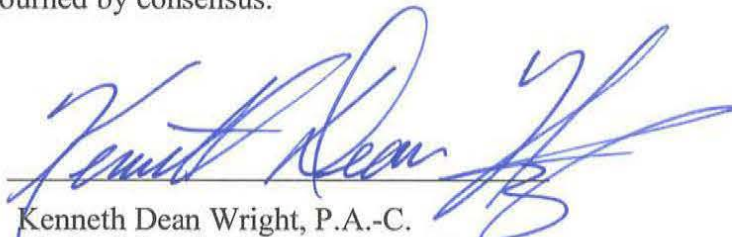
Mr. Wright led a discussion on possible changes in the regulation of physician assistant practice and suggestions for potential legislative changes to the West Virginia Physician Assistants Practice Act which are expected to be introduced during the 2019 legislative session by interested parties.

The Committee reviewed and discussed a query submitted by a physician assistant related to whether physician assistants may perform circumcision procedures. The Committee decided it needs more information and elected to review the issue and place it back on for consideration at its November meeting.

Ms. Thompson reported that fifty-four (54) practice agreements were authorized since the July 2018 meeting. Additionally, twenty-four (24) alternate collaborating physicians were designated.

There being no further business, the Physician Assistant Committee was adjourned by consensus.

**ADJOURNMENT**



Kenneth Dean Wright, P.A.-C.  
Chair of the Physician Assistant Committee

# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA

## SATURDAY, NOVEMBER 3, 2018

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### Call to Order

### Approval of Minutes

Approval of September 8, 2018, Physician Assistant Committee Meeting Minutes.

### New P.A.-C. Licensure Applicants

1. Brittany Nicole Abruzzino
2. Paige Nicole Berkhouse
3. Jill Bethany Bethlehem
4. Heather Lynn Booth
5. Peter John Villanueva Domaal
6. Cristina Lee Eddy
7. Allison Marie Fansler
8. Christopher John Foti
9. Shannon Catherine Harman Kerr
10. Gretchen Danielle Lantz
11. Katharine Victoria Lee
12. Sarah Catherine Lobert
13. Kelsey Dawn Mathis
14. Rebekah Ruth Rick
15. Rachel Marie McKay Rosa
16. Kacey Lynn Sebert
17. Shalee Lynn Shumiloff
18. Laura K. Smith (#1201)
19. Ian Christopher Stack
20. David Tomczyk
21. Kayla Marie Turconi
22. Raafeh Ahmed Waseem
23. Thomas Wilson Wood
24. Caitlyn M. Brown (#1661) – Add-on
25. Casey Shannon Hatfield – Add-on
26. Jamie Elizabeth Jackson – Add-on
27. Amber Dawn King – Add-on

### Discussions

- A. Sarah Leigh LaSala, P.A.-C.
- B. Potential Legislative Changes for PAs in 2019
- C. Practice Agreement Status
- D. Telemedicine Practice Agreement – Add-on
- E. Scope of Practice Inquiry – Add-on
- F. Good Moral Character Statement review – Add-on

### Adjournment

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**November 3, 2018**

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A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 3rd day of November 2018 at 9:00 a.m.

The following Committee members were present:

Kenneth Dean Wright, PA-C  
Harry E. Duncan, MD  
Rev. Janet Harman  
Carrie Lakin, DPM  
David A. Mullins, MD  
Victoria (Tori) Mullins, PA-C  
Russell O. Wooton, ESQ

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing

With a quorum present, Mr. Wright called the meeting to order. A motion was made by Dr. Mullins to approve the minutes of the September 8, 2018, meeting of the Physician Assistant Committee. Dr. Lakin seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Committee received an update on licensee James M. Lackey, PA-C, who entered into a Consent Order with the Board on January 4, 2016. Mr. Lackey's Consent Order restricted his practice to direct supervision for a minimum of the first 720 work hours, required a minimum two-year probationary period of his license and required all submitted practice agreements to be reviewed by the Physician Assistant Committee prior to authorization to practice. Mr. Lackey appeared before the Committee at its September 2018 meeting and the Committee did not recommend any further action. Mr. Lackey has

fulfilled the terms of his Consent Order, and his Consent Order terminated effective September 18, 2018.

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

1. Brittany Nicole Abruzzino
2. Paige Nicole Berkhouse

Mr. Wooton joined the meeting at this time and was present for the remainder of the meeting. The Physician Assistant Committee reviewed the remaining complete applications for physician assistant licensure after Mr. Wooton joined the meeting.

3. Jill Bethany Bethlehem
4. Heather Lynn Booth
5. Caitlyn M. Brown (#1661)
6. Peter John Villanueva Domaoal
7. Cristina Lee Eddy
8. Allison Marie Fansler
9. Christopher John Foti
10. Shannon Catherine Harman Kerr
11. Casey Shannon Hatfield
12. Jamie Elizabeth Jackson
13. Amber Dawn King
14. Gretchen Danielle Lantz
15. Katharine Victoria Lee
16. Sarah Catherine Lobert
17. Kelsey Dawn Mathis
18. Rebekah Ruth Rick
19. Rachel Marie McKay Rosa
20. Kacey Lynn Sebert
21. Shalee Lynn Shumiloff
22. Laura K. Smith (#1201)
23. Ian Christopher Stack
24. David Tomczyk
25. Kayla Marie Turconi
26. Raafeh Ahmed Waseem
27. Thomas Wilson Wood

No conflicts having been declared, Dr. Mullins moved that the Committee recommend each such applicant for physician assistant licensure by the Board. Dr. Duncan seconded the motion, and the motion carried.

The Physician Assistant Committee reviewed the Consent Order of Sarah Leigh LaSala, PA-C. Ms. LaSala entered into a Consent Order with the Board on April 24, 2018, which restricted her practice as a physician assistant to direct collaboration for a minimum period of six months. Ms. LaSala's collaborating physician submitted quarterly status reports as required and recommended lifting the restriction of direct collaboration. Dr. Lakin moved that the Committee recommend that the Board enter an order terminating Ms. LaSala's Consent Order. Dr. Duncan seconded the motion, and the motion carried.

Rev. Harman joined at this time and was present the remainder of the meeting.

Mr. Wright led a discussion on possible changes in the regulation of physician assistant practice and suggestions for potential legislative changes to the West Virginia Physician Assistants Practice Act which are expected to be introduced during the 2019 legislative session by interested parties.

The Committee reviewed and discussed a proposed practice agreement that includes the delegation of physician assistant practice via telemedicine in psychiatry. Dr. Lakin moved to authorize the practice agreement as submitted. Dr. Duncan seconded the motion, and the motion carried.

The Committee reviewed and discussed a query submitted by the West Virginia Association of Health Plans related to the designation of physician assistants as primary care providers. Dr. Duncan moved that staff provide a response to the Association stating that nothing in the Medical Practice Act or the West Virginia Physician Assistants Practice Act precludes physician assistants from service as primary care providers, and this is a role PAs have played in primary care settings for years. The scope of a physician assistant's practice is established in her or her practice agreement. Ms. Mullins seconded the motion, and the motion carried.

The Committee initially reviewed and discussed a query submitted by a physician assistant related to whether physician assistants may perform circumcision procedures at its

September 2018 meeting. The Committee decided it needed more information and elected to review the issue and place it back on for consideration at its November meeting. After discussion, Dr. Mullins moved that circumcision not be approved as an advanced duty that physician assistants may perform independently. Rev. Harman seconded the motion, and the motion carried.

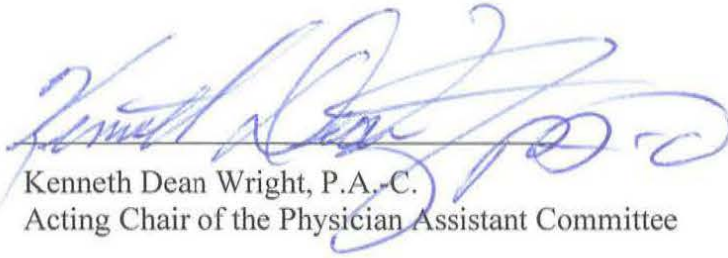
The Committee reviewed and discussed a query submitted by a physician assistant related to the delegation of the advanced duty of testosterone pellet implantation. Dr. Duncan moved that Testopel implantation may be delegated as an advanced duty if the requestor's submitted practice agreement is accompanied by satisfactory evidence of completion of appropriate training and a log of ten procedures completed by the physician assistant in the presence of a collaborating physician. Dr. Lakin seconded the motion, and the motion carried.

The Committee reviewed and discussed whether use of the Good Moral Character Statement form in the application for licensure for physician assistants was beneficial. The form is currently submitted by a medical doctor, doctor of osteopathy or podiatric physician who knows the applicant and attests, via notarized signature, the good moral character of the applicant, and that the applicant is physically and mentally capable of practicing as a physician assistant. The Committee determined that the applicant's moral character and ability to engage safely in practice as a physician assistant is more adequately determined through the answers provided in response to the Professional Practice, Character and Fitness application questions. Dr. Duncan moved that the Committee recommend to the Board that beginning January 1, 2019, the Board will no longer require applicants to submit Good Moral Character Statements in support of a licensure application. Dr. Mullins seconded the motion, and the motion carried.

Ms. Thompson reported that sixty-nine (69) practice agreements were authorized since the September 2018 meeting. Additionally, fifty-nine (59) alternate collaborating physicians were designated.

There being no further business, the Physician Assistant Committee adjourned  
by consensus.

**ADJOURNMENT**



Kenneth Dean Wright, P.A.-C.  
Acting Chair of the Physician Assistant Committee



# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA

## SATURDAY, JANUARY 12, 2019

---

### **Call to Order**

### **Approval of Minutes**

Approval of November 3, 2018, Physician Assistant Committee Meeting Minutes.

### **Consent Order Update**

Sarah Leigh LaSala, PA-C

### **New Physician Assistant Licensure Applicants**

1. Stacy Megan Blake
2. Sharon Roberta Cain
3. Chase Emerson Duckwall
4. Randy Erik Gessel (#1342)
5. Natalie Marie Kovatch
6. Alexandra Leigh Tranchini
7. Tyler Joseph Zwahlen – on hold
8. Michele Gedeon Vidulich (#480)

### **Discussions**

#### A. Practice Agreements Review

Newly proposed advanced duties:

LEEP treatment

Shave Biopsy

Punch Biopsy and simple closure

Electrodesiccation and curettage (destruction of skin cancers)

Liquid Nitrogen (destruction of warts and precancerous lesions)

Injection with anesthetics (Lidocaine and Epinephrine)

Injection of Kenalog

Application of cantharidin for warts

#### B. Requests and Inquiries

Request from medical staff office for clarification of delegation of following procedures as either core duties or possibly new advanced duties:

Incision and Drainage (I & D) of abscesses (including Bartholin cysts)

Cryosurgery to the cervix

IUD removal (separate from Insertion on Appendix A?)

Request from medical staff coordinator for clarification on how to include PAs review of electronic medical records from another practice site. – add-on

#### C. 2019 Renewal Cycle Update

#### D. Reinstatement Application – review for possible modification of Board approval process

#### E. Practice Agreement Status Update

### **Adjournment**

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**January 12, 2019**

---

The Physician Assistant Committee of the West Virginia Board of Medicine met at 101 Dee Drive, Charleston, West Virginia, on January 12, 2019 at 9:05 a.m.

The following Committee members were present:

Kenneth Dean Wright, PA-C, Acting Chair  
Harry E. Duncan, MD  
Rev. Janet Harman  
Jonathan P. Lilly, MD  
David A. Mullins, MD  
Russell O. Wooton, Esq.

The following Committee member was absent:

Victoria (Tori) Mullins, PA-C, Chair

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing

With a quorum present, Acting Chair Mr. Wright called the meeting to order. Dr. Duncan moved that the Committee approve the minutes of its November 3, 2018 meeting as presented. Dr. Mullins seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Committee received an update on licensee Sarah Leigh LaSala, PA-C. Ms. LaSala entered into a Consent Order with the Board on April 24, 2018, which restricted her practice as a physician assistant to direct collaboration for a minimum period of six months. Ms. LaSala's collaborating physician submitted quarterly status reports as required and recommended lifting the restriction of direct supervision. On November 5, 2018, the Board entered an order, at the Committee's request, terminating Ms. LaSala's

Consent Order after her successful re-entry into practice. A copy of the Consent Order and Order Terminating Consent Order are available on the Board's website.

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

1. Stacy Megan Blake
2. Sharon Roberta Cain
3. Chase Emerson Duckwall
4. Randy Erik Gessel (#1342)
5. Natalie Marie Kovatch
6. Alexandra Leigh Tranchini
7. Michele Gedeon Vidulich (#480)

With no conflicts declared, Dr. Duncan moved that the Committee recommend each identified applicant be granted a license to practice as a physician assistant in West Virginia by the Board. Rev. Harman seconded the motion, and the motion carried.

The Committee also reviewed the application of Tyler Joseph Zwahlen. At the applicant's request, the Committee deferred action upon Mr. Zwahlen's application until the Committee's March 2019 meeting.

Mr. Wooton joined the meeting at this time and was present for the remainder of the meeting.

The Committee reviewed a letter of inquiry seeking clarification concerning whether certain medical procedures are approved advanced duties for physician assistant practice. After robust discussion, Dr. Duncan moved that the Committee approve the following procedures as advanced duties for physician assistants:

LEEP

IUD removal

Intradermal injection of steroids

Dr. Mullins seconded the motion, and the motion carried. These procedures will be added to the Board's *Advanced Procedure List for all Practice Locations Except Hospitals and Ambulatory Surgical Facilities*, which is available on the Board's website. The Committee also confirmed that anesthetic injections are a core duty for PAs, and that the following

medical acts all fall within the categories of advanced duties previously approved by the Committee:

Shave biopsy

Punch biopsy and simple closure

Electrodessication and curettage

Use of liquid nitrogen for destruction of warts and precancerous lesions

Use of cantharidin for treatment of warts

The Committee reviewed and discussed the procedure for handling Physician Assistant reinstatement applications for expired licensees who seek to reinstate within a year of license expiration. In prior years, the Physician Assistant Committee personally reviewed all reinstatement applications, which required applicants to await a scheduled meeting for reinstatement and potentially delaying return to practice. Rev. Harman moved that, consistent with the Board's process for MD and DPM reinstatement applicants, Board staff may process physician assistant reinstatement applications which do not contain discrepant information. Applications with discrepant information will be presented to the Committee for review and action. Dr. Mullins seconded the motion, and the motion carried.

Mr. Spangler notified the Committee that physician assistant renewal is scheduled to commence on February 6, 2019 and to conclude on March 29, 2019. Board staff will provide a renewal update at the March meeting.

The Committee reviewed correspondence from a hospital requesting clarification with respect to whether a PA may prepare discharge summaries for patients at a secondary location if the PA was not involved in the patient's care. The Committee determined that physician assistant preparation of discharge summaries is governed by legislative rule, and directed Board staff to notify the hospital that W. Va. Code R. § 11-1B-9.1.q establishes that physician assistants may only "prepare patient discharge summaries if physician assistant has been directly involved in patient care[.]"

Ms. Thompson reported that Board staff authorized 35 practice agreements since November 5, 2018 and approved 49 alternate collaborating physicians.

There being no further business, the Physician Assistant Committee adjourned by  
consensus.

**ADJOURNMENT**



Victoria (Tori) Mullins, PA-C  
Chair of the Physician Assistant Committee

# PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA SATURDAY, MARCH 9, 2019

---

## Call to Order

## Approval of Minutes

Approval of January 12, 2019, Physician Assistant Committee Meeting Minutes.

## New Physician Assistant Licensure Applicants

1. Dominic Michael Alesandrini
2. Shanna Michele Autrey (#566)
3. Amber Rose Blackledge
4. Lynette Joy Cline (#1177)
5. Alexa Marie Falo
6. Sha'Quayla Jean Hill
7. Rachele Nicole Jeffries
8. Raymond Jacob Johnson
9. Thomas E. Johnson (#873)
10. Jonathan Kirk Livers
11. Megan Nicole Olish-Terry (#1385)
12. Dustyn Gregory Pastors
13. Alycia Marie Perrine
14. Janet Lee Smith
15. Robin Mary Allen – Add-on
16. Kara Michelle Malagise (#1452) – Add-on
17. Aislinn Marie McIlvenny – Add-on
18. Melissa Ann Rabinek Add-on
19. Leah Marie Trautzsch – Add-on

## Appearance

20. Farrah Syed Zahir (#1274) 9:30 am

## Discussions

- A. Stacy Megan Blake – licensing question
- B. Practice Agreements Review
  - Mona Lisa Procedure possible new advanced duty
  - Telemedicine included
  - Telemedicine with MAT included
- C. Requests and Inquiries
  - Inquiry on listing possible work locations for multiple FQHC and SBHC clinics
  - Inquiry by hospital staff regarding signing of PAs progress notes
- D. 2019 Renewal Cycle Update
- E. 2019 Legislative Update
- F. Practice Agreement Status Update

## Adjournment

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**March 9, 2019**

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The Physician Assistant Committee of the West Virginia Board of Medicine met at 101 Dee Drive, Charleston, West Virginia, on March 9, 2019 at 9:00 a.m.

The following Committee members were present:

Tori Mullins, PA-C, Chair  
Harry E. Duncan, MD  
Rev. Janet Harman  
Jonathan Lilly, MD  
Angela Mayfield  
Kenneth Dean Wright, PA-C

The following Committee member was absent:

Russell O. Wooton, Esq.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Sheree J. Thompson, Supervisor of Licensing

With a quorum present, Ms. Mullins called the meeting to order. The Committee welcomed Ms. Mayfield as a newly appointed Committee member. Mr. Wright moved that the Committee approve the minutes of its January 12, 2019, meeting. Dr. Duncan seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Physician Assistant Committee reviewed the complete applications for the following applicants seeking physician assistant licensure:

1. Dominic Michael Alesandrini, PA-C
2. Robin Mary Allen, PA-C
3. Shanna Michele Autrey, PA-C (#566)
4. Amber Rose Blackledge, PA-C

5. Lynette Joy Cline, PA-C (#1177)
6. Alexa Marie Falo, PA-C
7. Sha'Quayla Jean Hill, PA-C
8. Rachele Nicole Jeffries, PA-C
9. Raymond Jacob Johnson, PA-C
10. Thomas E. Johnson, PA-C (#873)
11. Jonathan Kirk Livers, PA-C
12. Kara Michelle Malagise, PA-C (#1452)
13. Aislinn Marie McIlvenny, PA-C
14. Megan Nicole Olish-Terry, PA-C (#1385)
15. Dustyn Gregory Pastors, PA-C
16. Alycia Marie Perrine, PA-C
17. Melissa Ann Rabinek, PA-C
18. Janet Lee Smith, PA-C
19. Leah Marie Trautzch, PA-C

No conflicts having been declared, Dr. Duncan moved that the Committee recommend each such applicant for physician assistant licensure by the Board. Mr. Wright seconded the motion, and the motion carried.

Farrah Syed Zahir, PA-C appeared before the Physician Assistant Committee in support of her application for licensure. Ms. Zahir was previously licensed as a physician assistant by this Board between March 12, 2007 and December 31, 2016. After a thorough discussion with Ms. Zahir, Mr. Wright moved that the Committee recommend to the Board that Ms. Zahir be granted physician assistant licensure contingent upon her acceptance of a Consent Order with the following terms:

1. Until further order of the Board:
  - a. Ms. Zahir may only practice in West Virginia through a Board approved practice agreement, regardless of her practice setting;
  - b. Any practice agreement she submits must be reviewed by the Physician Assistant Committee for approval prior to authorization;
  - c. Ms. Zahir shall practice under direct collaboration for a minimum of 1000 work hours;
  - d. Ms. Zahir's collaborating physician must send quarterly status reports updating the Board on her progress reentering PA practice, and a recommendation regarding when direct collaboration should be lifted; and



- e. Ms Zahir must appear before the Physician Assistant Committee at its discretion, but no later than six months after her return to clinical practice to discuss her reentry to practice.

Dr. Lilly seconded the motion, and the motion carried.

The Committee considered the request of a recent licensee to rescind a license which was issued in January 2019. Stacy Megan Blake, PA-C was granted licensure in January 2019. Prior to the Board meeting, she requested that her application be deferred until March 2019. March 2019 licensees are not required to participate in the 2019 renewal process, which concludes on March 29, 2019. Ms. Blake's deferral request was inadvertently overlooked. Similar requests to defer licensure are customarily granted. Rev. Harman moved to recommend to the Board that while the Board cannot rescind and reissue Ms. Blake's license, since the Board overlooked her valid deferral request, Ms. Blake's 2019 renewal fee of \$150 be waived. Dr. Duncan seconded the motion, and the motion carried.

The Committee reviewed and discussed a practice agreement seeking clarification concerning whether a certain medical procedure is approved as an advanced duty for physician assistant practice. After robust discussion, Mr. Wright moved that the Committee approve the Mona Lisa Touch procedure as an advanced duty for physician assistants. Rev. Harman seconded the motion, and the motion carried. This procedure will be added to the Board's *Advanced Procedure List for all Practice Locations Except Hospitals and Ambulatory Surgical Facilities*, which is available on the Board's website.

The Committee reviewed and discussed three proposed practice agreements including the practice of telemedicine, one of which includes MAT with telemedicine. Mr. Wright moved that the Committee authorize all three agreements. Dr. Duncan seconded the motion, and the motion carried.

The Committee reviewed correspondence from a PA seeking guidance regarding whether physician assistant SOAP notes/progress notes need physician cosignature in a

hospital practice environment. Rev. Harman moved that the Committee direct staff to respond that while neither the Physician Assistants Practice Act nor the Board's legislative rules requires a physician to cosign progress notes, hospitals have the discretion to establish their own policy and practice requirements with respect to when a physician cosignature is required. Dr. Duncan seconded the motion, and the motion carried.

The Committee reviewed correspondence from Community Care of West Virginia seeking guidance on how to complete practice agreements for PAs who may be scheduled to work at any of its 51 School-Based Health Centers and 15 Primary Care Clinics. Dr. Duncan moved that the Committee direct staff to respond that the physician assistant's primary practice locations must be included on the application form, and a list of all possible locations may be provided as an attachment to the practice agreement. The primary work locations will be provided on the Board's website. Dr. Lilly seconded the motion, and the motion carried.

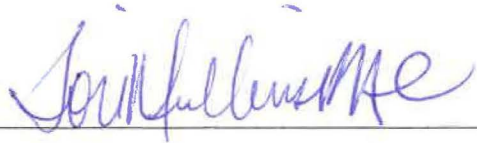
The Committee reviewed Senate Bill 668, which provides process changes for physician assistant practice authorization in hospital settings. Physician assistants employed by hospitals will be able to submit institutional practice notifications rather than practice agreements with individual collaborating physicians. If approved by the governor, the bill will require emergency rulemaking.

Physician Assistant licensure renewal began February 6, 2019. Staff reported approximately 60% of eligible PAs have renewed to date. The renewal deadline is 4:30 pm on Friday, March 29, 2019.

Ms. Thompson reported that 50 practice agreements were authorized since the January 2019 meeting. Additionally, 17 alternate collaborating physicians were designated.

There being no further business, the Physician Assistant Committee adjourned  
by consensus.

**ADJOURNMENT**

A handwritten signature in blue ink, appearing to read "Tori Mullins", written over a horizontal line.

Tori Mullins, P.A.-C.  
Chair of the Physician Assistant Committee

**PHYSICIAN ASSISTANT COMMITTEE MEETING AGENDA**  
**SATURDAY, MAY 18, 2019**

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**Call to Order**

**Approval of Minutes**

Approval of March 9, 2019, Physician Assistant Committee Meeting Minutes.

**Consent Order Update**

Farrah Syed Zahir (#1274)

**New Physician Assistant Licensure Applicants**

1. Sinead Deirdre Arndt
2. Geoffrey M. Blankenship (#1162)
3. Lana Julia Burdi
4. Kelsey Quinn Dekart
5. Richard Allen Flowers
6. Rachel Ann Harris
7. Sarah Beth Hunt
8. Katlyn Nicole Laird
9. Frank Steven Masino
10. Urlin Daniel Mathews, II (#1172)
11. Emily Frances Nelson
12. Nicole Leigh Niese
13. Maureen Gallagher Russell
14. Cierra Michelle Zeigler
15. Ronald Ray Spruill, Jr. – Add-on
16. Stacey Ann Smith – Add-on

**Discussions**

- A. Practice Agreements Review
  - NST interpretations, possible new advanced procedure
- B. Requests and Inquiries
  - Are Fine Needle Aspiration (FNA) biopsies considered an advanced procedure
- C. 2019 Renewal Cycle Update
- D. 2019 Legislative Update
- E. Practice Agreement Status Update

**Adjournment**

**WEST VIRGINIA BOARD OF MEDICINE**

**Physician Assistant Committee Meeting Minutes**

**May 18, 2019**

---

A meeting of the West Virginia Board of Medicine Physician Assistant Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 18th day of May 2019, at 9:00 am.

The following Committee members were present:

Tori Mullins, PA-C, Chair  
Harry E. Duncan, MD  
Rev. Janet Harman  
Angela Mayfield  
Russell O. Wooton, Esq.  
Kenneth Dean Wright, PA-C

The following Committee member was absent:

Jonathan P. Lilly, MD

The following Staff members were present:

Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing

With a quorum present, Ms. Mullins called the meeting to order. A motion was made by Mr. Wright to approve the minutes of the March 9, 2019, meeting of the Physician Assistant Committee. Ms. Mayfield seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

**Farrah Syed Zahir, PA-C** was offered a Consent Order to be granted a physician assistant license pursuant to the terms and conditions approved by the Board at the March 2019 meeting. During the pendency of her Consent Order, regardless of her practice setting: Ms. Zahir may only practice in West Virginia through a Board approved practice agreement, regardless of her practice setting; any practice agreement she submits must be reviewed by the Physician Assistant Committee for approval prior to

authorization; Ms. Zahir shall practice under direct collaboration for a minimum of 1000 work hours; Ms. Zahir's collaborating physician must send quarterly status reports updating the Board on her progress reentering PA practice, and a recommendation regarding when direct collaboration should be lifted; and Ms. Zahir must appear before the Physician Assistant Committee at its discretion, but no later than six months after her return to clinical practice to discuss her reentry to practice. Ms. Zahir accepted the terms and entered a Consent Order with the Board on May 8, 2019.

The Physician Assistant Committee reviewed the following complete applications for physician assistant licensure:

1. Sinead Deirdre Arndt
2. Geoffrey M. Blankenship (#1162)
3. Lana Julia Burdi
4. Kelsey Quinn Dekart
5. Richard Allen Flowers
6. Rachel Ann Harris
7. Sarah Beth Hunt
8. Katlyn Nicole Laird
9. Frank Steven Masino
10. Urlin Daniel Mathews, II (#1172)
11. Emily Frances Nelson
12. Nicole Leigh Niese
13. Maureen Gallagher Russell
14. Stacey Ann Smith
15. Ronald Ray Spruill, Jr.
16. Cierra Michelle Zeigler

No conflicts having been declared, Mr. Wooton moved that the Committee recommend each such applicant for physician assistant licensure by the Board. Dr. Duncan seconded the motion, and the motion carried.

The Committee reviewed and discussed an inquiry from a physician assistant clarification concerning whether fine needle aspiration biopsy is approved as an advanced duty for physician assistant practice. After robust discussion, Dr. Duncan moved that the Committee approve Fine Needle Aspiration Biopsy as an advanced duty for physician assistants in a clinic setting. Mr. Wright seconded the motion, and the motion carried. This procedure will be added to the Board's *Advanced Procedure List for all Practice Locations*

*Except Hospitals and Ambulatory Surgical Facilities*, which is available on the Board's website. The procedure will require the submission of 10 site specific logs for approval.

The Committee reviewed and discussed a practice agreement seeking to delegate Non-Stress Test (NST) Interpretations as an advanced duty to a physician assistant. After discussion, Mr. Wright moved that the Committee approve the practice agreement for authorization and approve Non-Stress Test (NST) Interpretations as an advanced duty for physician assistants. Rev. Harman seconded the motion, and the motion carried. This procedure will also be added to the Board's *Advanced Procedure List for all Practice Locations Except Hospitals and Ambulatory Surgical Facilities*, which is available on the Board's website. The procedure will require the submission of 10 logs for approval.

The Committee reviewed Senate Bill 668, which provides process changes for physician assistant practice authorization in hospital settings. Physician assistants employed by hospitals will be able to submit institutional practice notifications rather than practice agreements with individual collaborating physicians. The bill requires the Board to promulgate legislative and emergency rules.

The Committee also reviewed Senate Bill 396, which requires the Board to grant waivers of initial licensing fees for eligible low income and military family applicants.

Physician Assistant licensure renewal began February 6, 2019 and ended March 29, 2019. Staff reported that 1038 licensees were eligible for renewal. One hundred twenty-five physician assistants did not renew. As of today, 945 the May meeting Committee meeting, there were 945 physician assistants are actively licensed by the Board.

Ms. Thompson reported that the Board authorized 75 practice agreements between March 11, 2019 and May 17, 2019. Additionally, the Board approved the designation of 7 alternate collaborating physicians.

Ms. Mullins, the Committee and Board staff congratulated Dean Wright on his new appointment to join the Marshall University Joan C. Edwards School of Medicine in preparation for the University's new physician assistant program. The program is undergoing the initial accreditation process.

Ms. Thompson informed the Committee that Diane Callison, Physician Assistant Licensure Analyst, has accepted another position and will be leaving her position in approximately two weeks. The Committee requested a card be available for its signature to thank Ms. Callison for her service to the Committee and Board.

There being no further business, the Physician Assistant Committee adjourned by consensus.

**ADJOURNMENT**

A handwritten signature in blue ink, reading "Tori Mullins P.A.-C.", written over a horizontal line.

Tori Mullins, P.A.-C.  
Chair of the Physician Assistant Committee



# **Licensure Committee Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA**

**July 7, 2018**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of May 5, 2018 meeting

**APPEARANCES**

- |                                 |            |
|---------------------------------|------------|
| 1. Nassir Rostambeigi, M.D.     | 10:45 a.m. |
| 2. Gregory Arnold Nelcamp, M.D. | 11:00 a.m. |
| 3. Benjamin Jay Bryant, M.D.    | 11:15 a.m. |
| 4. Ruthie Shannon Cooper, M.D.  | 11:30 a.m. |

**LUNCH BREAK**

- |                                 |                        |
|---------------------------------|------------------------|
| 5. Nathan Timothy Pearson, M.D. | 12:45 p.m.             |
| 6. Tarek Alasil, M.D.           | cancelled by applicant |
| 7. Dennis Michael Grolman, M.D. | cancelled by applicant |

**DISCUSSIONS**

8. Marcus Felix Cox, M.D.
9. Yi-Wen Chen, M.D.
10. Nico Dorfling Kristen, M.D.
11. Mohamed Alfaris, M.D.
12. Kevin Sanford Smith, M.D.
13. Walid Saado, M.D.
14. Samuel Chi Hei Lau, M.D.
15. Nina Roberta House, M.D.
16. Robert Aaron Looper, M.D.
17. Muhammad Amer, M.D.
18. Matthew Ramey Craig, M.D.
19. Asti Pilika, M.D.
20. Gregory Dale Casey, M.D.
21. William Rost Walker, M.D.
22. David Joseph Cygan, M.D.
23. Scott Kain Rineer, M.D.
24. Brian Schmid Dye, M.D.
25. Sherif Albert Felix, M.D.
26. John DellaBadia, Jr., M.D.
27. Matthew Guy Kestenbaum, M.D.
28. Mohammed Salah Alreshidan, M.D.
29. Laura Anne Hotchkiss, M.D.
30. Proposed Amendments to 11CSR 1A
31. Proposed New Rule 11CSR 12 – Resident Permits
32. IMLCC Update

**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA**

**July 7, 2018**

**Continued**

**DISCUSSIONS**

33. Akshay Goel, M.D.
34. Nadia A. Falah, M.D.
35. Richard Henry Catlett, III, M.D.
36. Yokesh Balaraman, M.D.
37. Nathaniel Seth Laden, M.D.

**WEST VIRGINIA BOARD OF MEDICINE**  
**Amended Licensure Committee Meeting Minutes**  
**July 7, 2018**

---

A meeting of the West Virginia Board of Medicine Licensure Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 7th day of July 2018, at 11:00 a.m.

The following Committee members were present:

Kenneth Dean Wright, P.A.-C., Acting Chair  
Harry E. Duncan, M.D.  
Rev. Janet Harman  
Carrie Lakin, D.P.M.

The following Committee members were absent:

Mustafa Rahim, M.D., Chair  
David A. Mullins, M.D.  
Russell O. Wooton, Esq.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing

Amendments to the July 7, 2018 minutes which were approved on September 8, 2018, are in bold font.

Mr. Wright called the meeting to order. A motion was made by Dr. Lakin, and seconded by Dr. Duncan, to approve the minutes of the May 5, 2018, Licensure Committee meeting. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

Nassir Rostambeigi, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Rostambeigi, Dr. Duncan moved that the Committee recommend that the Board accept his amended application and approve Dr. Rostambeigi for licensure pending payment of the PICF assessment fee. Dr. Lakin seconded the motion, and the motion carried.

At its May 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Gregory Arnold Nelcamp, M.D. Dr. Nelcamp was requested to appear before the Committee at its July 2018 meeting. After a thorough discussion with Dr. Nelcamp, Rev. Harman moved that the Committee recommend that the Board approve Dr. Nelcamp for licensure pending payment of the PICF assessment fee based on the following factors: his extensive experience prior to leaving clinical practice; he has remained current in continuing medical education; he holds eight unrestricted active licenses in other states, and he plans to practice solely administrative medicine. Dr. Duncan seconded the motion, and the motion carried.

At its May 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Benjamin Jay Bryant, M.D. Dr. Bryant was requested to appear before the Committee at its July meeting, however, was unable to attend the meeting. Dr. Lakin moved that Dr. Bryant be requested to appear at its September 2018 meeting, and that he be given the opportunity to request withdrawal of his application in lieu of appearing in September. Rev. Harman seconded the motion, and the motion carried.

Ruthie Shannon Cooper, M.D. appeared before the Licensure Committee in support of her application for a permanent medical license. After a thorough discussion with Dr. Cooper, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Cooper for licensure. Dr. Duncan seconded the motion, and the motion carried.

Nathan Timothy Pearson, M.D. appeared before the Licensure Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Pearson, Rev. Harman moved that the Committee recommend that the Board approve Dr. Pearson for licensure. Dr. Duncan seconded the motion, and the motion carried.

At its March 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Tarek Alasil, M.D. Dr. Alasil was requested to appear before the Committee at its May and July 2018 meetings, however, was unable to change his work schedule. Dr. Alasil's application is currently on hold per his request, and no action was taken by the Committee.

At its March 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Dennis Michael Grolman, M.D. Dr. Grolman was requested to appear before the Committee at its May 2018 meeting, however, he was unexpectedly unavailable for the May or rescheduled July meetings. Dr. Grolman submitted a request to withdraw his application. Dr. Duncan moved that the Committee recommend that the Board accept Dr. Grolman's withdrawal request. Dr. Lakin seconded the motion, and the motion carried.

**The Licensure Committee reviewed and discussed the application for a permanent medical license of Walid Saado, M.D. After a thorough discussion, Dr. Lakin moved that Dr. Saado appear before the Committee at its September 2018 meeting. Rev. Harmon seconded the motion, and the motion carried.**

**The Licensure Committee reviewed and discussed the application for a permanent medical license of Nina Roberta House, M.D. After a thorough discussion, Dr. Duncan moved that Dr. House appear before the Committee at its September 2018 meeting. Dr. Lakin seconded the motion, and the motion carried.**

**The Licensure Committee reviewed and discussed the application for a permanent medical license of Muhammad Amer, M.D. After a thorough discussion, Dr. Lakin moved that Dr. Amer appear before the Committee at its September 2018 meeting. Rev. Harmon seconded the motion, and the motion carried.**

**The Licensure Committee reviewed and discussed the application for a permanent medical license of Yokesh Balaraman, M.D. After a thorough discussion, Dr. Duncan moved that Dr. Balaraman appear before the Committee at its September 2018 meeting. Dr. Lakin seconded the motion, and the motion carried.**

The Licensure Committee reviewed and discussed the applications for a permanent medical license of the following applicants:

Mohamed Alfaris  
Mohammed Salah Alreshidan  
Gregory Dale Casey  
Richard Henry Catlett, III  
Yi-Wen Chen  
Marcus Felix Cox  
Matthew Ramey Craig  
David Joseph Cygan  
Brian Schmid Dye  
Nadia A. Falah  
Matthew Guy Kestenbaum  
Nico Dorfling Kristen  
Robert Aaron Looper

After a thorough discussion of each application, Dr. Duncan moved that the Committee recommend that the Board approve each of these applicants for licensure. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the applications for a permanent medical license of the following applicants:

Akshay Goel  
Asti Pilika  
Scott Kain Rineer  
Kevin Sanford Smith  
William Rost Walker

After a thorough discussion of each application, Dr. Duncan moved that the Committee recommend that the Board approve each of these applicants for licensure pending payment of the PICF assessment fee. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the applications for reactivation of the permanent medical license of:

Laura Anne Hotchkiss  
Nathaniel Seth Laden

After a thorough discussion of both applications, Dr. Lakin moved that the Committee recommend that the Board accept the evidence of CME completion submitted by these applicants as satisfactory and approve both applicants for activation of licensure. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of John Della Badia, Jr., M.D. Dr. Della Badia was unable to produce a copy of his medical school diploma as it has been reported as lost or stolen. Dr. Della Badia provided a letter from his medical school confirming his graduation in June 1988, however, the school does not issue duplicate diplomas. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board accept the documentation in lieu of a copy of his medical diploma and approve Dr. Della Badia for licensure. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Samuel Chi Hei Lau, M.D. Dr. Lau attended his first two years of medical school at Saint Therasas Medical University, which closed in 2009.



After a thorough discussion, Dr. Duncan moved that the Committee recommend that the Board determine that Dr. Lau's first two years of medical school education has been satisfactorily verified because his transcript provided by his matriculating medical school Windsor University contains his accepted transfer credits from Saint Therasas Medical University and approve him for licensure. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Sherif Albert Felix, M.D. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board accept Dr. Felix's medical school education at Cairo University in Egypt as satisfactorily verified and approve him for licensure based on the following factors: there is currently civil unrest in Egypt and Cairo University has not complied with the requests for verification of education from the FCVS; and in accordance with current Board policy, two of Dr. Felix's classmates have submitted notarized letters attesting to graduating from medical school with him. Dr. Duncan seconded the motion, and the motion carried.

The Licensure Committee received an update on the Board's current rulemaking regarding 11 CSR 1A and 11 CSR 12.

Board Staff updated the Committee on the status of Interstate Medical Licensure Compact (IMLCC) applications. The following five applicants listed along with their state of principal licensure were granted permanent medical licensure through an IMLC application between the March 10 Licensure Committee meeting and the rescheduled March 19, 2018 Board meeting and were inadvertently omitted from being reported at the May meeting:

Billy N. Bravo	AZ
Michael Tinamisan Catausan	KS
Curtis Scott Hammerman	AZ
Marcjonathan Serota	WI
Lloyd David Wagner	AZ

The following fourteen applicants listed along with their state of principal licensure were granted permanent medical licensure through an IMLC application between the May 7 and July 9, 2018 Board meetings:

Hem Chand Aggarwal	IL
Jalal Ud-din Akbar	SD
Kavita Garg	CO
Jeffrey Wayne Grossman	ID
Min Sang Kim	MS
King Swee Leong	IL
Patricia Lynn Little	CO
Steven Robert Maynard	WA
Kristin Renee McCoy	CO
Keith Edward Pereira	AZ
Ali Asim Pitafi	SD
Alexis Udal Schmitt	AZ
Joan Hazel Sutcliffe	NH
Bradley Nels Younggren	WA

During this period two Letters of Qualification were issued to:

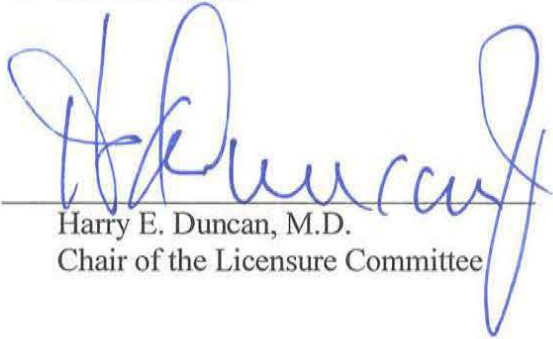
Adeel Ahmad  
Teresa Elizabeth Frazer

A report was given by Ms. Thompson on the 2018 Renewal for Medical Doctors A - L, Controlled Substance Dispensing Practitioner Registrations and PLLCs. A final count is pending, however initial counts indicate that approximately 3557 physicians renewed their medical license and 541 medical licenses expired. With regard to Controlled Substance Dispensing Practitioner Registrations, 164 physicians renewed their registrations and 248 registrations expired. With regard to PLLCs, 115 PLLCs renewed 44 PLLCs expired, and 2 PLLCs notified the Board that they have closed their company.

The Licensure Committee reviewed and discussed the list of applicants whose application did not require an appearance or individualized discussion. The list includes one hundred sixty-eight initial medical doctor applications, eight initial medical doctor applications pending receipt of the PICF assessment fee, two reactivations of

medical licensure and one initial podiatric physician application. Dr. Lakin moved that the Committee recommend that the Board approve the applicants for licensure as indicated. Dr. Duncan seconded the motion, and the motion carried. A list of all approved applicants are incorporated into these minutes.

The Licensure Committee determined by consensus to adjourn, there being **ADJOURNMENT** no further business.



Harry E. Duncan, M.D.  
Chair of the Licensure Committee

**APPLICANTS FOR PERMANENT LICENSURE - Physicians**

**July 9, 2018**

Jad M. Abdelsattar  
Samuel Schoen Adams  
Heidar Jasim Albandar  
Ridwaan Albeiruti  
Ali Makki Aldawood  
Hani Abdulmajeed Alhamoud  
Pedro Alberto Alonso  
Eden Tsehaye Amdemichael  
Erin Ashley Amini  
Annahita Amireskandari  
Kousalya Arunagiri  
Isaac Vernon Ashley

Varun Mohan Badami  
Jasminka Lijic Balderacchi  
Emad Wagdi Barsoum  
Elmira Sadeghi Basaly  
Jay Berdia  
Evan Michael Berger  
Robert Berger  
Alexandra Marie Berguer  
Wayne Jefferson Berry, III  
Steven Benjamin Bleyl  
Pavankumar Bommasamudram  
Jacqueline Carrie Brown  
Neil Amdur Busis

John Vincent Campo  
Nicole Lynn Carlson  
Melissa Carr  
Stephen Brent Carroll  
Katherine Hannah Carruthers  
Elaine Ann Cassidy  
Rudolph Joseph Castellani, Jr.  
Jesse Randall Chaffin  
Zakeih Chaker  
Parag Narendra Chaudhari  
Fahad Chaudhary  
Nicholas Michael Chill  
Matthew Scott Coleman  
Alexander David Bryant Conti

Jodi Paige Cook  
Michael Cowher  
Chad Barrett Crigger  
Michael Rae Crum

Tamer A. Dabous  
Dili Dhanani  
Christina Marie DiCarlo  
David Hueglin Dickey  
Nadia Vanessa Dominguez Molina  
Arie Pablo Dosoretz  
Lauren Marie Dudas

Cedric Edwards  
Douglas Matthew Elwood  
Bradley Matthew End  
Erik Anthony Osin Escuro  
Jessica Elizabeth Frey

Marian Gaber Saad  
James Estes Gardiner  
Maha Yehia Ghosn  
Lauren Victoria Gioia  
Karen Hyatt Gladden  
David Michael Glener  
Inna Elizabeth Goldberg  
Ana Marie Gonzalez Cadavid  
Rajesh Gopalarathinam  
Michael David Greene, II  
Brian Thomas Grisez  
Emily Kent Groves  
Jeffrey Brooks Groves  
Luciana Maria Guerra  
Darrius Patrick Guiden  
Amy Jo Guido  
John Michael Guido  
Sandra Abreu Guidry  
Kerry Ann Guyer

Said Hajouli  
Samuel George Hall  
Mehenaz Adly Hanbazazh  
Sean Matthew Hanlon  
Brock Andrew Hardin  
Cecilia Velarde Harrington

Damian Alexander Hegsted  
Matthew David Hermann  
Deborah Lynette Hill  
Amy Ketchum Hwang

Michael Casitllo Ilagan  
Thomas Michael Jaffe  
Roy Lee Johnson, III

Suha Muftah Kadura  
Dinesh Kumar Kanagasabapathy Kannabhiran  
Geoffrey Randall Kaump  
Ermelinda Kerpi  
Adil Haleem Khan  
Ahmad Khan  
Muhammad Zia Ul Islam Khan  
Safi Ullah Khan  
Nesreen Salim Khraisha  
Imtiaz Khurshid  
Patrick Sarapol Kietrsunthorn  
Mikhail Davidovich Kirnus  
Christopher Roman Koebele  
James Robert Koepke  
Grace Iyabo Komolafe  
George Kirenga Koromia  
Caitlin Marie Kowcheck  
Sara Kurian

Jusjit Lalli  
Erin Eaton Langford  
Joanne Elizabeth Lapetina  
Krista Nicole Larson  
Stephanie Jo LeMaster  
Daniel Jacob Liehti  
Benjamin Edward Liss  
Ahmad Naeem Lone  
Adam Michael Lubert  
Hao Anh Ly

Charles Vasanth Marcus  
Andrew Scott Martin  
Muhammad Masab  
David Michael McDermott  
Devanshi Mehta  
Andrew Dolphus Myers

Farley Berry Graden V Neasman, III  
Isabela Victoria Negrin  
Chong Hwan Nicholls  
Paymon Nikfarjam  
Nilay Nirdosh

Rufina Nwanneka Odigwe  
Atousa Ordobazari  
Mohammed Ahmed Abdel Salam Osman

Alan D. Brownfield Palo  
Kamal Patel  
Visad Bipin Patel  
Krista S. Pfaendler  
Daniel Joseph Phelan  
James Kenneth Popovich

Tamra Ishan Jayendra Ranasinghe  
Robert Steven Walter Riddick  
Lauretha Uzoamaka Rogers  
Anthony Mohammad Roohollahi  
Carlos Alberto Rueda Rios  
Lunden Liston Ryan

Ankit Sakhuja  
Daniel Salmeron  
Adil Sattar  
Carl Richard Schmidt  
Charles Leroy Frederick Schultz  
Thomas Joseph Seery  
Arsalan Qazi Shabbir  
Ali Hussein Shams  
Kevin James Shannon  
Munira Jamoliddinovna Shodikulova  
Dharampreet Singh  
Jatinder Singh  
John Kennedy Sydney Sir Phillip  
Srividhya Sridharan  
Timothy Noah Stooksbury

Mohamed Abdulkafi Ragab Tashani  
Justin Carrick Torosian  
Steven Roger Turley

Venkat Raghavender Reddy Venna

Xavier Villa

Richard Francis Warren  
Kimara Helen Whisenant  
Andrea Caterina Susanne Willeitner  
Kathleen DePonte Witt

Tembele Tara Yangandawele  
Joon Hyung Yim

Patrick Francis Zazzaro

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**APPLICANT FOR PERMANENT LICENSURE – Physician**  
**Approve pending receipt of PICF Assessment Fee**

Chaitanya Mishra  
Sarah Rahman  
Nita Ray Chaudhuri  
Alexis Marco Rodriguez  
Nico Desiree Roscoe  
Diane Rose Schmidt-Krings  
James Tseng  
Gabriel Elia Yacob

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**REACTIVATION APPLICANTS WHOSE LICENSE HAS NOT BEEN ACTIVE**  
**FOR MORE THAN ONE YEAR – Physician**

Rose Mary Ayoob  
Salman Naseeruddin Malik

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**APPLICANT FOR PERMANENT LICENSURE – Podiatric Physician**

Anthony William Grant



**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA**

**September 8, 2018**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of July 7, 2018 meeting

**APPEARANCES**

- |                                 |            |
|---------------------------------|------------|
| 1. Muhammad Amer, M.D.          | 11:00 a.m. |
| 2. Nina Roberta House, M.D.     | 11:15 a.m. |
| 3. Larissa Braga Casaburi, M.D. | 11:30 a.m. |

LUNCH BREAK

**DISCUSSIONS**

4. Yokesh Balaraman, M.D.
5. Walid Saado, M.D.
6. Benjamin Jay Bryant, M.D.
7. James M. Dauphin, M.D.
8. Mitchell Brandon Stotland, M.D.
9. Mark Walter Penn, M.D.
10. James Lawrence Fernau, M.D.
11. Michael Ng, M.D.
12. Edward Abell, M.D.
13. Michael Joel Shuster M.D.
14. Educational Permit Update
15. IMLCC Update
16. Mandana Hashefi, M.D. – Add-on
17. Adam Stephen Lundy, M.D. – Add-on
18. Derek Scott Buck, M.D. – Add-on
19. Zenoun Omar Abouzelam, M.D. – Add-on

**WEST VIRGINIA BOARD OF MEDICINE**

**Licensure Committee Meeting Minutes**

**September 8, 2018**

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A meeting of the West Virginia Board of Medicine Licensure Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 8th day of September 2018, at 11:00 a.m.

The following Committee members were present:

Harry E. Duncan, M.D., Chair  
Carrie Lakin, D.P.M.  
David A. Mullins, M.D.  
Victoria (Tori) Mullins, P.A.-C.  
Russell O. Wooton, Esq.

The following Committee member was absent:

Rev. Janet Harman

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Sheree J. Thompson, Supervisor of Licensing

As newly appointed Chair, Dr. Duncan called the meeting to order. A motion was made by Mr. Wooton, and seconded by Dr. Lakin, to approve the minutes of the July 7, 2018, Licensure Committee meeting. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

At its July 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Muhammad Amer, M.D. Dr. Amer was requested to appear before the Committee at its September 2018 meeting. After a thorough discussion with Dr. Amer, Dr. Mullins moved that the Committee

recommend that the Board approve Dr. Amer for licensure. Mr. Wooton seconded the motion, and the motion carried.

At its July 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Nina Roberta House, M.D. Dr. House was requested to appear before the Committee at its September meeting. After a thorough discussion with Dr. House, Dr. Mullins moved that the Committee recommend that the Board approve Dr. House for licensure. Dr. Lakin seconded the motion, and the motion carried.

Larissa Braga Casaburi, M.D. appeared before the Licensure Committee in support of her application for a medical school faculty medical license. After a thorough discussion with Dr. Casaburi, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Casaburi for medical school faculty licensure. Mr. Wooton seconded the motion, and the motion carried.

At its July 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Yokesh Balaraman, M.D. Dr. Balaraman was requested to appear before the Committee at its September meeting. Ms. Thompson reported that Dr. Balaraman had phone conversations with Board staff regarding the appearance request. He also submitted a written explanation of his unavailability to attend the meeting and provided significant additional information in support of his application for the Committee's review. The Committee reviewed and discussed Dr. Balaraman's application and the supplemental information he supplied. Dr. Lakin moved that the Committee recommend that the Board accept the additional information to complete his application and approve Dr. Balaraman for licensure. Dr. Mullins seconded the motion, and the motion carried.

At its July 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Walid Saado, M.D. Dr.

Saado was requested to appear before the Committee at its September meeting. Instead, Dr. Saado submitted a request to withdraw his application. Dr. Mullins moved that the Committee recommend that the Board permit Dr. Saado to withdraw his application. Mr. Wooton seconded the motion, and the motion carried.

At its May 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Benjamin Jay Bryant, M.D. Dr. Bryant was requested to appear before the Committee at its July meeting, however, was unable to attend the meeting. Dr. Bryant was requested to appear at the Committee's September 2018 meeting, and also be given the opportunity to request withdrawal of his application in lieu of appearing in September. Dr. Bryant submitted a request to withdraw his application. Dr. Lakin moved that the Committee recommend that the Board permit Dr. Bryant to withdraw his application. Dr. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Mitchell Brandon Stotland, M.D. After a thorough discussion, Dr. Mullins moved that Dr. Stotland appear before the Committee at its November 2018 meeting. Mr. Wooton seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for reactivation of the permanent medical license of James Lawrence Fernau, M.D. After a thorough discussion, Dr. Mullins moved that Dr. Fernau appear before the Committee at its November 2018 meeting. Ms. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Mark Walter Penn, M.D. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Penn for licensure pending receipt of the PICF assessment fee. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Michael Ng, M.D. After a thorough discussion, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Ng for licensure. Ms. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Edward Abell, M.D. Dr. Abell was unable to obtain a letter in lieu of a certificate that was never issued for completion of his postgraduate training in 1974. After a thorough discussion, Mr. Wooton moved that the Committee accept the postgraduate training as satisfactorily verified and approve him for licensure based on the receipt of his verification of training along with correspondence confirming Dr. Abell's position on the faculty. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed James M. Dauphin, M.D.'s application for a change of status of his West Virginia medical license from inactive status to active status. Dr. Mullins moved that the Committee recommend that the Board approve a change in status of Dr. Dauphin's license from inactive status to active status pursuant to his acceptance of a Consent Order with the following terms: (1) Dr. Dauphin acknowledges that he inaccurately attested to the completion of all required CME in association with his 2018 license renewal application and that he can only provide evidence of completion of fifteen hours of CME for the July 1, 2016 through June 30, 2018 licensure cycle; (2) the Board accepts thirty-five hours of CME Dr. Dauphin has completed since July 1, 2018 in satisfaction of his CME deficiency for the period of July 1, 2016 through June 30, 2018; (3) Dr. Dauphin may not utilize any of the 35 hours used to satisfy his CME requirements for the current reporting period; and (4) Dr. Dauphin shall pay an administrative fine in the amount of \$3,500 for his CME delinquency and deficiency prior to his status change becoming effective. Ms. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed Michael Joel Shuster, M.D.'s application for a change of status of his West Virginia medical license from inactive status to active status. Dr. Mullins moved that the Committee recommend that the Board approve a change in status of Dr. Shuster's license from inactive status to active status pursuant to his acceptance of a Consent Order with the following terms: (1) Dr. Shuster acknowledges that he inaccurately attested to the completion a 3 hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1, 2015 and June 30, 2017; (2) the Board accepts Dr. Shuster's completion of a Board approved course in drug diversion training and best practice prescribing of controlled substances on May 20, 2018 in satisfaction of his CME deficiency for the period of July 1, 2015 through June 30, 2017; (3) Dr. Shuster may not utilize the May 2018 course in satisfaction on any CME obligations for the his current reporting period; and (4) Dr. Shuster shall pay an administrative fine in the amount of \$500 for his CME delinquency and deficiency prior to his status change becoming effective. Mr. Wooton seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Mandana Hashefi, M.D. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board accept Dr. Hashefi's medical school education at Tehran University of Medical Sciences in Iran as satisfactorily verified and approve her for licensure based on the following factors: there is currently not diplomatic relations with Iran; Tehran University has not complied with the requests for verification of education from the applicant or FCVS; and in accordance with current Board policy, two of Dr. Hashefi's classmates have submitted notarized letters attesting to graduating from medical school with her. Ms. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Adam Stephen Lundy, M.D. After a thorough discussion,

Mr. Wooton moved that Dr. Lundy appear before the Committee at its November 2018 meeting. Dr. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Derek Scott Buck, M.D. After a thorough discussion, Mr. Wooton moved that Dr. Buck appear before the Committee at its November 2018 meeting. Ms. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Zenoun Omar Abouzelam, M.D. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board accept Dr. Abouzelam's medical school education at Ain Sham's University in Egypt as satisfactorily verified and approve him for licensure based on the following factors: there is currently civil unrest in Egypt; Ain Shams University has not complied with the requests for verification of education from the applicant; and in accordance with current Board policy, two of Dr. Abouzelam's classmates have submitted notarized letters attesting to graduating from medical school with him. Mr. Wooton seconded the motion, and the motion carried.

The Licensure Committee received an update on the Board's preparation for issuing optional educational permits once the emergency rule for 11 CSR12 is approved by the Secretary of State's office.

Board Staff updated the Committee on the status of Interstate Medical Licensure Compact (IMLCC) applications. Seventy applications were received in the initial year of IMLC implementation ending June 30, 2018. Of those received, 66 have been issued licenses. One application is pending, one was denied due to already having an application pending, one withdrew, and one applicant deceased prior to completing the application.

Twenty-seven Letters of Qualification were also requested in the initial year. As of the end of June 2018, seventeen LOQs have been issued. Five applicants were denied, three applications expired, one was ineligible, and one is pending.

Ms. Thompson advised the Committee that IMLC updates will be provided for the two months preceding the Committee meetings beginning with the September 2018 meeting. Seventeen applications were received in July and August of 2018 and sixteen IMLC licenses have been issued. Four LOQs were requested in July and August, with one issued and three pending.

The following twenty-two applicants listed along with their state of principal licensure were granted permanent medical licensure through an IMLC application In July and August of 2018:

Stanley Francis Abramski	WA
Nitin Naresh Aggarwal	AL
Kathleen Mary Berchelmann	NH
John Edward Britt	IL
Virginia Pearson Cheng	IL
Lisa Marie Dorsey-Bornfreedom	IL
Ana Maria Echenique	AZ
David Joel Goldberg	NH
Hisham Doud Hamam	AZ
Angela Marie Kerchner	IA
Jinping Li	WI
Robert Luther Lile	CO
Haytham Essat Maria	NE
John Nicholas Moustoukas	IL
Samuel Joon Park	CO
Catherine Celeste Roberts	AZ
Richard Victor Spera, Jr.	AL
Leland Carpenter Stillman	CO
Todd Willis Stull	NE
Timothy Scott Talbot	AL
Kimberly Arlene Townsend-Scott	IL
Lee Edward Weiss	AZ

During this period two Letters of Qualification were issued to:

Rammy Schmuel Gold  
Kyon Amiel Hood



During this period one Letter of Qualification was declined:

Viorel Raducan

Ms. Thompson provided the following report on staff processing of applications for reinstatement and change of license applications:

Reinstatement and Change of Status License Applications Report

Application Type	Received July - Aug	Pending	Finalized	License Status
Reinstatement License Expired 6/30/2018	11	2	9	7 Active 2 Inactive
Change of Status from Inactive to Active A- L prior to 6/30/2020	3	1	2	2 Active
Change of Status from Inactive to Active M-Z prior to 6/30/2019	1	0	1	1 Active

The Licensure Committee reviewed and discussed the list of applicants whose applications did not require an appearance or individualized discussion. The list includes eighty-eight initial medical doctor applications, three initial medical doctor applications pending receipt of the PICF assessment fee and five reactivations of medical licensure. No conflicts having been declared, Dr. Lakin moved that the Committee recommend that the Board approve the applicants for initial licensure as indicated. Mr. Wooton seconded the motion, and the motion carried.

Dr. Mullins declared a conflict with the reactivation application for Matthew J. Metz, M.D. and left the meeting. No conflicts having been declared, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Metz for reactivation of licensure. Ms. Mullins seconded the motion, and the motion carried. Dr. Mullins rejoined the meeting. Dr. Lakin moved that the Committee recommend that the Board approve the remaining four applicants for reactivation of licensure. Ms. Mullins

seconded the motion, and the motion carried.

A list of all approved applicants are incorporated into these minutes.

The Licensure Committee determined by consensus to adjourn, there being **ADJOURNMENT** no further business.



Harry E. Duncan, M.D.  
Chair of the Licensure Committee

**APPLICANTS FOR PERMANENT LICENSURE - Physicians**

**September 10, 2018**

Yasir Abdul Ghaffar  
Matthew Joseph Abel  
Rachel Abou Mrad  
Maria Isabel Aguilar  
Shamsher Singh Ahluwalia  
Troy Earl Aubel  
Rami Mahfouz Ausi  
Muhammad Adnan Aziz

Janna Elizabeth Baker Rogers  
Lakshmi Reddy Beeravolu  
Claire Marie Bentley  
Jane Ilana Bernstein  
Christopher Scott Bewley  
Rodney Biglow  
Thomas David Bourne  
Ryan Rahym Budwany  
Patrick Russell Burnside

Ekaterina Borisovna Castano  
Yvana Cespedes Rockley  
Ifeanyichukwu Gabriel Chukwuma  
Amanda Sue Cuda

Charles Donovan Davis  
Stephen Ellis Deci  
Ronald Fitzjohn Dixon  
Kayla Saunders Duvall

Milroy Saverianayagam Emmanuel  
Uzma Shamim Faheem  
John Pegram Ford

Ammar Ghanem  
Wayne Houston Gordon  
Michael Stephen Grabinski  
Jose Gutierrez Contreras

Kelsey Lynn Haarbauer  
Muhammad Yousuf Hasan  
Patrick Glen Henderson

Philip Justin Howard  
Grace Autumn Hutcheson  
Shoji Ishigami  
Hirenkumar Damjibhai Italia

Priyanka Kalidindi  
Brian Scott Kendall  
Cathy Lee Kim  
Bhavani Shankar Prasad Kundeti  
Mehmet Talha Kutlu

Amit Parsottam Ladani  
James Christian Lamousin  
Mark Robert Lee  
Nathaniel Shay Linger  
Leena Thomas Lourduraj

Devan Narendra Makati  
Thomas Frederick Mauger  
Teresa Marie Mazur  
Martha Nelly Millan Sanchez  
Houda Elaine Mouradian-Al Tawil  
Ian Mukand-Cerro  
Mary Elizabeth Mullins  
Francis Raymond Murphy

Khaled Nashar  
Elena Yen-Vi Nguyen  
Elizabeth Anyaegbu Onugha  
Christopher Ryan Oxner

Sunil Darshan Paudel  
Karen Gale Phillips  
Darin Arthur Portnoy  
Mohamedtauqir Mohamedyakub Puthawala

Narayanan Ramesh  
Saleem Raslan  
Yasha Rastgar  
Liliana Robles  
Barbra Aileen Ross

Sarah Page Sexton  
Qudsia W. Shaikh  
Jason Yue Shen

Jennifer Catherine Shippy  
John F. Smith, Jr.  
Scott Russell Soerries  
Gregory Lee Spears  
YuanYuan Sun

Ahmet Toparli  
Sherley Rose Valdez Arroyo  
Jason Bennard Van Antwerp  
Jayson Francis Varughese

Patrick Louis Wagner  
Priyanka Kim Wali  
Garrett Douglas Walters  
Ella Mae Webster  
Daniel Jay Weinberg  
Gordon Keith Wolfe

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**APPLICANT FOR PERMANENT LICENSURE – Physician**  
**Approve pending receipt of PICF Assessment Fee**

Suzette Adele Robinson  
John Hai Nhu Vu  
Ramon Reyes Ymalay

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**REACTIVATION APPLICANTS WHOSE LICENSE HAS NOT BEEN ACTIVE**  
**FOR MORE THAN ONE YEAR – Physician**

Patrick Philip Flannagan  
Michael Louis Goodman  
William Renick Hutson  
Matthew J. Metz  
Mark Ford Sullivan

**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA**

**November 3, 2018**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Amended Minutes of July 7, 2018 meeting  
Approval of Minutes of September 8, 2018 meeting

**CONSENT ORDER UPDATE**

James M. Dauphin, M.D.  
Michael Joel Shuster M.D.

**APPEARANCES**

- |   |            |
|---|------------|
| 1. Cynthia Erin Prather, M.D.             | 11:00 a.m. |
| 2. Sebastian Francis Cruz-Schiavone, M.D. | 11:15 a.m. |
| 3. Hussain Mohammad H. Naseri, M.D.       | 11:30 a.m. |
| 4. Jodi Lynn Long, D.P.M.                 | 11:45 a.m. |

**LUNCH BREAK**

- |                                       |            |
|---------------------------------------|------------|
| 5. Adam Stephen Lundy, M.D.           | 12:30 p.m. |
| 6. Derek Scott Buck, M.D.             | 12:45 p.m. |
| 7. Michael Gabriel, M.D.              | 1:00 p.m.  |
| 8. Edward Joseph Silvio Picardi, M.D. | 1:30 p.m.  |

**DISCUSSIONS**

9. Mitchell Brandon Stotland, M.D.
10. James Lawrence Fernau, M.D.
11. Mark William McCurry, M.D.
12. Christopher Eric Majewski, D.P.M.
13. Eric Richmond Fenn, M.D.
14. Casandra Arevalo Marcano, M.D.
15. Jana Betsy Alyce Macleod, M.D.
16. Charles Matthew Justice, M.D.
17. Cornelis Jacobus Overbeeke, M.D.
18. John Wagdy William Fahim Ibrahim, M.D.
19. John Henry Velyvis, M.D.
20. Review of Good Moral Character – Addendum 2
21. Review of Board policy of Medical School Education verification
22. Podiatry Scope of Practice Inquiry
23. Educational Permit Update
24. Reinstatement Update
25. IMLCC Update

**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA ADD-ONS**

**November 3, 2018**

**DISCUSSIONS**

26. Controlled Substance Dispensing Practitioner Update
27. Sunila Mehrotra, M.D.
28. Michael Scott Fenster, M.D.

## WEST VIRGINIA BOARD OF MEDICINE

### Licensure Committee Meeting Minutes

November 3, 2018

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A meeting of the West Virginia Board of Medicine Licensure Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 3rd day of November 2018, at 10:50 a.m.

The following Committee members were present:

Harry E. Duncan, MD, Chair  
Rev. Janet Harman  
Carrie Lakin, DPM  
David A. Mullins, MD  
Victoria (Tori) Mullins, PA-C  
Russell O. Wooton, Esq.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing

Dr. Duncan called the meeting to order. A motion was made by Dr. Lakin, and seconded by Rev. Harman, to approve the amended minutes of the July 7, 2018, Licensure Committee meeting. The motion carried. A motion was made by Mr. Wooton, and seconded by Dr. Lakin, to approve the minutes of the September 8, 2018, Licensure Committee meeting. The motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Committee received an update on Consent Orders offered as a result of the September 2018 meeting cycle. James M. Dauphin, MD was offered a Consent Order to change his license from inactive to active status which imposed an



administrative fine of \$3,500 for his CME delinquency for the July 1, 2016 through June 30, 2018 licensure cycle, during which time he completed only 15 CME hours. Dr. Dauphin completed 35 CME hours out of cycle to satisfy his CME deficiency. The Consent Order prohibits Dr. Dauphin from utilizing any of these 35 CME hours to satisfy his CMEs for the current reporting period. Dr. Dauphin accepted the terms and the Consent Order was entered on October 2, 2018, at which time his license status was changed to active.

Joel Michael Shuster, MD was offered a Consent Order to change his license from inactive to active status which imposed an administrative fine of \$500 due to his failure to complete a 3-hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1, 2015 and June 30, 2017. The Board accepted Dr. Shuster's completion of the course out of cycle in satisfaction of his delinquency. The Consent Order prohibits Dr. Shuster from utilizing the accepted course to satisfy any CME obligations for the current reporting period. The Board has received the signed Consent Order from Dr. Shuster, which is pending the signatures of the Board President and Secretary.

At its May 2018 meeting, Cynthia Erin Prather, MD appeared before the Licensure Committee in support of her application for reactivation of her permanent medical license after a lengthy absence from practice. The Licensure Committee placed Dr. Prather's application on hold pending her attaining a passing score on the Federation of State Medical Board's Special Purpose Licensing Exam (SPEX) and her submission of a proposed plan for reentry to practice. The Board received notification of Dr. Prather's passing SPEX exam score in September 2018 and Dr. Prather submitted her proposed plan for reentry to practice in October 2018, along with a request to appear before the Committee at its November 2018 meeting. After a thorough discussion with Dr. Prather, Mr. Wooton moved that the Committee recommend that the Board approve Dr. Prather for reactivation of licensure pending receipt of the Patient Injury Compensation Fund (PICF) fee. Ms. Mullins seconded the motion, and the motion carried.

Sebastian Francis Cruz-Schiavone, MD, appeared before the Licensure Committee in lieu of having his application for a permanent medical license reviewed and discussed. After a thorough discussion with Dr. Cruz-Schiavone, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Cruz-Schiavone for licensure. Rev. Harman seconded the motion, and the motion carried.

Hussain Mohammad H. Naseri, MD, appeared before the Licensure Committee in lieu of having his application for a permanent medical license reviewed and discussed. After a thorough discussion with Dr. Naseri, Dr. Mullins moved that the Committee recommend that the Board approve Dr. Cruz-Schiavone for licensure pending receipt of the PICF fee. Mr. Wooton seconded the motion, and the motion carried.

Jodi Lynn Long, DPM, requested to appear before the Licensure Committee in lieu of having her application for a permanent podiatric license reviewed and discussed. After a thorough discussion with Dr. Long, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Long for permanent podiatric licensure pursuant to Dr. Long's acceptance of a Consent Order with the following terms, conditions, limitations and restrictions related to her re-entry into surgical podiatric practice:

Prior to engaging in the unsupervised practice of surgical podiatric medicine pursuant to her West Virginia license, Dr. Long shall complete a proctoring regimen designed to ensure her clinical skills are current and appropriate for the practice of surgical podiatric medicine.

For the purposes of Dr. Long's Consent Order "surgical podiatric medicine" shall mean the practice of podiatric medicine involving operative care for foot and/or ankle conditions requiring the use of sterile preparation and a sterile field with or without anesthesia.

Dr. Long's proctoring regimen shall comport with the following requirements:

- a. Dr. Long shall be proctored by a West Virginia licensed podiatric physician ("Proctoring Physician") who has been approved by the Board to serve as a proctor for Dr. Long.
- b. In order to be eligible to serve as proctor for Dr. Long, and prior to initiating the proctoring regimen, the Proctoring Physician must be familiar with the terms and conditions of the Consent Order and must submit written notification to the Board that he or she understands the terms of the proctorship imposed by the Order and agrees to submit the required documentation associated with the proctorship.
- c. Prior to engaging in the unsupervised practice of surgical podiatric medicine pursuant to her West Virginia license, Dr. Long shall complete a proctoring regimen of a minimum of six weeks.
- d. The proctoring regimen shall include the performance of the following specific procedures under direct supervision of the Proctoring Physician. For each procedure and/or item, the minimum required number of proctored cases is indicated. For the purposes of the Consent Order, each proctored case must be associated with a unique patient. Multiple procedures on the same patient constitute one case for the purposes of the proctoring required by the Consent Order.

<b>Procedures</b>	<b>Minimum Number of Proctored Cases</b>
<b>Incision and drainage of deep infection(s) of the foot or ankle</b>	<b>5</b>
<b>Osseous elective procedures of the forefoot such as bunionectomy, hammertoe corrections, hallux varus correction, exostectomy, joint replacement or fusion of metatarsophalangeal joint or proximal interphalangeal joint and/or digital amputations</b>	<b>10</b>
<b>Non-osseous elective procedures such as endoscopic plantar fasciotomy (EPF), neuroma removal and/or cyst removal</b>	<b>10</b>
<b>Surgical care of traumatic injuries of the foot or ankle such as deep laceration and/or removal of a foreign body deep to the subcutaneous layer</b>	<b>5</b>

- e. At the discretion of the Proctoring Physician, the number of proctored procedures can be increased as needed to ensure that Dr. Long's clinical skills are satisfactory.
- f. Upon completion of the proctoring regimen, the proctoring physician shall submit a report to the Board containing a certification that the proctoring regimen was successfully completed, and recommendations regarding Dr. Long's independent practice of surgical podiatric medicine.
- g. Once the Board receives and reviews documentation from the proctoring physician which indicates that Dr. Long is recommended for independent surgical podiatric practice, with or without conditions, the Board will notify Dr. Long that she may commence independent surgical podiatric practice.

The proposed Consent Order would terminate by Order of the Board when the Board, in its discretion, determines that all of the terms and conditions imposed upon Dr. Long's license should be lifted.

Dr. Mullins seconded the motion, and the motion carried.

At its September 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Adam Stephen Lundy, MD, and requested that Dr. Lundy appear before the Committee at its November meeting. After a thorough discussion with Dr. Lundy, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Lundy for licensure. Ms. Mullins seconded the motion, and the motion carried.

Dr. Mullins and Mr. Wooton left the meeting at this time and did not return. The Committee, continuing to have a quorum present, continued with the meeting.

At its September 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Derek Scott Buck, MD, and requested that Dr. Buck appear before the Committee at its November meeting. After a thorough discussion with Dr. Buck, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Buck for licensure. Rev. Harman seconded the motion, and the motion carried.

Edward Joseph Silvio Picardi, MD, appeared before the Licensure Committee in lieu of having his application for a permanent medical license reviewed and discussed. After a thorough discussion with Dr. Picardi, Dr. Lakin moved that Dr. Picardi's application be placed on hold pending receipt of additional information. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Michael Hosny Gabriel, MD. After a thorough discussion, Dr. Lakin moved that Dr. Gabriel appear before the Committee at its January 2019 meeting. Ms. Mullins seconded the motion, and the motion carried.

At its September 2018 meeting, the Licensure Committee reviewed and discussed the application for a permanent medical license of Mitchell Brandon Stotland, MD and requested that Dr. Stotland appear before the Committee at its November meeting. Dr. Stotland was unable to attend a Saturday meeting and requested to either not be required to appear or to appear on a different day of the week. After a thorough discussion, Rev. Harman moved that Board staff be authorized to reach out to Dr. Stotland for additional information. If such information supports the scheduling of his appearance on an alternate day of the week, the Committee requests that the application be transferred to the January 2019 meeting of the Executive Management Committee so that the applicant's appearance may occur on a day other than Saturday. Ms. Mullins seconded the motion, and the motion carried.

At its September 2018 meeting, the Licensure Committee reviewed and discussed the application for reactivation of the permanent medical license of James Lawrence Fernau, MD, and requested that Dr. Fernau appear at its November meeting. Dr. Fernau had a conflict with the date of the November meeting and was unable to appear. After discussion, Dr. Lakin moved that Dr. Fernau appear before the Committee at its January 2019 meeting. Ms. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Mark William McCurry, MD. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board approve Dr. McCurry for licensure pending receipt of the PICF assessment fee. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent podiatric license of Christopher Eric Majewski, DPM. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Majewski for licensure. Ms. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Eric Richmond Fenn, MD. After a thorough discussion, Rev. Harman moved that the Committee recommend that the Board approve Dr. Fenn for licensure. Dr. Lakin seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Casandra Arevalo Marcano, MD. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board accept Dr. Marcano's medical school education at Universidad Central de Venezuela, Escuela de Medicina Luis Razeit in Venezuela as satisfactorily verified and approve her for licensure based on the following factors: there is civil unrest that includes a reported strike at the medical school; and in accordance with current Board policy, two of Dr. Marcano's classmates have submitted notarized letters attesting to graduating from medical school with her. Ms. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Jana Betsy Alyce Macleod, MD. Dr. Macleod was unable to obtain an official transcript of her LMCC exam scores from the Medical Council of Canada. A copy of her LMCC exam scores that had been received from the Canadian Council during her earlier application for licensure in Georgia was provided by the Georgia Composite Medical Board. In addition, Dr. Macleod has not been practicing in the United States for several years. After a thorough discussion, Dr. Lakin moved that Dr. Macleod's application be placed on hold pending receipt of additional information, and that the applicant be offered the opportunity to appear before the Committee at its January 2019 meeting. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed Charles Matthew Justice, MD's application for a change of status of his West Virginia medical license from inactive status to active status. Ms. Mullins moved that the Committee recommend that the Board approve a change in status of Dr. Justice's license from inactive status to active status pursuant to his acceptance of a Consent Order with the following terms: (1) Dr. Justice acknowledges that he inaccurately attested to the completion a 3 hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1, 2016 and June 30, 2018; (2) the Board accepts Dr. Justice's completion of a Board approved course in drug diversion training and best practice prescribing of controlled substances on October 12, 2018 in satisfaction of his CME deficiency for the period of July 1, 2016 through June 30, 2018; (3) Dr. Justice may not utilize the October 2018 course in satisfaction on any CME obligations for the his current reporting period; and (4) Dr. Justice shall pay an administrative fine in the amount of \$500 for his CME delinquency and deficiency prior to his status change becoming effective. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Cornell Jacobus Overbeeke, MD. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Overbeeke for licensure pending receipt of the PICF assessment fee. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of John Wagdy William Fahim Ibrahim, MD. After a thorough discussion, Dr. Lakin moved that the Committee recommend that the Board approve Dr. Ibrahim for licensure. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of John Henry Velyvis, MD. After a thorough discussion,



Rev. Harman moved that the Committee recommend that the Board approve Dr. Velyvis for licensure pending receipt of the PICF assessment fee. Ms. Mullins seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for reactivation of the permanent medical license of Sunila Mehrotra, MD. After a thorough discussion, Dr. Lakin moved that Dr. Mehrotra appear before the Committee at its January 2019 meeting. Rev. Harman seconded the motion, and the motion carried.

The Licensure Committee reviewed and discussed the application for a permanent medical license of Michael Scott Fenster, MD. After a thorough discussion, Rev. Harman moved that the Committee recommend that the Board approve Dr. Fenster for licensure. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed whether use of the Good Moral Character Statement form in the application for licensure for medical doctors and podiatric physicians was beneficial. The form is currently submitted by a fellow medical doctor or podiatric physician who knows the applicant and who attests, via notarized signature, to the good moral character of the applicant, and that the applicant is physically and mentally capable of practicing as a medical doctor or podiatric physician. The Committee determined that the applicant's moral character and ability to engage safely in practice as a physician or podiatric physician is more adequately determined through the answers provided in response to the Professional Practice, Character and Fitness application questions. Dr. Lakin moved that the Committee recommend to the Board that beginning January 1, 2019, the Board no longer require applicants to submit Good Moral Character Statements in support of a licensure application. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed modification to update the application instruction language which currently reads:

*For schools located in countries under Communist rule or presently engaged in civil war, we will accept notarized letters from two (2) classmates, officials of the school, professors, etc., who will swear to your graduation and who were at the school the same time you were. These letters must give the name of the school, the dates both you and the letter writer started and graduated (month, day, year). The letters must be received by the West Virginia Board of Medicine directly from the letter writer, not from you. These letters will not be accepted by the board just because it will take a long time to have your school complete this form. It will be up to the Board office to determine which schools cannot or will not complete this form.*

Dr. Lakin moved that the Committee recommend to the Board to continue the practice of accepting notarized letters from classmates and to replace the school description with, “For medical schools located in countries experiencing known civil unrest or countries with no diplomatic relations with the United States, ...” Ms. Mullins seconded the motion, and the motion carried.

An inquiry was made by a hospital chief quality officer for clarification of the scope of practice questions for a podiatric physician who has been granted privileges to perform ankle surgery in their hospital. While the Board cannot opine on local credentialing and privileging practices, all patient care provided by podiatric physicians should be consistent with podiatric medical practice in West Virginia. The Committee informed the staff to offer the following scope of practice guidance:

1. A podiatric physician may perform Achilles tendon lengthening, even if it involves an incision above the ankle.
2. A podiatric physician may perform ankle repair fracture that may involve the tibia and fibula.
3. A podiatric physician may not take skin grafts from above the ankle.

4. A podiatric physician may treat venous status ulcers above the ankle and below the knee if simultaneously treating venous status ulcers that are at or below the ankle on the same leg.

Board staff updated the Committee on the status of Educational Permit applications. Since the approval of the emergency rule for 11 CSR12 the Board received 88 educational permit applications through October 31, 2018. Eighty permits have been issued.

Board staff updated the Committee on the status of Controlled Substance Dispensing Practitioner Registration applications. There are currently 469 medical doctors, 16 podiatric physicians and 23 physician assistants who are registered as controlled substance dispensing practitioners. The total includes 13 medical doctor and 6 physician assistant registrations which were issued after July 1, 2018.

Board staff reported that 15 reinstatement applications were received since July 1, 2018. Thirteen have been processed, with ten requesting active status, and three requesting inactive status. Two applications are pending additional information. In addition, five applications for change of license status from inactive to active status were received. Four have been processed and one is pending.

Board Staff updated the Committee on the status of Interstate Medical Licensure Compact Commission (IMLCC) applications. The Board received twenty-three applications in September and October of 2018 and issued 22 licenses pursuant to the IMLCC. One applicant was not eligible due to having been previously licensed by the Board requiring submission of a reactivation application.

In September and October 2018, the Board received four requests for Letters of Qualification (LOQs). The Board issued two LOQs and two requests are pending.

Since July 1, 2018, the Board has received 40 applications for IMLCC licensure and eight LOQs requests. Four applications and three LOQ requests remain pending at this time.

The following twenty-two applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an IMLCC application in September and October of 2018:

State of Principal Licensure	Licensee
NH	Francis Michael Adams
CO	Linus Ngante Akamangwa
IL	Ayoob Ali
WI	Kalil Ibrahim Al-Nassir
KS	Vijay Rajendra Bhat
CO	Rebecca Jean Blatt
AZ	Anika Saran Goodwin
IL	Hari Iyengar
IL	Fatima Hussain
WA	Guy Edward Katz
WA	Salman Kazim
WA	Laurie Lynn Kreiter
KS	Davis Liu
WA	Thomas Dickson McKellar McCloy
NH	Virginia Herbert McDougall
NV	Paul Oskar Michels
IA	TerryEugene Parsons
MT	Velisar Laurian Rill
MS	Anthony Louis Schmidt
WA	Kyle Benton Varner
MT	Charles Richard Wilson
AZ	Judy Yun-Lun Wu

During this period Letters of Qualification were issued to:

Akash Vijaykumar Ajmera  
Kevin Douglas Maupin

The Licensure Committee reviewed and discussed the list of applicants whose applications did not require an appearance or individualized discussion. The list includes fifty-nine initial medical doctor applications, five initial medical doctor applications pending receipt of the PICF assessment fee, five reactivation of medical license applications and five initial podiatric physician applications. No conflicts were declared with respect to any of these applicants.

Dr. Lakin moved that the Committee recommend that the Board approve the applicants for initial licensure as indicated. Rev. Harman seconded the motion, and the motion carried.

Rev. Harman moved that the Committee recommend that the Board approve the applicants for reactivation of licensure. Dr. Lakin seconded the motion, and the motion carried.

Dr. Lakin moved that the Board approve the four applicants for podiatric physician licensure. Rev. Harman seconded the motion, and the motion carried.

A list of all approved applicants are incorporated into these minutes.

The Licensure Committee determined by consensus to adjourn, there being **ADJOURNMENT** no further business.



Harry E. Duncan, MD  
Chair of the Licensure Committee

**APPLICANTS FOR PERMANENT LICENSURE - Physicians**

**November 3, 2018**

Lina May AbuJamra  
Kelly Melissa Aguilar  
Magid Hashim Amer  
Saad Muhammad Amin  
Michelle Raney Angeline  
Ruta Arays  
Pascal Aliihnuu Atanga  
Cengiz Aygun

Kenneth John Baker  
Ulas Darda Bayraktar  
Richard Earl Bird  
Phillip Snowden Brackin  
Timothy Michael Bradley

Monica Maria Cerone  
Melina Dias Chan  
Timothy Paul Chizmar  
Parina Gupta Cho

Kristen Hillari Davis  
Chad Brian Dunn  
Miguel Antonio Espinal Santos

Avi Factor  
Justine Anne Falcone  
Michael John Flaherty

Galal Younis Gargodhi  
Jack Jay Gelman  
Lynda-Marie Serene Eunice George  
John Kent Granger  
Bradley Wayne Gray  
Zartash Gul  
Luke Gregory Gutwein

Bill Herbert Harris  
Todd H. Hillman  
Hao Chih Ho  
Brendan Adam Jones

**APPLICANTS FOR PERMANENT LICENSURE – Physicians cont.**

Sarbjit Kaur  
Theodore William Kieffer  
Joseph Hyoung Uk Kim

Leah Carol Laxson  
Huy Quang Le  
Jorge Ivan Lopez

Patricia Kathleen Mahoney  
Tanner Mattson Moore

Inmaculada Andeme Ncogo Alene  
Diane Kay Noyes

Ryan Keith Olson  
John Anthony Ozolek

David Christopher Reilly  
John Michael Richmond

Kamaldeen Rizvie Saldin  
Mathew Puthenparampil Samuel  
Arpan Shrivastava  
Imran Mohiuddin Siddiqui  
Eric Bruce Sklar  
Scott James Sullivan

Frehiwot Derbew Temesgen  
Arthur Sterling Ticknor

Dennis William Vane  
Nitin Verma

David John Watts

**APPLICANTS FOR PERMANENT LICENSURE – Physicians**  
**Approve pending receipt of PICF Assessment Fee**

Jonathan Lee Mathis  
Michael Gordon Millin  
Ijaz Rasul  
Li Roters-Ouyang  
Ehab Mostafa Shalaby

**REACTIVATION APPLICANTS WHOSE LICENSE HAS NOT BEEN ACTIVE  
FOR MORE THAN ONE YEAR – Physicians**

Daniel Alfred Beals  
Michael Dale Hendren  
Rishi Kad  
Zaher Admin Najji  
Ronak Rajnikant Shah

**APPLICANT FOR PERMANENT LICENSURE – Podiatric Physicians**

Jacqueline Marie Chen  
Isaac Kwaku Neequaye  
Brian Joseph Tuminski  
Jungmin Yoo



**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA**

**January 12, 2019**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of November 5, 2018 meeting

**CONSENT ORDER UPDATE**

Michael Joel Shuster MD  
Jodi Lynn Long, DPM  
Charles Matthew Justice, MD

**APPEARANCES**

- |                              |            |
|------------------------------|------------|
| 1. James Lawrence Fernau, MD | 11:00 a.m. |
| 2. David Philip Richards, MD | 11:15 a.m. |
| 3. Seyfi Alper Toker, MD     | 11:30 a.m. |

LUNCH BREAK

- |                        |            |
|------------------------|------------|
| 4. Sunila Mehrotra, MD | 12:45 p.m. |
| 5. Michael Gabriel, MD | 1:00 p.m.  |

**DISCUSSIONS**

6. Edward Joseph Silvio Picardi, MD
7. (Not on this agenda)
8. Jana Betsy Alyce Macleod, MD
9. Susan Leontyne Carter, MD
10. John Daniel Morrissey, Jr., MD
11. Choudhury Mohammed Sarwarul Hasan, MD
12. William Richard Poller, MD
13. Bernard Stanley Jay, MD
14. Percival Ofrecio Buenaventura, MD
15. Adarsh Sahni, MD
16. Educational Permit Update
17. Reinstatement Update
18. IMLCC Update
19. CSDP Registration Update
20. 2019 Renewal Status Update

**Cont. on page 2**

**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA ADD-ONS  
January 12, 2019**

**DISCUSSIONS**

21. Rachel Miriam Wagner, MD
22. Nagaraj R. Birudavol, MD
23. Mohamed Chebaclo, MD
24. Noormahal Kabani, MD
25. Jerry Alvin Allison, MD
26. Bruce Keith Miewald, MD
27. Podiatric Physician Oversight Query

**WEST VIRGINIA BOARD OF MEDICINE**

**Licensure Committee Meeting Minutes**

**January 12, 2019**

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The Licensure Committee of the West Virginia Board of Medicine met at 101 Dee Drive, Charleston, West Virginia, on January 12, 2019 at 10:30 a.m.

The following Committee members were present:

Harry E. Duncan, MD, Chair  
Rev. Janet Harman  
Jonathan P. Lilly, MD  
David A. Mullins, MD  
Russell O. Wooton, Esq.

The following Committee member was absent:

Victoria (Tori) Mullins, PA-C

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Greg S. Foster, Board Attorney  
Sheree J. Thompson, Supervisor of Licensing

With a quorum present, Dr. Duncan called the meeting to order. Rev. Harman moved that the Committee approve the minutes of its November 3, 2018 meeting as presented. Dr. Mullins seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

The Committee received an update on Consent Orders offered at the request of the Committee:

**CONSENT  
ORDERS**

1. **Michael Joel Shuster, MD** was offered a Consent Order to change his license status from inactive to active status due to his failure to complete a 3-hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1, 2015 and June 30, 2017. The Consent Order, which imposed an administrative fine of \$500 and accepted Dr. Shuster's completion of the course out of cycle in satisfaction of his delinquency, was entered on November 5, 2018.
  
2. **Charles Matthew Justice, MD** was offered a Consent Order to change his license status from inactive to active status due to his failure to complete a 3-hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1, 2016 and June 30, 2018. The Consent Order, which imposed an administrative fine of \$500 and accepted Dr. Justice's completion of the course out of cycle in satisfaction of his delinquency, was entered on December 21, 2018.
  
3. **Jodi Lynn Long, DPM** was offered an opportunity to be licensed via Consent Order after her appearance before the Committee in November 2018. The proposed Consent Order would have restricted Dr. Long from practicing surgical podiatric medicine until she had completed a specific proctoring regimen. Dr. Long failed to accept the Consent Order by the established deadline. The Committee reviewed and discussed communications between Dr. Long and the Board since the November Committee meeting. Thereafter, Rev. Harman moved that Dr. Long's application be placed on hold until the March 2019 meeting. Rev. Harman further moved that Dr. Long be offered the opportunity to request to withdraw her application for podiatric licensure. Dr. Lilly seconded the motion, and the motion carried.

All executed Consent Orders are publicly available on the Board's website.

**James Lawrence Fernau, MD** appeared before the Committee in support of his application for medical license reactivation. Dr. Fernau was previously licensed by the Board, but his license expired on June 30, 2008. After a thorough discussion with Dr. Fernau, the applicant requested that his application be placed on hold and that he be given the opportunity to supplement his application. Having deliberated upon the applicant's request, Dr. Mullins moved that Dr. Fernau's application be placed on hold pending the receipt of additional information, or in the alternative, that Dr. Fernau be given the opportunity to withdraw his application. Dr. Lilly seconded the motion, and the motion carried.

**David Philip Richards, MD** appeared in support of his application for a medical school faculty license to practice and teach at the medical center of West Virginia University School of Medicine's Eastern Division. During discussion with Dr. Richards, there was some confusion regarding the physical location designated as the medical center of the Eastern Division. After a through discussion, and after reviewing the requirements for a medical school faculty license, Dr. Mullins moved that the Committee approve Dr. Richards' application and recommend that the Board grant Dr. Richards a medical school faculty license to practice medicine and surgery at the medical center of the West Virginia University School of Medicine's Eastern Division. Dr. Mullins further moved that if West Virginia University advises the Board that the medical center of the Eastern Division is Jefferson Medical Center located at 300 S. Preston Street, Ranson, WV 25438, rather than the currently identified location of WVU Health Science Center – Eastern Division, 2500 Foundation Way, Martinsburg, WV 25401, WVU must submit a new Certification of Faculty Appointment which includes the appropriate location and Dr. Richard's will be authorized to practice as medical school faculty at the appropriate location of the division medical center. Rev. Harman seconded the motion, and the motion carried.

**Seyfi Alper Toker, MD** appeared before the Committee in support of his application for a restricted license in extraordinary circumstances ("extraordinary

circumstance license”). After a thorough discussion with the applicant, and after reviewing the requirements for extraordinary circumstance licenses, Rev. Harman moved that the Committee place Dr. Toker’s application on hold pending the receipt of additional information in the form of letters of reference from physicians currently practicing in the United States who are familiar with Dr. Toker and his practice of cardiothoracic medicine. Dr. Lilly seconded the motion, and the motion carried.

**Sunila Mehrotra, MD** was scheduled to appear before the Committee today in support of her application for licensure reactivation. However, on January 9, 2019, Dr. Mehrotra communicated to the Board that she would not be able to appear due to an unexpected family emergency. Mr. Wootton moved that the Committee reschedule the applicant’s appearance for March 2019. Rev. Harman seconded the motion, and the motion carried.

**Michael Hosny Gabriel, MD** appeared before the Committee in support of his application for medical licensure. Dr. Gabriel advised the Committee that, although he has legal counsel in connection with his pending application and understands that he may have them accompany him before the Committee, he affirmatively elected to appear before the Committee without his attorneys and voluntarily engaged with the Committee without legal counsel present. The Committee engaged in a thorough discussion with the applicant and reviewed Dr. Gabriel’s application, including but not limited to the following facts and information:

1. On June 28, 2012, based upon his plea of guilty, Dr. Gabriel was adjudicated guilty of the felony offense of conspiracy to distribute and possess with intent to distribute the controlled substance Adderall, in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(C) in the matter of United States of America v. Michael Hosny Gabriel, Case Number CR10-588. This adjudication constitutes a felony conviction involving prescribing, selling, administering, dispensing, mixing, or otherwise preparing any prescription drug, including any controlled substance under

state or federal law, for other than generally accepted therapeutic purposes within the meaning of W. Va. Code § 30-3-14(d);

2. The Board also considered the facts and circumstances as set forth in the September 8, 2010 Information filed against Dr. Gabriel in the matter of United States of America v. Michael Hosny Gabriel, Case Number CR10-588;
3. Between May 1, 2008 and December 21, 2009, Dr. Gabriel knowingly and intentionally conspired to distribute and possessed with the intent to distribute a Schedule II Controlled Substance, Adderall within the jurisdiction of the United States District Court for the Eastern District of New York;
4. Dr. Gabriel obtained access to the Schedule II Controlled Substance by affirmatively seeking and obtaining a prescription pad from the pharmacy of the hospital where he was engaged in training, despite having no legitimate need for access to a prescription pad. Dr. Gabriel used the prescription pad to prescribe Schedule II Controlled Substances with no legitimate medical purpose and outside the bounds of medical practice to sell to others;
5. The scope of Dr. Gabriel's prescribing and selling of a controlled substance outside the bounds of the medical profession was such that he received money and property equal to or greater than the sum of his forfeiture judgment, which was \$88,500;
6. The Board considered the terms, conditions and sentence imposed upon Dr. Gabriel in the Judgment issued in 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(C) in the matter of United States of America v. Michael Hosny Gabriel, Case Number CR10-588, including the requirement that he satisfy the associated Forfeiture Order entered against him; and
7. The Board considered Dr. Gabriel's education and training as set forth in his application, including but not limited to the fact that he was dismissed from his PGY-2 year of anesthesia training after the facts and circumstances forming the basis of his felony conviction resulted in his arrest, and the fact that he has not participated in graduate medical education or practiced medicine in any jurisdiction at any time since 2010.

Thereafter, Dr. Mullins moved that the Committee recommend that the Board provisionally refuse Dr. Gabriel's application for a West Virginia medical license and preliminarily determine that Dr. Gabriel failed to meet his burden of satisfying the Board that he is qualified for licensure as required by W. Va. Code R. §11-1A-4.14, and that Dr. Gabriel is unqualified for medical licensure pursuant to W. Va. Code § 30-3-14(d), which provides:

The board shall deny any application for a license or other authorization to practice medicine and surgery or podiatry in this state to any applicant, and shall revoke the license of any physician or podiatrist licensed or otherwise lawfully practicing within this state who, is found guilty by any court of competent jurisdiction of any felony involving prescribing, selling, administering, dispensing, mixing, or otherwise preparing any prescription drug, including any controlled substance under state or federal law, for other than generally accepted therapeutic purposes. Presentation to the board of a certified copy of the guilty verdict or plea rendered in the court is sufficient proof thereof for the purposes of this article. A plea of nolo contendere has the same effect as a verdict or plea of guilt. Upon application of a physician that has had his or her license revoked because of a drug related felony conviction, upon completion of any sentence of confinement, parole, probation, or other court-ordered supervision and full satisfaction of any fines, judgments, or other fees imposed by the sentencing court, the board may issue the applicant a new license upon a finding that the physician is, except for the underlying conviction, otherwise qualified to practice medicine: Provided, That the board may place whatever terms, conditions, or limitations it deems appropriate upon a physician licensed pursuant to this subsection.

Dr. Mullins further moved that the Committee recommend that the Board concluded that probable cause exists to deny Dr. Gabriel's application for conduct in violation of the following professional conduct standards set forth in the West Virginia Medical Practice Act and the Board's legislative rules:

1. W. Va. Code §30-3-14(c)(2) and/or W. Va. Code R. §11-1A-12.1.k, related to being found guilty of a crime in any jurisdiction, which offense is a felony, involves moral turpitude or directly relates to the practice of medicine; and/or



2. W. Va. Code §30-3-14(c)(13) prescribing, dispensing administering, mixing or otherwise preparing a prescription drug, including any controlled substance under state and federal law, other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the physician's practice; and/or
3. W. Va. Code §30-3-14(c)(17) and W. Va. Code R. §11-1A-12.2.a, relating to prescribing or dispensing a controlled substance:
  - a. with the intent or knowledge that a controlled substance will be used or is likely to be used other than medicinally or for an accepted therapeutic purpose;
  - b. with the intent to evade any law with respect to the sale, use or disposition of the controlled substances;
  - c. for the licensee's personal use, or for the use of his or her immediate family when the licensee knows or has reason to know that an abuse of controlled substance(s) is occurring, or may result from such a practice; or
  - d. in such amounts that the licensee knows or has reason to know, under the attendant circumstances, that the amounts prescribed or dispensed are excessive under accepted and prevailing medical practice standards; and/or
4. W. Va. Code §30-3-14(c)(17) and W. Va. Code R. §11-1A-12.1.e. relating to engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public or any member thereof; and/or
5. W. Va. Code §30-3-14(c) (17) and W. Va. Code R. §11-1A-12.1.j. relating to engaging in unprofessional conduct, including, but not limited to, any departure from, or failure to conform to, the standards of acceptable and prevailing medical practice, or the ethics of the medical profession, irrespective of whether or not a patient is injured thereby, or has committed any act contrary to honesty, justice or good morals, whether the same is committed in the course of his or her practice or otherwise and whether committed within or without this State; and/or
6. W. Va. Code §30-3-14(c) (17) and W. Va. Code R. §11-1A-12.2.d. relating to conduct which is calculated to bring or has the effect of bringing the medical profession into disrepute, including, but not limited to, any departure from or failure to conform to the standards of acceptable and prevailing medical or podiatric practice within the state, and any departure from or failure to

conform to the current principles of medical ethics of the AMA, with or without an actual injury to a patient; and/or

7. W. Va. Code §30-3-14(c) (17) and W. Va. Code R. §11-1A-12.1.bb., relating to violating or attempting to violate any law or lawfully promulgated rule or regulation of this State, any other state, the Board, the United States or any other lawful authority (without regard to whether the violation is criminally punishable), which law or rule or regulation relates to or in part regulates the practice of medicine or podiatry, when the licensee or applicant knows or should know that such action is violative of the law.

Dr. Mullins also moved that the Board consider that: Dr. Gabriel has never held a license to practice medicine and surgery outside the auspices of medical school or residency; he has not practiced medicine at all since 2010; and he has failed to demonstrate that his significant period of absence from the clinical practice of medicine has not resulted in the loss of current skills or knowledge, or that his clinical skills and knowledge are current. Rev. Harman seconded Dr. Mullin's motion in its entirety, and the motion carried.

The Committee reviewed discussed correspondence from applicant **Edward Joseph Silvio Picardi, MD**. Dr. Picardi appeared before the Licensure Committee in November 2018 in lieu of having his application for a permanent medical license reviewed and discussed. The Committee took no action upon Dr. Picardi's application, which remains on hold pending receipt of additional information related to action against his South Dakota license and action regarding his Ohio application.

## DISCUSSIONS

The Committee reviewed and discussed the application of **Jana Betsy Alyce MacLeod, MD**. In November 2018, the Committee sought additional information from the applicant in support of her application. On January 9, 2019, Dr. MacLeod submitted a written request to withdraw her application, citing a change in her work plans. Rev. Harman moved that the Committee recommend that the Board grant Dr. MacLeod's withdrawal request. Mr. Wooton seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Susan Leontyne Carter, MD** for medical licensure. Dr. Mullin's moved that the Committee approve Dr.

Carter's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Mr. Wooton seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **John Daniel Morrissey, Jr., MD** for medical licensure. Dr. Mullins moved that the Committee accept Dr. Morrissey's postgraduate training as satisfactorily verified, approve Dr. Morrissey's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Dr. Lilly seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Choudhury Mohammed Sarwarul Hasan, MD** for medical licensure. Dr. Mullins moved that the Committee place Dr. Hasan's application on hold pending receipt of additional information. Mr. Wooton seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **William Richard Poller, MD** for medical licensure. Rev. Harman moved that the Committee approve Dr. Poller's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Dr. Lilly seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Bernard Stanley Jay, MD** for medical licensure. Dr. Lilly moved that the Committee approve Dr. Jay's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Mr. Wooton seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Percival Ofrecio Buenaventura, MD** for medical licensure. Rev. Harman moved that the Committee

approve Dr. Buenaventura's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Dr. Lilly seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Adarsh Sahni, MD** for medical licensure. Mr. Wooton moved that the Committee approve Dr. Sahni's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Dr. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Rachel Miriam Wagner, MD** for medical licensure. Mr. Wooton moved that the Committee accept Dr. Wagner's postgraduate training as satisfactorily verified, approve Dr. Wagner's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Rev. Harman seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Nagaraj R. Birudavol, MD** for reactivation of medical licensure. Dr. Birudavol was previously licensed by the Board, and his license lapsed on June 30, 1983. Rev. Harman moved that the Committee approve Dr. Birudavol's application to reactivate his lapsed West Virginia medical license. Dr. Lilly seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Mohamed Chebaclo, MD** for medical licensure. Dr. Mullins moved that the Committee invite Dr. Chebaclo to appear before the Committee on March 9, 2019 to discuss his application. Mr. Wooton seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Noormahal Kabani, MD** for medical licensure. Dr. Mullins moved that the Committee accept Dr. Kabani's

postgraduate training as satisfactorily verified, approve Dr. Kabani's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Dr. Lilly seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Jerry Alvin Allison, MD** for medical licensure. Rev. Harman moved that the Committee approve Dr. Allison's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending the Board's receipt of satisfactory verification of Dr. Allison's medical school education. Mr. Wooton seconded the motion, and the motion carried.

The Committee discussed a pending IMLC application for an applicant that the Board has been unable to locate or contact. The applicant cannot be reached at any of the contact information that was provided by him or on his behalf. The IMLC Commission has directed the Board to issue a license, but the applicant has not been licensed at this time. Board staff sought direction from the Committee regarding how to proceed when all contact information for an IMLC applicant appears invalid. Mr. Wooton moved that the Committee recommend the Board correspond with the IMLC Commission to seek a written opinion on how to handle situations where the Board does not receive valid contact information from IMLC applicants. Dr. Lilly seconded the motion, and the motion carried.

The Committee considered a written inquiry seeking an opinion from the Board concerning whether a podiatric physician may supervise CRNAs and/or the anesthesia plan of care for operative patients. Dr. Mullins moved that Board staff provide a response to the inquiry indicating that the podiatric physician's scope of practice does not preclude a podiatric physician from performing this function, and the decisions regarding privileging for this purpose should be made at the institutional level in accord with hospital protocol and policies. Mr. Wooton seconded the motion, and the motion carried.

Board staff provided the Committee with the following updates and information:

### **2019 Renewal Cycle**

Renewal will occur in May and June for medical doctors with the last names beginning with M – Z and all podiatric physicians. More information will be available at future meetings.

### **Educational Permit Update**

The Board received 17 educational permit applications in November and December of 2018. To date, the Board has issued 105 permits.

### **Controlled Substance Dispensing Registration Update**

There are currently 473 medical doctors, 16 podiatric physicians, and 30 physician assistants who are registered as controlled substance dispensing practitioners. Since July 1, 2018, 34 new practitioners have registered (16 MDs and 18 PAs) During November and December, the Board processed controlled substance dispensing registration applications for 4 MDs and 7 PAs.

### **Reinstatement and Change of License Status Report**

Board staff have processed 16 reinstatement applications since July 1, 2018. Two applications are currently pending. Board staff have processed seven change of license status from inactive to active applications since July 1, 2018.

**Interstate Medical Licensure Compact Commission (IMLCC)**

In November and December 2018, the Board issued licenses to the following twenty applicants (listed along with their state of principal licensure) through the IMLC application process.

Licensee	State of Principal Licensure
Scott Garret Baginski, MD	WI
Mary Jane Bovo, MD	AL
Terry Chris Chiganos, MD	IL
Dennis DeJesus, MD	NV
Cheryl Elaine DeZayas, MD	AL
Joseph Christopher Farmer, MD	AZ
Ronak Dana Hendry, MD	IL
Elizabeth Chandler Williams Hughes, MD	WA
Tommy Junyoung Kwak, MD	IL
Alex Shokouhi Mohseni, MD	CO
Vishwanatha Subramanya Nadig, MD	KS
Anna Ngoc Nguyen, MD	CO
Rebecca Anne Pifer, MD	IL
Srinivas Parvathareddy Reddy, MD	IL
Scott Taggart Roethle, MD	KS
Alicia Kim Sanchez, MD	WA
Niranjan Seshadri, MD	IL
Umashankar Subramaniam, MD	IA
Holmes Russell Troutman, MD	WA
Jessica Sonita Yoon, MD	CO

Additionally, the Board issued licenses to the following two physicians through the IMLC process earlier this year. Their names were erroneously omitted from previous reporting to the Committee.

King Swee Leong, MD	IL
Brian Keith Privett, MD	IA

In November and December 2018, the Board issued five Letters of Qualification (LOQs) to the following licensees:

Akash Vijaykumar Ajmera, MD  
Joel LeRoy Grow, MD  
Kevin Douglas Maupin, MD  
Gregory Michael Peters, MD  
Zhengyi Wang, MD

The Board declined to issue one LOQ:

Bahar Altaha, MD

The Licensure Committee reviewed and discussed the following list of applicants whose applications did not require an appearance or individualized discussion, which includes 105 initial medical doctor applications, 4 initial medical doctor applications pending receipt of the PICF assessment fee, 8 reactivation of medical license applications and 2 initial podiatric physician applications:

**Applicants for Medical Licensure:**

Iryna Aberkorn, MD  
Imad Ahmado, MD  
Fathia Anwar Bader AlFakeri, MD  
Nicholas James Aquino, MD

Madhu Satya Bajaj, MD  
Aimee Michelle Barton, MD  
Krystal Claire Buchanan, MD

Rogelio Luis Carrera, MD  
Phillip Eugene Carron, MD  
Jesse Limmon Chang, MD  
Josya-Gony Charles, MD  
Scott Brian Chelemer, MD  
Kaleena Christine Chilcote, MD  
Shane Edward Cook, MD  
Raul Gustavo Corredor, MD  
John William Cronin, MD  
Jennifer Lori Cunningham-Farbstein, MD  
Kirstie Lynn Cutlip, MD



**Applicants for Medical Licensure:**

Guy Elise Constant De Gent, MD  
Atiya Fatima Dhala, MD

Ahmad Ramy Abdelrahman Ibrahim Elashery, MD  
Osama Elsallabi, MD  
Nonso Andrew Ezema, MD

Edward Richard Ferguson, Jr., MD  
Beth Ann Fisher, MD  
Dee Walker Ford, MD

Erika Antoinette Gerz, MD  
James William Gigantelli, Jr., MD  
Uri Aaron Laufer Goldberg, MD  
Alina Maria Grigore, MD  
Soleyah Caridad Groves, MD  
Alemeshet Yami Gudeta, MD  
Richa Gupta, MD

Tariq Abdelrahim Faris Hammad, MD  
Tara Melgary Hansen, MD  
Joseph Andrew Hansroth, MD  
Iman Abdel Meguid Hassan, MD  
Gaylord Thomas Hoffert, MD  
Edward Howard Hurley, MD

Mark Ainsley Innis, MD  
Warren Isakow, MD

Jeffrey Phillip Jacobs, MD  
Simha Vivek Jagadeesh, MD  
Bchara Janadri, MD  
Tonya Lynne Johnson, MD

Bruce Alan Kaczmarek, MD  
Thomas Heller Kalb, MD  
Courtney Molnar Kassar, MD  
Flora Katsnelson, MD  
John Athanasios Kazianis, MD  
Urooj Khan, MD  
Faisal Abdulah Khasawneh, MD  
Murad Ma'An Hanna Kheetan, MD  
Edward Francis Kilb, III, MD

**Applicants for Medical Licensure:**

Vanessa Kitzis, MD  
Jaromir Kohout, MD  
Thomas Patrick Krupica, Jr., MD

Barbara Y. Lee, MD  
Jacqueline Kathleen Lekostaj, MD  
Li Li, MD  
Donald Paul Lombardi, MD

Zeba Madni, MD  
Venkateswara Rao Malineni, MD  
Midhun Malla, MD  
Suresh Kumar Manickavel, MD  
John Patrick Mawn, MD  
Erika Ryan Maynard, MD  
Janet Marie McNaughton, MD  
Margaret Leigh Meldrum, MD  
Anthony Michael Migura, MD  
Jimmy Joe Morrison, MD

Frederick Ki-In Nahm, MD  
Myung Hee Nam, MD  
David Mark Nierman, MD  
Francis David Rwampame Ntimba, MD

Roshan Balakrishna Pai, MD  
Aimee Soyun Paik German, MD  
Sukhbir Singh Pannu, MD  
Bankim Udayan Patel, MD  
Kiran Navin Patel, MD  
Allamprabhu Sahebjouda Patil, MD  
Ramayee Periakaruppan, MD  
Bala Prakash, MD

Nagarajan Ramakrishnan, MD  
Lisa Rho, MD  
Scott Burgess Richards, MD  
Paul Rosen, MD

**Applicants for Medical Licensure:**

Mohammad Hassan Saeed, MD  
Kathleen Susan Schwabenbaur, MD  
Gary Weifeng Shih, MD  
Mark Winston Smith, MD  
Sriraman Srinivasan, MD  
Lon Robert Steinberg, MD  
Rael David Sundy, MD

John David Brandon Thomas, Jr., MD  
Andrew David Thompson, MD

Archana Vasudevan, MD  
Ramesh Venkataraman, MD  
Srikrishna Vulava, MD

Barryton Decruse Waanbah, MD  
Michael Mundy Ward, MD  
Jennifer Tumulty Wargo, MD  
Duane Charles Wilson, MD

Amy Hnin Zhang, MD  
Christian Westcott Zoeller, MD

**Applicants for Medical Licensure, payment of PICF fee pending:**

Geoffrey Allan Martin, MD  
Michael Bruce Robins, MD  
Anna Heffernan Rominger, MD  
Alison Marian Spiker, MD

**Applicants for Reactivation of Medical Licensure:**

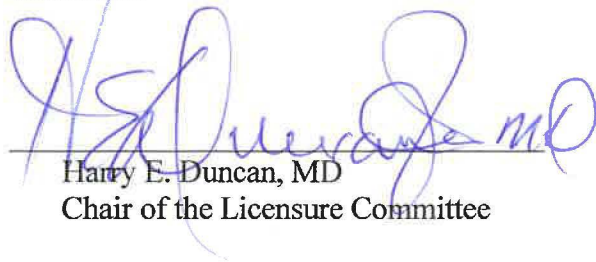
Jon Peter Anderson, MD  
Clement Albert Cahall, MD  
Felicia Kay Cain, MD  
Cheryl Linette Dickason, MD  
David Wayne Mantik, MD  
Michelle Mercia Mouria, MD  
Kevin Ray Shanabrook, MD  
Arthur Lawson Webb, MD

**Applicants for Podiatric Licensure:**

Brett James Dupont, DPM  
Bradley Henry Hoffman, DPM

No conflicts were declared with respect to any of these applicants. Dr. Mullins moved that the Committee recommend that the Board approve the applicants for initial licensure as indicated. Rev. Harman seconded the motion, and the motion carried.

There being no further business, the Licensure Committee adjourned by **ADJOURNMENT** consensus.



Harry E. Duncan, MD  
Chair of the Licensure Committee

**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA WITH ADD-ONS**

**March 9, 2019**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of January 12, 2019 meeting

**APPEARANCES**

- |                           |          |
|---------------------------|----------|
| 1. David Charles Fogarty  | 11:30 am |
| 2. John Stanley Taras, MD | 11:45 am |

LUNCH BREAK

**DISCUSSIONS**

3. Mohamed Chebaclo, MD
4. Choudhury Mohammed Sarwarul Hasan, MD
5. Sunila Mehrotra, MD
6. James Lawrence Fernau, MD
7. Jodi Lynn Long, DPM
8. Seyfi Alper Toker, MD
9. Alison Marian Spiker, MD
10. Ijaz Rasul
11. Ruxandra Faraon-Pogaceanu
12. Omer Wali, MD
13. Ioanna Kanellitsas, MD
14. Sanjoydeb Mukherjee, MD
15. Chioma Vivian Udogu, MD
16. Tushar Nandlad Shah, MD
17. Podiatric Physician Oversight Query
18. Educational Permit Update
19. Reinstatement Update
20. IMLCC Update
21. CSDP Registration Update
22. 2019 Renewal Status Update
23. 2019 Legislative Update

Continued on page 2

**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA WITH ADD-ONS**

**DISCUSSION ADD-ONS**

24. Bruce Miewald, MD
25. Syed Arsalan Khalid, MD
26. Bryan Ross Fine, MD
27. Ebad Ur Rahman, MD
28. Ethan Harold Silver, MD
29. Chukwuemeke Oscar Nkadi, MD
30. Daniel Benjamin Westawski, MD
31. Robert Terry Smith, MD
32. Ishtiaque Hossain Mohiuddin, MD
33. Michael Lawrence Stanchina, MD
34. Ashraf Yehia Youssef Abou-El-Ezz, MD
35. Cherif M. El Younis, MD
36. Malik Moh'd Saleh Hamdan, MD
37. Daniel Dmitry Langleben, MD

**WEST VIRGINIA BOARD OF MEDICINE**

**Licensure Committee Meeting Minutes**

**March 9, 2019**

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The Licensure Committee of the West Virginia Board of Medicine met at 101 Dee Drive, Charleston, West Virginia, on March 9, 2019 at 11:25 am.

The following Committee members were present:

Harry E. Duncan, MD, Chair  
Timothy (Tim) Donatelli, DPM  
Rev. Janet Harman  
Jonathan P. Lilly, MD  
Angela Mayfield  
Victoria (Tori) Mullins, PA-C

The following Committee member was absent:

Russell O. Wooton, Esq.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Deputy Director/General Counsel  
Sheree J. Thompson, Supervisor of Licensing

The following Staff Member was intermittently present throughout the meeting:

Greg S. Foster, Board Attorney

With a quorum present, Dr. Duncan called the meeting to order. The Committee reviewed the draft minutes for the January 12, 2019 meeting. Ms. Mayfield noted that a correction was needed to the proposed minutes to correct a misnomer on page 2, line 6. Rev. Harman moved that the Committee approve the minutes of its January 12, 2019 meeting with Ms. Mayfield's suggested amendment incorporated. Ms. Mayfield seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

**APPEARING  
APPLICANTS**

**David Charles Fogarty, MD** appeared before the Committee in support of his application for medical license reactivation. Dr. Fogarty was previously licensed by the Board, but his license expired on June 30, 2012. After a thorough discussion with Dr. Fogarty, Ms. Mullins moved that the Committee recommend that the Board grant the applicant reactivation of licensure to practice medicine and surgery in West Virginia. Dr. Lilly seconded the motion, and the motion carried.

**John Stanley Taras, MD** appeared before the Committee in support of his application for a medical license. After a thorough discussion with Dr. Taras, Rev. Harman moved that the Committee recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Dr. Lilly seconded the motion, and the motion carried.

**DISCUSSIONS**

**Mohamed Chebaclo, MD** was scheduled to appear before the Committee today in support of his application for licensure. However, on March 4, 2019, Dr. Chebaclo communicated to the Board that he would not be able to appear due the illness of a family member. Rev. Harman moved that the Committee reschedule the applicant's appearance for May 2019. Dr. Lilly seconded the motion, and the motion carried.

**Choudhury Mohammed Sarwarul Hasan, MD** was scheduled to appear before the Committee today in support of his application for medical licensure. However, on February 26, 2019, Dr Hasan communicated to the Board that he would not be able to appear due to a job interview for a position in New York state. Rev. Harman moved that the Committee reschedule the applicant's appearance for May 2019, or if his practice plans have changed, offer him the opportunity to request withdrawal of his application. Ms. Mayfield seconded the motion, and the motion carried.

**Sunila Mehrotra, MD** was scheduled to appear before the Committee today in support of her application for licensure reactivation. However, on March 4, 2019, Dr.



Mehrotra communicated to the Board that she would not be able to appear due to a personal matter. Dr Lilly moved that the Committee reschedule the applicant's appearance for May 2019. Ms. Mullins seconded the motion, and the motion carried.

**James Lawrence Fernau, MD** appeared before the Committee at its January meeting in support of his application for medical license reactivation. Dr. Fernau was previously licensed by the Board, but his license expired on June 30, 2008. Dr. Fernau's application was placed on hold and he was given the opportunity to supplement his application. After review of the additional information at its March meeting, Dr. Lilly moved that Dr. Fernau's application remain on hold and that Dr. Fernau be provided a copy of both his previously withdrawn application from 2014 and his current 2018 application for submission of an explanation of the discrepancy between the information provided in the two applications. Rev. Harman seconded the motion, and the motion carried.

**Jodi Lynn Long, DPM** was offered an opportunity to be licensed via Consent Order after her appearance before the Committee in November 2018. The proposed Consent Order would have restricted Dr. Long from practicing surgical podiatric medicine until she had completed a specific proctoring regimen. Dr. Long failed to accept the Consent Order by the established deadline. The Committee reviewed and discussed communications between Dr. Long and the Board since the November Committee meeting and placed her application on hold until the March meeting. The Committee offered Dr. Long the opportunity to request to withdraw her application for podiatric license. On January 9, 2019, Dr. Long submitted a written request to withdraw her application. Rev. Harman moved that the Committee recommend that the Board grant Dr. Long's withdrawal request. Ms. Mullins seconded the motion, and the motion carried.

**Seyfi Alper Toker, MD** appeared before the Committee at its January meeting. His application was placed on hold pending receipt of additional information in the form

of letters of reference from physicians currently practicing in the United States who are familiar with Dr. Toker and his practice of cardiothoracic medicine. Dr. Lilly moved that the Committee recommend to the Board that Dr. Toker be approved for Restricted Licensure in Extraordinary Circumstance and that the Board make the following findings:

- 1) Dr. Toker has exceptional education, training and practice credentials, including:
  - a. He is an internationally renowned leader in the practice of thoracic surgery;
  - b. He has conducted leading research in cardiovascular surgery, tracheal reconstruction and lung transplantation;
  - c. He is past president (2014-2015) of the European Society of Thoracic Surgeons, which is the largest international association of thoracic surgeons;
  - d. He is a member of the American Association for Thoracic Surgery, the most prestigious thoracic association in the world;
  - e. He is recognized by the International Thymic Malignancy Interest Group as a pioneer in robotic mediastinal surgery; and
  - f. He is currently Professor and Head of Thoracic Surgery at Istanbul Medical School, Istanbul University.
- 2) Dr. Toker's practice in the state would be beneficial to the public welfare because West Virginia has the highest cancer rates in the country, including lung cancer. Additionally, West Virginia has an alarming rate of black lung diagnoses, and many black lung patients will eventually require lung transplants. Dr. Toker's skills and expertise will fill an existing service gap for these patients.
- 3) Dr. Toker's specialty is thoracic surgery, and there is a need for this specialty in West Virginia because West Virginia does not currently have a lung transplant program.
- 4) The applicant's education, training and practice credentials are substantially equivalent to the requirements of licensure established in W. Va. Code §30-3-10(b). While Dr. Toker's education and training occurred outside of the United States and are not, standing alone, substantially equivalent to the licensure requirements in this state his superior research, extensive clinical experience, renowned scholarship, including over 120 peer reviewed publications and contributions to leading texts books in his field, his lengthy faculty appointments, and his international leadership in thoracic surgery satisfy this requirement.
- 5) Dr. Toker received more than nine years of medical postgraduate training

outside of the United States and its territories.

- 6) Dr. Toker has no professional discipline which would render him ineligible for an extraordinary circumstances license.
- 7) Dr. Toker is eligible for a restricted license in extraordinary circumstances.

Dr. Lilly further moved that, based upon these findings, the Committee recommend that the Board grant Dr. Toker a restricted license in extraordinary circumstances restricted to the practice of **thoracic medicine and surgery** at West Virginia University in Morgantown, West Virginia, pending receipt of the PICF fee. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Allison Marian Spiker, MD**. Dr. Spiker's application was approved for licensure pending payment of the PICF fee at the January 2019 Board meeting. Thereafter, Dr. Spiker communicated to the Board on January 13, 2019, that she may not be proceeding with her licensure application. In a follow-up phone conversation with Board staff she stated she wished to withdraw her application and was directed to put her request in writing. She has not submitted a written request for withdrawal of her application. Rev. Harman declared a conflict with respect to this application. Rev. Harmon disclosed that she has a conflict because Dr. Spiker is a member of her congregation. After declaring a conflict, Rev. Harmon exited the meeting room and was absent for all discussion and action regarding this application. Ms. Mullins moved that Dr. Spiker's application be placed on hold pending receipt of either payment of the PICF fee by Dr. Spiker, Dr. Spiker's submission of a written request to withdraw her application. Ms. Mayfield seconded the motion, and the motion carried. Rev. Harmon returned to the meeting room at this time.

The Committee reviewed and discussed the application of **Ijaz Rasul, MD**. Dr. Rasul's application was approved for licensure pending payment of the PICF fee at the November 2018 Board meeting. The Committee reviewed extensive communications with Dr. Rasul concerning his request for a waiver of the PICF fee. Dr. Lilly moved that

Dr. Rasul's application be placed on hold pending either receipt of payment of the PICF fee, Dr. Rasul's appearance in support of his request to waive the fee at the May 2019 meeting, or in lieu of his appearance, submission of a written request for withdrawal of his application for licensure. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Ruxandra Faraon-Pogaceanu, MD** for medical licensure. Dr. Lilly moved that the Committee request the applicant's appearance at its May 2019 meeting. Rev. Harmon seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Omer Wali, MD** for medical licensure. Dr. Donatelli moved that the Committee approve Dr. Wali's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Ioanna Kanellitsas, MD** for medical licensure. Rev. Harman moved that the Committee approve Dr. Kanellitsas' application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Sanjoydeb Mukherjee, MD** for medical licensure. Rev. Harman moved that the Committee approve Dr. Mukherjee's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Chioma Vivian Udogu, MD** for medical licensure. Dr. Lilly moved that the Committee approve Dr. Udogu's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Tushar Nandlad Shah, MD** for reactivation of medical licensure. Rev. Harman moved that the Committee approve Dr. Shah's application and recommend that the Board grant the applicant reactivation of licensure to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Syed Arsalan Khalid, MD** for medical licensure. Rev. Harman moved that the Committee request the applicant's appearance at its May 2019 meeting. Dr. Lilly seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Bryan Ross Fine, MD** for medical licensure. Ms. Mullins moved that Dr. Fine be provided a copy of documentation submitted to the Board in association with his Good Moral Character Statement and that the Committee request the applicant's appearance at its May 2019 meeting. Rev. Harman seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Ebad Ur Rahman, MD** for medical licensure. Rev. Harman moved that the Committee request the applicant's appearance at its May 2019 meeting. Dr. Donatelli seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Ethan Harold Silver, MD** for medical licensure. Rev. Harman moved that the Committee approve Dr. Silver's

application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Dr. Lilly seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Chukwuemeke Oscar Nkadi, MD** for medical licensure. Dr. Lilly moved that the Committee approve Dr. Nkadi's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Daniel Benjamin Westawski, MD** for medical licensure. Dr. Lilly moved that the Committee approve Dr. Westawski's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Robert Terry Smith, MD** for medical licensure. Ms. Mullins moved that the Committee approve Dr. Smith's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Rev. Harman seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Ishtiaque Hossain Mohiuddin, MD** for medical licensure. Rev. Harman moved that the Committee approve Dr. Mohiuddin's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Michael Lawrence Stanchina, MD** for medical licensure. Rev. Harman moved that the Committee approve Dr. Stanchina's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Ashraf Yehia Youssef Abou-El-Ezz, MD** for medical licensure. The applicant could not obtain primary source verification of his medical school education from the University of Alexandria in Egypt. In accordance with Board policy for schools located in countries experiencing civil unrest, the applicant requested letters from two classmates attesting they attended medical school with the applicant. The Committee reviewed the submitted correspondence. Rev. Harman moved that the Committee accept Dr. Abou-El-Ezz's medical school education as satisfactorily verified, approve Dr. Abou-El-Ezz's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Dr. Donatelli seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Cherif M. El Younis, MD** for medical licensure. The applicant could not obtain primary source verification of his medical school education from Ain Shams University in Cairo, Egypt. In accordance with Board policy for schools located in countries experiencing civil unrest, the applicant requested letters from two classmates attesting they attended medical school with the applicant. The Committee reviewed the submitted correspondence. Dr. Donatelli moved that the Committee accept Dr. El Younis' medical school education as satisfactorily verified, approve Dr. El Younis' application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Dr. Lilly seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Malik Moh'd Saleh Hamdan, MD** for medical licensure. Dr. Hamdan's medical school, October 6 University

Faculty of Medicine in Egypt, inadvertently sent only the first page of the two-page medical school verification form. The correct form is expected in five days and Dr. Hamdan completes his residency training on March 31, 2019. Ms. Mullins moved that the Committee recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending receipt of satisfactory verification of his medical school education. Rev. Harman seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Daniel Dmitry Langleben, MD** for medical licensure. Dr. Langleben's medical school, Hadassah Medical School Hebrew University in Jerusalem, Israel, was only provided the first page of the two-page medical school verification form. The correct form is expected in two days. Dr. Donatelli moved that the Committee recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending receipt of satisfactory verification of his medical school education. Ms. Mullins seconded the motion, and the motion carried.

In January, the Staff reported on a situation involving an IMLC applicant that the Board could not reach at the contact information provided by him or on his behalf. Since January, Board staff obtained new contact information for the applicant from another licensing board. The applicant has been contacted by telephone and is no longer interested in pursuing licensure in West Virginia due to a change in his practice. He indicated that he will submit a request to withdraw his application. The Committee was advised that the application will be kept on hold pending request for withdrawal. Dr. Lilly moved that the Committee authorize the Executive Director to follow-up with the IMLCC on applicant address issues and concerns at a future IMLCC meeting. Ms. Mayfield seconded the motion, and the motion carried.

#### **Podiatric Scope of Practice Inquiry**

The Committee revisited an inquiry it received in January 2019 requesting clarification on CRNA supervision. The inquiry seeks an opinion from the Board on



whether the podiatric scope of practice includes supervision of CRNAs and the anesthesia plan of care. The Committee directed staff to notify the requesting hospital that the Board recommends that the best practice is for anesthesiologists to provide oversight of CRNAs and anesthesia plans of care with respect to podiatric surgical procedures.

Board staff provided the Committee with the following updates and information:

### **2019 Renewal Cycle**

The 2019 renewal schedule for licenses other than PAs is:

April 1, 2019 - June 28, 2019: Educational permits

May 1, 2019 - June 28, 2019: Physicians M-Z  
Podiatric Physicians  
Controlled Substance Dispensing Practitioner Registration  
for Physicians M-Z and Podiatric Physicians  
PLLCs

The Board will mail each podiatric physician and PLLC a renewal application prior to May 1, 2019. Physician renewal will be online.

### **Educational Permit Update**

The Board received 1 educational permit application in January and February 2019. To date, the Board has issued 106 permits. Educational permits, including reciprocal permits for out of state residents completing rotations in West Virginia, become mandatory, effective July 1, 2019. The Board anticipates a significant volume of initial applications in the spring.

Ms. Thompson informed the Committee that requests were being received for verification of issued educational permits. Ms. Mayfield moved to recommend that staff process verification of educational permits for the same \$25 fee as is customary for in house verification of licensure. Dr. Lilly seconded the motion and the motion carried.

### **Controlled Substance Dispensing Registration Update**

There are currently 476 medical doctors, 16 podiatric physicians, and 31 physician assistants who are registered as controlled substance dispensing practitioners. Since July 1, 2018, 37 new practitioners have registered (18 MDs and 19 PAs) During January and February, the Board processed controlled substance dispensing registration applications for 3 MDs and 1 PA.

### **Reinstatement and Change of License Status Report**

Board staff have processed 20 reinstatement and eight change of status from inactive to active applications since July 1, 2018. Four reinstatement and four change of status applications are currently pending.

### **Interstate Medical Licensure Compact Commission (IMLCC)**

The following twenty applicants listed along with their state of principal licensure were granted permanent medical licensure through an IMLC application in January and February 2019.

#### **State of Principal Licensure**

#### **Names of Licensees**

AL	Tommek Michele Archinard, MD
IL	Nana Frema Atuahene, MD
CO	Elizabeth Hauslein Buell, MD
CO	John Patrick Dutton, MD
WI	Richard Wesley Ellison, MD
NV	Muhammad Khalid Gondal, MD
MS	Moneera Nur Haque, MD
UT	Clarence Richard Henriksen, MD
ME	Jerri Lynne Jensen, MD
AL	Tommeka Michele Archinard, MD
WA	Gene Hyung Lee, MD
AZ	Jeffrey Lawrence Lieberman, MD

**State of Licensure  
Principal**

**Names of Licensees**

WA	Martin Maimon, MD
WA	Diane Whelton McCarthy, MD
CO	Amanda Marie McSweeney, MD
NE	Samuel Harry Mehr, MD
ME	Garri Priyampolskiy, MD
AZ	Francisco Rafael Rivera Pabon, MD
MT	James Edwin Stone, MD
WI	Angie Roseanne Taras, MD
CO	Joseph Anthony Zaremba, MD

In January and February 2019, the Board issued four Letters of Qualification (LOQs) to the following licensees:

Mary Elizabeth Faw, MD  
David Lee Groten, MD  
Lauretha Uzoamaka Rogers, MD  
Stephanie Ann Salas, MD

The Licensure Committee received a list of applicants whose applications did not require an appearance or individualized discussion, which includes 96 initial medical doctor applications, 3 initial medical doctor applications pending receipt of the PICF assessment fee, 9 reactivation of medical license applications and 1 initial podiatric physician application. Members of the Committee reviewed the list for conflicts.

Rev. Harman declared a conflict with respect to initial medical doctor applicant William James Artrip, IV. Rev. Harmon disclosed that she has a conflict because Dr. Artrip is a member of her congregation. After declaring a conflict, Rev. Harmon exited the meeting room and was absent for all discussion and action regarding this application. Ms. Mullins moved that the Committee approve Dr. Artrip's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried. Rev. Harmon returned to the meeting room at this time.

No other conflicts having been declared with respect to the remaining 95 applications for initial medical licensure, Dr. Donatelli moved that the Committee approve the following applications and recommend that the Board grant each applicant a license to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.

**Applicants for Medical Licensure:**

Faith Aiguekeagbon Aimua, MD  
Ahlim M Omer A Al Sanani, MD  
Douglas James Alden, MD  
Amar Muniyappa Amaresh, MD  
Johat Aponte, MD  
Mack Joe Arroliga, MD  
William James Artrip, IV, MD  
Jean-Edson Belcourt, MD  
Lonnie Lee Berry, MD  
Parth Jayprakashbhai Bhatt, MD  
Lynsey Allen Smith Biondi, MD  
Atif Butt, MD  
Anna Lynne Carpenter, MD  
Vishy Chaudhary, MD  
Monica Chowdhry, MD  
William Patrick Conroy, MD  
Deborah Jo Conway, MD  
Jesse Newton Cottrell, MD  
Emily Ellen Crocetti, MD  
Catherine Isabel Dalton, MD  
Steven Quinton Davis, MD  
Hassan Dbouk, MD  
Gina Adel Elhammady, MD  
David Michael Erani, MD  
Sheila Marie Garcia Santana, MD  
David Allen Gay, MD  
Aarti Goswami, MD  
Racine Shmay Gue, MD  
Yasmin Shamshuddin Hamirani, MD  
Arash Hassantoufighi, MD  
Henry John Iwinski, Jr., MD  
Romel Izauierdo Mera, MD  
Amir Shahzad Kamran, MD  
Sayanika Kaur, MD

**Applicants for Medical Licensure:**

Katrin Kiavash, MD  
Isabelle Catherine Kopec, MD  
Raju Prasad Krishna, MD  
Henry Michel Kurban, MD  
Fawn Michelle Langerman, MD  
Rebecca J. Lee, MD  
Gayatri Wallata-Zion Kamala Lessey, MD  
Fadi Makari, MD  
Bruce Lee McHam, MD  
Mina Mecheal Benjamin Mehanni, MD  
Lin Mei, MD  
Hal Steven Meltzer, MD  
Richard Alan Meter, MD  
Konstantin Millerman, MD  
Nathaniel Joseph Mohny, MD  
Girish Rudra Naik Mood, MD  
Robert Mark Mordkin, MD  
Ryan David Muchow, MD  
Charles Tonderai Mupamombe, MD  
Minh Duc Nguyen, MD  
Stephen Gbejule Odaibo, MD  
Gbemisola Mayokun Olayemi, MD  
Dane Christopher Olevian, MD  
Joanne Mary Ondrush, MD  
Patrick Francis O'Neil, MD  
Dragana Orlovic, MD  
Rahul Kanhaiya Lal Pandey, MD  
Kimberly Marie Pezzone, MD  
Vincent William Prusick, MD  
William Kimberly Raboff, MD  
Sneha Nanjundiah Raghunath, MD  
Janet Frances Robinson Waters, MD  
Ronald Joseph Ruskowski, MD  
Marwan Saad Mohamad Saad, MD  
Rachel Emily Sackrowitz, MD  
Pooja Sahni, MD  
Shameen Abdul Salam, MD  
Tarek Hamad Soliman Salman , MD  
Anurag Satsangi, MD  
Nabeel Jalal Sawaged, MD  
Mitchell Lonny Schwartz, MD  
Maziar Seyedian, MD  
Mazin Shackour, MD

**Applicants for Medical Licensure:**

Sumaira Shafi, MD  
Kavit Bhartendu Shah, MD  
Moazzam Shahzad , MD  
Glenn Iver Sharfin, MD  
Sunil Sharma, MD  
Peter Jeffrey Sloane, MD  
Lawanna Marie Starks, MD  
Orli Stern, MD  
Jeremy Patrick Stich, MD  
Sanjay Suwal, MD  
Sunita Tulachan, MD  
Tina Chen Twu, MD  
Lawrence Eugene Wilson, Jr., MD  
Matthew Harry Wong, MD  
Kerri Michelle Woodberry, MD  
Emad Nasr Yacoub, MD  
Joseph Abraham Zacharias, MD  
Samrah Zaigham, MD  
Vikram Philip Zadoo, MD

No conflicts having been declared with respect to the three applicants for initial medical licensure pending payment of the PICF fee, Ms. Mullins moved that the Committee approve the following applications and recommend that the Board grant each applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Rev. Harmon seconded the motion, and the motion carried.

**Applicants for Medical Licensure, payment of PICF fee pending:**

Raja Nanda Gopal Mogallapu, MD  
Amar Raju Patel, MD  
Luis Alberto Puchi, MD

Dr. Lilly declared a conflict with respect to a medical doctor applicant for reactivation of licensure, Jeffrey Wayne Hively. Dr. Lilly disclosed that he has a recent business relationship with a family member of the applicant. After declaring a conflict,

Dr. Lilly exited the meeting room and was absent for all discussion and action regarding this application. Ms. Mayfield moved that the Committee approve Dr. Hively's application and recommend that the Board grant the applicant reactivation of licensure to practice medicine and surgery in West Virginia. Rev. Harmon seconded the motion, and the motion carried. Dr. Lilly returned to the meeting room at this time.

No other conflicts having been declared with respect to the remaining 8 applicants for initial medical licensure pending payment of the PICF fee, Ms. Mullins moved that the Committee approve the following applications and recommend that the Board grant each applicant reactivation of licensure to practice medicine and surgery in West Virginia. Rev. Harmon seconded the motion, and the motion carried.

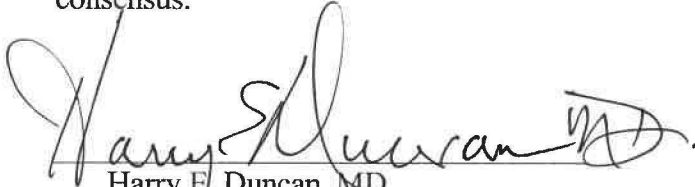
**Applicants for Reactivation of Medical Licensure:**

Ernest Frank Baldwin, III, MD  
Rut Dinkar Dholakia, MD  
Jeffrey Wayne Hively, MD  
Richard John Mailloux, MD  
Fauzia Naeem Rana, MD  
Rebecca Marie Reece, MD  
Scott Andrew Riley, MD  
Janet Lynn Walker, MD  
Beverly Jean Davis Yamour, MD

Dr. Donatelli moved that the Committee approve Jana Atik, DPM's application for podiatric licensure and recommend that the Board grant the applicant a license to practice podiatric medicine and surgery in West Virginia. Dr. Lilly seconded the motion, and the motion carried.

There being no further business, the Licensure Committee adjourned by **ADJOURNMENT**

consensus.



Harry E. Duncan, MD  
Chair of the Licensure Committee



**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA**

**May 18, 2019**

**CALL TO ORDER**

**LICENSURE COMMITTEE REVIEW AND ACTION**

Approval of Minutes of March 9, 2019 meeting

**APPEARANCES**

- |                            |          |
|----------------------------|----------|
| 1. Syed Arsalan Khalid, MD | 11:00 am |
| 2. Ebad Ur Rahman, MD      | 11:20 am |
| 3. Mohamed Chebaclo, MD    | 11:40 am |

LUNCH BREAK

- |                                  |         |
|----------------------------------|---------|
| 4. Ruxandra Faraon-Pogaceanu, MD | 1:00 pm |
|----------------------------------|---------|

**DISCUSSIONS**

5. Sunila Mehrotra, MD
6. Choudhury Mohammed Sarwarul Hasan, MD
7. Bryan Ross Fine, MD
8. Alison Marian Spiker, MD
9. Bruce Miewald, MD
10. Michael Hosny Gabriel
11. James Lawrence Fernau, MD
12. Ijaz Rasul, MD
13. Susan Kaufman Arnoult, MD
14. Alex Yazhbin, MD
15. Leon Browning McNealy, MD
16. Eric Alfon, MD
17. Humpartzoom J. Kojian, II, MD
18. Ellis Senanu Kojo Sampram, MD
19. Hany Lotfy Youssef, MD
20. Robert Lynn Horne, MD
21. Samir Mahendra Shah, MD
22. Timothy Keefe Bowers, Jr., MD
23. Adesoji Adeolu Adenigbagbe, MD
24. Robert David Rubin, MD
25. Richard Shameed Mohammed, MD
26. Jason Andrew Bennett, MD
27. Geertruida Kints, MD
28. Melissa Rife Larzo, MD
29. Bruce Lawrence Lasker, MD
30. Walid Mohamed Radwan, MD
31. Anthony Todde Securo, MD

**continued**

**WEST VIRGINIA BOARD OF MEDICINE  
LICENSURE COMMITTEE AGENDA**

**May 18, 2019**

**Page two**

**DISCUSSIONS continued**

32. Educational Permit Update
33. Reinstatement Update
34. IMLCC Update
35. CSDP Registration Update
36. 2019 Renewal Status Update
37. 2019 Legislative Update
38. Previous Committee Pending Actions Update – Add-on

**WEST VIRGINIA BOARD OF MEDICINE**  
**Licensure Committee Meeting Minutes**  
**May 18, 2019**

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The Licensure Committee of the West Virginia Board of Medicine met at 101 Dee Drive, Charleston, West Virginia, on May 18, 2019 at 10:30 am.

The following Committee members were present:

Harry E. Duncan, MD, Chair  
Rev. Janet Harman  
Angela Mayfield  
Tori Mullins, PA-C  
Russell O. Wooton, Esq.

The following Committee members were absent:

Timothy (Tim) Donatelli, DPM  
Jonathan P. Lilly, MD

The following Staff members were present:

Jamie S. Alley, Deputy Director/General Counsel  
Sheree J. Thompson, Supervisor of Licensing  
Greg S. Foster, Board Attorney

With a quorum present, Dr. Duncan called the meeting to order. The Committee reviewed the minutes for the March 9, 2019 meeting. Rev. Harman moved that the Committee approve the minutes of its March 9, 2019 meeting. Ms. Mayfield seconded the motion, and the motion carried.

**CALL TO  
ORDER**

**APPROVAL  
OF PUBLIC  
MINUTES**

**Syed Arsalan Khalid, MD** appeared before the Committee in support of his application for a medical license. After a thorough discussion with Dr. Khalid, Ms.

**APPEARING  
APPLICANTS**

Mullins moved that the Committee recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Mr. Wooton seconded the motion, and the motion carried.

**Ebad Ur Rahman, MD** appeared before the Committee in support of his application for a medical license. After a thorough discussion with Dr. Rahman, Mr. Wooton moved that the Committee recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Ms. Mullins seconded the motion, and the motion carried.

**Mohamed Chebaclo, MD** appeared before the Committee in support of his application for a medical license. After a thorough discussion with Dr. Chebaclo, Mr. Wooton moved that the Committee recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia contingent upon his acceptance of a Consent Order which imposes a \$500 fine for failing to disclose action against his Kentucky license on his West Virginia application. The Consent Order would also affirmatively require Dr. Chebaclo to personally complete all future West Virginia license applications, renewals and otherwise. Rev. Harman seconded the motion, and the motion carried.

**Ruxandra Faraon-Pogaceanu, MD** appeared before the Committee in support of her application for a medical license. After a thorough discussion with Dr. Faraon-Pogaceanu, Rev. Harman moved that the Committee recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Mr. Wooton seconded the motion, and the motion carried.

**Sunila Mehrotra, MD** was scheduled to appear before the Committee today in support of her application for licensure reactivation. However, on May 13, 2019, Dr. Mehrotra communicated to the Board that she would like to withdraw her application for

**DISCUSSIONS**

reactivation. Rev. Harman moved that the Committee recommend that the Board grant Dr. Mehrotra's withdrawal request. Ms. Mullins seconded the motion, and the motion carried.

**Choudhury Mohammed Sarwarul Hasan, MD** was scheduled to appear before the Committee today in support of his application for medical licensure. However, on May 1, 2019, Dr Hasan communicated to the Board that his practice plans had changed, and he would like to withdraw his application for licensure. Mr. Wooton moved that the Committee recommend that the Board grant Dr. Hasan's withdrawal request. Ms. Mayfield seconded the motion, and the motion carried.

**Bryan Ross Fine, MD** was scheduled to appear before the Committee today, however, in lieu of his appearance Dr. Fine requested that the Committee accept his written addendum to his application. The Committee reviewed and discussed the addendum and determined that it satisfactorily resolved the need for a personal appearance. Ms. Mullins moved that the Committee recommend that the Board accept Dr. Fine's explanation and that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Rev. Harman seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Allison Marian Spiker, MD**. Dr. Spiker's application was approved for licensure pending payment of the PICF fee at the January 2019 Board meeting. On January 13, 2019, Dr. Spiker communicated to the Board that she may not be proceeding with her licensure application, however, she did not submit a written request to withdraw her application at that time. On May 15, 2019, Dr. Spiker submitted a request to withdraw her application for licensure which was presented to the Committee for consideration today. Rev. Harman declared a conflict with respect to this application. Rev. Harman disclosed that she has a conflict because Dr. Spiker is a member of her congregation. After declaring a conflict, Rev. Harman exited the meeting room and was absent for all discussion and action

regarding this application. Ms. Mullins moved that the Committee recommend that the Board grant Dr. Spiker's withdrawal request. Ms. Mayfield seconded the motion, and the motion carried. Rev. Harman returned to the meeting room at this time.

The application of **Michael Hosny Gabriel, MD** is before the Committee today for consideration of his request to withdraw his application in lieu of proceeding to a denial hearing. The Committee reviewed and discussed the applicant's request for withdrawal. At its regular meeting on January 14, 2019, the Board considered the matter of Dr. Gabriel's medical licensure application. After receiving a recommendation from the Licensure Committee, the Board provisionally refused Dr. Gabriel's application for a West Virginia medical license based upon its preliminary determination that Dr. Gabriel failed to meet his burden of satisfying the Board that he is qualified for licensure. The Board made a preliminary determination that that Dr. Gabriel is unqualified for medical licensure pursuant to W. Va. Code § 30-3-14(d) and further concluded that probable cause exists to deny Dr. Gabriel's application pursuant to certain provisions of the West Virginia Medical Practice Act and the Board's legislative rules. After Dr. Gabriel was provided with the Board's preliminary decision, he exercised his right to request a public hearing to adjudicate the merits of his application. The Board issued a Notice of Hearing and scheduled a hearing. Since that time, Dr. Gabriel has requested that the hearing be continued and has requested, through counsel, the opportunity to withdraw his application in lieu of proceeding to a license denial hearing. After a lengthy discussion, Mr. Wooton moved that the Committee recommend that the Board grant Dr. Gabriel's withdrawal request. Ms. Mullins seconded the motion, and the motion carried.

**James Lawrence Fernau, MD** appeared before the Committee at its January meeting in support of his application for medical license reactivation. Dr. Fernau was previously licensed by the Board, but his license expired on June 30, 2008. Dr. Fernau's application was placed on hold and he was given the opportunity to supplement his application. After review of the additional information at its March meeting, Dr. Fernau's application remained on hold and he was provided a copy of both his previously

withdrawn application from 2014 and his current 2018 application for submission of an explanation of the discrepancy between the information provided in the two applications. Dr. Fernau did not respond by the deadline. Rev. Harman moved that Dr. Fernau's application remain on hold for an opportunity to respond to the Committee's previous request. Ms. Mayfield seconded the motion, and the motion carried.

The Committee received an update from Board staff concerning the status of the application of **Ijaz Rasul, MD**. Dr. Rasul's application was approved for licensure pending payment of the PICF fee at the November 2018 Board meeting. The Committee reviewed extensive communications with Dr. Rasul concerning his request for a waiver of the PICF fee at its March meeting. Dr. Rasul's application was placed on hold pending either receipt of payment of the PICF fee, Dr. Rasul's appearance in support of his request to waive the fee at the May 2019 meeting, or in lieu of his appearance, submission of a written request for withdrawal of his application for licensure. Dr. Rasul paid the PICF fee and was issued a license on March 13, 2019.

The Committee reviewed and discussed the application of **Susan Kaufman Arnoult, MD** for medical licensure. Ms. Mayfield moved that Dr. Arnoult's application be placed on hold pending receipt of additional information. Rev. Harman seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Alex Yazhbin, MD** for medical licensure. Ms. Mullins moved that the Committee request the applicant's appearance at its July 2019 meeting. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Leon Browning McNealy, MD** for medical licensure. Rev. Harman moved that the Committee request the applicant's appearance at its July 2019 meeting. Mr. Wooton seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Eric Alfon, MD** for medical licensure. Ms. Mullins moved that the Committee request the applicant's appearance at its July 2019 meeting, or in lieu of appearing, that he be given the opportunity to withdraw his application. Mr. Wooton seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Humpartzoom James Kojian, II, MD** for medical licensure. Ms. Mullins moved that the Committee request the applicant's appearance at its July 2019 meeting or, in lieu of appearing, that he be given the opportunity to withdraw his application. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Ellis Senanu Kojo Sampram, MD** for medical licensure. Ms. Mayfield moved that the Committee request the applicant's appearance at its July 2019 meeting. Rev. Harman seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Hany Lotfy Youssef, MD** for reactivation of medical licensure. Rev. Harman moved that the Committee approve Dr. Youssef's application and recommend that the Board grant the applicant reactivation of licensure to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Robert Lynn Horne, MD** for medical licensure. Ms. Mullins moved that the Committee approve-Dr. Horne's application and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.



The Committee reviewed and discussed the application of **Samir Mahendra Shah, MD** for medical licensure. Ms. Mayfield moved Dr. Shah's application be placed on hold pending additional information from the applicant and his residency program. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Timothy Keefe Bowers, Jr., MD** for reactivation of medical licensure. Ms. Mullins moved that the Committee recommend that the Board grant the applicant reactivation of licensure to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Adesoji Adeolu Adenigbagbe, MD** for medical licensure. Ms. Mayfield moved that the Committee recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Rev. Harman seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Robert David Rubin, MD** for medical licensure. Ms. Mullins moved that the Committee approve Dr. Rubin's request to placed his application on hold until the July 2019 meeting of the Board, at which time it may be presented without individual discussion. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Richard Shameed Mohammed, MD** for medical licensure. Rev. Harmon moved that the Committee approve Dr. Mohammed's request to placed his application on hold until the July 2019 meeting of the Board, at which time it may be presented without individual discussion. Mr. Wooton seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Jason Andrew Bennett, MD** for medical licensure. Rev. Harman moved that the Committee recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia. Ms. Mullins seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Geertruida Kints, MD** for a change of licensure status from inactive to active. Ms. Mullins moved that Dr. Kints' application be placed on hold pending receipt of additional information. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the application of **Melissa Rife Larzo, MD** for a change of licensure status from inactive to active. Ms. Mayfield moved that the Committee request the applicant's appearance at its July 2019 meeting. Rev. Harman seconded the motion, and the motion carried.

The Committee reviewed and discussed the reinstatement of licensure application of **Bruce Lawrence Lasker, MD**. Ms. Mullins moved that the Committee request the applicant's appearance at its July 2019 meeting. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed the request of **Anthony Todde Securo MD** to modify the terms of his October 26, 2017 Consent Order. Mr. Wooton moved that the Committee request Dr. Securo's appearance at its July 2019 meeting. Ms. Mayfield seconded the motion, and the motion carried.

The Committee reviewed and discussed correspondence from a licensee currently under Consent Order with the Board that identifies possible non-compliance with the terms of the Consent Order. The Committee determined to refer this matter to the Complaint Committee for possible disciplinary action.

In January, the Staff reported on a situation involving an IMLC applicant that the Board could not reach at the contact information provided by him or on his behalf. Since January, Board staff obtained new contact information for the applicant from another licensing board. The application was kept on hold pending his written request to withdraw his application which was submitted March 12, 2019. The applicants IMLC license application has been formally withdrawn.

Board staff provided the Committee with the following updates and information:

**Update on Applications Previously Pending Before the Committee**

**Applicants issued licenses after the March 2019 meeting who were approved pending payment of the PICF fee:**

<b><u>Issue Date</u></b>	<b><u>Licensee</u></b>
March 11	Raja Nand Gopal Mogallapu, MD
March 12	Ishtiaque Hossain Mohiuddin, MD
March 12	Sanjoydeb Mukherjee, MD
March 11	Amar Raju Patel, MD
March 11	Luis Alberto Puchi, MD
March 13	Ethan Harold Silver, MD
March 12	Robert Terry Smith, MD
March 11	John Stanley Taras, MD
March 13	Daniel Benjamin Westawski, MD

**Applicants issued licenses after the March 2019 meeting who were approved pending receipt of satisfactory verification of medical education:**

<b><u>Issue Date</u></b>	<b><u>Licensee</u></b>
March 15	Malik Moh'd Saleh Hamdan, MD
April 3	Daniel Dmitry Langleben, MD

### **Reinstatement and Change of License Status Report**

Board staff have processed 25 reinstatement and 13 change of status from inactive to active applications since July 1, 2018. Five applications are currently pending.

### **Educational Permit Update**

Board staff reported that 106 optional educational permits were issued for the training year ending June 30, 2019. Initial and renewal applications are arriving in preparation for the July 1, 2019 deadline for all graduate training program participants to obtain a permit. As of May 16, 2019, approximately 47 renewal and 303 initial applications for the training period July 1, 2019 to June 30, 2020 have been received and are in process. Board staff estimates that number is roughly 40% of the expected volume.

### **Controlled Substance Dispensing Registration Update**

Board staff reported there are currently 479 medical doctors, 16 podiatric physicians, and 33 physician assistants who are registered as controlled substance dispensing practitioners. During March and April, the Board processed controlled substance dispensing registration applications for 1 physician and 8 PAs.

### **2019 Renewal Cycle**

Board staff reported that license renewal and Controlled Substance Dispensing Practitioner Registration renewal are in process for physicians whose last names begin with M – Z and all podiatric physicians. PLLCs will also be completing their annual renewal, all with a deadline of Friday, June 28, 2019 to avoid expiration. Podiatric physicians and CSDP registration renewals will be submitting paper applications. 3710 MDs, 135 DPMs, 106 Educational Permits, 266 CSDP registrations and 146 PLLCs are eligible for renewal. As of May 17, 2019, approximately 970 MDs have submitted

renewals, and 868 have been processed. Fourteen DPMs have submitted applications and the Board has processed 13.

**Interstate Medical Licensure Compact Commission (IMLCC)**

The following fifteen applicants listed along with their state of principal licensure were granted permanent medical licensure through an IMLC application in March and April 2019.

**State of Principal  
Licensure**

**Names of Licensees**

NH	Daniel Joseph Carlin, MD
WY	Pamela Potter Clegg, MD
CO	Patrick McCullough Dom, MD
WI	Michelle Lynne Dougherty, MD
WY	Lawrence Gordon Gill, III, MD
CO	Kendra Marie Hammond, MD
NV	Tanzeel Islam, MD
WI	Paul Eric Koch, MD
MS	Alexander Webb Parr, MD
SD	Asha Patel Shah, MD
SD	Ravi Jatin Shah, MD
WI	Chet Allen Tharpe, MD
AZ	Edward William Schwartz, MD
CO	William Scott Timothy, MD
WA	Seth Warren Wright, MD

In March and April 2019, the Board issued three Letters of Qualification (LOQs) to the following licensees:

Kelly Melissa Aguilar, MD  
Adam Michael Cassis, MD  
Douglas Ray Eitel, MD

The Licensure Committee received a list of applicants whose applications did not require an appearance or individualized discussion, which includes 118 initial medical

doctor applications, 4 initial medical doctor applications pending receipt of the PICF assessment fee, 6 reactivation of medical license applications, 2 reactivation of medical license applications pending payment of the PICF fee and 1 initial podiatric physician application. Members of the Committee reviewed the list for conflicts.

No conflicts having been declared, Mr. Wooton moved that the Committee approve the following applications and recommend that the Board grant each applicant a license to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.

**Applicants for Medical Licensure:**

Mir Ali Abbas Khan, MD  
Haroon Ahmed, MD  
Yasir Haitham Jasim Al-Azzawi, MD  
Saif Falah Al-Najafi, MD  
Saif Ahmad Mefleh Al-Qatarnch, MD  
Laith Rafi Altaweel, MD  
Kalid Saleh J Alyami, MD  
Vijender Singh Bajwa, MD  
Alfred Balasa, MD  
Muhammad Asif Bashir, MD  
Christopher Lloyd Bellew, MD  
Jacqueline Ann Marie Benjamin, MD  
Joseph Allen Blackmon, MD  
Kevin Bogdansky, MD  
Daniel James Breznau, MD  
Olubusola Abiye Brimmo, MD  
Rebecca Jane Burke, MD  
Harumi Uchida Burns, MD  
Perveen Kaur Chattha, MD  
Vijayalakshmi Chinta, MD  
Tarika Sejal Chowdhary, MD  
Emily Ann Clemetson, MD  
Nour Daboul, MD  
Megan Dawn Davis, MD  
Gerard Deib, MD  
Sarah Lynn Dennemeyer, MD  
Adriana Roma Diakiw, MD  
Michael Dinkels, MD

**Applicants for Medical Licensure cont.:**

Zakiya Veronica Douglas, MD  
Gordon Hunter Downie, MD  
Malvin Coleman Driver, Jr., MD  
Zeljko Dvanajscak, MD  
Entesar F M Elsaady, MD  
Robert Alexander Erdin, III, MD  
Rebecca Lauren Furby, MD  
Santiago Augusto Garcia Merino, MD  
Nigussie Alemu Geleta, MD  
Mona Ghias, MD  
Tama Evelyn Gillis, MD  
Lydiya Anatolyevna Golub, MD  
Andrew Thomas Liao Griffith, MD  
Benjamin Davis Hackett, MD  
Jason Holmes Harms, MD  
Keith Iverson Harrop, II, MD  
Mary Theresa Vu Hoang, MD  
Miriam Bryna Hulkower, MD  
Iliana Samara Hurtado Rendon, MD  
Jorge Luis Infante, MD  
David Curtis Ison, MD  
Erik John Iversen, MD  
Jennifer Burke Johnson, MD  
Yasser Kabbani, MD  
Madhavi Kadiyala, MD  
Samia Yaqub Kanooz, MD  
Flora Diemi Kayfan, MD  
Sajeel Rehmat Khan, MD  
Christina Nichole Kitsos, MD  
Ryan Patrick Kuhnlein, MD  
Mariana Milena Lanata Piazzon, MD  
Mark Karim Lane, MD  
Mark Steven Lee, MD  
Alyson Margaret Leo, MD  
Arnold Lawrence Licht, MD  
Scott Mitchell Lieberman, MD  
Gowtham Roy Lingamaneni, MD  
Alyssa Marie Lorenze, MD  
Mark Andrew Lyerly, MD  
Ashwin Kumar Mani, MD  
Jean Andre Marcelin, Jr., MD  
Margaret Mary Mathewson, MD  
Casey Kathleen McCluskey, MD

**Applicants for Medical Licensure cont.:**

Ryan Stephen McGuire, MD  
Sara Annette McGuire, MD  
Sowmini Medavaram, MD  
Laura Jean Merrill, MD  
Samuel Andrew Merrill, MD  
Jacob Albert Misenheimer, MD  
Lavinia Petruta Mitulescu, MD  
Carlos Molina, MD  
Fahd Mousa, MD  
Nandita Ramananda Nadig, MD  
Syed Anser Ali Naqvi, MD  
Temitayo Akinsode Ogundipe, MD  
Joel Robert Palko, MD  
Hemant A. Patani, MD  
Chetan Narendra Patel, MD  
Sheetal Haresh Patel, MD  
Yehuda Edo Paz, MD  
Cornell Percy, MD  
Steven Davis Perry, MD  
Muhammad Ijaz Pervez, MD  
Gregory John Pfister, MD  
Anand Joseph Pullapilly, MD  
Lynsey Erin Rangel, MD  
Nagamanikkam Ravichandran, MD  
Jennifer Swisher Real, MD  
Sean Ryan Regner, MD  
James William Roy, MD  
David Roberto Saldivar, MD  
Cindy Sue Soto Shavor, MD  
Afsoun Mohammadi Sichani, MD  
Andrew Edward Simays, MD  
Reagan Loftin Simpson, MD  
Steven Craig Solik, MD  
Sonikpreet, MD  
Cynthia Marie Soriano, MD  
Shitiz Kumar Sriwastava, MD  
Barbara-Elaine Taylor, MD  
Dimitrios Topalidis, MD  
Mazen Toushan, MD  
Kevin Kernan Trice, MD  
Richa Tripathi, MD  
John Ananda van Aalst, MD  
Hailong Wang, MD



**Applicants for Medical Licensure cont.:**

Megan Dunnigan Willard, MD  
Doris Yang, MD  
Irving Ye, MD  
William Earl Zoesch, MD

No conflicts having been declared with respect to the four applicants for initial medical licensure pending payment of the PICF fee, Ms. Mullins moved that the Committee approve the following applications and recommend that the Board grant each applicant a license to practice medicine and surgery in West Virginia, pending payment of the required Patient Injury Compensation Fund fee. Rev, Harmon seconded the motion, and the motion carried.

**Applicants for Medical Licensure, payment of PICF fee pending:**

Bertrand Njum Mukete, MD  
Ryan Barret Natale, MD  
Kathryn Elizabeth Oppenlander, MD  
Lara aleh Srouji, MD

No conflicts having been declared with respect to the 6 applicants for reactivation of medical licensure, Ms. Mullins moved that the Committee approve the following applications and recommend that the Board grant each applicant reactivation of licensure to practice medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.

**Applicants for Reactivation of Medical Licensure:**

Lola June Burke, MD  
Nestor Felipe Dans, MD  
Salim Ibrahim Dib, MD

Mary Beth Hogan, MD  
John Palmer Pickens, MD  
Kim Evelyn Schultheiss, MD

No conflicts having been declared with respect to the 2 applicants for reactivation of medical licensure pending payment of the PICF fee, Ms. Mullins moved that the Committee approve the applications of Mohi Omer Miteik, MD and Danh Cong Pham, MD and recommend that the Board grant each applicant reactivation of licensure to practice medicine and surgery in West Virginia pending payment of the required Patient Injury Compensation Fund fee. Mr. Wooton seconded the motion, and the motion carried.

Rev. Harman moved that the Committee approve Robert Bruce Schopf, DPM for podiatric licensure and recommend that the Board grant the applicant a license to practice podiatric medicine and surgery in West Virginia. Ms. Mayfield seconded the motion, and the motion carried.

Ms. Mullins moved that the Committee approve John Allison Draper, Jr., MD for a Volunteer medical license and recommend that the Board grant the applicant a license to practice medicine and surgery in West Virginia as a non-compensated physician. Rev. Harman seconded the motion, and the motion carried.

There being no further business, the Licensure Committee adjourned by consensus.

**ADJOURNMENT**



Harry E. Duncan, MD  
Chair of the Licensure Committee

# **Legislative Committee Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**July 24, 2018 at 5:00 p.m.**

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***CALL TO ORDER***

***Public Comments***

***Agenda Items:***

- Legislative Rulemaking (review of comments and action to finalize agency approved rules for filing)
  - 11 CSR 1A
  - 11 CSR 12

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

July 24, 2018

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 24<sup>th</sup> day of July 2018 at 5:00 pm.

The following Committee members attended the meeting via teleconference:

K. Dean Wright, P.A.-C., Chair  
Reverend O. Richard Bowyer  
Timothy Donatelli, D.P.M.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
Ashish P. Sheth, M.D.

The following Committee members were absent:

Kishore K. Challa, M.D., F.A.C.C.  
Mustafa Rahim, M.D.  
Matthew Upton, M.D.

The following Staff members were present:

Jamie S. Alley, Esq.  
Jamie C. Frame  
Andrew Wessels

Mr. Wright called the meeting to order and announced that the purpose of today's meeting is to consider and review the comments that were received with regard to the Board's proposed amendments to 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons*, and 11 CSR 12, *Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows*. Prior to today's meeting a copy of each of the comments that were received was made available to Board members for review.

**CALL TO  
ORDER**

Ms. Alley reported that on June 22, 2018, board staff filed a Notice of Comment Period on Proposed Rules 11 CSR 1A and 11 CSR 12. The notice established a thirty-day comment period on the proposed rules, which concluded at 9:00 a.m. on Monday, July 23, 2018.

The Board received four written comments regarding 11 CSR 1A from the following individuals and / or the entities that they represent:

<b>Commenter</b>	<b>Date Received</b>
1. Jondavid Pollock, M.D., Ph.D.	June 27, 2018
2. Kimberly Burgess, M.D.	June 28, 2018
3. Timothy Linkous, Esq.	July 2, 2018
4. John Wade, M.D.	July 9, 2018

The Committee thoroughly reviewed and considered each of the comments received. No modifications were made to 11 CSR 1A. Reverend Bowyer moved that the Committee approve the agency approved version of 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons*, and authorize staff to file the agency approved version of the rule with the Secretary of State's Office. Dr. Sheth seconded, and the motion carried.

The Board received three written comments regarding 11 CSR 12 from the following individuals and / or the entities that they represent:

<b>Commenter</b>	<b>Date Received</b>
1. Shafic Sraj, M.D.	June 28, 2018
2. John Wade, M.D.	July 9, 2018
3. Carolyn Long	July 25, 2018

Following a thorough review and consideration of each of the comments received, Reverend Bowyer moved that the Committee incorporate only the following modifications into the agency approved version of the rule:

1. Replace the word "of" with the word "for" to correct the name of the Accreditation Council for Graduate Medical Education in subdivision 2.1.1.; and

2. Replace “reciprocal residency permit” with “reciprocal educational permit” in subsection 9.3.

The motion failed for lack of a second.

Dr. Faheem moved that the Committee incorporate the following modifications into the agency approved version of the rule:

1. Replace the word “of” with the word “for” to correct the name of the Accreditation Council for Graduate Medical Education in subdivision 2.1.1.;
2. Replace “reciprocal residency permit” with “reciprocal educational permit” in subsection 9.3; and
3. Modify the permit renewal requirements to eliminate the proposed requirement that the permit-holders Program Director verify that the permit holder is in good standing in subsection 5.3.2.

Dr. Donatelli seconded, and the motion carried.

The Committee elected not to modify 11 CSR 12 to reflect the comments submitted by Dr. Shafic. Dr. Faheem moved that the Committee authorize staff to correspond with Dr. Shafic indicating that:

1. Fellowship programs do not have to be individually ACGME-accredited as long as they are part of an approved institution accredited to provide graduate medical training. The Committee considered changing the language of 2.1.5 to clarify that accreditation is offered by ACGME, however it ultimately elected not to make the change to keep the language in align with the statutory language of W.Va. Code §30-3-16(c)(5)(b).
2. All individual licenses issued by the Board expire on the last day of June in the year of expiration, therefore, for efficiency and uniformity of process, the Committee did not to incorporate his suggestion that educational permits expire on the last day of the first year of the training program.

Reverend Bowyer seconded, and the motion carried.

Reverend Bowyer moved that the Committee authorize staff to file an Agency Approved version of 11 CSR 12, as modified during the meeting, with the Secretary of State's Office. Dr. Faheem seconded, and the motion carried.

Dr. Faheem moved that the Committee authorize staff to file an Emergency Amended version of Emergency Rule 11 CSR 12, which mirrors the modifications to the Agency Approved version of 11 CSR 12, with the Secretary of State's Office. Reverend Bowyer seconded, and the motion carried.

**ADJOURNMENT**

There being no further business to consider, Reverend Bowyer moved that the meeting be adjourned. Dr. Sheth seconded, and the motion carried.



K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee



**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**August 6, 2018 at 5:00 p.m.**

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***CALL TO ORDER***

***Public Comments***

***Agenda Items:***

- Legislative Rulemaking
  - 11 CSR 12

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

August 6, 2018

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 6<sup>th</sup> day of August 2018 at 5:00 pm.

The following Committee members attended the meeting via teleconference:

Kishore K. Challa, M.D., F.A.C.C., Acting Chair

Reverend O. Richard Bowyer

Timothy Donatelli, D.P.M.

Ahmed D. Faheem, M.D., D.L.F.A.P.A.

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

Mustafa Rahim, M.D.

Ashish P. Sheth, M.D.

Matthew Upton, M.D.

The following Committee members were absent:

K. Dean Wright, P.A.-C., Chair

The following Staff members were present:

Mark A. Spangler, M.A.

Jamie S. Alley, Esq.

Greg S. Foster, Esq.

Jamie C. Frame

In the absence of Mr. Wright, Dr. Challa called the meeting to order and chaired the meeting. **CALL TO ORDER**

Mr. Spangler reported that on July 25, 2018, board staff filed Notice of an Emergency Amendment to an Emergency Rule with the Secretary of State's Office with regard to 11 CSR 12,

*Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows.* Currently 11-12-3.7 of the rule states that “The Board shall begin issuing educational permits to qualified applicants on October 1, 2018.” The Board was recently notified that there is a need to begin issuing educational permits prior to October 1, 2018 to accommodate certain graduate medical training programs in the state and to resolve an ongoing conflict with regard to billing services provided in whole or in part by residents and fellows. To accommodate this immediate need, Dr. Faheem moved that the Committee modify 11-12-3.7 of the Board’s Emergency Rule 11 CSR 12 to provide that the Board will begin issuing educational permits to qualified applicants on September 1, 2018. Reverend Bowyer seconded, and the motion carried.

Ms. Alley reported that board staff will submit a request to withdraw the Notice of an Emergency Amendment to an Emergency Rule for 11 CSR 12 that was filed with the Secretary of State’s Office on July 25, 2018, and a second Notice of an Emergency Amendment to an Emergency Rule will be filed which incorporates all amendments.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT

  
K. Dean Wright, P.A.-C. PA-C  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**September 9, 2018 at 10:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- May 6, 2018
- June 14, 2018
- July 24, 2018
- August 6, 2018

***Agenda Items:***

- Legislative Rulemaking
  - 11 CSR 12
- Executive Order No. 3-18
- Senate Bill 273
- Potential Legislative Changes for 2019
- Correspondence Received Regarding Corporate Practice of Medicine

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

September 9, 2018

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 9<sup>th</sup> day of September 2018 at 10:00 am.

The following Committee members were present:

K. Dean Wright, P.A.-C., Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, M.D., F.A.C.C.  
Timothy Donatelli, D.P.M.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
Ashish P. Sheth, M.D.  
Matthew Upton, M.D.

The following Committee members were absent:

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.  
Mustafa Rahim, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew Wessels

Mr. Wright called the meeting to order. Dr. Faheem moved that the minutes of the following meetings be approved:

May 6, 2018

June 14, 2018

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

July 24, 2018

August 6, 2018

Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported that the Board's emergency rule 11 CSR 12, *Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows*, became effective on August 3, 2018. Board staff filed an Emergency Amendment with the Secretary of State's Office which, if approved, will change the date that the Board begins issuing educational permits from October 1, 2018 to September 1, 2018 or as soon as the amendment is approved thereafter. To date, the Secretary of State's office has not taken any action regarding the amendment. Board staff are prepared to begin issuing educational permits as soon as the amendment is approved. If the Secretary of State's Office does not take action with regard to the amendment prior to September 18, 2018, the amendment will become effective on that date.

Mr. Spangler reported that on January 10, 2018, Governor Justice signed Executive Order No. 3-18 known as the Regulatory Review. The Order requires executive agencies with rule-making authority to review all rules under the agencies jurisdiction to determine which rules, if any, are outdated, ineffective, or excessively burdensome and unnecessary. Each agency must submit a Regulatory Review report to the Governor and the Legislative Rule-Making Review Committee prior to November 1, 2018. Board staff have begun reviewing the Board's rules and will submit a report prior to the deadline.

Mr. Spangler reported that Board staff continue to receive inquiries regarding Senate Bill 273, reducing the use of certain prescription drugs, which became effective on June 7, 2018. Board staff have been working with other entities regarding proposed modifications to Senate Bill 273 and anticipate that the proposed modification will be introduced during the 2019 legislative session.

At the request of the Executive / Management Committee, the Legislative Committee considered whether or not to pursue legislative changes to the prohibition on corporate practice of medicine as it applies to for-profit hospitals. Reverend Bowyer moved that legal staff provide a

summary of the current law and provide some proposed changes for consideration at the November 4, 2018 meeting. Dr. Sheth seconded, and the motion carried.

Mr. Spangler reported that the following subjects may be topics of interest for the Board in the upcoming legislative session:

- Possible consolidation of the Board of Medicine and the Board of Osteopathic Medicine;
- Potential modifications to Senate Bill 273;
- Clarification regarding the corporate practice of medicine; and
- Possible modifications to the Physician Assistants Practice Act.

Dr. Sheth moved that the Committee recommend that the Board authorize staff to explore the potential topics of interest identified above. Dr. Challa seconded, and the motion carried.

Mr. Wright reported that legislation will likely be introduced in the 2019 session relating to physician assistant practice. Several organizations will be meeting in the coming weeks to discuss and develop proposed modifications to the West Virginia Physician Assistants Practice Act. Reverend Bowyer moved that the Committee recommend that the Board authorize staff to participate in upcoming meetings which relate to potential legislative changes for physician assistants. Dr. Sheth seconded, and the motion carried.

**ADJOURNMENT**

There being no further business to consider, Reverend Bowyer moved that the meeting be adjourned. Dr. Challa seconded, and the motion carried.

  
K. Dean Wright, P.A.-C.  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**November 4, 2018 at 9:30 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- September 9, 2018

***Agenda Items:***

- Board of Medicine Rules
  - 11 CSR 1A
  - 11 CSR 12
- Executive Order No. 3-18 – WVBOM Regulatory Review Report
- Legislative Agenda for 2019
  - Corporate Practice of Medicine
  - Physician Assistants Practice Act
  - Possible Changes to Chapter 30 Boards
  - SB 273
  - Precertification/Prior Authorization of Medications and Medical Procedures
  - Other Potential Legislative Topics of Interest to the Board

***ADJOURNMENT***



# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

November 4, 2018

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 4<sup>th</sup> day of November 2018 at 9:30 am.

The following Committee members were present:

K. Dean Wright, PA-C, Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, MD, FACC  
Timothy Donatelli, DPM  
Rahul Gupta, MD, MPH, MBA, FACP  
Ashish P. Sheth, MD

The following Committee members were absent:

Ahmed D. Faheem, MD, DLFAPA  
Mustafa Rahim, MD  
Matthew Upton, MD

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order. Reverend Bowyer moved that the minutes of the September 9, 2018 meeting be approved. Dr. Challa seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

Mr. Spangler reported that the Legislative Rule-Making Review Committee has authorized the Board to promulgate emergency rule 11 CSR 12, *Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows*, and 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons*, as filed.

Mr. Spangler reported that pursuant to Executive Order No. 3-18, on November 1, 2018, Board staff submitted a Regulatory Review Report to the Governor and the Legislative Rule-Making Review Committee. The report provides a description of each of the fourteen rules that the Board has jurisdiction over and identifies recent changes to the rules as well as anticipated upcoming changes when applicable.

The Committee discussed the corporate practice of medicine. Following discussion, Dr. Challa moved that the Committee recommend that the Board authorize staff to draft proposed amendments to W.Va. Code §30-3-15, which would: (1) exclude all hospitals, both for-profit and non-profit, from the corporate practice of medicine doctrine; and (2) permit providers (medical doctors, podiatric physicians and physician assistants) licensed by the Board of Medicine to form a medical corporation, either solely or in combination with other members, and seek authorization by the Board of Medicine. Likewise, osteopathic physicians and physician assistants who are licensed by the Board of Osteopathic Medicine may join together with practitioners licensed by the Board of Medicine to seek authorization to practice as a medical corporation. Dr. Sheth seconded, and the motion carried.

Mr. Spangler reported that the following subjects may be topics of interest for the Board in the 2019 legislative session:

- Possible modifications to the Physician Assistants Practice Act;
- Possible changes to Chapter 30 Boards;
- Potential modifications to Senate Bill 273;
- Precertification / prior authorization of medications and medical procedures;
- Medical cannabis; and
- Modifications to current immunization requirements, including changes to exemption process.

Dr. Gupta joined the meeting at this time.

Mr. Spangler reported that it is likely that legislation will be introduced during the upcoming session regarding a PEIA pilot project utilizing telemedicine services. Reverend Bowyer moved that the Committee recommend that the Board support the current telemedicine

requirements and not support any legislation that would allow the physician patient relationship to be established utilizing audio-only communication or text-based communications such as email, internet questionnaires, text-based messaging or other written forms of communication. Dr. Sheth seconded, and the motion carried.

Mr. Spangler reported that it is also likely that legislation will be introduced which would authorize Board investigators to carry a firearm. Reverend Bowyer moved that the Committee recommend that the Board support legislation, if introduced, which would authorize at least one Board investigator to carry a firearm. Dr. Sheth seconded, and the motion carried.

ADJOURNMENT

There being no further business to consider, the meeting adjourned.



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K. Dean Wright, PA-C  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**January 13, 2019 at 10:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- November 4, 2018

***Agenda Items:***

- 2019 Legislative Session
  - Bills Introduced Since January 9, 2019
  - Proposed Amendments to W.Va. Code §30-3-15
  - Authorization for Board Investigators to Carry a Concealed Weapon
- Potential Legislation Regarding Licensee Regulation and Chapter 30 Boards
- Senate Bill 273
- Proposed 2019 Interim Legislative Committee Meeting Dates
  - Tuesday, January 29, 2019
  - Tuesday, February 12, 2019
  - Tuesday, February 25, 2019
- Authorization for the Legislative Committee to Act on Behalf of the Board During the 2019 Legislative Session

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

January 13, 2019

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 13<sup>th</sup> day of January 2019 at 10:00 am.

The following Committee members were present:

K. Dean Wright, PA-C, Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, MD, FACC  
Timothy Donatelli, DPM  
Ahmed D. Faheem, MD, DLFAPA  
Mustafa Rahim, MD  
Ashish P. Sheth, MD  
Catherine C. Slemph, MD, MPH

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order. Reverend Bowyer moved that the minutes of the November 4, 2018 meeting be approved. Dr. Faheem seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

Mr. Spangler reported that the following bills have been introduced during the 2019 legislative session and are being monitored by Board staff:

**Senate Bill 5** – Requiring certain insurers and managed care organization develop prior authorization forms

**Senate Bill 80** – Establishing a tax credit for practicing physicians locating in West Virginia

**Senate Bill 119** – Specifying documents not subject to discovery in certain proceedings

**Senate Bill 145** – Relating to the West Virginia Medical Cannabis Act

**Senate Bill 201 and House Bill 2248** – Board of Medicine rule, 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons*

**Senate Bill 202 and House Bill 2249** – Board of Medicine rule, 11 CSR 12, *Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows*

**House Bill 2038** – Relating to the procedure to determine if an occupation or profession should be regulated

**House Bill 2090** – Relating to advertising by physicians and podiatric physicians

**House Bill 2189** – Relating generally to the disclosure of certain confidential information

**House Bill 2204** – Prohibiting state licensing boards from hiring lobbyists

**House Bill 2210** – Relating to the criminal offense of therapeutic deception

**House Bill 2227** – Nondiscrimination in Involuntary Denial of Treatment Act

**House Bill 2351** – Relating to regulating prior authorizations

Mr. Spangler reported that at the November 2018 meeting, the Legislative Committee recommended, and the Board approved, that staff be authorized to draft proposed amendments to W.Va. Code §30-3-15, which would: exclude all hospital, both for-profit and non-profit, from the corporate practice of medicine doctrine; and (2) permit providers (medical doctors, podiatric physicians and physician assistants) licensed by the Board of Medicine to form a medical corporation, either solely or in combination with other members, and seek authorization by the Board of Medicine. Likewise, osteopathic physician and physician assistants who are licensed by the West Virginia Board of Osteopathic Medicine may join together with practitioners licensed by the Board of Medicine to seek authorization to practice as a medical corporation. The draft of the proposed amendments has not been finalized for review; therefore, this matter will be placed on a future Legislative Committee agenda for consideration.

Prior to today's meeting, a copy of proposed legislation which would authorize at least one Board investigator to carry a concealed weapon was made available for members to review. Mr. Spangler reported that the Board has not yet sought a sponsor for the proposed legislation.

Mr. Spangler reported that there are conversations occurring regarding the possible combining of the Board of Medicine and the Board of Osteopathic Medicine. To date, no bills related to combining the Boards has been introduced.

Mr. Spangler reported that it is likely that Senate Bill 273, reducing the use of certain prescription drugs, which was passed during the 2018 legislative session will be reintroduced this year. It is anticipated that the 2019 bill will clean up language throughout and will address the Board's concerns regarding the provision of the bill which requires a practitioner to conduct and document the results of a physical examination every 90 days for any patient that he or she continues to treat with any Schedule II controlled substance, including non-opioids. If introduced, Board staff will monitor legislation pertaining to Senate Bill 273.

The Legislative Committee reviewed the following proposed interim meeting dates:

Tuesday, January 29, 2019 5:00 pm

Tuesday, February 12, 2019 5:00 pm

Tuesday, February 26, 2019 5:00 pm

Dr. Rahim moved that the proposed interim Legislative Committee meeting dates be approved. Dr. Sheth seconded, and the motion carried. Reverend Bowyer moved that the Committee recommend that the Board grant the Legislative Committee authority to act on behalf of the Board as necessary to respond to legislative matters at these meetings, and any other special meetings which become necessary during the legislative session. Dr. Sheth seconded, and the motion carried.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



K. Dean Wright, PA-C

Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**January 29, 2019 at 5:00 pm**

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***CALL TO ORDER***

***Public Comments***

***Agenda Items:***

- **Update on Board of Medicine Bills**
  - **SB 201** and **HB 2248** – BOM rule relating to licensing and disciplinary procedures: physicians; podiatric physicians and surgeons
  - **SB 202** and **HB 2249** – BOM rule relating to permitting and disciplinary procedures: educational permits for graduate medical interns, residents and fellows
  - Authorization for Board investigators to carry a concealed weapon
  - Proposed amendments to W.Va. code §30-3-15
  
- **Proposed Amendments to the West Virginia Physician Assistant Practice Act**
  
- **Board Regulation / Government Structure**
  - **SB 119** – Specifying documents not subject to discovery in certain proceedings
  - **SB 351** and **HB 2204** – Prohibiting state licensing boards from hiring lobbyists
  - **HB 2004** – Providing for a program of instruction in workforce preparedness
  - **HB 2038** – Relating to the procedure to determine if an occupation or profession should be regulated
  - **HB 2354** – Creating a provisional license to practice in this state by an applicant with an expired license from another state
  - **HB 2385** – Providing limited prescriptive authority to a licensed psychologist who meets certain criteria



- **HB 2486** – Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation
- **HB 2592** – Requiring all Chapter 30 Boards be located in the same area in the state
- **HB 2583** – Family Planning Access Act
  
- **Bills Related to Immunization or Other Practice Issues**
  - **SB 5** – Requiring certain insurers and managed care organizations develop prior authorization forms
  - **SB 307, HB 2227 and HB 2493** – Nondiscrimination in Involuntary Denial of Treatment Act
  - **HB 2189** - Relating generally to the disclosure of certain confidential information
  - **HB 2351** – Relating to regulating prior authorizations
  - **HB 2399** – Relating to regulating prior authorizations
  - **HB 2525** – Tobacco Cessation Therapy Access Act
  
- **Other Legislative Topics of Interest**
  - Critical care telemedicine exception
  - Physician tax credit
  - Physician advertising
  - Medical cannabis
  - Opioid Reduction Act of 2018 (SB 273)
  - Provider enrollment
  - Originating bills
  
- **Update on Other Bills Being Monitored by Board Staff**
  - **HB 2210** – Relating to the criminal offense of therapeutic deception
  - **HB 2356** – Requiring each executive branch agency to maintain a website that contains certain information
  - **HB 2380** – Protecting consumers from surprise bills by health care providers
  - **HB 2510** – Relating to special funds of boards of examination or registration
  - **HB 2524** – Permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances

- **New Bills Introduced after January 22, 2019**

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

January 29, 2019

---

A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 29<sup>th</sup> day of January 2019 at 5:00 pm.

The following Committee member was present:

Catherine C. Slemp, MD, MPH

The following Committee members attended via teleconference:

K. Dean Wright, PA-C, Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, MD, FACC  
Timothy Donatelli, DPM  
Ahmed D. Faheem, MD, DLFAPA  
Ashish P. Sheth, MD

The following Committee member was absent:

Mustafa Rahim, MD

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order and roll call was taken by Ms. Frame.

CALL TO  
ORDER

Mr. Spangler provided an update with regard to the following Board of Medicine proposed legislative rule bills: (1) **Senate Bill 201** and **House Bill 2248**, Board of Medicine rule relating to licensing and disciplinary procedures: physicians; podiatric physicians; and surgeons; and (2) **Senate Bill 202** and **House Bill 2249**, Board of Medicine rule relating to permitting and disciplinary procedures: educational permits for graduate medical interns, residents, and fellows.

There has been no activity with regard to the house bills since introduction. The senate bills have passed Senate Judiciary Committee, and have been incorporated into **Senate Bill 199**, authorizing certain miscellaneous agencies and boards to promulgate legislative rules.

Mr. Spangler reported that he has spoken with Senator Michael J. Maroney, who has agreed to introduce proposed legislation which would permit Board of Medicine investigators to carry a concealed weapon. However, to date, no such legislation has been introduced.

Dr. Slemp joined the meeting at this time.

Mr. Spangler reported that Board staff have drafted proposed amendments to W.Va. Code §30-3-15, which would: exclude all hospitals, both for-profit and non-profit, from the corporate practice of medicine doctrine; and (2) permit providers (medical doctors, podiatric physicians and physician assistants) licensed by the Board of Medicine to form a medical corporation, either solely or in combination with other members, and seek authorization by the Board of Medicine. Likewise, osteopathic physicians and physician assistants who are licensed by the West Virginia Board of Osteopathic Medicine may join together with practitioners licensed by the Board of Medicine to seek authorization to practice as a medical corporation. To allow Committee members ample time to review the proposed amendments, no action was taken at today's meeting and this matter will be placed on the February 12, 2019 agenda for consideration.

Mr. Spangler reported that the West Virginia Association of Physician Assistants has submitted two draft bills to the Board of Medicine for consideration. Each of the bills seek to amend the West Virginia Physician Assistants Practice Act. The first draft, submitted by Matthew Walker, was received by the Board on January 17, 2019. The second draft, submitted by Gary Culver, PA-C, was received by the Board on today's date, January 29, 2019, and was accompanied by correspondence which requests that the Board provide input on the proposed amendments as soon as possible. Board staff have not yet had adequate time to review and consider the second draft; however, at first glance, the definition of "credentialing body" is vague in each of the drafts. To accommodate the Association's request for input from the Board as soon as possible, Dr. Challa moved that a Legislative Committee meeting be scheduled for Monday, February 6, 2019 at 5:00pm. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported on **Senate Bill 119**, specifying documents not subject to discovery in certain proceedings. During the 2018 legislative session, a similar bill was introduced, and Board staff were successful in collaborating with representatives to amend the bill amended to allow the Board access to peer review records for use in administrative proceedings. The amendment also provided that peer review proceedings, communications, and documents of a review organization and all records developed or obtained during an investigation are confidential and privileged and are not subject to disclosure in any civil action or administrative proceeding. The 2018 bill completed the legislative process but was vetoed by the Governor. The 2019 bill, Senate Bill 119, incorporates the 2018 amendments. The bill has passed the Senate and now moves to House Judiciary Committee.

Mr. Spangler reported that **Senate Bill 351** and **House Bill 2204** have been introduced. These bills would prohibit state licensing boards from hiring lobbyists and would authorize the director and appointed board members to lobby on behalf of the board. Dr. Faheem moved that the Committee authorize Board staff to seek an amendment which would authorize the director or his designee to lobby on behalf of the Board. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that Board staff are monitoring the following bills:  
**House Bill 2004**, providing for a program of instruction in workforce preparedness;  
**House Bill 2038**, relating to the procedure to determine if an occupation or profession should be regulated; and  
**House Bill 2354**, creating a provisional license to practice in this state by an applicant with an expired license from another state.

Mr. Spangler reported that **House Bill 2385** has been introduced. This bill would add a new section to the West Virginia Medical Practice Act, which would authorize the Board of Medicine to issue limited prescriptive authority to a licensed psychologist who meets certain criteria. Dr. Faheem moved that the Board oppose this bill. Reverend Bowyer seconded, and the motion carried.

Mr. Foster reported on **House Bill 2486**, using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation. This bill provides that “If an applicant is disqualified for licensure because of a criminal conviction that has not been reversed, the board or licensing authority shall afford the applicant the opportunity to reapply for licensure a maximum of five years from the date of conviction or date of release from the penalty that was imposed, whichever is later”. The bill also provides that “Boards or licensing authorities referred to in this chapter may not use criteria such as moral character, moral turpitude or other related undefined standards of conduct in making licensure determinations.” Additionally, it would also require the Board, within sixty days of receiving a request, to determine whether an individual’s criminal record would disqualify the individual from obtaining a license. Reverend Bowyer moved that the Committee authorize Board staff to work in conjunction with other licensing boards to seek a carve out for physicians, podiatric physicians and physician assistants. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that **House Bill 2592** has been introduced. This bill would require all Chapter 30 boards to “be relocated to the same location in any part of this state, as determined by a majority of the boards, by July 1, 2023.” Additionally, the bill provides that boards may share office resources, storage, supplies, and staff. Dr. Slemp moved that the Board oppose House Bill 2592. Reverend Bowyer seconded, and the motion carried.

Dr. Slemp reported on **House Bill 2583**, Family Planning Access Act. This bill would permit a pharmacist to dispense a self-administered hormonal contraceptive to a patient who is 18 years old or older pursuant to a standing prescription drug order. Additionally, the bill requires the State Health Officer, in collaboration with the Board of Pharmacy and the Board of Medicine, to approve a self-screening risk assessment questionnaire that is to be completed by the patient prior to receiving a self-administered hormonal contraceptive. The Bureau for Public Health has provided members of the legislature with proposed amendments to the bill which would: (1) remove the requirement that the Board of Medicine review the dispensing practices of the pharmacist and clarify that the Board of Pharmacy regulates the action of the dispensing pharmacist; (2) require the pharmacist to complete a training program to be eligible to participate in the utilization of the standing prescription drug orders for a self-administered hormonal contraceptive; (3) add the Board of Osteopathic Medicine to the list of Board’s that the State Health

Officer collaborates with regarding the self-screening risk assessment questionnaire; (4) require the pharmacist to notify the individual's primary care provider, if they have one, within two business days of dispensing a self-administered hormonal contraceptive; (5) prohibit a pharmacist from dispensing a self-administered hormonal contraceptive to a patient for more than 12 months after the date of the initial prescription without evidence that the patient has consulted with a health care practitioner during the preceding twelve months; and (6) establish counseling protocols for pharmacists. Reverend Bowyer moved that the Board of Medicine support House Bill 2583 with the amendments proposed by the Bureau for Public Health. Dr. Faheem seconded, and the motion carried.

Mr. Spangler reported that **House Bill 2351**, relating to regulating prior authorizations, would establish universal forms and deadlines for submitting prior authorizations electronically. This bill was on amended during second reading in the House earlier today, January 29, 2019, however, the amendments are not yet available for review. Board staff will continue to monitor this bill.

Mr. Spangler reported that Board staff are monitoring the following bills:

**Senate Bill 5**, requiring certain insurers and managed care organizations develop prior authorization forms;

**Senate Bill 307**, **House Bill 2227** and **House Bill 2493**, Creating Nondiscrimination Involuntary Denial of Treatment Act; and

**House Bill 2189**, relating generally to the disclosure of certain confidential information.

Dr. Slemp reported on **House Bill 2525**, Tobacco Cessation Therapy Access Act. This bill would permit a pharmacist to dispense tobacco cessation therapy under a standing prescription drug order. Additionally, the bill requires the Bureau for Public Health, in collaboration with the Board of Pharmacy and the Board of Medicine, to approve Tobacco Cessation Therapy Protocol. The Bureau for Public Health has provided members of the legislature with proposed amendments to the bill which would: (1) clarify that the Board of Pharmacy regulates the action of the dispensing pharmacist; (2) require the pharmacist to notify the individual's primary care provider, if they have one, within two business days of dispensing a tobacco cessation therapy medication; and (3) establish counseling protocols for pharmacists. The bill is scheduled for third reading in

the House tomorrow, January 30, 2019. Reverend Bowyer moved that the Board support House Bill 2525 with the amendments proposed by the Bureau for Public Health. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that it is likely that legislation will be introduced during the 2019 session which would modify W.Va. Code §30-3-13a to permit a physician practicing telemedicine to order a Schedule II controlled substance to a hospital patient for immediate administration in a hospital intensive care unit. It is also likely that Senate Bill 273, reducing the use of certain prescription drugs, which was passed during the 2018 legislative session will be reintroduced this year. It is anticipated that the 2019 bill will clean up language throughout and will address the Board's concerns regarding the provision of the bill which requires a practitioner to conduct and document the results of a physical examination every 90 days for any patient that he or she continues to treat with any Schedule II controlled substance, including non-opioids. If introduced, Board staff will monitor legislation relating to these matters.

Mr. Spangler reported that Board staff continue to monitor the following bills:

**Senate Bill 80**, establishing a tax credit for practicing physicians locating in West Virginia;

**House Bill 2090**, relating to advertising by physicians and podiatric physicians;

**House Bill 2538**, providing banking services for medical cannabis;

**House Bill 2210**, relating to the criminal offense of therapeutic deception;

**House Bill 2356**, requiring each executive branch agency to maintain a website that contains certain information; and

**House Bill 2380**, protecting consumers from surprise bills by health care providers.

Mr. Spangler reported that the Board has received two draft bills relating to provider enrollment and the ability for practitioners who hold a temporary license to bill for services. Each of the draft bills define the term "valid license" as a temporary license issued pursuant to W.Va. Code §30-3-11 or §30-14-8. Additionally, the first draft provides that "an applicant may request to appear before one of the board members for an interview to have his or her permanent license granted or denied prior to the next regular meeting of the board." Mr. Spangler advised the Committee that he had shared the infeasibility of this language with the West Virginia Hospital Association. If introduced, Board staff will monitor legislation relating to provider enrollment.



Mr. Spangler reported that **House Bill 2510**, relating to special funds of boards of examination or registration, has been introduced and is scheduled for third reading in the House tomorrow, January 30, 2019. This bill would require the Legislative Auditor to conduct a review of the fee structure of a specific board of examination or registration when its special fund exceeds twice its annual budget or \$10,000, whichever is greater. Additionally, the excess funds would be transferred to the states General Revenue Fund. Board staff will continue to monitor this bill.

Mr. Spangler reported on **House Bill 2524**, permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances. This bill would authorize a pharmacist to refill a prescription for certain medications one or more times, so long as the total quantity of the drug does not exceed a 90-day supply. Reverend Bowyer moved that the Board oppose House Bill 2524. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that **Senate Bill 454**, providing exemptions from mandatory immunizations, has been introduced. This bill would modify the current immunization exemption process and would allow for religious and conscientious objection exemptions. Dr. Faheem moved that the Board oppose Senate bill 454. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported on **Senate Bill 464**, modifying licensing requirements for telemedicine and surgery or podiatry. This bill would allow a physician-patient or podiatrist-patient relationship to be established through audio-only communication, unless the physician or podiatric physician, in his or her sole discretion and professional judgment, determines that interactive video using store and forward technology, real-time videoconferencing or similar secure video services is necessary to conform to the standard of care; and would enable physicians and podiatric physicians to practice telemedicine using secure telephonic communication or similar secure real time audio-only communication. Dr. Faheem moved that the Board oppose Senate Bill 464. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that **House Bill 2648**, continuing education for registered nurses (RNs) and advanced practice registered nurses (APRNs), has been introduced. This bill exempts RNs and APRNs from completing the mandatory three-hour drug diversion and best practice prescribing of controlled substances continuing education training. Reverend Bowyer moved that

the Board support maintaining current training requirements. Dr. Challa seconded, and the motion carried.

**ADJOURNMENT**

There being no further business to consider, Dr. Faheem moved that the meeting be adjourned. Dr. Slemp seconded, and the motion carried.

A handwritten signature in blue ink, appearing to read "K. Dean Wright", is written over a horizontal line.

K. Dean Wright, PA-C

Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**February 6, 2019 at 5:00 pm**

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***CALL TO ORDER***

***Public Comments***

***Agenda Items:***

- **Proposed Amendments to the West Virginia Physician Assistant Practice Act**
- **Authorization for Board investigators to carry a concealed weapon**
- **HB 2768 – Reducing the use of certain prescription drugs**
- **New Bills Introduced after February 1, 2019**

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

February 6, 2019

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 6<sup>th</sup> day of February 2019 at 5:00 pm.

The following Committee members attended the meeting via teleconference:

K. Dean Wright, PA-C, Chair  
Reverend O. Richard Bowyer  
Timothy Donatelli, DPM  
Ahmed D. Faheem, MD, DLFAPA  
Ashish P. Sheth, MD

The following Committee members were absent:

Kishore K. Challa, MD, FACC  
Mustafa Rahim, MD  
Catherine C. Slemp, MD, MPH

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order and roll call was taken by Ms. Frame.

**CALL TO  
ORDER**

Mr. Spangler reported that that the West Virginia Association of Physician Assistants (WVAPA) has submitted two draft bills to the Board of Medicine for consideration. Each of the bills seek to amend the West Virginia Physician Assistants Practice Act (WVPAPA). The first draft, submitted by Matthew Walker, was received by the Board on January 17, 2019. The second draft, submitted by Gary Culver, PA-C, was received by the Board on, January 29, 2019, and was accompanied by correspondence which requests that the Board provide input on the proposed amendments as soon as possible. Following an in-depth conversation, Reverend Bowyer moved that the Committee authorize Board staff to reach out to the WVAPA indicating that the Board

does not support either of the two draft bills, due in part, that the term “credentialing body” is vague and ambiguous, and does not provide clarity concerning which part of the practice agreement process would apply to any given physician assistant; therefore, undermining the Board’s ability to protect the public. Additionally, Reverend Bowyer moved that Board staff convey to the WVAPA that the Board would be agreeable to modifications to the WVPAPA which would:

1. Require that a notification of hospital practice, in lieu of a practice agreement, be submitted to the Board for all physician assistants practicing in a hospital-based setting, while maintaining the current practice agreement process for all practice settings which are not hospital-based; and
2. Eliminate the physician assistant / collaborating physician ratio with respect to hospital-based practice.

Additionally, while the Board does not believe that the elimination of statutory language in section 11 concerning a collaborating physician’s responsibility for a collaborating physician assistant would actually alter the legal responsibility of the collaborating physician, the Board is not opposed to the elimination of such language. Dr. Faheem seconded, and the motion carried.

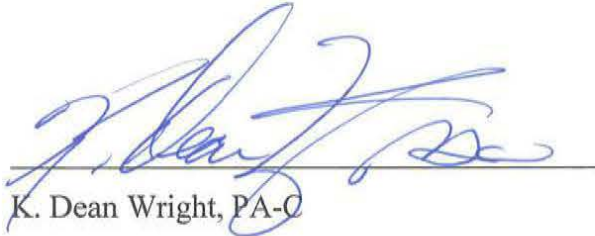
Mr. Spangler reported that Senator Michael J. Maroney has agreed to introduce proposed legislation which would permit Board of Medicine investigators to carry a concealed weapon. However, to date, no such legislation has been introduced.

Mr. Spangler reported that during the 2018 legislative session Senate Bill 273, reducing the use of certain prescription drugs, was passed. The Board had concerns regarding the provision of Senate Bill 273 which requires a practitioner to conduct and document the results of a physical examination every 90 days for any patient that he or she continues to treat with any Schedule II controlled substance, including non-opioids. On January 29, 2019, **House Bill 2768**, reducing the use of certain prescription drugs, was introduced. This bill cleans up the language of Senate Bill 273 and provides that a practitioner is required to conduct and document the results of a physical examination every 90 days for any patient that he or she continues to treat with any Schedule II opioid drug. With regard to House Bill 2768, Mr. Foster reported that §16-54-7(b) states that “This article does not apply to a patient being prescribed any medication for use in the treatment of substance abuse or opioid dependence.” Board staff interpret this to read that the prescribing

limitations do not apply to patients who are being prescribed suboxone. Dr. Faheem moved that the Committee authorize Board staff to point out the language of §16-54-7(b) to members of the legislature. Reverend Bowyer seconded, and the motion carried.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



K. Dean Wright, PA-C

Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**February 12, 2019 at 5:00 pm**

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***CALL TO ORDER***

***Public Comments***

***Agenda Items:***

- **Update on Board of Medicine Bill**
  - **SB 199** which includes the BOM rule relating to licensing and disciplinary procedures: physicians; podiatric physicians and surgeons and permitting and disciplinary procedures: educational permits for graduate medical interns, residents and fellows
  - Authorization for Board investigators to carry a concealed weapon
  - Proposed amendments to W.Va. code §30-3-15
  
- **Proposed Amendments to the West Virginia Physician Assistants Practice Act**
  
- **Update on Bills Being Monitored by Board Staff**
  - **SB 119** – Specifying documents not subject to discovery in certain proceedings
  - **HB 2004** – Providing for a program of instruction in workforce preparedness
  - **HB 2385** – Providing limited prescriptive authority to a licensed psychologist who meets certain criteria
  - **HB 2486** – Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation
  - **HB 2592** – Requiring all Chapter 30 Boards be located in the same area in the state
  - **HB 2583** – Family Planning Access Act
  - **HB 2351** – Relating to regulating prior authorizations
  - **HB 2525** – Tobacco Cessation Therapy Access Act
  - **HB 2538** – Providing banking services for medical cannabis

- **HB 2768** – Reducing the use of certain prescription drugs
- **HB 2510** – Relating to special funds of boards of examination or registration
- **HB 2524** – Permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances
- **SB 454 and HB 2647** – Providing exemptions from mandatory immunizations
- **HB 2648** – Continuing education for registered nurses and advanced nurse practitioners
  
- **New Bills Being Monitored by Board Staff**
  - **SB 60 and HB 2401** – Licensing practice of athletic training
  - **SB 498 and HB 2697** – Creating Occupational Licensing Consumer Choice Act
  - **SB 510** – Relating to medical professional liability
  - **SB 548** – Relating to administration of medication in nursing homes
  - **HB 2817** – Youth Mental Health Protection Act
  - **HB 2903** – Fetal Heartbeat Act
  - **HB 2915** – Restricting the performance of abortions and acquiring, providing, receiving, otherwise transferring, or using fetal body parts
  - **HB 2947** – Relating generally to telemedicine prescription practice requirements and exceptions
  - **HB 2951** – Placing the regulation of non-medical professions and occupations in a new chapter of the code
  
- **Other Legislative Topics of Interest**
  - Provider enrollment
  
- **New Bills Introduced after February 8, 2019**

***ADJOURNMENT***



# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

February 12, 2019

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 12<sup>th</sup> day of February 2019 at 5:00 pm.

The following Committee members attended via teleconference:

K. Dean Wright, PA-C, Chair  
Reverend O. Richard Bowyer  
Kishore K. Challa, MD, FACC  
Ahmed D. Faheem, MD, DLFAPA  
Ashish P. Sheth, MD  
Catherine C. Slemp, MD, MPH

The following Committee members were absent:

Timothy Donatelli, DPM  
Mustafa Rahim, MD

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order and roll call was taken by Ms. Frame.

CALL TO  
ORDER

Ms. Alley reported that **Senate Bill 199**, authorizing certain miscellaneous agencies and boards to promulgate legislative rules, includes the Board of Medicine's rule 11 CSR 1A, licensing and disciplinary procedures for physicians; podiatric physicians and surgeons, and 11 CSR 12, permitting and disciplinary procedures: educational permits for graduate medical interns, residents and fellows. This bill has passed the Senate and now moves to House Government Organization Committee.

Mr. Spangler joined the meeting at this time.

Mr. Spangler reported that **Senate Bill 567**, permitting West Virginia Board of Medicine investigators to carry a concealed weapon, has been introduced and is currently in Senate Judiciary Committee. The West Virginia Board of Pharmacy would like this bill to be amended to include Board of Pharmacy investigators.

Mr. Spangler reported that Board staff have drafted proposed amendments to W.Va. Code §30-3-15, which would: (1) exclude all hospitals, both for-profit and non-profit, from the corporate practice of medicine doctrine; and (2) permit providers (medical doctors, podiatric physicians and physician assistants) licensed by the Board of Medicine to form a medical corporation, either solely or in combination with other members, and seek authorization by the Board of Medicine. Likewise, osteopathic physicians and physician assistants who are licensed by the West Virginia Board of Osteopathic Medicine may join together with practitioners licensed by the Board of Medicine to seek authorization to practice as a medical corporation. Following discussion, Reverend Bowyer moved that Board staff seek to find a sponsor to introduce the proposed amendments to W.Va. Code §30-3-15 during the 2019 legislative session. Dr. Faheem seconded, and the motion carried.

Mr. Spangler reported that following the February 6, 2019 Legislative Committee meeting, as directed by the Committee, he communicated to the West Virginia Association of Physician Assistants (WVAPA) that the Board does not support either of the two draft bills that were submitted to the Board of Medicine for consideration, each of which seek to amend the West Virginia Physician Assistants Practice Act (WVPAPA). Additionally, he communicated that the Board would be supportive of modifications to the WVPAPA which: (1) modify the practice agreement requirements for physician assistant who practice in a hospital setting to require that a notification of hospital practice be submitted to the Board in lieu of a practice agreement; (2) maintain the current practice agreement process for all practice settings which are not hospital based; and (3) eliminate the physician assistant / collaborating physician ratio with regard to hospital based practice. Also, while the Board does not believe that the elimination of statutory language concerning a collaborating physician's responsibility for a physician assistant would actually alter the legal responsibility of the collaborating physician, the Board is not opposed to elimination of this language. The WVAPA has submitted to the Board a third draft bill for

consideration. This bill is generally consistent with the proposed modifications that the Board indicated it would be supportive of; however, technical, non-substantive changes will need to be made if the bill is introduced.

Mr. Spangler reported that **Senate Bill 119**, specifying documents not subject to discovery in certain proceedings, has completed the legislative process and has been signed by the Governor. The bill will become law 90 days from passage.

Mr. Spangler reported that **House Bill 2004**, providing for a program of instruction in workforce preparedness, is currently in Senate Education Committee, and **House Bill 2385**, providing limited prescriptive authority to a licensed psychologist who meets certain criteria, remains in House Health and Human Resources Committee. Board staff will continue to monitor these bills.

Mr. Spangler provided an update on **House Bill 2486**, using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation. This bill provides that “If an applicant is disqualified for licensure because of a criminal conviction that has not been reversed, the board or licensing authority shall afford the applicant the opportunity to reapply for licensure a maximum of five years from the date of conviction or date of release from the penalty that was imposed, whichever is later.” The bill also provides that “Boards or licensing authorities referred to in this chapter may not use criteria such as moral character, moral turpitude or other related undefined standards of conduct in making licensure determinations.” Additionally, the bill would require the Board, within sixty days of receiving a request, to determine whether an individual’s criminal record would disqualify the individual from obtaining a license. Reverend Bowyer moved that the Board oppose House Bill 2486 if an exemption for physicians, podiatric physicians and physician assistants is not obtainable. Dr. Sheth seconded, and the motion carried. Board staff will continue to seek an exemption for physicians, podiatric physicians and physician assistants.

Mr. Spangler reported that Board staff continue to monitor **House Bill 2592**, requiring all Chapter 30 boards to be relocated to the same location in the same area of the state. This bill is currently in House Government Organization Committee.

Mr. Spangler provided an update on **House Bill 2583**, Family Planning Access Act. This bill was amended in House Health and Human Resources Committee, and the amendment is consistent with what the Legislative Committee discussed and voted to support at the January 29, 2019 meeting.

Mr. Spangler reported that **House Bill 2351**, relating to regulating prior authorizations, is currently in conference. Board staff will continue to monitor this bill.

Mr. Spangler reported that **House Bill 2525**, Tobacco Cessation Therapy Access Act, has passed the House and now moves to Senate Health and Human Resources Committee. Dr. Slempp reported that the Bureau for Public Health has provided members of the legislature with proposed amendments to the bill which would: (1) clarify that the Board of Pharmacy regulates the action of the dispensing pharmacist; (2) require the pharmacist to notify the individual's primary care provider, if they have one, within two business days of dispensing a tobacco cessation therapy medication; and (3) establish counseling protocols for pharmacists. To date, the amendments have not been incorporated.

Mr. Spangler reported that **House Bill 2538**, providing banking services for medical cannabis is on first reading in the House tomorrow.

Mr. Spangler provided an update on **House Bill 2768**, reducing the use of certain prescription drugs. This bill, which is intended to resolve issued which arose from last year's Senate Bill 273, was amended in House Prevention and Treatment of Substance Abuse Committee to correct a drafting error which would have exempted patients being treated for substance abuse or opioid dependence from the requirements of the bill.

Mr. Spangler reported that **House Bill 2510**, relating to special funds of boards of examination or registration, has passed the House and now moves to Senate Government Organization Committee.

Mr. Spangler reported that **House Bill 2524**, permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances, has passed House Health and Human

Resources Committee and now moves to Senate Health and Human Resources Committee. A similar bill, **House Bill 3115**, extending the prescription length of certain life sustaining emergency prescriptions, was introduced today. Board staff will continue to monitor these bills.

Mr. Spangler reported that Board staff continue to monitor **Senate Bill 454** and **House Bill 2647**, providing exemptions from mandatory immunizations. Neither of these bills have moved since introduction.

Mr. Spangler reported that **House Bill 2648**, continuing education for registered nurses and advanced nurse practitioners, has not moved since introduction. Mr. Spangler has communicated to Delegates Margaret Staggers and Matthew Rohrbach that the Board of Medicine supports maintaining current training requirements for health practitioners.

Mr. Spangler reported that **Senate Bill 60** and **House Bill 2401**, licensing practice of athletic trainers, have been introduced. These bills would establish a Board of Athletic Trainers and would make it unlawful for any person to practice or offer to practice athletic training in this state without a license or permit issued by the Board of Athletic Trainers. House Bill 2401 has not moved since introduction. The Committee Substitute for Senate Bill 60 is scheduled for second reading in the Senate tomorrow, February 13, 2019. The West Virginia Board of Physical Therapy does not support the bill. The Committee directed Board staff to monitor the bill and obtain the West Virginia State Medical Association's opinion of this bill.

Mr. Spangler reported that **Senate Bill 492** and **House Bill 2697**, Creating Occupational Licensing Consumer Choice Act, have been introduced. These bills would allow persons to work for employers or consumers without first obtaining a professional license. The act would apply to the regulation of all occupations in West Virginia except for medical doctors, registered nurses, licensed practical nurses, dentist and pharmacists. Board staff will continue to monitor these bills.

Mr. Spangler reported on **Senate Bill 510**, relating to medical professional liability. This bill would require that claims against facilities identify individuals by job title, specific areas of professional practice, or specific role in the health care at issue. Additionally, the bill provides that "The notice of claim shall include a statement of the theory or theories of liability upon which a

cause of action may be based, and a list of all health care providers and health care facilities to whom notices of claim are being sent, together with a screening certificate of merit, and a list of all medical records and other information reviewed by the signer of the certificate of merit”. Dr. Faheem moved that the Committee support Senate Bill 510. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that during the 2018 legislative session House Bill 4199, permitting a nursing home to use trained individuals to administer medication, was introduced, but did not become law. During the current legislative session, **Senate Bill 548**, relating to administration of medication in nursing homes, has been introduced. This bill differs from House Bill 4199 in that it requires the individual administering medication under the direction of a registered professional nurse to complete Approved Medication Assistive Personnel training. Also, §16-5AA-2(d) of this bill states that “Nothing in this article prohibits a staff member from administering medications or performing health maintenance tasks or providing any other prudent emergency assistance to aid any person who is in acute physical distress or requires emergency assistance.” Board staff will continue to monitor this bill.

Mr. Spangler reported that **House Bill 2817**, Youth Mental Health Protection Act, has been introduced. The purpose of this bill is to protect lesbian, gay, bisexual, and transgender youth from conversion therapy. The bill also sets forth a prohibition for referral services for conversion therapy and provides for disciplinary actions against certain persons violating the prohibition. Reverend Bowyer moved that the Board support House Bill 2817. Dr. Slemp seconded, and the motion carried.

Ms. Alley reported on **House Bill 2903**, the Fetal Heartbeat Act. This bill would require a physician or other licensed medical provider to determine whether there is a detectable fetal heartbeat prior to performing an abortion. The physician or other licensed medical provider is prohibited from performing an abortion once a heartbeat is detected. Additionally, the bill provides that a physician or other licensed medical provider who performs or induces an abortion after a fetal heartbeat is detected is considered to have acted outside of the scope of practice permitted by law and is subject to discipline from the applicable licensure board. The bill also provides that “The board [of Medicine], by an affirmative vote of no fewer than nine members, shall, to the

extent permitted by law, limit, revoke, or suspend an individual's license to practice or license to recommend, refuse to issue a license to an individual, refuse to renew a license refuse to reinstate a license, or reprimand or place on probation the holder of a license for one or more of the following reasons: (1) Permitting one's name or one's license to practice to be used by a person, group, or corporation when the individual concerned is not actually directing the treatment given; (2) Failure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease; (3) Except as otherwise provided in this code, selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug; and (4) Willfully betraying a professional confidence.” The language of the bill conflicts with some provisions of the Medical Practice Act with respect to the Board’s disciplinary processes and requirements. Reverend Bowyer moved that the Board oppose House Bill 2903. Dr. Challa seconded, and the motion carried.

Ms. Alley reported that **House Bill 2915**, restricting the performance of abortions and acquiring, providing, receiving, otherwise transferring, or using fetal body parts, has been introduced. This bill would require legislative rulemaking by the Board of Medicine. Board staff will research other state Boards involvement in promulgating similar regulations and will continue to monitor this bill.

Mr. Spangler reported that at the January 13, 2019 Executive/Management Committee meeting, members received comments from individuals who are seeking a modification to W.Va. Code §30-3-13a(g)(1), relating to telemedicine prescribing limitations. The modification sought would add language to this section of the Code that would allow physicians who are practicing critical care telemedicine to hospitalized patients to order a Schedule II controlled substance. The Executive/Management Committee provisionally supported a modification to W.Va. Code §30-3-13a(g)(1) which would allow physicians practicing telemedicine to order a Schedule II controlled substance for a hospital patient for immediate administration in an intensive care unit setting, pending legal review, and they referred the matter to the Legislative Committee for further consideration. **House Bill 2947**, relating generally to telemedicine prescription practice

requirements and exceptions, has been introduced. As currently written, this bill would permit a physician to submit an order to dispense a controlled substance, listed in Schedule II of the Uniform Controlled Substance Act (UCSA), to a hospital patient for immediate administration in a hospital. The bill was considered by House Health and Human Resources Committee earlier today, where an amendment was introduced that would limit the order to dispense a controlled substance to a hospital patient for immediate administration in a hospital intensive care unit setting. However, the amendment was not adopted. Reverend Bowyer moved that the Board oppose House Bill 2957 unless the dispensing is limited to a hospital patient for immediate administration in a hospital intensive care unit, and that it is clear that no outpatient prescriptions can be ordered. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that **House Bill 2951**, placing the regulation of non-medical professions and occupation in a new chapter of the code, has been introduced. Board staff will continue to monitor this bill and will report back to the Committee at a future meeting.

Mr. Spangler reported that **House Bill 2954**, defining certain terms used in insurance, has been introduced. The purpose of the bill is to clarify that a valid license includes a temporary permit issued by a Chapter 30 licensing board. In the bill, "valid license" includes a license or temporary permit issued pursuant to the provision of §30-3-1 et seq., and §30-14-1 et seq. Mr. Spangler has had conversation with legislative counsel to clarify that the Board of Medicine does not issue temporary permits, only temporary licenses. Board staff will continue to monitor this bill.

Mr. Spangler reported on **House Bill 2992**, relating to governmental websites. This bill would require agencies to maintain certain information on their website. In addition to the information currently available on the Board of Medicine's website, our Board would be required to post: (1) an organizational chart; (2) administrative agency officials; and (3) meeting minutes.

Mr. Spangler reported that **Senate Bill 574** and **House Bill 2987**, would permit an authorized physician to order the involuntary hospitalization of an individual whom the physician believes is addicted or mentally ill. Board staff will continue to monitor these bills.



Mr. Spangler reported on **Senate Bill 575**, creating long-term care medical review boards. This bill would permit a long-term care provider to request that a medical review panel review claims of injury against the provider. While the Board of Medicine is not named in Senate Bill 575, Board staff will continue to closely monitor this bill.

Mr. Spangler reported that **Senate Bill 464** and **House Bill 3089** would eliminate the prohibition on audio only for establishing a physician/patient relationship via telemedicine. At the January 29, 2019 meeting, the Committee voted to oppose allowing a physician-patient or podiatrist-patient relationship to be established through audio-only communication. Board staff will continue to monitor these bills.

Mr. Foster reported that **House Bill 3042** would require prescriptions to be made by electronic means and sets out exceptions to the electronic prescribing requirement. Board staff will continue to monitor this bill.

Ms. Alley reported that **House Bill 3050**, West Virginia Broadband Expansion Act, was introduced today. This bill would encourage new investment in broadband capabilities in West Virginia. Dr. Faheem moved that the Board support House Bill 3050. Reverend Bowyer seconded, and the motion carried.

Ms. Alley reported that **Senate Bill 400** and **House Bill 2977**, allowing Board of Dentistry to create specialty licenses, has been introduced. The Senate Bill references a special certificate, while the House Bill references a special license. The specialties recognized by the Board of Dentistry are: (1) dental public health; (2) endodontics; (3) oral and maxillofacial surgery; (4) oral and maxillofacial radiology; (5) orthodontics and dentofacial orthopedics; (6) pediatric dentistry; (7) periodontics; (8) prosthodontics; and (9) oral pathology. Board staff will continue to monitor these bills.

There being no further business to consider, the meeting be adjourned.

ADJOURNMENT

  
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K. Dean Wright, PA-C  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**February 26, 2019 at 5:00 pm**

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***CALL TO ORDER***

***Public Comments***

***Agenda Items:***

- **Update on Board of Medicine Bills**
  - **SB 199** which includes the BOM rule relating to licensing and disciplinary procedures: physicians; podiatric physicians and surgeons and permitting and disciplinary procedures: educational permits for graduate medical interns, residents and fellows
  - **SB 567** – Permitting WV Board of Medicine investigators to carry a concealed weapon
  - **SB 653** – Relating generally to practice of medical corporations
  
- **Proposed Amendments to the West Virginia Physician Assistants Practice Act**
  - **SB 668** – Relating to physician assistants collaborating with physicians in hospitals
  
- **Update on Bills Being Monitored That Have Passed Out of House of Origin as of February 22, 2019**
  - **SB 60** – Licensing practice of athletic training
  - **SB 510** – Relating to medical professional liability
  - **HB 2204** – Prohibiting state licensing boards from hiring lobbyists
  - **HB 2486** – Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation
  - **HB 2510** – Relating to special funds of boards of examination or registration
  - **HB 2524** – Permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances
  - **HB 2525** – Tobacco Cessation Therapy Access Act

- **HB 2538** – Providing banking services for medical cannabis
  - **HB 2583** – Family Planning Access Act
  - **HB 2768** – Reducing the use of certain prescription drugs
  - **HB 2947** – Relating generally to telemedicine prescription practice requirements and exceptions
  - **HB 2954** – Defining certain terms used in insurance
- **Update on Bills Being Monitored That Have Not Passed Out of House of Origin as of February 22, 2019, but Have Passed Out of One Committee**
    - **SB 400** – Permitting the Board of Dentistry to create specialty certifications
    - **HB 2801** – Requiring abortions to be performed by a licensed physician
    - **HB 3132** – Relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment
    - **SB 80** - Establishing tax credit for practicing physicians locating in West Virginia
    - **SB 396** – Waiving occupational licensing fees for low-income individuals, military families and young workers
    - **SB 574** – Permitting authorized physician to order involuntary hospitalization of individual if physician believe addicted or mentally ill
- **Update on Bills Being Monitored by Board Staff That Have Not Passed Any Committee as of February 22, 2019**
    - Originating Bill allowing TeleStroke in Telemedicine
    - **SB 5** – Requiring certain insurers and managed care organization develop prior authorization forms
    - **SB 307, HB 2227 and HB 2493** – Creating Nondiscrimination Involuntary Denial of Treatment Act
    - **SB 351** – Relating to lobbying by state boards and commissions
    - **SB 464 and HB 3089** – Modifying licensing requirements for telemedicine and surgery or podiatry
    - **SB 454 and HB 2647** – Providing exemptions from mandatory immunizations

- **SB 492 and HB 2697** – Creating Occupational Licensing Consumer Choice Act
- **SB 548** – Relating to administration of medication in nursing homes
- **SB 606** – Enacting Fetal Heartbeat Act
- **HB 2090** – Relating to advertising by physician and podiatrists
- **HB 2189** – Relating generally to the disclosure of certain confidential information
- **HB 2210** – Relating to the criminal offense of therapeutic deception
- **HB 2351** – Relating to regulating prior authorizations
- **HB 2354** – Creating a provisional license to practice in this state by an applicant with an expired license from another state
- **HB 2380** – Protecting consumers from surprise bills by health care providers
- **HB 2385** – Providing limited prescriptive authority to a licensed psychologist who meets certain criteria
- **HB 2399** – Relating to regulating prior authorizations
- **HB 2592** – Requiring all Chapter 30 Boards be located in the same area in the state
- **HB 2648** – Continuing education for registered nurses and advanced nurse practitioners
- **HB 2781** – Permitting a person to obtain a 12-month supply of contraceptive drugs
- **HB 2817** – Youth Mental Health Protection Act
- **HB 2903** – Fetal Heartbeat Act
- **HB 2915** – Restricting the performance of abortions and acquiring, providing, receiving, otherwise transferring, or using fetal body parts
- **HB 2951** – Placing the regulation of non-medical professions and occupations in a new chapter of the code
- **HB 2987** – Relating to Involuntary treatment for alcohol and other drug abuse
- **HB 3005** – Requiring patients who are pregnant while undergoing medication assisted treatment to receive prenatal care
- **HB 3019** – Health Care Transparency Act

- **HB 3038** – Increasing access to contraceptive drugs, devices and procedures
- **HB 3042** – Requiring prescriptions be made by electronic means
- **HB 3115** – Extending the prescription length of certain life sustain emergency prescriptions

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

February 26, 2019

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A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 26<sup>th</sup> day of February 2019 at 5:00 pm.

The following Committee members attended via teleconference:

K. Dean Wright, PA-C, Chair  
Kishore K. Challa, MD, FACC  
Ahmed D. Faheem, MD, DLFAPA  
Mustafa Rahim, MD  
Ashish P. Sheth, MD  
Catherine C. Slemph, MD, MPH

The following Committee member was absent:

Timothy Donatelli, DPM

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order and roll call was taken by Ms. Frame.

**CALL TO  
ORDER**

Mr. Spangler reported that **Senate Bill 199**, authorizing certain miscellaneous agencies and boards to promulgate legislative rules, includes the Board of Medicine's rule 11 CSR 1A, licensing and disciplinary procedures for physicians; podiatric physicians and surgeons, and 11 CSR 12, permitting and disciplinary procedures: educational permits for graduate medical interns, residents and fellows, has passed House Government Organization Committee and now moves to House Judiciary Committee.

Mr. Spangler reported that **Senate Bill 567**, permitting West Virginia Board of Medicine investigators to carry a concealed weapon, was introduced, but was not placed on the Senate Judiciary Committee agenda; therefore, the bill will not advance this year.

Mr. Spangler reported that the **Senate Bill 653**, relating generally to the practice of medical corporations, has been introduced. This bill incorporates the Board's proposed amendments to W.Va. Code §30-3-15 regarding medical corporations. The bill completed third reading on the Senate floor today and now advances to the House.

Mr. Spangler reported on **Senate Bill 668**, relating to physician assistants collaborating with physicians in hospitals. This bill completed third reading on the Senate floor today and now advances to the House. Some technical amendments will need to be made to this bill. Board staff will continue to closely monitor the bill.

Mr. Spangler reported that an Engrossed Committee Substitute for **Senate Bill 60**, licensing practice of athletic training, has passed the Senate and is currently on the agenda for consideration in House Health and Human Resources Committee, which is meeting now. The West Virginia State Medical Association continues to oppose this bill.

Mr. Spangler reported that the Engrossed Committee Substitute for **Senate Bill 510**, relating to medical professional liability, has passed House Judiciary Committee and was on first reading on the House floor today.

Mr. Spangler reported that a Committee Substitute has been introduced for **House Bill 2204**, prohibiting state licensing boards for hiring lobbyists. The Committee Substitute allows the director, board counsel and appointed board members to lobby on behalf of the Board. This bill was on the Senate Government Organization Committee agenda for consideration this afternoon.

Mr. Spangler provided an update on **House Bill 2486**, using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation. The Engrossed Committee Substitute has passed the House and now moves to Senate Judiciary Committee. Mr. Spangler has spoken with the Chairman of the Senate Judiciary Committee indicating that the

Board supports rehabilitation efforts, but would like for the Board of Medicine and the Board of Osteopathic Medicine to be removed from the bill. Board staff will continue to monitor this bill.

Mr. Spangler reported **House Bill 2510**, relating to special funds of boards of examination or registration, was on the Senate Government Organization Committee agenda for consideration this afternoon.

Mr. Spangler reported that **House Bill 2524**, permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances, has passed the House and now moves to Senate Health and Human Resources Committee.

Dr. Rahim joined the meeting via teleconference at this time.

Dr. Slemper reported that **House Bill 2525**, Tobacco Cessation Therapy Access Act, was amended in Senate Health and Human Resources Committee today. Prior to being amended, the bill provided that “The Commissioner of the Bureau for Public Health, may prescribe on a statewide basis a tobacco cessation therapy by one or more standing orders permitting pharmacists to initiate the dispensing of noncontrolled prescription medications, over-the-counter medications, or other professional services to eligible individuals.” The amendment changes the word “may” to “shall” in this sentence. Additionally, the amendment clarifies that the Board of Pharmacy regulates a pharmacist who dispenses a tobacco cessation noncontrolled prescription medication, over-the-counter medication, or other professional service.

Dr. Slemper provided an update on **House Bill 2583**, Family Planning Access Act. This bill was on the Senate Health and Human Resources Committee agenda for consideration today but was not taken up. The bill is scheduled to be placed back on Senate Health and Human Resources Committee agenda for consideration next week.

Mr. Spangler reported that **House Bill 2768**, reducing the use of certain prescription drugs, has passed the House, but has not yet been placed on the Senate Health and Human Resources Committee agenda.



Mr. Spangler reported that the following bills have passed the House but have not yet been placed on a Senate Committee agenda:

**House Bill 2538**, providing banking services for medical cannabis

**House Bill 2947**, relating generally to telemedicine prescription practice requirements and exceptions

**House Bill 2954**, defining certain terms used in insurance.

Mr. Spangler reported that **Senate Bill 400**, permitting the Board of Dentistry to create specialty certificates, has passed the Senate and now moves to House Government Organization Committee.

Mr. Spangler reported that **House Bill 2801**, requiring abortions to be performed by a licensed physician, and **Senate Bill 80**, establishing tax credit for practicing physicians locating in West Virginia are not likely complete the legislative process this year.

Mr. Spangler reported that **House Bill 3132**, relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment, has passed the House and has been communicated to the Senate.

Mr. Spangler provided an update on **Senate Bill 396**, waiving occupational licensing fees for low-income individuals, military families and young workers. A Committee Substitute was passed which removes young workers from the bill. This bill was on second reading on the Senate floor today.

Mr. Spangler provided an update on **Senate Bill 574**, permitting authorized physicians to order involuntary hospitalization of an individual if the physician believes addicted or mentally ill. A Committee Substitute for the Committee Substitute was amended on the Senate floor earlier today. This bill provides that no later than 24 hours after admission the staff physician or designated employee will file a mental hygiene petition in which the authorized physician certifies that the individual for who the involuntary hospitalization is sought is addicted or is mentally ill and because of his or her addiction or mental illness, is likely to cause serious harm to himself or herself or other individual if allowed to remain at liberty. The floor amendment provides that

“Persons carrying out duties or rendering professional opinions as provided in this section are free of personal liability for the actions, if the actions are performed in good faith and within the scope of their professional duties and in a manner consistent with standard of care.” Dr. Faheem moved that the Board support Senate Bill 574. Dr. Challa seconded, and the motion carried.

Mr. Spangler reported that an originating bill has been introduced which will add a line item to the budget to provide funding for telestroke services.

Mr. Spangler reported that the following bills are not likely to complete the legislative process this year:

**Senate Bill 5**, requiring certain insurers and managed care organization develop prior authorization forms;

**Senate Bill 307, House Bill 2227 and House Bill 2493**, creating Nondiscrimination Involuntary Denial of Treatment Act

**Senate Bill 351**, relating to lobbying by state boards and commissions (the House version of this bill is advancing)

Mr. Spangler provided an update on **Senate Bill 464** and **House Bill 3089**, modifying licensing requirements for telemedicine and surgery or podiatry. Staff from the Board of Medicine and the Board of Osteopathic Medicine were requested to meet with members of the Senate to assist with drafting a Committee Substitute. At the meeting, a Committee Substitute was drafted which provides that: (1) a physician who establishes a physician-patient relationship through the use of secure telephonic communication or similar secure real-time, audio-only communication, is prohibited from prescribing any controlled substance medications listed in Schedules II through V of the Uniform Controlled Substances Act to the patient until the physician has evaluated the patient in person; and (2) a physician establishing a physician-patient relationship by audio-only communication shall have established a collaborative agreement with a primary care physician located within a 50-mile radius of the patient’s primary residence. A physician prescribing care by means of audio-only telemedicine during the establishing encounter shall advise the patient to follow up with that primary care physician within 15 days of the establishing audio encounter. Senate Bill 464 was on second reading on the Senate floor today. Dr. Faheem moved that the Board continue to oppose Senate Bill 464. Dr. Sheth seconded, and the motion carried.

Mr. Spangler reported that **House Bill 2351**, relating to regulating prior authorizations, has completed the legislative process and was communicated to the Governor today.

Mr. Spangler reported that **House Bill 2951**, placing the regulation of non-medical professions and occupation in a new chapter of the codes is on third reading on the House floor tomorrow, February 27, 2019.

Mr. Spangler reported that the following bills are not likely to complete the legislative process this year:

**Senate Bill 454 and House Bill 2847**, providing exemptions from mandatory immunizations Both are dead

**Senate Bill 492 and House Bill 2697**, creating Occupational Licensing Consumer Choice Act

**Senate Bill 548** – Relating to administration of medication in nursing homes

**Senate Bill 606** – Enacting Fetal Heartbeat Act

**House Bill 2090** – Relating to advertising by physician and podiatrists

**House Bill 2189** – Relating generally to the disclosure of certain confidential information

**House Bill 2210** – Relating to the criminal offense of therapeutic deception

**House Bill 2354** – Creating a provisional license to practice in this state by an applicant with an expired license from another state

**House Bill 2380** – Protecting consumers from surprise bills by health care providers

**House Bill 2385** – Providing limited prescriptive authority to a licensed psychologist who meets certain criteria

**House Bill 2399** – Relating to regulating prior authorizations

**House Bill 2592** – Requiring all Chapter 30 Boards be located in the same area in the state

**House Bill 2648** – Continuing education for registered nurses and advanced nurse practitioners

**House Bill 2781** – Permitting a person to obtain a 12-month supply of contraceptive drugs

**House Bill 2817** – Youth Mental Health Protection Act

**House Bill 2903** – Fetal Heartbeat Act

**House Bill 2915** – Restricting the performance of abortions and acquiring, providing, receiving, otherwise transferring, or using fetal body parts

**House Bill 2987** – Relating to Involuntary treatment for alcohol and other drug abuse

**House Bill 3005** – Requiring patients who are pregnant while undergoing medication assisted treatment to receive prenatal care

**House Bill 3019** – Health Care Transparency Act

**House Bill 3038** – Increasing access to contraceptive drugs, devices and procedures

**House Bill 3042** – Requiring prescriptions be made by electronic means

**House Bill 3115** – Extending the prescription length of certain life sustain emergency prescriptions

**House Bill 3050**, West Virginia Municipal Broadband Expansion Act

There being no further business to consider, the meeting be adjourned.

ADJOURNMENT



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K. Dean Wright, PA-C  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**March 10, 2019 at 10:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- January 13, 2019
- January 29, 2019
- February 6, 2019
- February 12, 2019
- February 26, 2019

***Agenda Items:***

- Board of Medicine Legislative Rules 11 CSR 1A and 11 CSR 12
- Overview of the 2019 Legislative Session
- Bills monitored by the Board and Passed by the Legislature
- Emergency Rulemaking as a Result of 2019 Legislation
- Consideration of Rulemaking for the 2020 Legislative Session, Including Amendments Required by 2019 Legislation and Modernization of Current Board of Medicine Rules
- Discussion of Potential Legislative Goals for 2020

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

March 10, 2019

---

A meeting of the West Virginia Board of Medicine Legislative Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 10<sup>th</sup> day of March 2019 at 10:00 am.

The following Committee members were present:

K. Dean Wright, PA-C, Chair  
Kishore K. Challa, MD, FACC  
Timothy Donatelli, DPM  
Ahmed D. Faheem, MD, DLFAPA  
Ashish P. Sheth, MD  
Catherine C. Slemp, MD, MPH

The following Committee member was absent:

Mustafa Rahim, MD

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order. Dr. Faheem moved that the minutes of the following meetings be approved:

January 13, 2019;

January 29, 2019;

February 6, 2019;

February 12, 2019; and

February 26, 2019.

Dr. Sheth seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

Mr. Spangler reported that the Board's legislative rules 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians, Podiatric Physician and Surgeons*, and 11 CSR 12, *Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows*, have completed the legislative process and are awaiting action by the Governor.

Dr. Slemple joined the meeting at this time.

Mr. Spangler reported that the following bills, which were being monitored by Board staff, have completed the 2019 legislative process:

**Senate Bill 60**, licensing practice of athletic training;

**Senate Bill 119**, specifying documents not subject to discovery in certain proceedings (the Board of Medicine was removed from this bill);

**Senate Bill 396**, which requires chapter 30 boards to process the initial application for low-income individuals or military families within 30 days of receipt of the application and requires that licensing fees be waived. If signed by the Governor, this bill will require legislative rulemaking by the Board;

**Senate Bill 510**, relating to medical professional liability;

**Senate Bill 653**, the Board's bill which modifies W.Va. Code §30-3-15 to exclude all hospitals from the prohibition on the corporate practice of medicine and permits medical doctors, podiatric physicians and physician assistants to seek authorization as a medical corporation;

**Senate Bill 668**, which provides that a physician assistant who is practicing in a hospital setting will need to submit a notification of practice rather than a practice agreement. If signed by the Governor, this bill will require emergency and legislative rulemaking by the Board;

**House Bill 2204**, prohibiting state licensing boards from hiring lobbyists;

**House Bill 2351**, relating to regulating prior authorizations;

**House Bill 2486**, using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation;

**House Bill 2510**, relating to special funds of boards of examination or registration, which provides that if the special fund of any board accumulates to an amount which exceeds twice the annual budget of the board or \$10,000, whichever is greater, that the State Treasurer will transfer the

excess amount to the General Revenue Fund and the Legislative Auditor will review the fee structure of the board;

**House Bill 2524**, permitting a pharmacist to convert prescriptions authorizing refills under certain circumstances;

**House Bill 2525**, Tobacco Cessation Therapy Access Act;

**House Bill 2583**, Family Planning Access Act;

**House Bill 2768**, reducing the use of certain prescription drugs, this legislation makes certain amendments to the Opioid Reduction Act passed as Senate Bill 273 in 2018;

**House Bill 2947**, which permits a physician practicing telemedicine to submit an order to dispense a controlled substance, listed in Schedule II of the Uniform Controlled Substance Act, to a hospital patient for immediate administration in a hospital, excluding the emergency department;

**House Bill 2992**, relating to government websites; and

**House Bill 3132**, relating to exemptions for providers that serve no more than 30 patients with office-based medication-assisted treatment.

Dr. Slemp reported that in addition to the aforementioned bills, **House Bill 2079**, removing certain limitation on medical cannabis grower, processor and dispensary licenses, and **House Bill 2538**, providing banking services for medical cannabis, have completed the legislative process.

Mr. Spangler reported that Board staff were successful in obtaining a sponsor to introduce **Senate Bill 567**, permitting West Virginia Board of Medicine investigators to carry a concealed weapon. Unfortunately, this bill did not advance out of Senate Judiciary Committee, and therefore was not passed during the 2019 legislative session.

Mr. Spangler reported that **Senate Bill 464**, modifying licensing requirements for telemedicine and surgery or podiatry, was closely monitored by Board staff. This bill would have eliminated the prohibition of audio-only for establishing a physician/patient relationship via telemedicine. The bill was not passed during the 2019 legislative session; however, it is likely that similar proposed legislation will be introduced during the 2020 legislative session.



Mr. Spangler reported that the Board will need to evaluate current legislative and procedural rules to determine which will need to undergo rulemaking in the 2020 legislative session.

Mr. Spangler reported that potential legislative goals for 2020 include reintroducing legislation which would authorize Board of Medicine investigators to carry a concealed weapon and the possible consolidation of the Board of Medicine and the Board of Osteopathic Medicine.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



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K. Dean Wright, PA-C  
Chair of the Legislative Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Agenda**  
**May 19, 2019 at 10:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- March 10, 2019

***Agenda Items:***

- Emergency Rulemaking as a Result of 2019 Legislation
- Consideration of Rulemaking for the 2020 Legislative Session, Including Amendments Required by 2019 Legislation and Modernization of Current Board of Medicine Rules
- Selection of Special Meeting Dates

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Legislative Committee Minutes

May 19, 2019

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The West Virginia Board of Medicine's Legislative Committee met at 101 Dee Drive, Charleston, West Virginia, on May 19, 2019 at 10:00 am.

The following Committee members were present:

Kenneth Dean Wright, PA-C, Legislative Committee Chair  
Kishore K. Challa, MD, FACC  
Ahmed D. Faheem, MD, DLFAPA  
Mustafa Rahim, MD  
Ashish P. Sheth, MD  
Catherine C. Slemp, MD, MPH

The following Committee member was absent:

Timothy J. Donatelli, DPM

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Mr. Wright called the meeting to order. Dr. Rahim moved that the minutes of the March 10, 2019 meeting be approved. Dr. Challa seconded, and the motion carried. **CALL TO ORDER**

Mr. Spangler reported that Senate Bill 668, which provides process changes for physician assistant practice authorization in hospital settings, was passed during the 2019 legislative session and becomes effective on June 6, 2019. Pursuant to this legislation, physician assistants who are employed by hospitals will be permitted to submit to the Board instructional practice notifications rather than practice agreements with individual collaborating physicians. The Board will need to promulgate emergency and legislative rules in order to implement this change.

Mr. Spangler reported that Senate Bill 396, was passed during the 2019 legislative session. This legislation required the Board to waive initial licensing fees for low-income individuals and military families. The bill becomes effective on June 6, 2019 and requires the Boar to promulgate legislative rules to implement the waiver.

In addition to rulemaking required by the bills passed during the 2019 legislative session, Dr. Sheth moved that Board staff review the Board's legislative rule 11 CSR 10, *Accessing the West Virginia Controlled Substance Monitoring Program*, and report back to the Committee regarding proposed modifications / updates to the rule. Dr. Rahim seconded, and the motion carried.

Mr. Spangler reported that the Committee will need to hold a special meeting to review and consider draft rules to be promulgated during the 2020 legislative session. Dr. Faheem moved that a special Legislative Committee meeting be held on Tuesday, June 11, 2019 at 5:00 pm. Dr. Challa seconded, and the motion carried.

**ADJOURNMENT**

There being no further business to consider, the meeting adjourned.

  
K. Dean Wright, PA-C  
Legislative Committee Chair

# **Executive / Management Committee Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**July 8, 2018 at 11:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- May 6, 2018

***Agenda Items:***

- Fiscal Reports and Purchasing Card Transactions for the Months of May and June 2018
- Correspondence Received Regarding Corporate Practice of Medicine
- Correspondence Received Regarding Interventional Radiology
- Inquiries, Updates and Abnormal Prescriber Criteria Regarding Senate Bill 273
- Request for Licensee Information
- Medical Professional Liability Reporting
- Board of Medicine Guidance Regarding Records Retention
- Office Updates
  - 2018 Renewal
  - 2018-2019 Contracts
  - Staffing
  - Strategic Planning

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

July 8, 2018

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 8<sup>th</sup> day of July 2018 at 11:00 am.

The following Committee members were present:

Ahmed Faheem, M.D., D.L.F.A.P.A., Chair  
Reverend O. Richard Bowyer

The following Committee member attended the meeting via teleconference:

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

The following Committee member was absent:

Kishore K. Challa, M.D., F.A.C.C.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame

Dr. Faheem called the meeting to order. Reverend Bowyer moved that the minutes of the May 6, 2018 meeting be approved. Dr. Gupta seconded, and the motion carried.

**CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES**

Steven Luby, Esquire, of Steptoe & Johnson, PLLC was present for the meeting and signed up to address the Committee. Following Mr. Luby's address to the Committee, members thanked him for his comments.

**PUBLIC  
COMMENTS**

Mr. Luby left the meeting at this time.

In advance of the meeting, Committee members were provided with a copy of correspondence concerning the corporate practice of medicine as it applies to physician-owned for-profit hospitals. The requestor asked the Board to extend the current exemption for non-profit hospitals to for-profit hospitals which are entirely physician owned. The Committee considered this issue at length and ultimately determined that the language of WV Code §30-3-15(a) establishes a clear prohibition on any corporation practicing medicine without a certificate of authorization issued by the Board and the not for profit exemption was adopted as the result of a court decision, not independent Board action. Dr. Gupta moved that the Committee recommend to the Board that in light of the issues raised by recent correspondence to the Board and acknowledging the trend, including in surrounding states, to except all hospitals from the corporate practice of medicine prohibition, that this issue be referred to the Legislative Committee to pursue action by the legislature regarding hospitals and the applicability of the corporate practice of medicine. Reverend Bowyer seconded, and the motion carried.

Prior to today's meeting, Committee members were provided with a copy of the fiscal report and purchasing card transactions for the period of April 17<sup>th</sup> through June 16<sup>th</sup>, 2018. Upon review of the expenditures, Reverend Bowyer moved that the purchasing card transactions for the period of April 17<sup>th</sup> through June 16<sup>th</sup>, 2018 be approved. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported to the Committee that the Board has received correspondence which provides that the Society of Interventional Radiology is pleased to see that the Board includes Interventional Radiology in its list of specialties.

Mr. Spangler reported that the Board has received correspondence from the West Virginia Board of Pharmacy which identifies proposed recommended parameters to be used in identifying abnormal or unusual prescribing or dispensing patterns among prescribers. The recommended parameters include the:

- Average MED per prescription;
- Total MME prescribed;
- Total opioid prescriptions;
- Number of unique opioid patients; and
- Number of days supply of overlapping opioids and benzodiazepines.



Reverend Bowyer moved that the Committee recommend that the Board notify the West Virginia Board of Pharmacy that the Board of Medicine agrees with the Board of Pharmacy's proposed parameters and suggest that the Board's jointly reassess the efficacy of the parameters in a year. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that the Board has received correspondence inquiring about Senate Bill 273, reducing use of certain prescription drugs, which became effective on June 7, 2018. Following discussion, Reverend Bowyer moved that the Committee recommend that the Board authorize staff to respond to the requestor indicating that West Virginia Department of Health and Human Resources and several other agencies are working to provide clarification regarding Senate Bill 273, and that more guidance from various regulators is anticipated in the future. Dr. Gupta seconded, and the motion carried.

Mr. Spangler reported that the Board has received correspondence requesting access to licensing data captured by the Board of Medicine. The request seeks information that is publicly available by utilizing the Look Up a Doctor or PA search feature on the Board's website. Dr. Gupta declared a conflict with regard to this matter. Without a quorum of members present who were not conflicted from voting on this matter, no action could be taken. The matter will be placed on the September 2018 agenda.

Ms. Alley reported that no requests for expungement of medical professional liability claims have been received since May 2018. The Board's proposed legislative rule 11 CSR 1A has been modified to clarify the circumstances under which malpractice settlements and judgments must be reported to the Board and to align the Board's malpractice reporting standards with other reporting requirements for malpractice, including the National Practitioner Data Bank.

Mr. Spangler reported to the Committee that in an effort to update the Board of Medicine's Medical Record Retention Guidelines which were published in the December 2015 newsletter, Board staff have contacted several entities to inquire about their medical record retention guidelines. The guidelines vary, however, maintaining patient records for a minimum of five years, with certain exemptions, appears to be generally acceptable. Board staff will draft revised Record Retention Guidelines for review and consideration at the September 2018 meeting.

Mr. Spangler reported that license renewal for physicians whose last name begins with the letters A through L, controlled substance dispensing practitioner registration for physicians whose last name begins with the letters A through L, and PLLC certificate of authorization renewal began on May 2, 2018 and concluded on June 29, 2018. A final count is pending, however initial counts indicate that approximately 3557 physicians renewed their medical license and 541 medical licenses expired. With regard to controlled substance dispensing registrations, 164 physicians renewed their registration and 248 registrations expired. With regard to PLLC certificate of authorization, 115 PLLCs renewed their certificate, 44 PLLCs expired and 2 PLLCs notified the Board that they have closed their company.

Mr. Spangler reported that for the 2018-2019 fiscal year, the Board has contracted with the following:

#### **Court Reporters**

Wilda Stonestreet  
Sargent's Court Reporting

#### **Hearing Examiners**

Lewis Brewer, Esq.  
Jack McClung, Esq.  
J. Rudy Martin, Esq.  
Janis Reynolds, Esq.  
Jennifer Taylor, Esq.

Mr. Spangler reported that John (Brad) Smith joined the Board in May, as the Complaints Coordinator, and tomorrow, July 9, 2018, Sarah Loftus will assume her position as Paralegal for the Board.

Mr. Spangler reported that, at the May Board meeting, it was announced that the 2018 strategic planning session will be held on Saturday, October 6, 2018. If members are available, Board staff would like to move the date of the planning session to Saturday, October 13, 2018 beginning at 1:00 pm. This date and time will be presented to the Board, tomorrow, July 9, 2018. The Executive / Management Committee was agreeable with this change.

There being no further business to consider, Reverend Bowyer moved that the meeting be adjourned. Dr. Gupta seconded, and the motion carried.



Kishore K. Challa, M.D., F.A.C.C.

Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**September 9, 2018 at 11:00 a.m.**

---

***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- July 8, 2018

***Agenda Items:***

- Fiscal Reports and Purchasing Card Transactions for the Months of July and August 2018
- Request for Licensee Information
- Correspondence Received Regarding Corporate Practice of Medicine
- Correspondence Received Regarding the Denial of Certain Medications by Insurance Companies
- Continuing Education Training
- Executive Order No. 3-18
- Database Vendor
- WVMPHP Agreement
- Board of Medicine Guidance Regarding Record Retention
- Office Updates
  - Staffing

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

September 9, 2018

---

A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 9<sup>th</sup> day of September 2018 at 11:00 am.

The following Committee members were present:

Kishore K. Challa, M.D., F.A.C.C., Chair  
Reverend O. Richard Bowyer  
Ahmed Faheem, M.D., D.L.F.A.P.A.,  
Ashish P. Sheth, M.D.

The following Committee member was absent:

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame

Dr. Challa called the meeting to order. Dr. Faheem moved that the minutes of the July 8, 2018 meeting be approved. Reverend Bowyer seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

Prior to today's meeting, Committee members were provided with a copy of the fiscal report and purchasing card transactions for the period of June 16 through August 15, 2018. Upon review of the expenditures, Reverend Bowyer moved that the purchasing card transactions for the period of June 16 through August 15, 2018 be approved. Dr. Faheem seconded, and the motion carried.

The Committee reviewed and discussed correspondence requesting access to the Board’s database for the purpose of obtaining licensing data that is otherwise already publicly available on the Board’s website. Currently, the Board cannot segregate public and non-public data within the database. Reverend Bowyer moved that the Committee recommend that the Board deny the request for direct database access. Dr. Faheem seconded, and the motion carried.

The Committee reviewed and discussed correspondence regarding a medical corporation that was previously registered with the Board. In 2005, the corporation added dental faculty as members, therefore disqualifying them from operating as a medical corporation. At that time, the corporation did not renew its registration as a medical corporation and began to function as a nonprofit corporation. The correspondence received provides that the corporation is “aware that the Board has amended its Policy Statement on the corporate practice of medicine in recent years” and states that if the Board is of the opinion that the corporation no longer qualifies under the current policy statement, to please advise. The Committee concluded that no changes have been made to the *Position Statement on the Corporation Practice of Medicine* which would require this corporation to register with the Board.

The Committee reviewed and discussed correspondence regarding the denial of coverage for certain medications by insurance companies. The Board has no jurisdiction over insurance companies. Reverend Bowyer moved that the Board refer this correspondent to the West Virginia Offices of the Insurance Commissioner for consideration. Dr. Sheth seconded, and the motion carried.

The Committee reviewed and discussed correspondence regarding continuing education training available by the National Center for Health Statistics, Centers for Disease Control and Prevention entitled *Improving Cause of Death Reporting*. The training focuses on how to accurately complete a death certificate. Dr. Sheth moved that the Committee recommend that the Board authorize staff to send an email blast to licensees notifying them of the training and providing a link to the same. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported that per West Virginia Purchasing Division requirements, the Board’s database contract will need to be rebid in 2019. Reverend Bowyer moved that the

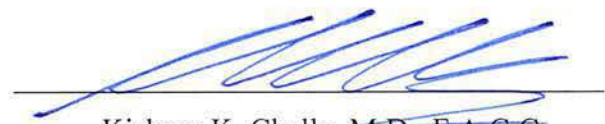
Committee authorize Board staff to work with the Purchasing Division and place the database contract out for rebid. Dr. Sheth seconded, and the motion carried.

Mr. Spangler reported that the Agreement between the Board of Medicine and the West Virginia Medical Professionals Health Program (WVMPHP), designating the WVMPHP as a Physician Health Program, is scheduled to terminate at the end of December. A copy of a proposed agreement between the Board and the WVMPHP for the period beginning January 1, 2019 was made available for members to review prior to today's meeting. Dr. Faheem moved that the Committee recommend that the Board enter into the Agreement with the WVMPHP for the period beginning January 1, 2019. Reverend Bowyer seconded, and the motion carried.

Mr. Spangler reported that in an effort to update the Board's recommendations on medical records retention, Board staff obtained input from several entities regarding record retention guidelines. The responses vary significantly from three years to ten plus years depending on the types of records. The Committee directed Board staff to draft revised recommendations on medical records retention for consideration at the November 2018 meeting.

Mr. Spangler reported that the Board may need to hire an additional staff member to process educational permits, however, for the time being, the permits will be processed by licensure staff. Additionally, Mr. Spangler reported that Kimberly Jett is no longer employed by the Board. Ms. Jett's departure leaves a vacancy in the position of certifications analyst. Currently other staff members are performing the duties of this position, and the Board will reevaluate the need for this position in the coming months. The Board wishes Ms. Jett the best in her future endeavors.

There being no further business to consider, Dr. Sheth moved that the meeting **ADJOURNMENT** adjourned. Reverend Bowyer seconded, and the motion carried.



Kishore K. Challa, M.D., F.A.C.C.

Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**November 4, 2018 at 10:45 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- September 9, 2018

***Agenda Items:***

- Fiscal Reports and Purchasing Card Transactions for August, September and October 2018
- Selection of 2019 Board Meeting Dates:
  - January 14, 2019
  - March 11, 2019
  - May 6, 2019 or May 20, 2019
  - July 15, 2019
  - September 9, 2019
  - November 4, 2019 or November 18, 2019
- 2019 Strategic Plan
- Consideration of Motions for Expungement of Medical Malpractice Payment Reports
  - Jessica A. Rhodes, P.A.-C.
  - John France, M.D.
  - Robert D. Santrock, M.D.
  - Jan C. Kletter, M.D.
- Correspondence Received Regarding Controlled Substance Prescribing
- Ad Hoc Committee on Joint Regulatory Concerns / Opportunities
- Proposed Modification to WVMPHP Agreement



- Report back to the Committee Regarding Processing of Requests for Licensee Information
- Medical Corporations and PLLCs Update
- Board of Medicine Guidance Regarding Medical Records Retention
- Report to the Committee from the President Concerning Communication with West Virginia University School of Medicine
- Pending Litigation
  - *Young vs. WVBOM*, Civil Action No. 18-C-121
- Office Updates
  - Database
  - Staffing

## ***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

November 4, 2018

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 4<sup>th</sup> day of November 2018 at 10:45 am.

The following Committee members were present:

Kishore K. Challa, MD, FACC, Chair  
Reverend O. Richard Bowyer  
Rahul Gupta, MD, MPH, MBA, FACP  
Ashish P. Sheth, MD

The following Committee member was absent:

Ahmed Faheem, MD, DLFAPA

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Dr. Challa called the meeting to order. Reverend Bowyer moved that the minutes of the September 9, 2018 meeting be approved. Dr. Gupta seconded, and the motion carried.

**CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES**

Prior to today's meeting, Committee members were provided with a copy of the fiscal report and purchasing card transactions for the period of August 16 through October 16, 2018. Upon review of the expenditures, Dr. Sheth moved that the purchasing card transactions for the period of August 16 through October 16, 2018 be approved. Dr. Gupta seconded, and the motion carried.

The Committee reviewed the proposed schedule of 2019 Board meeting dates. Dr. Sheth moved that the following Board meeting dates be presented to the Board for approval:

January 14, 2019;  
March 11, 2019;  
May 20, 2019;  
July 15, 2019;  
September 9, 2019; and  
November 4, 2019.

Reverend Bowyer seconded, and the motion carried.

The Committee reviewed the Board's 2019 Strategic Plan that was established during the October 13, 2019 strategic planning meeting. Dr. Sheth moved that the Committee recommend that the Board adopt the 2019 Strategic Plan. Dr. Gupta seconded, and the motion carried.

The Committee reviewed and discussed correspondence that was received which requests expungement of a medical malpractice settlement claim report for four licensees. Dr. Sheth moved that the Committee recommend that the Board expunge the medical malpractice settlement claim reports for Jessica A. Rhodes, PA-C and Robert D. Santrock, MD. Dr. Gupta seconded, and the motion carried. Dr. Sheth further moved that the Committee recommend that the Board decline the request for expungement of the medical malpractice settlement claim report for John France, MD and Jan C. Kletter, MD. Dr. Gupta seconded, and the motion carried.

The Committee reviewed and discussed correspondence that was received from a licensee regarding controlled substance prescribing. Following passage of new legislation, residents in training are no longer allowed to write prescriptions for controlled substances for Medicaid patients. These prescriptions must now be signed by the supervising faculty member. The licensee is concerned that signing the prescriptions for residents in training will raise concerns if his prescribing records are reviewed. Dr. Sheth moved that the Committee authorize Board staff to respond to the licensee indicating that his correspondence will be maintained in his historical

record in case any questions are raised in the future. Reverend Bowyer seconded, and the motion carried.

Dr. Challa reported that he would like to establish an Ad Hoc Committee on Joint Regulatory Concerns / Opportunities to proactively develop and maintain relationships with other regulatory agencies. Reverend Bowyer moved that Dr. Challa establish an Ad Hoc Committee on Joint Regulatory Concerns / Opportunities. Dr. Gupta seconded, and the motion carried.

At the September 2018 meeting, the Board approved a proposed Agreement between the Board of Medicine and the West Virginia Medical Professional Health Program (WVMPHP) for the period beginning January 1, 2019. Mr. Spangler reported that the Agreement was presented to the WVMPHP for consideration and review. The WVMPHP has requested that language in section 4.1, which is included in the current Agreement but was struck from the proposed Agreement, be reinserted. Mr. Foster reported that the language that the WVMPHP proposes be reinserted does not cover all of the code sections and may undercut what is already stated. Dr. Gupta moved that the Committee recommend that the Board make no modifications to the proposed Agreement that the Board will enter into with the WVMPHP effective January 1, 2019. Dr. Sheth seconded, and the motion carried.

Mr. Spangler reported to the Committee that the West Virginia University Office of Health Services Research currently processes approximately 12 requests for information regarding Board of Medicine licensees each quarter. The Committee took no action with regard to this agenda item.

Mr. Spangler reported to the Committee that there are 365 active medical corporations and 141 active professional limited liability companies authorized by the Board. Currently, once a medical corporation or professional limited liability company is authorized by the Board, it takes approximately two weeks to obtain the Board President and the Board Secretary's signature on the certificate of authorization. In order to improve the processing time, Dr. Sheth moved that the Committee recommend that the Board authorize Mr. Spangler to sign the certificate of authorization that is issued to medical corporations and professional limited liability companies. Reverend Bowyer seconded, and the motion carried.

The Committee reviewed and discussed an article that was drafted by Board staff entitled *Medical Records Retention Guidelines*. Board staff sought guidance from members regarding the number of years in which the Board recommends that medical records be maintained. Following discussion, the Committee directed Board staff to modify the article to provide that “at a minimum, the Board recommends that licensees retain records for at least 10 years after the last entry into the record or the last date of service, whichever is greater.” Also, the Committee directed staff to change the word healthcare to health care. Dr. Sheth moved that the Committee recommend that the Board approved the article with the technical modifications identified above. Dr. Gupta seconded, and the motion carried.

Dr. Challa reported to the Committee that he has had conversation with individuals from West Virginia University School of Medicine regarding the application process for physicians whose services are highly sought after and would greatly benefit West Virginia. He reported that he explained the medical faculty license and extraordinary circumstance license process and communicated that eligible applicants may seek licensure through these existing statutory provisions.

Mr. Spangler reported that a wrongful termination suit has been filed, *Young v. West Virginia Board of Medicine*, Civil Action No. 18-C-121. The Board is represented by AIG insurance, and Chuck Bailey has been assigned to represent the Board. Additional information will be provided as it becomes available.

Mr. Spangler reported that staff continue to work with the West Virginia Purchasing Division and are beginning to develop specifications to be included in the request for quotation as it relates to the rebidding of the database provider.

Mr. Spangler reported that with regard to staff, the Board has not yet filled the vacant certifications analyst position. Additionally, one staff member is scheduled to be out of the office on maternity leave in the near future. Licensure staff will assume the duties associated with this position while the staff member is on leave.

There being no further business to consider, Dr. Sheth moved that the meeting ADJOURNMENT adjourned. Reverend Bowyer seconded, and the motion carried.

 3/11/2015

Kishore K. Challa, MD, FACC  
Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**January 13, 2019 at 10:30 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- November 4, 2018

***Agenda Items:***

- Fiscal Reports and Purchasing Card Transactions for the Period of October, November and December 2018
- Consideration of Correspondence Received Regarding Telemedicine
- Video Appearances
- Young v. WVBOM, Civil Action No. 18-C-1216
- Office Updates
  - Database
- Appearance
  - Mitchell Brandon Stotland, MD

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

January 13, 2019

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 13<sup>th</sup> day of January at 10:30 am.

The following Committee members were present:

Kishore K. Challa, MD, FACC, Chair  
Reverend O. Richard Bowyer  
Harry E. Duncan, MD  
Ahmed D. Faheem, MD, DLFAPA  
Ashish P. Sheth, MD  
Catherine C. Slemph, MD, MPH  
Russell O. Wooton

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame

Dr. Challa called the meeting to order. The Committee received public comments from individuals who are seeking a modification to W.Va. Code §30-3-13a(g)(1), relating to telemedicine prescribing limitations.

CALL TO  
ORDER AND  
PUBLIC  
COMMENTS

Reverend Bowyer moved that the minutes of the November 4, 2018 meeting be approved. Dr. Faheem seconded, and the motion carried.

APPROVAL  
OF MINUTES

Prior to today's meeting, Committee members were provided with a copy of the fiscal report and purchasing card transactions for the period of October 16 through December 17, 2018. Upon review of the expenditures, Reverend Bowyer moved that the purchasing card transactions for the period of October 16 through December 17, 2018 be approved. Dr. Faheem seconded, and the motion carried.



The Committee reviewed and discussed correspondence that was received which seeks a modification to W.Va. Code §30-3-13a(g)(1), relating to telemedicine prescribing limitations. The modification sought would add language to this section of the Code that would allow physicians who are practicing critical care telemedicine to hospitalized patients to order a Schedule II controlled substance. Reverend Bowyer moved that the Committee provisionally support a modification to §30-3-13a(g)(1) which would allow physicians practicing telemedicine to order a Schedule II controlled substance for a hospital patient for immediate administration in an intensive care unit setting, pending legal review, and that this matter be referred to the Legislative Committee for further consideration. Dr. Faheem seconded, and the motion carried.

Dr. Duncan joined the meeting at this time.

Mr. Spangler reported that on Saturday, January 12, 2019, an applicant for extraordinary circumstances licensure appeared before the Licensure Committee via video appearance utilizing Skype. This is the first time that the Board has authorized such an appearance, and there are currently no policies or procedures in place regarding video appearances. Dr. Faheem moved that the Committee direct Board staff to research the possibility of allowing video appearances, including technical and legal concerns, as well as policies and procedures, and report back to the Committee with recommendations at a future meeting. Dr. Slempp seconded, and the motion carried.

Mr. Wootton joined the meeting at this time.

Mr. Spangler reported that the wrongful termination suit, *Young v. WVBOM*, Civil Action No. 18-C-1216, is scheduled for trial in Kanawha County Circuit Court on March 20, 2020. Board staff will keep members apprised of any updates.

Mr. Spangler reported that Board staff have submitted specifications and all related documents for the Request for Quotation (RFQ) to the West Virginia Purchasing Division for the rebidding of the database provider. Board staff are awaiting final approval of the RFQ from the purchasing division, and it is likely that bidding will begin within a month.

Mr. Spangler reported that Mitchell Brandon Stotland, MD's application for medical licensure was transferred from the Licensure Committee to the Executive/Management Committee for consideration at a Sunday meeting. Reverend Bowyer moved that the Board enter into executive session for the purpose of receiving legal advice. Dr. Duncan seconded, and the motion carried.

EXECUTIVE  
SESSION

The executive session concluded, and the Executive/Management Committee returned to public session. Dr. Stotland appeared before the Executive/Management Committee in support of his application for a permanent medical license. After a thorough discussion with Dr. Stotland, Dr. Sheth moved that the Committee recommend that the Board approve Dr. Stotland for licensure. Dr. Faheem seconded, and the motion carried.

PUBLIC  
SESSION

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



3/11/2019.

Kishore K. Challa, MD, FACC

Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**March 10, 2019 at 11:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- January 13, 2019

***Agenda Items:***

- Fiscal Reports and Purchasing Card Transactions for January and February 2019
- Consideration of Correspondence Regarding West Virginia Provider Survey on Pain Management and Medication-Assisted Treatment
- Video Appearances
- Notice of Claims
  - *John France, MD v. West Virginia Board of Medicine*
  - *Jan Carey Kletter, MD v. West Virginia Board of Medicine*
- Office Updates
  - Database Vendor RFQs
  - Staffing Needs

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

March 10, 2019

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 10<sup>th</sup> day of March at 11:00 am.

The following Committee members were present:

Kishore K. Challa, MD, FACC, Chair  
Ahmed D. Faheem, MD, DLFAPA  
Ashish P. Sheth, MD  
Catherine C. Slemph, MD, MPH

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame

Dr. Challa called the meeting to order. Dr. Faheem moved that the minutes of the January 13, 2019 meeting be approved. Dr. Sheth seconded, and the motion carried.

CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES

Prior to today's meeting, a copy of the fiscal report and purchasing card transactions for the months of January and February 2019 were made available for members to review. Dr. Faheem moved that the purchasing card transactions for the months of January and February 2019 be approved. Dr. Sheth seconded, and the motion carried.

The Committee reviewed and discussed correspondence that was received which requests that the Board email current licensees a link to a survey titled *West Virginia Provider Survey on Pain Management and Medication-Assisted Treatment*. Dr. Faheem moved that on this singular occasion, and taking into consideration the public health issue, that the survey to be forwarded to the West Virginia Bureau for Public Health (WVBPH) for review in conjunction with the West

Virginia Office of Drug Control Policy (WVODCP), and if the survey is supported by the WVBPH and the WVODCP, Board staff be authorized to email current licensees a link to the survey. Dr. Sheth seconded, and the motion carried.

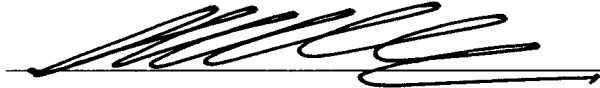
Mr. Spangler reported that at the January 13, 2019 meeting, the Committee directed Board staff to research the possibility of allowing video appearances, including technical and legal concerns, as well as policies and procedures, and report back to the Committee with recommendations at a future meeting. This matter was on today's agenda but was tabled for consideration at a future meeting.

Mr. Spangler reported that at the November 2018 Board meeting, the Committee recommended, and the Board voted to decline the request for expungement of a medical malpractice claim report for John C. France, MD and Jan C. Kletter, MD. The Board recently received two Notice of Claims, *France v. West Virginia Board of Medicine* and *Kletter v. West Virginia Board of Medicine*, indicating that each of the licensees intend to file suit against the Board in Kanawha County Circuit Court to have the medical malpractice settlement report expunged from their historical record. Board staff will keep members apprised of any updates.

Mr. Spangler reported that the Request for Quotation (RFQ) for the rebidding of the database provider has concluded. Per West Virginia Purchasing Division requirements, the Board is required to accept the lowest bid which meets all required specifications. Board staff have reviewed the quotes and have determined that the lowest bidder meets all required specifications. The bid is currently being reviewed by the West Virginia Office of Technology.

Mr. Spangler reported that the Board's Paralegal, Sarah Loftus, recently submitted her resignation. Upon Ms. Loftus' departure, the Board will have two vacant positions, one in the Complaints, Compliance and Investigations Unit and one in the Licensure Unit. The Board wishes Ms. Loftus the best in her future endeavors.

There being no further business to consider, Dr. Faheem moved that the meeting be adjourned. Dr. Sheth seconded, and the motion carried.



Kishore K. Challa, MD, FACC

Chair of the Executive/Management Committee

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Agenda**  
**May 19, 2019 at 11:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Approval of Minutes***

- March 10, 2019

***Agenda Items:***

- Fiscal Reports and Purchasing Card Transactions for March and April 2019
- Consideration of Correspondence Received Inquiring Whether a Medical License is Required to Eviscerate a Body for Pathologic Examination
- Consideration of Correspondence Received from iSelectMD
- Consideration of Correspondence Received Regarding Medical Corporation Approval
- Consideration of Motion for Expungement of Medical Malpractice Payment Report
  - Jennifer Cristine Knight David, MD
- Update on Pending Legal Matters
  - *John France, MD v. West Virginia Board of Medicine*
  - *Jan Carey Kletter, MD v. West Virginia Board of Medicine*
  - *Young v. West Virginia Board of Medicine*
- Selection of 2020 Strategic Planning Meeting Date
  - October 19, 2019
- Survey Results
- Office Updates
  - 2019 Renewal Update
  - Database Vendor
  - Staffing Needs

***ADJOURNMENT***

# WEST VIRGINIA BOARD OF MEDICINE

## Executive/Management Committee Minutes

May 19, 2019

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A meeting of the West Virginia Board of Medicine Executive/Management Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 19<sup>th</sup> day of May at 11:00 am.

The following Committee members were present:

Kishore K. Challa, MD, FACC, Chair  
Ahmed D. Faheem, MD, DLFAPA  
Ashish P. Sheth, MD  
Catherine C. Slemp, MD, MPH

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Andrew R. Wessels

Dr. Challa called the meeting to order. Dr. Sheth moved that the minutes of the March 10, 2019 meeting be approved. Dr. Faheem seconded, and the motion carried.

**CALL TO  
ORDER AND  
APPROVAL  
OF MINUTES**

Prior to today's meeting, a copy of the fiscal report and purchasing card transactions for the months of March and April 2019 were made available for members to review. Dr. Faheem moved that the purchasing card transactions for the months of March and April 2019 be approved. Dr. Sheth seconded, and the motion carried.

The Committee reviewed correspondence and received comments from individuals representing iSelectMD, who are seeking the Board's support of legislation to be introduced during the 2020 legislative session that would permit a pilot project with the Public Employees Insurance Agency (PEIA) system to permit the physician-patient relationship to be established via audio-only communication (similar but narrower in application to legislation introduced, but not passed,



during the 2019 legislative session). Dr. Faheem moved that this matter be referred to the Legislative Committee for review and consideration. Dr. Sheth seconded, and the motion carried.

The Committee reviewed correspondence that was received inquiring whether a medical license is required to eviscerate a body for pathological examination. Dr. Slemp reported that prior to today's meeting, she forwarded a copy of the inquiry to the West Virginia Medical Examiner's Office for consideration and input. To date, she has not received a response from the Medical Examiner's Office. Dr. Sheth moved that the Committee authorize Board Staff to respond to the inquiry indicating that the evisceration of a body falls within the scope of medicine, and for clarification purposes, ask the individual to set forth any specific questions that they have regarding this topic.

The Committee reviewed correspondence that was received from a psychiatric-mental health nurse practitioner who is interested in starting a business, Integrated Psychiatric Care, in West Virginia. The Board of Medicine does not license and regulate nurse practitioners, and therefore is not the appropriate entity to authorize the approval of a business which is owned and operated by a nurse practitioner. Committee members expressed concern that corporations and companies that are not owned and operated by physicians, but contain medical terminology in the company name, may be misleading to the public. Dr. Sheth moved that the Committee authorize Board staff to contact the West Virginia Secretary of State's Office regarding their business registration process and corporate name approval for medical corporations and professional limited liability companies. Dr. Faheem seconded, and the motion carried.

The Committee reviewed and discussed correspondence that was received which request expungement of a medical malpractice settlement claim report for Jennifer Christine Knight Davis, MD. Dr. Faheem moved that the Committee recommend that the Board grant the request for expungement of a medical malpractice settlement report for Jennifer Christine Knight Davis, MD. Dr. Sheth seconded, and the motion carried.

Mr. Spangler reported that there are currently three legal matters which remain in a pending status. *John France, MD, v. West Virginia Board of Medicine* and *Jan Kletter, MD, v. West Virginia Board of Medicine* both relate to requests for expungement of a medical malpractice

settlement. The West Virginia Attorney General's Office is representing the Board in these two matters. *Young v. West Virginia Board of Medicine* involves a former Board employee. Charles Bailey, Esquire, of Bailey & Wyant has been assigned to represent the Board in this matter. Board staff will keep the Committee apprised of updates regarding these matters.

Mr. Spangler reported that the annual strategic planning meeting will be held on Saturday, October 19, 2019 at the Board Office.

Mr. Wessels reported that a Board of Medicine Communications Survey was recently sent to Board of Medicine licensees, state lawmakers and key stakeholders in an effort to improve outreach efforts. The Board received 925 responses to the survey. Respondents reported familiarity with the Board's newsletter, website and email blasts. More than eighty percent of the respondents reported that they read Board publications as they become available, and nearly ninety percent of respondents consider them to be a valuable source of information.

Mr. Spangler reported that licensure renewal and controlled substance dispensing practitioner registration renewal for physicians whose last names begin with the letters M through Z and podiatric physicians, as well as professional limited liability companies began earlier this month. As of May 17, 2019, Board staff have processed renewal applications for:

868 medical doctors;

13 podiatric physicians;

9 controlled substance dispensing practitioner registrations; and

28 professional limited liability companies.

Mr. Spangler reported that the rebidding of the database has concluded, and the database contract has been awarded to inLumon. Board staff have begun meeting with inLumon, and the new database is expected to be fully implemented within 180 days. The Board has extended its contract with the current database vendor, Big Picture, for one year; however, it is likely that the contract with Big Picture will terminate once the new database is fully implemented.

Mr. Spangler reported that the Board is currently seeking candidates to fill the following three positions within the office: paralegal, physician assistant coordinator, and a technical writing / support staff position.

ADJOURNMENT

There being no further business to consider, the meeting adjourned.



Kishore K. Challa, MD, FACC

Chair of the Executive/Management Committee

# **Complaint Committee Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Public Agenda**

**July 8, 2018**

---

**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

May 6, 2018 Meeting Minutes

**I. COUNSEL'S REPORT**

CO Sarah Brooke Cash, M.D.  
18-07-W Kenneth Jude Emch, D.P.M.  
ACO Joy Jeannine Juskowich, M.D.  
18-59-W Efrain Perez-Rivera, M.D.  
18-14-W Livio Romani, M.D.

**II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**III. INTERVIEWS**

**IV. COMPLAINT COMMITTEE ACTIVITY**

- A. Returning Complaints**
- B. New Complaints**
- C. Other Ongoing Matters**

**V. POSSIBLE COMPLAINTS TO INITIATE**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Meeting Minutes**

**July 8, 2018**

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A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 8th day of July 2018 beginning at 12:30 p.m.

The following Committee members were present:

Reverend O. Richard Bowyer, Acting Chair  
Ashish P. Sheth, M.D.  
Matthew Upton, M.D.  
Wes Steele, M.D.

The following Committee member was absent:

Kishore K. Challa, M.D., F.A.C.C., Chair

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Patrick A. Muncie, CMBI  
Brad Smith

**CALL TO  
ORDER**

In his capacity as Acting Chair of the Complaint Committee, Reverend Bowyer called the meeting to order.

**APPROVAL  
OF**

**MINUTES** Dr. Upton made a motion to approve the minutes of the May 6, 2018 Complaint Committee meeting. Dr. Steele seconded the motion, and the motion carried.

**BOARD  
COUNSEL  
REPORT**

Mr. Foster provided an update with respect to the Consent Orders offered by the Committee. Since the May meeting, fully executed Consent Orders have been entered with respect to the following licensees:

1. Sarah Brooke Cash, M.D.: On May 7, 2018 the licensee entered into a Consent Order with the Board which imposed a public reprimand and suspension of her license for a period of up to five (5) years for exercising influence within a patient-physician relationship for the purpose of engaging a patient in sexual activity
2. Kenneth Jude Emch, D.P.M.: On June 21, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to Professional Practice Question Number 12 on his renewal application.
3. Joy Jeannine Juskowich, M.D.: On March 5, 2018, the licensee entered into a Consent Order with the Board providing that her medical license would remain in an inactive status until she was fit to return to practice medicine and surgery and until she became compliant with certain terms and conditions. Dr. Juskowich satisfied the conditions of her March 5, 2018 Consent Order. On June 5, 2018 the licensee entered into an Amended Consent Order which converted her license to active status and immediately placed her on probation until satisfactory completion of certain terms and conditions or until the Order is lifted or otherwise modified pursuant to a subsequent Order issued by the Board. Dr. Juskowich may not seek modification of the Amended Consent Order any sooner than one year after entry.
4. Effrain Perez-Rivera, M.D.: On June 27, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
5. Livio Romani, M.D.: On June 27, 2018 the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to Professional Practice Question Number Twelve on his renewal application.

#### **EXECUTIVE**

##### **SESSION**

Dr. Upton made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Sheth. The motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6.

#### **PUBLIC**

##### **SESSION**

The Executive Session concluded, and the Complaint Committee returned to Public Session.

## COMPLAINT COMMITTEE ACTIONS

Dr. Sheth declared a conflict in a pending Complaint Committee matter, Complaint No. 18-72-M, and having being absent for all prior discussion regarding this complaint, exited the meeting room. After Dr. Sheth exited the meeting room, Dr. Upton moved that Complaint 18-72-M against Darshankumar Ashwinbhai Dave, M.D. be closed without further action. Dr. Steele seconded the motion, and the motion carried. Thereafter, Dr. Sheth returned to the meeting room and was present for the remainder of the meeting.

Dr. Upton also declared a conflict in a pending Complaint Committee matter, Complaint No. 18-63-B, and having been absent for all prior discussion regarding this complaint, exited the meeting room. After Dr. Upon left the meeting room, Dr. Sheth moved that Complaint No. 18-63-B against Jaime Thompson Hayes, M.D. be closed without further action. Dr. Steele seconded the motion, and the motion carried. Thereafter, Dr. Upton returned to the meeting room and was present for the remainder of the meeting.

Dr. Upton moved that the Committee take the following additional actions:

### CLOSURES

18-01-S	Satbir Singh, M.D.
18-29-C	Satbir Singh, M.D.
17-205-C	Luis Enrique Bolano, M.D.
18-77-W	Sebastian Ernesto Cuevas-Pareja, M.D.
18-55-W	Charles Andrew Heiskell, M.D.
18-57-W	Michael David Metzler, M.D.
18-43-W	Ramana M. Murty, M.D.
18-46-W	Patrick Thomas Ryan, M.D.
17-192-W	Whitaker Michael Smith, M.D.
18-49-W	Paul Nathan Trites, M.D.
17-204-P	Sonal Bajaj, M.D.
18-71-G	Andrew John Berardinelli, M.D.
18-67-C	Michael Howard Chancey, M.D.
18-74-B	Warren Lee Grace, III, M.D.
18-70-R	Thomas William Howard, II, M.D.
18-40-B	Chuanfang Jin, M.D.
18-24-M	Charles Lye, M.D.
18-73-H	Charles Lye, M.D.
18-37-W	Wilfredo Nava Molano, M.D.



18-35-Z Manuel Evencio Molina, M.D.  
18-32-B Nitesh Ratnakar, M.D.  
18-66-C Mark Kerry Stephens, M.D.  
18-34-N Kathleen Ellen Wides, M.D.

**INITIATED COMPLAINTS**

18-105-W  
18-106-W  
18-107-W  
18-108-W  
18-109-W  
18-110-W  
18-111-W  
18-112-W  
18-113-W  
18-114-W  
18-115-W  
18-116-W  
18-117-W  
18-118-W

Dr. Sheth seconded the motion, and the motion carried.

Dr. Upton moved that the Committee seek authority from the Board to issue Consent Orders or Amended Consent Orders in thirteen ongoing matters. Dr. Sheth seconded the motion, and the motion carried.

Dr. Upton moved that the Committee make the following findings:

**FINDING OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-197-W Muhammed Samer Nasher-Alneam

Dr. Sheth seconded the motion, and the motion carried.

**RECCOMENDATION REGARDING REACTIVATION FOR APPLICANT WHOSE  
LICENSE TERMINATED WHILE UNDER CONSENT ORDER**

The Complaint Committee reviewed and considered the reactivation of licensure application submitted by Thomas Jay Belford, Jr., P.A.-C. Mr. Belford's application was before the Complaint Committee for review because his West Virginia physician assistant license was subject to a period of disciplinary suspension when his license terminated due to his loss of NCCPA certification in March of 2016. Having acquired recertification through the NCCPA, Mr. Belford has applied with the Board for reactivation of licensure.

After a thorough review of Mr. Belford's disciplinary history with the Board, his application for reactivation and all supporting documentation, and having met with Mr. Belford to discuss his application and well being, Dr. Upton moved that the Committee recommends to the full Board that it offer Mr. Belford reactivation of licensure contingent upon his acceptance of a Consent Order which imposes the following terms and conditions:

Mr. Belford's license to practice as a physician assistant in West Virginia shall be subject to an indefinite period of probation, which shall begin upon the entry of this Consent Order. Mr. Belford's license shall be in probationary status throughout his next three full years of active practice as a physician assistant in West Virginia. Calculation of this three year period of active practice shall commence when Mr. Belford actually begins to practice as a physician assistant pursuant to a Board approved practice agreement. Calculation of the three year period of active practice probation shall be tolled during any period of time when Mr. Belford is not authorized to practice as a physician assistant pursuant to an approved practice agreement and/or when he is absent from clinical practice for more than 20 consecutive days.


During Mr. Belford's period of probation, he shall comply with the following terms and conditions:

1. Mr. Belford shall see a Board-approved psychiatrist on a regular basis and shall attend regular therapy sessions with a board approved psychologist, each of whom would be required to provide quarterly reports to the Board.
2. Mr. Belford shall continue to attend three AA meetings a week and Sexual Addiction group once a week. Mr. Belford shall maintain logs of his meeting attendance and shall make the same available to the Board upon request and shall bring them with him for each of his annual appearances before the Complaint Committee
3. In the event that Mr. Belford seeks authorization to practice as a physician assistant pursuant to this license, he shall first submit a proposed practice agreement for review and approval by the Board, which will be reviewed by the Complaint Committee.
4. Any proposed practice agreement submitted to the Board for approval pursuant to this Consent Order shall incorporate a direct collaboration requirement. Direct collaboration means that Mr. Belford's collaborating physician and/or any properly authorized alternate collaborating physician must be physically present at the place of practice and must be immediately available to furnish assistance and directions to the physician assistant.
5. Mr. Belford shall practice under direct collaboration for a minimum of six months.
6. Until further Order of the Board, Mr. Belford shall ensure that his approved collaborating physician submits to the Executive Director of the Board a written statement on a quarterly basis which confirms that Mr. Belford is practicing as a physician assistant with reasonable skill and safety for patients and with recommendations regarding when, after a minimum of six months, the direct collaboration requirement may be lifted. The first such report will be due three months from the date Mr. Belford's is authorized to practice under the collaborating physician pursuant to a Board approved practice agreement.
7. The Committee may lift the direct collaboration provision once it determines that direct collaboration is no longer required.
8. At all times when Mr. Belford is authorized to practice pursuant to an approved practice agreement while under probation, he shall be accompanied by a female health care provider when he has patient encounters with female patients.

9. Mr. Belford shall appear before the Complaint Committee on an annual basis and may not petition for a change in the terms of his probation, other than direct collaboration, for a least one full year after he is actively practicing pursuant to the terms of his probation.

Dr. Steele seconded the motion, and the motion carried.

**ADJOURNMENT** Due to prior obligations, the Complaint Committee determined by consensus to adjourn. A special Complaint Committee meeting was scheduled for August 14, 2018 to complete the meeting agenda.

  
Reverend O. Richard Bowyer  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Special Meeting**

**Public Agenda**

**August 14, 2018**

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**CALL TO ORDER**

**V. POSSIBLE COMPLAINTS TO INITIATE**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee**

**Special Meeting Minutes**

**August 14, 2018**

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A special meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 14<sup>th</sup> day of August 2018, at 5:00 p.m.

The following Committee members were present and participated via telephone:

Reverend O. Richard Bowyer, Chair  
Matthew Upton, M.D.  
Thomas (Wes) Steele, M.D.  
Ashish P. Sheth, M.D.

The following Staff members were present:

Mark A. Spangler, Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Brad Smith

**CALL TO  
ORDER**

Reverend Bowyer called the meeting to order.

**EXECUTIVE  
SESSION**

Dr. Sheth made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) to discuss effecting a license as well as related information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Steele, and the motion carried. The Complaint Committee entered into Executive Session to consider matters pursuant to West Virginia Code §30-3-6 and W. Va. Code § 6-9A-4(b)(4) and (6).

**PUBLIC  
SESSION**

The Executive Session concluded and Dr. Upton made a motion to return to Public Session. A second was given by Dr. Steele, and the motion carried. The Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTIONS**

Upon return to public session, Dr. Sheth moved that the Committee take the following

Actions:

INITIATED COMPLAINT

18-128-W  
18-129-W  
18-130-W  
18-131-W  
18-132-W  
18-133-W  
18-134-W  
18-135-W  
18-136-W  
18-137-W  
18-138-W  
18-139-W  
18-140-W  
18-141-W  
18-142-W

Dr. Steele seconded the motion, and the motion carried.

**ADJOURNMENT**

There being no further business, the Complaint Committee determined by consensus to adjourn.

  
Reverend O. Richard Bowyer  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Public Agenda**

**September 9, 2018**

---

**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

July 8, 2018 Meeting Minutes  
August 14, 2018 Meeting Minutes

**I. COUNSEL'S REPORT**

CO Thomas J. Belford, P.A.-C  
17-182-W Robert Andrew Dale, D.P.M.  
18-44-W Tinofa Ozias Muskwe, M.D.  
18-45-W Magued Raafat Rizk Edouard Meawad Rizk, M.D.  
18-47-W Arthur Magno Santos, M.D.  
18-48-W William Michael Skeens, M.D.  
17-191-W Steven Ray Smith, M.D.  
18-61-W Thomas Robert Walther, M.D.  
18-51-W Matthew Frederick Way, M.D.  
18-53-W Lesley Wong, M.D.  
18-54-W Nayan Kantilal Zinzuwadia, M.D.

**II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**III. INTERVIEWS**

**IV. COMPLAINT COMMITTEE ACTIVITY**

- A. Returning Complaints**
- B. New Complaints**
- C. Other Ongoing Matters**

**V. POSSIBLE COMPLAINTS TO INITIATE**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**  
**Complaint Committee Meeting Minutes**  
**September 9, 2018**

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A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 9th day of September 2018 beginning at 12:30 p.m.

The following Committee members were present:

Reverend O. Richard Bowyer, Chair  
Ashish P. Sheth, M.D.  
Matthew Upton, M.D.

The following Committee member was absent:

Wes Steele, M.D.

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Patrick A. Muncie, CMBI  
Sarah Loftus  
Brad Smith

**CALL TO  
ORDER**

Reverend Bowyer called the meeting to order.

**APPROVAL  
OF**

**MINUTES** Dr. Upton made a motion to approve the minutes of the July 8, 2018 Complaint Committee meeting and the minutes of the August 14, 2018 special meeting. Dr. Sheth seconded the motion, and the motion carried.

**BOARD  
COUNSEL  
REPORT**

Mr. Foster provided an update with respect to the Consent Orders offered by the Committee. Since the July meeting, fully executed Consent Orders have been entered with respect to the following licensees:



1. Thomas J. Belford, P.A.-C On August 15, 2018, the licensee entered into a Consent Order with the Board which granted his application for reactivation of physician assistant licensure pursuant to an indefinite period of probation and the specific terms approved by the Board at its July 9, 2018 meeting. The period of probation shall last through Mr. Belford's next three years of active practice as a physician assistant in West Virginia. During his period of probation, Mr. Belford must comply with specific probationary terms including reentry into practice under direct collaboration until further notice and Complaint Committee approval of his practice agreements. At all times when Mr. Belford is authorized to practice pursuant to an approved practice agreement while under probation, he must be accompanied by a female health care provider when he has patient encounters with females.
2. Robert Andrew Dale, D.P.M. On August 30, 2018, the licensee entered into a Consent Order with the Board which restricts Dr. Dale from performing any podiatric medical procedure that involves suturing. This restriction will remain in place until a qualified physician determines, to the satisfaction of the Board, that Dr. Dale is fit to return to the unrestricted practice of podiatric surgery with reasonable skill and safety.
3. Tinofa Ozias Muskwe, M.D. On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
4. Magued Raafat Rizk Edouard Meawad Rizk, M.D. On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
5. Arthur Magno Santos, M.D. On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
6. William Michael Skeens, M.D. On August 13, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
7. Steven Ray Smith, M.D. On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a public reprimand for his unprofessional conduct related to his prescribing of a controlled substance to his wife and his failure to maintain a medical record with respect thereto. Dr. Smith is prohibited from prescribing controlled substances to

immediate family members. For a period of two years the Board will monitor the licensee's prescribing practices.

8. Thomas Robert Walther, M.D. On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
9. Matthew Frederick Way, M.D. On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
10. Lesley Wong, M.D. On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.
11. Nayan Kantilal Zinzuwadia, M.D. On August 13, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$2,650.00 and was required to complete 26.5 hours of CME to satisfy his CME deficiency.

#### **EXECUTIVE**

**SESSION** Dr. Upton made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Sheth. The motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6.

#### **PUBLIC**

**SESSION** The Executive Session concluded, and the Complaint Committee returned to Public Session.

**COMPLAINT  
COMMITTEE**

**ACTIONS** Dr. Upton moved that the Committee take the following actions:

**CLOSURES**

18-108-W	John Patrick Fernald, M.D.
18-115-W	Teresa Elizabeth Frazer, M.D.
18-42-W	Alan Mathew Lintala, M.D.
18-64-C	Jeffrey Byron Sinclair, M.D.
18-62-F	David Livingstone Stuart, M.D.
18-103-C	Muneel Abbas, M.D.
18-95-J	Mark Jason Akers, M.D.
18-101-M	James Alan Akins, M.D.
18-91-H	Michael Beane, M.D.
18-75-D	David Alan Denning, M.D.
18-69-T	Joseph Hugo Duvert, M.D.
18-93-C	Michael Kelly, M.D.
18-88-N	Samer Kuzbari, M.D.
18-36-C	Sandra Jean Lewis, M.D.
18-98-Y	Dibbendu Mahanayak, M.D.
18-90-F	Ahmed Sayed Ahmed Mahmoud, M.D.
18-87-D	Kamalesh Purushottam Patel, M.D.
18-86-R	Vijayalakshami Reddy Ragoor, M.D.
18-85-D	Khalid Saud Sharif, M.D.
18-102-C	Stephen Brett Whitfield, M.D.

**INITIATED COMPLAINTS**

18-143-W  
18-144-W  
18-145-W  
18-146-W  
18-147-W  
18-148-W

**WITHDRAWAL OF PREVIOUS COMPLAINT**

18-138-W

Dr. Sheth seconded the motion, and the motion carried.

Dr. Upton moved that the Committee seek authority from the Board to issue Consent Orders or Amended Consent Orders in five ongoing matters. Dr. Sheth seconded the motion, and the motion carried.

Dr. Upton moved that the Committee make the following finding:

**FINDING OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

18-79-W      Tod Hagins, M.D.

Dr. Sheth seconded the motion, and the motion carried.

Dr. Upton moved that the Committee recommend that the Board accept the permanent surrender of the medical license of Tod Hagins, M.D., license number 18832, via Consent Order in lieu of proceeding to public hearing upon complaint number 18-79-W. Dr. Sheth seconded the motion, and the motion carried.

Dr. Sheth moved that the Committee recommend that the Board enter an order terminating the Consent Order of Munawar Siddiqi. Dr. Siddiqi's Consent Order prohibits him from seeking a change in licensure status in West Virginia from inactive to active until he has fully satisfied the obligations of his Consent Order in Kentucky. Dr. Siddiqi has been released from his Kentucky Consent Order and has requested that his West Virginia Consent Order be similarly terminated. Dr. Upton seconded the motion, and the motion carried.

Dr. Upton moved that the Committee recommend that the Board order a Mental and Physical Examination for Practitioner A and provide the following report in support thereof:

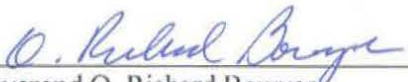
The Complaint Committee of the Board is currently conducting an investigation in connection with allegations against a particular physician stemming from a patient complaint alleging improper interference in the physician's prescribing by medical office staff and the subsequent termination of the physician-patient relationship. In order to protect the privacy of the licensee, and to ensure the impartiality of the Board should the matter come before it in the future for adjudication, the physician in question will be identified for purposes of this discussion as "Physician A."

Physician A appeared before the Complaint Committee yesterday. Based upon the physician's demeanor and responses to questions by Committee members, the Committee unanimously agreed that we have concerns regarding the mental and physical health and well-being of Physician A.

West Virginia Code § 30-3-14(f) authorizes the Board, under any circumstances, to require a physician to submit to a mental or physical examination by a physician or physicians approved by the Board. In connection with its current investigation, and pursuant to the West Virginia Code § 30-3-14(f), the Complaint Committee now moves that the Board authorize the issuance of an Order requiring Physician A to submit to a complete mental and physical examination by a physician or physicians approved by the Board. Such mental and physical examination should be scheduled as soon as possible to ensure that the public is protected and should include all appropriate testing.

Dr. Sheth seconded the motion, and the motion carried.

**ADJOURNMENT** There being no further business, the Complaint Committee determined by consensus to adjourn.

  
\_\_\_\_\_  
Reverend O. Richard Bowyer  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Special Meeting**

**Public Agenda**

**September 27, 2018**

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**CALL TO ORDER**

**V. POSSIBLE COMPLAINTS TO INITIATE**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**  
**Complaint Committee**  
**Special Meeting Minutes**  
**September 27, 2018**

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A special meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 27<sup>th</sup> day of September 2018, at 4:30 p.m.

The following Committee members participated via telephone:

Reverend O. Richard Bowyer, Chair  
Matthew Upton, M.D.  
Thomas (Wes) Steele, M.D.

The following Committee members were not present:

Ashish P. Sheth, M.D.

The following Staff members were present:

Mark A. Spangler, Director  
Leslie A. Thornton, CMBI  
Brad Smith

**CALL TO  
ORDER**

Reverend Bowyer called the meeting to order.

**EXECUTIVE  
SESSION**

Dr. Upton made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) to discuss effecting a license as well as related information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Steele, and the motion carried. The Complaint Committee entered into Executive Session to consider matters pursuant to West Virginia Code §30-3-6 and W. Va. Code § 6-9A-4(b)(4) and (6).

**PUBLIC  
SESSION**

The Executive Session concluded, and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTION**

Upon return to public session, Dr. Upton moved that the Committee take the following action:

INITIATED COMPLAINT

18-157-W

Dr. Steele seconded the motion, and the motion carried.

**ADJOURNMENT**

There being no further business, the Complaint Committee determined by consensus to adjourn.

  
\_\_\_\_\_  
Reverend O. Richard Bowyer  
Chair of the Complaint Committee



**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Emergency Meeting**

**Public Agenda**

**October 5, 2018**

---

**CALL TO ORDER**

**IV. COMPLAINT COMMITTEE ACTIVITY**

**A. Returning Complaints**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**  
**Complaint Committee**  
**Emergency Meeting Minutes**  
**October 5, 2018**

---

An emergency meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 5<sup>th</sup> day of October 2018, at 1:00 p.m. to discuss information obtained in the course of the Committee's investigation into Complaint 18-157-W and to consider possible action with respect thereto. This complaint was initiated based upon a report that raised concerns about the responding licensee's current fitness to practice and associated safety concerns for his patients.

The following Committee members participated via telephone:

Reverend O. Richard Bowyer, Chair  
Matthew Upton, M.D.  
Thomas (Wes) Steele, M.D.  
Ashish P. Sheth, M.D.

The following staff members were present for the emergency meeting:

Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Brad Smith

The following staff member participated via telephone:

Mark A. Spangler, Executive Director

**CALL TO  
ORDER**

Reverend Bowyer called the meeting to order.

**EXECUTIVE  
SESSION**

Dr. Sheth made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) to discuss effecting a license as well as related information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Steele, and the motion carried. The Complaint Committee entered into Executive

Session to consider matters pursuant to West Virginia Code §30-3-6 and W. Va. Code § 6-9A-4(b)(4) and (6).

**PUBLIC  
SESSION**

The Executive Session concluded, and the Complaint Committee returned to Public Session.

**COMPLAINT COMMITTEE  
ACTIONS**

Upon return to public session, Dr. Upton moved that the Committee:

1. Conclude that the evidence in its possession supports a determination that Dr. San Pablo is unable to practice medicine and surgery with reasonable skill and safety due to physical or mental impairment, including deterioration through the aging process and loss of motor skills. W. Va. Code § 30-3-14(c)(21);
2. Conclude that evidence in the Committee's possession suggests that others may be using Dr. San Pablo's medical license to make medical decisions for and prescribe medications, including controlled substances, to his patients while he is unable to do so, with or without his agreement and/or meaningful participation;
3. Determine that under all of the circumstances, for Dr. San Pablo to continue to hold an unrestricted license to practice medicine in the State of West Virginia, constitutes an immediate danger to the health, welfare and safety of the public;
4. Conclude, as a matter of law, that such a danger to the public demands extraordinary measures;
5. Recommend to the full Board that it ratify the Committee's conclusions and determinations;
6. Recommend that the Board summarily suspend the West Virginia medical license of William Amaro San Pablo, M.D., License Number 11963, pursuant to West Virginia Code § 30-3-14(k), which provides that:

if the board determines the evidence in its possession indicates that a physician's continuation in practice or unrestricted practice constitutes an immediate danger to the public, the board may take any of the actions provided for in subsection (j) of this section on a temporary basis and without a hearing, if institution of procedures for a hearing before the board are initiated simultaneously with the temporary action and begin within fifteen days of the action. The board shall render its decision within five days of the conclusion of a hearing under this subsection.

7. Recommend that if the Board summarily suspends Dr. San Pablo, that the suspension, if upheld after hearing, be in place for the duration of the Committee's continuing investigation into the underlying complaint; and
8. Recommend that if the Board summarily suspends Dr. San Pablo, that he be offered a Consent Order to permanently surrender his West Virginia medical license in lieu of proceeding to hearing and to resolve any and all pending complaints against him.

Dr. Steele seconded the motion, and the motion carried.

#### **ADJOURNMENT**

There being no further business, the Complaint Committee determined by consensus to adjourn.



Reverend O. Richard Bowyer  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Public Agenda**

**November 4, 2018**

---

**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

September 9, 2018 Meeting Minutes  
September 27, 2018 Meeting Minutes  
October 5, 2018 Meeting Minutes

(Motion required)

**I. COUNSEL'S REPORT**

18-60-W Curtis Jeffrey Thwing, M.D.  
18-52-W Carol M. Williams, P.A.-C.

**II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**III. INTERVIEWS**

**IV. COMPLAINT COMMITTEE ACTIVITY**

- A. Returning Complaints**
- B. New Complaints**
- C. Other Ongoing Matters**

**V. POSSIBLE COMPLAINTS TO INITIATE**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Meeting Minutes**

**November 4, 2018**

---

A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 4th day of November 2018 beginning at 12:30 p.m.

The following Committee members were present:

Reverend O. Richard Bowyer, Chair  
Ashish P. Sheth, MD  
Wes Steele, MD

The following Committee member was absent:

Matthew Upton, MD

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Brad Smith

**CALL TO  
ORDER**

Reverend Bowyer called the meeting to order.

**APPROVAL  
OF**

**MINUTES** Dr. Sheth made a motion to approve the minutes of the September 9, 2018 Complaint Committee meeting, the minutes of the September 27, 2018 special meeting and the October 5, 2018 special meeting. Dr. Steele seconded the motion, and the motion carried.

**BOARD  
COUNSEL**

**REPORT** Mr. Foster provided an update with respect to the Consent Orders offered by the Committee. Since the September meeting, fully executed Consent Orders have been entered with respect to the following licensees:

1. William Amaro San Pablo, MD Effective October 10, 2018, the licensee entered into a Consent Order with the Board permanently surrendering his West Virginia medical license.
2. Carol M. Williams, PA-C On October 18, 2018, the licensee entered into a Consent Order with the Board which imposed a public reprimand for failing to disclose a disciplinary complaint pending before the Osteopathic Board on her 2017 renewal application with this Board.
3. Curtis Jeffrey Thwing, MD On October 18, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$3,000.00 for failing to produce documentation of successful completion of all of his CME requirements in response to a CME audit. Dr. Thwing must also successfully complete 3 CME hours in a Board approved course on drug diversion training and best practice prescribing of controlled substances and 27 hours of additional CME to satisfy his CME deficiency.

**EXECUTIVE**

**SESSION** Dr. Steele made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Sheth. The motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6.

**PUBLIC**

**SESSION** The Executive Session concluded, and the Complaint Committee returned to Public Session.

**COMPLAINT  
COMMITTEE**

**ACTIONS** Dr. Sheth moved that the Committee take the following actions:

**CLOSURES**

18-27-W	Stevan Jeffrey Milhoan, MD
18-80-W	Stevan Jeffrey Milhoan, MD
18-129-W	Liza Antonette Arceo, MD
18-131-W	Jodi Michelle Cisco-Goff, MD

18-133-W	John Dylan Davis, MD
18-113-W	Antonio Rimando Diaz, Jr., MD
18-137-W	David Mark Grossman, MD
18-139-W	Abdrhman Hamo, MD
18-89-P	Ronald William Hargraves, MD
18-140-W	Fatemeh Kalantarpour, MD
18-141-W	Adam Jared Kaplan, MD
18-142-W	Ranga Chelva Krishna, MD
17-178-W	Mustafa Rahim, MD
18-16-W	William Amaro San Pablo, MD
17-188-W	Oluyemisi Reuben Sangodeyi, MD
18-83-W	Robert Jeffrey Shalowitz, MD
18-118-W	Michael Timothy Wayt, MD
18-112-W	Michael McLaren Zilles, MD
18-104-B	Ronald Ernie Barebo, MD
18-122-S	Jan Howard Cunningham, MD
18-119-H	Justina Egbichi Eke, MD
18-99-T	Ahmad F. Elbash, MD
18-120-L	Seyed Abdolreza Ghodsi, MD
18-123-P	Charles Andrew Heiskell, MD
18-125-C	William Clifford Mitchell, MD
18-97-R	Kamalesh Purushottam Patel, MD
18-126-H	Mohamed Amin Sabbagh, MD
18-127-C	Katherine Rose Tigas, MD
18-152-B	John Alexander Wade, Jr., MD

### INITIATED COMPLAINTS

18-161-W  
 18-162-W  
 18-163-W  
 18-164-W  
 18-165-W  
 18-166-W  
 18-167-W  
 18-168-W  
 18-169-W  
 18-170-W  
 18-171-W  
 18-172-W  
 18-173-W  
 18-174-W



Dr. Sheth seconded the motion, and the motion carried.

Dr. Sheth moved that the Committee seek authority from the Board to issue Consent Orders or Amended Consent Orders in eight ongoing matters. Dr. Steele seconded the motion, and the motion carried.

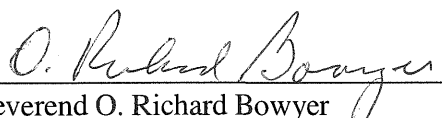
Dr. Sheth moved that the Committee recommend that the Board accept a copy of the signature page signed by the Respondent, Tod Hagins, M.D., for his Consent Order, in lieu of the original signature page, effecting the permanent voluntary surrender of the Respondent's West Virginia license based on the fact that Respondent is currently in jail and neither Respondent nor his counsel have access to the original signature page. The Respondent's counsel verified that Respondent executed the signature page and the copy that was provided via email to the Board is authentic. Under the circumstances, Respondent's counsel requested that the Board accept the copy of the Respondent's signature page and enter the Consent Order in accordance with the Respondent's wishes. Dr. Steele seconded the motion, and the motion carried.

Dr. Sheth moved that the Committee recommend that the Board order a Mental and Physical Examination for Practitioner A based upon the following:

1. The Complaint Committee of the Board is currently conducting an investigation in connection with allegations against a particular physician associated with responses provided in association with the physician's 2018 licensure renewal application.
2. Physician A was subpoenaed to appear before the Complaint Committee today and failed to appear.
3. Based upon information currently in possession of the Complaint Committee, we have concerns regarding the mental and physical health and well-being of Physician A.
4. West Virginia Code § 30-3-14(f) authorizes the Board, under any circumstances, to require a physician to submit to a mental or physical examination by a physician or physicians approved by the Board.
5. Such mental and physical examination should be scheduled as soon as possible to ensure that the public is protected and should include all appropriate testing.

Dr. Steele seconded the motion, and the motion carried.

**ADJOURNMENT** There being no further business, the Complaint Committee determined by consensus to adjourn.

  
Reverend O. Richard Bowyer  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Public Agenda**

**January 13, 2019**

---

**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

November 4, 2018 Meeting Minutes  
(Motion required)

**I. COUNSEL'S REPORT**

18-79-W	Tod Hagins, M.D
18-156-W	Roger Lee McCauley, MD
18-52-W	David Allen Moore, PA-C

**II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**III. INTERVIEWS**

**IV. COMPLAINT COMMITTEE ACTIVITY**

- A. Returning Complaints**
- B. New Complaints**
- C. Other Ongoing Matters**

**V. POSSIBLE COMPLAINTS TO INITIATE**

**VI. POSSIBLE ACTION AND DISCUSSION**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Meeting Minutes**

**January 13, 2019**

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A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 13th day of January 2019 beginning at 12:30 p.m.

The following Committee members were present:

Reverend O. Richard Bowyer, Chair  
Ashish P. Sheth, MD  
Wes Steele, MD  
Carrie Lakin, DPM

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Brad Smith

**CALL TO**

**ORDER** Reverend Bowyer called the meeting to order. Reverend Bowyer welcomed Dr. Lakin to the Complaint Committee.

**APPROVAL  
OF**

**MINUTES** Dr. Steele made a motion to approve the minutes of the November 4, 2018 Complaint Committee meeting. Dr. Sheth seconded the motion, and the motion carried.

**BOARD  
COUNSEL**

**REPORT** Mr. Foster provided an update with respect to the Consent Orders offered by the Committee. Since the November meeting, fully executed Consent Orders have been entered with respect to the following licensees:

1. Tod Hagins, MD On November 13, 2018, the licensee entered into a Consent Order with the Board permanently surrendering his West Virginia medical license subsequent to his plea of guilty to three felony charges, including conspiracy to distribute

controlled substances without a legitimate medical purpose and outside the boundaries of the medical profession, in the matter of USA v. Tod Hagins, MD Criminal Action No. 5:18-CR-7.

2. Roger Lee McCauley, MD Due to his CME deficiency during the Board's CME audit, on November 8, 2018, the licensee entered into a Consent Order with the Board which requires him to complete 44 hours of volunteer/community service work. Dr. McCauley also completed 44 hours of CME out of cycle to satisfy his CME deficiency.
3. David Allen Moore, PA-C On November 28, 2018, the licensee entered into a Consent Order with the Board which publicly reprimanded him and required him to take continuing education in the prescribing of benzodiazepines. Mr. Moore is not currently practicing in West Virginia, and if he seeks to return to practice pursuant to his West Virginia license he must submit a proposed practice agreement for Complaint Committee review and approval.

## **EXECUTIVE**

**SESSION** Dr. Sheth made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Steele. The motion carried, and the Complaint Committee entered into Executive Session to consider disciplinary matters pursuant to West Virginia Code §30-3-6.

## **PUBLIC**

**SESSION** The Executive Session concluded, and the Complaint Committee returned to Public Session.

## **COMPLAINT COMMITTEE**

**ACTIONS** Dr. Sheth declared a conflict in a pending Complaint Committee matter, Complaint No. 18-92-G, and having been absent for all prior discussion regarding this complaint, exited the meeting room. Dr. Sheth's conflict relates to a professional relationship with the responding licensee. After Dr. Sheth exited the room, Dr. Steele moved that Complaint No.18-92-G against Karim Abdul Katrib, MD be closed without further action. Dr. Lakin seconded the motion, and the motion carried. Thereafter, Dr. Sheth returned to the meeting room and was present for the remainder of the meeting.

Dr. Steele moved that the Committee take the following actions:

**CLOSURES**

18-100-W	Stephen Eugene Groves, MD
18-121-B	Paramjit Chumber, MD
18-39-W	Ahmad Daver Faheem, MD
18-78-W	Michael Lee Ferrebee, MD
18-146-W	Alastair Tucker Hoyt, MD
18-109-W	Ali Akbar Khan, MD
18-82-W	Hemant Sarin, MD
18-143-W	John Clark Vollandigham, MD
18-144-W	Robert Lee Wheeler, MD
17-198-B	Kevin Edward Kelly, MD
18-150-T	Suzanne Holroyd, MD
18-158-E	Muhammed Aslam Khan, MD
18-124-T	Rida Suleiman Mazagri, MD
18-177-H	William J. McIntyre, MD
18-154-S	Nika Razavipour, MD
18-156-N	Letitia Elaine Tierney, MD
18-160-J	Christopher J. Tipton, PA-C

**INITIATED COMPLAINTS**

19-06-W  
19-07-W  
19-08-W  
19-09-W  
19-10-W  
19-11-W  
19-12-W  
19-13-W  
19-14-W  
19-15-W  
19-16-W  
19-17-W  
19-18-W  
19-19-W  
19-20-W  
19-21-W  
19-22-W  
19-23-W  
19-24-W

19-25-W  
19-26-W  
19-27-W  
19-28-W

Dr. Lakin seconded the motion, and the motion carried.

Dr. Sheth moved that the Committee make the following findings:

**FINDINGS OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

18-33-K	Wigberto C. Camomot, MD
18-161-W	Steven R. Matulis, MD
18-110-W	Marios Dimitrios Papachristou, MD

Dr. Steele seconded the motion and the motion carried.

Dr. Sheth moved that the Committee seek authority from the Board to issue Consent Orders or Amended Consent Orders in ten ongoing matters. Dr. Lakin seconded the motion, and the motion carried.

Dr. Sheth moved that the Committee recommend that the Board expunge all information and documents within the complaint file related to Complaint No. 18-18-W, with the exception of the Closure Decision Order, which the Board is required to maintain. Dr. Steele seconded the motion and the motion carried.

Dr. Lakin declared a conflict in a licensee's appearance before the Complaint Committee and exited the room. Dr. Lakin's conflict relates to the licensee's counsel representing one or more parties in a legal proceeding that Dr. Lakin is involved in. After Dr. Lakin exited the room, Dr. Sheth moved that the Committee initiate Complaint No. 19-29-W. Dr. Steele seconded the motion, and the motion carried.

Dr. Sheth moved that the Committee recommend that the Board order a Mental and Physical Examination for Practitioner A based upon the following:

1. The Complaint Committee of the Board is currently conducting an investigation in connection with allegations against a particular podiatric physician stemming from an issue related to potential impairment.
2. Physician A appeared before the Complaint Committee today. Based upon the physician's demeanor, responses to questions by Committee members, and other information obtained during the course of the investigation, the Committee

unanimously agreed that it had concerns regarding the mental and physical health and well-being of Physician A.

3. West Virginia Code § 30-3-14(f) authorizes the Board, under any circumstances, to require a physician to submit to a mental or physical examination by a physician or physicians approved by the Board.
4. Such mental and physical examination should be scheduled as soon as possible to ensure that the public is protected and should include all appropriate testing, including drug testing.

Dr. Steele seconded the motion, and the motion carried.

Thereafter, Dr. Lakin returned to the meeting room and was present for the remainder of the meeting

**ADJOURNMENT** There being no further business, the Complaint Committee determined by consensus to adjourn.



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Reverend O. Richard Bowyer  
Chair of the Complaint Committee

# WEST VIRGINIA BOARD OF MEDICINE

## Complaint Committee Public Agenda

March 10, 2019

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### CALL TO ORDER

### COMPLAINT COMMITTEE APPROVAL

January 13, 2019 Meeting Minutes  
(Motion required)

#### I. COUNSEL'S REPORT

17-181-W	Daniel Leon Alkon, MD
17-156-W	Thair Ali Barghouthi, MD
17-157-J	
17-158-S	
17-159-D	
17-160-M	
17-176-H	
18-23-N	
18-132-W	Anup Kumar Das, MD
18-134-W	Thomas Alan Durnell, MD
18-135-W	Johnny Dy, MD
18-136-W	Edmundo E. Figueroa, MD
17-168-W	Sylvanus Osomoba Oyogoa, MD

#### II. CONSENT ORDER AND DISCIPLINARY ACTIVITY

#### III. INTERVIEWS

#### IV. COMPLAINT COMMITTEE ACTIVITY

- A. Returning Complaints
- B. New Complaints
- C. Other Ongoing Matters

#### V. POSSIBLE COMPLAINTS TO INITIATE

### ADJOURNMENT



**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Meeting Minutes**

**March 10, 2019**

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A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 10th day of March 2019 beginning at 12:30 p.m.

The following Committee members were present:

Ashish P. Sheth, MD, Chair  
Wes Steele, MD  
David Mullins, MD  
Carrie Lakin, DPM

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Brad Smith

**CALL TO**

**ORDER** Dr. Sheth called the meeting to order. Dr. Sheth welcomed Dr. Mullins to the Complaint Committee.

**APPROVAL  
OF**

**MINUTES** Dr. Steele made a motion to approve the minutes of the January 13, 2019 Complaint Committee meeting. Dr. Lakin seconded the motion, and the motion carried.

**BOARD  
COUNSEL**

**REPORT** Mr. Foster provided an update with respect to the Consent Orders offered by the Committee. Since the January 2019 meeting, fully executed Consent Orders have been entered with respect to the following licensees:

1. Sylvanus Osomoba Oyogoa, MD: On January 28, 2019, the licensee entered into an Amended Consent Order with the Board which modifies the terms of his September 10, 2018 Consent Order to permit the licensee to complete an online course entitled "ACS/APDS Surgery Resident

Skills Curriculum- Phase 3: Team-Based Skills” as an acceptable in-person course as required by the original Consent Order was not located.

2. Edmundo E. Figueroa, MD: On January 14, 2019, the licensee entered into a Consent Order with the Board which restricts Dr. Figueroa from performing any surgical procedure. This restriction will remain in place until a qualified physician determines that he may return to surgical practice with reasonable skill and safety.
3. Daniel Leon Alkon, MD: On January 14, 2019, the licensee entered into a Consent Order with the Board which imposes a fine in the amount of \$5,000.00 for CME noncompliance. Within 30 days Dr. Alkon must submit proof of satisfactory CME completion and verify that he has read and fully understands his CME obligations.
4. Thomas Alan Durnell, MD: On January 14, 2019, the licensee entered into a Consent Order with the Board which imposes a fine in the amount of \$400.00 for failure to disclose a medical malpractice payment on his renewal application for the period of July 1, 2016 through June 30, 2018.
5. Johnny Dy, MD: On January 14, 2019, the licensee entered into a Consent Order with the Board which imposes a fine in the amount of \$400.00 for failure to disclose his September 25, 2017 Consent Order on his 2018 license renewal application.
6. Anup Kumar Das, MD: On January 14, 2019, the licensee entered into a Consent Order with the Board which imposes a fine in the amount of \$400.00 for failure to disclose his October 5, 2017 Consent Order on his 2018 license renewal application.
7. Thair Ali Barghouthi, MD: On March 5, 2019, the licensee entered into a Consent Order with the Board which prohibits the licensee from performing or directing the performance of nuclear stress tests in an office-based setting.

## **EXECUTIVE**

**SESSION** Dr. Mullins moved that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code §§ 6-9A-4(b)(4) and (6), and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. Dr. Lakin seconded the motion, and the motion carried.

**PUBLIC**

**SESSION** The Executive Session having concluded, the Complaint Committee returned to Public Session.

**COMPLAINT  
COMMITTEE**

**ACTIONS** Upon return to Public Session, Dr. Lakin moved that the Committee take the following actions:

**CLOSURES**

18-155-A	Wassim Salem Saikali, MD
18-94-C	James White Caudill, MD
18-149-S	George Maurice Charron, MD
18-96-A	Joseph Hugo Duvert, MD
18-153-M	Noma Khan, MD
18-84-W	Govindbhai Mafatlal Patel, MD
18-162-W	Robert Jeffrey Shalowitz, MD
18-163-W	Anna Maria Suray, MD
18-179-B	Susan Christine Capelle, MD
18-176-B	Artina Duncan Lane, MD
18-185-D	Stephanie Hanh Le, MD
19-03-B	Bernard Joseph Luby, MD
18-181-G	Nikunj Manmohan Shah, MD
18-159-W	Devika Hanumara Sood, MD
18-182-M	Hany Tadros, MD
19-02-D	Theodore Paul Werblin, MD
18-183-B	Janet Wilson Workman, PA-C

**INITIATED COMPLAINTS**

- 19-39-W
- 19-40-W
- 19-41-W
- 19-42-W
- 19-43-W
- 19-44-W
- 19-45-W
- 19-46-W
- 19-47-W
- 19-48-W
- 19-49-W
- 19-50-W

Dr. Mullins seconded the motion, and the motion carried.

Dr. Lakin moved that the Committee seek authority from the Board to offer Consent Orders and/or Amended Consent Orders in eight ongoing matters. Dr. Mullins seconded the motion, and the motion carried.

Dr. Steele declared a conflict with respect to Complaint No. 17-193-W, and having been absent from all prior executive session discussion and activity regarding this complaint, exited the meeting room. Prior to exiting the meeting room, Dr. Steele disclosed that the nature of his conflict is that he has a physician - patient relationship with a family member of one of the parties to the underlying proceeding. After Dr. Steele exited the room, Dr. Lakin moved that the Committee seek authorization from the Board to offer a consent order in this matter. Dr. Mullins seconded the motion, and the motion carried. Thereafter, Dr. Steele returned to the meeting room and was present for the remainder of the meeting.

Dr. Lakin declared a conflict in a pending Complaint Committee matter related to Initiated Complaint 16-89-W, and having been absent from all prior executive session discussion regarding this matter, exited the meeting room. Prior to exiting the meeting room, Dr. Lakin disclosed that her conflict relates to the fact that the responding licensee's legal counsel represents her in a pending legal matter. After Dr. Lakin exited the room, Dr. Steele moved that the Committee seek authorization from the Board to offer a consent order in this matter. Dr. Mullins seconded the motion, and the motion carried. Thereafter, Dr. Lakin returned to the meeting room and was present for the remainder of the meeting.

Dr. Mullins moved that the Committee refer certified court records regarding Marios Dimitrios Papachristou, MD to the Board for review and possible action pursuant to West Virginia Code § 30-3-14(d). Dr. Steele seconded the motion, and the motion carried.

Dr. Lakin moved:

1. That the Committee conclude that, based upon evidence in its possession, Nabil Gaballa Guirguis, MD is unable to practice medicine and surgery with reasonable skill and safety due to physical or mental impairment (W. Va. Code § 30-3-14(c)(21).
2. That the Committee determine that Dr. Guirguis' continuation in practice constitutes an immediate danger to the health, welfare and safety of the public;
3. That the Committee recommend that the Board:
  - a. Ratify its conclusion that Dr. Guirguis is unable to practice medicine and surgery with reasonable skill and safety due to physical or mental impairment, and its determination that his continuation in practice constitutes an immediate danger to the health, welfare and safety of the public; and
  - b. Summarily suspend Dr. Guirguis' medical license pursuant to W. Va. Code §30-3-14(k) and W. Va. Code §11-3-10.16 (2010); and

4. That the Board be provided with the evidence which the Committee reviewed in reaching their recommendation in this matter.

Dr. Steele seconded the motion, and the motion carried.

**ADJOURNMENT** There being no further business, the Complaint Committee determined by consensus to adjourn.



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Ashish P. Sheth, MD  
Chair of the Complaint Committee

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Special Meeting**

**Public Agenda**

**March 19, 2019**

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**CALL TO ORDER**

**II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**IV. COMPLAINT COMMITTEE ACTIVITY**

**A. Returning Complaints**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee**

**Special Meeting Minutes**

**March 19, 2019**

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A special meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 19<sup>th</sup> day of March 2019, at 11:45 a.m.

The following Committee members participated via telephone:

Ashish P. Sheth, MD, Chair  
Thomas (Wes) Steele, MD  
David Mullins, MD  
Carrie Lakin, DPM

The following Staff members were present:

Mark A. Spangler, Director  
Jamie Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Brad Smith

**CALL TO  
ORDER**

Dr. Sheth called the meeting to order.

**EXECUTIVE**

**SESSION** Dr. Steele made a motion that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code § 6-9A-4(b)(4) and (6) to discuss effecting a license as well as related information that, if disclosed, would constitute an unwarranted invasion of privacy. A second was given by Dr. Steele, and the motion carried. The Complaint Committee entered into Executive Session to consider matters pursuant to West Virginia Code §30-3-6 and W. Va. Code § 6-9A-4(b)(4) and (6).

**PUBLIC**

**SESSION** The Executive Session concluded, and the Complaint Committee returned to Public Session. Prior to re-entering public session, Dr. Lakin left the meeting, and was not present for the remainder of the meeting.


**COMPLAINT  
COMMITTEE**

**ACTIONS** Upon return to public session, and with a quorum present and voting, Dr. Steele moved:

1. That the Committee conclude that, based upon evidence in its possession, Jamie Leann Hall-Jasper, DPM is unable to practice podiatric medicine and surgery with reasonable skill and safety due to physical or mental impairment (W. Va. Code § 30-3-14(c)(21).
2. That the Committee determine that Dr. Hall-Jasper's continuation in practice constitutes an immediate danger to the health, welfare and safety of the public;
3. That the Committee recommend that the Board:
  - a. Ratify its conclusion that Dr. Hall-Jasper is unable to practice podiatric medicine and surgery with reasonable skill and safety due to physical or mental impairment, and its determination that her continuation in practice constitutes an immediate danger to the health, welfare and safety of the public; and
  - b. Summarily suspend Dr. Hall-Jasper's podiatric license pursuant to W. Va. Code §30-3-14(k) and W. Va. Code §11-3-10.16 (2010); and
4. That the Board be provided with the evidence which the Committee reviewed in reaching their recommendation in this matter.

Dr. Mullins seconded the motion, and the motion carried.

**ADJOURNMENT** There being no further business, the Complaint Committee determined by consensus to adjourn.



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Ashish P. Sheth, MD  
Chair of the Complaint Committee



**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Public Agenda**

**May 19, 2019**

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**CALL TO ORDER**

**COMPLAINT COMMITTEE APPROVAL**

March 10, 2019 Meeting Minutes  
March 19, 2019 Special Meeting Minutes  
(Motion required)

**I. COUNSEL'S REPORT**

18-128-W	David Mark Anderson, MD
17-156-W	Thair Ali Barghouthi, MD
17-157-J	
17-158-S	
17-159-D	
17-160-M	
17-176-H	
18-23-N	
18-33-K	Wigberto Condevillamar Camomot, MD

**II. CONSENT ORDER AND DISCIPLINARY ACTIVITY**

**III. INTERVIEWS**

**IV. COMPLAINT COMMITTEE ACTIVITY**

- A. Returning Complaints
- B. New Complaints
- C. Other Ongoing Matters

**V. POSSIBLE COMPLAINTS TO INITIATE**

**ADJOURNMENT**

**WEST VIRGINIA BOARD OF MEDICINE**

**Complaint Committee Meeting Minutes**

**May 19, 2019**

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A meeting of the West Virginia Board of Medicine Complaint Committee was held at 101 Dee Drive, Charleston, West Virginia, on the 19th day of May 2019 beginning at 12:30 p.m.

The following Committee members were present:

Ashish P. Sheth, MD, Chair  
Wes Steele, MD  
David Mullins, MD  
Carrie Lakin, DPM

The following Staff members were present:

Mark A. Spangler, Executive Director  
Jamie S. Alley, Esquire  
Greg Foster, Esquire  
Leslie A. Thornton, CMBI  
Brad Smith

**CALL TO  
ORDER**

Dr. Sheth called the meeting to order.

**APPROVAL  
OF**

**MINUTES** The Committee reviewed and considered the minutes of its March 10, 2019 meeting. Dr. Steele indicated that the basis for his conflict with respect to Complaint No. 17-193-W was incorrectly described in the draft minutes. He clarified that the basis for the conflict with respect to that matter was that he has a physician-patient relationship with a family member of one of the parties to the underlying proceeding. Dr. Mullins moved that the March 10, 2019 minutes be amended to correctly reflect Dr. Steele's amendment and be approved as amended. Dr. Lakin seconded the motion, and the motion carried.

Dr. Mullins moved that the March 19, 2019 special meeting minutes be approved. Dr. Steele seconded the motion, and the motion carried.

**BOARD  
COUNSEL  
REPORT**

Mr. Foster provided an update with respect to the Consent Orders offered by the

Committee. Since the March 2019 meeting, fully executed Consent Orders have been entered with respect to the following licensees:

1. David Mark Anderson, MD: On March 13, 2019, the licensee entered into a Consent Order with the Board which publicly reprimanded Dr. Anderson for his unethical and unprofessional conduct relating to his conviction on three felony counts of embezzlement.
2. Wigberto Condevillamar Camomot, MD: On April 3, 2019, the licensee entered into a Consent Order with the Board which suspended Dr. Camomot's licensee until such time as he successfully demonstrates, through the submission of the appropriate documentation, his fitness to resume the practice of medicine and surgery with reasonable skill and safety.

#### **EXECUTIVE**

**SESSION** Dr. Steele moved that the Public Session be recessed in order to enter into Executive Session pursuant to W. Va. Code §§ 6-9A-4(b)(4) and (6), and West Virginia Code §30-3-6 to discuss pre-probable cause disciplinary matters, matters effecting a license, and information that, if disclosed, would constitute an unwarranted invasion of privacy. Dr. Lakin seconded the motion, and the motion carried.

#### **PUBLIC**

**SESSION** The Executive Session having concluded, the Complaint Committee returned to Public Session.

#### **COMPLAINT COMMITTEE**

**ACTIONS** Upon return to Public Session, Dr. Steele moved that the Committee take the following actions:

#### **CLOSURES**

18-114-W	Carol Ann Forssell, MD
19-28-W	Robert Melvin Holley, MD
17-201-H	Muhammed Samer Nasher-Alneam, MD
19-48-W	Linda Michelle Petrovich, MD
18-105-W	Frankie Allen Puckett, MD
17-189-W	David Carol Shamblin, MD
19-31-R	Erik Scott Daniels, PA-C
19-36-C	Yvonne Nneka Ezeala, MD
19-38-H	Dilipkumar Parsotambhai Ghodasara, MD

19-01-M	Charles Lye, MD
19-05-L	Charles Lye, MD
18-178-E	Muhammed Samer Nasher-Alneam, MD
19-57-B	Muhammed Samer Nasher-Alneam, MD
19-30-C	Jamie Sue Riggle, PA-C
19-04-S	Muhammad Salman, MD
19-33-A	Anthony Frank Sibley, MD
19-35-D	John Bowman White, III, DPM
18-184-B	Isha Woofter, MD

**INITIATED COMPLAINTS**

19-64-W  
19-65-W  
19-66-W  
19-67-W  
19-68-W  
19-69-W  
19-70-W  
19-71-W  
19-72-W  
19-73-W  
19-74-W

Dr. Mullins seconded the motion, and the motion carried.

Dr. Lakin moved that the Committee seek authority from the Board to offer Consent Orders and/or Amended Consent Orders in thirteen ongoing matters. Dr. Steele seconded the motion, and the motion carried.

Dr. Steele declared a conflict with respect to Complaint No. 17-193-W and having been absent from all prior executive session discussion and activity regarding this complaint, exited the meeting room. Prior to exiting the meeting room, Dr. Steele disclosed that the basis of the conflict was that he has a physician-patient relationship with a family member of one of the parties to the underlying proceeding. After Dr. Steele exited the room, Dr. Lakin moved that the Committee take the following action:

**FINDING OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

17-193-W      John Michel Shamma'a, MD

Dr. Mullins seconded the motion, and the motion carried. Thereafter, Dr. Steele returned to the meeting room and was present for the remainder of the meeting.

Dr. Steele moved that the Committee take the following actions:

**FINDING OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF  
DISQUALIFICATION UNDER WV CODE §30-3-14**

18-175-M	Mark Samaan, MD
19-06-W	James Edwin Prommersberger, DPM
18-22-W	Pecilla Tecson Famularcano, MD
18-38-S	Pecilla Tecson Famularcano, MD
18-68-T	Pecilla Tecson Famularcano, MD
18-76-B	Pecilla Tecson Famularcano, MD

Dr. Lakin seconded the motion, and the motion carried.

**ADJOURNMENT** There being no further business, the Complaint Committee determined by consensus to adjourn.

  
\_\_\_\_\_  
Ashish P. Sheth, MD  
Chair of the Complaint Committee

# **Board Meeting Agendas and Minutes**



**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**July 9, 2018 at 9:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes*** – May 7, 2018 and June 19, 2018

***Establishing Authority for Review of Comments and Approval of 11 CSR 1A and 11 CSR 12***

***Committee and Staff Reports, Discussion and Action:***

- **Executive/Management Committee Report**
  - Fiscal Reports and Purchasing Card Transactions for the Months of May and June 2018
  - Correspondence Received Regarding Corporate Practice of Medicine
  - Correspondence Received Regarding Interventional Radiology
  - Inquiries, Updates and Abnormal Prescriber Criteria Regarding Senate Bill 273
  - Request for Licensee Information
  - Medical Professional Liability Reporting
  - Board of Medicine Guidance Regarding Records Retention
  - Office Updates
    - 2018 Renewal
    - 2018-2019 Contracts
    - Staffing
    - Strategic Planning

- Report of Other Discussion Which Occurred at the July 8, 2018 Meeting
- **Board Attorney Report**
  - Update on Pending Litigation Matters
    - *Shivkumar Iyer, M.D. v. West Virginia Board of Medicine*
    - *Omar Khalid Hasan, M.D. v. West Virginia Board of Medicine*
  - Pending Public Hearings
- **Physician Assistant Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Physician Assistants)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the July 7, 2018 Meeting
- **Licensure Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the July 7, 2018 Meeting
- **Complaint Committee Report**
  - Closures
  - Initiated Complaints
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14, if any
  - Authorization of Consent Orders
  - Consent Order Update



- Other Matters Originating from the July 8, 2018 Meeting
- **Nominating Committee Report**
  - Slate of Nominees for the Offices of President and Vice President
- **Election of Officers**

*ADJOURNMENT*

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**July 9, 2018**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 9<sup>th</sup> day of July 2018 at 9:00 a.m.

The following Board members were present for the meeting:

Ahmed D. Faheem, M.D., D.L.F.A.P.A., President  
Kishore K. Challa, M.D., F.A.C.C., Vice President  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Reverend O. Richard Bowyer  
Timothy Donatelli, D.P.M.  
Harry Duncan, M.D.  
Reverend Janet Harman  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Victoria Mullins, P.A.-C.  
Mustafa Rahim, M.D.  
Ashish Sheth, M.D.  
Wes Steele, M.D.  
Russell O. Wooton  
K. Dean Wright, P.A.-C.

The following Board member was absent:

Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Sarah E. Loftus  
John B. Smith  
Leslie A. Thornton, CMBI  
Andrew R. Wessels

Dr. Faheem called the meeting to order. Dr. Rahim moved that the May 7, 2018 and June 19, 2018 board meeting minutes be approved. Reverend Bowyer seconded, and the motion carried.

CALL TO ORDER AND  
APPROVAL OF  
MINUTES

Dr. Faheem announced that the strategic planning meeting that was scheduled for Saturday, October 6, 2018, has rescheduled. The meeting will be held on Saturday, October 13, 2018, beginning at 1:00 pm.

ANNOUNCEMENTS

Dr. Faheem welcomed Mr. Smith and Ms. Loftus to the meeting. He announced that Mr. Smith joined the Board in May as the Complaints Coordinator, and today, July 9, 2018, is Ms. Loftus' first day as Paralegal for the Board.

Dr. Faheem welcomed Michael Zanolli, M.D. and Lisa Robin of the Federation of State Medical Boards, and announced that Dr. Zanolli and Ms. Robin will be making a brief presentation to the Board following today's meeting.

Dr. Faheem announced that in accord with the Board's *Procedure for Making Public Comments at Meetings of the Board*, anyone seeking to address the Board is allotted five minutes to make his or her comments. Ryan Wakim, M.D., President and CEO of GR&W, Inc. was present for the meeting and signed up to address the Board. Following Dr. Wakim's address to the Board, members thanked him for his comments.

Dr. Faheem reported that the Board is currently accepting written comments on proposed amendments to 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians, Podiatric Physicians and Surgeons*, and a proposed new rule series 11 CSR 12, *Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows*. The Comment period ends at 9:00 am on July 23, 2018. In the past, the Board has authorized the Legislative Committee to convene special meetings to act on behalf of the full Board with regard to reviewing the comments received and authorizing the agency approved version of the proposed rules, including associated amendments to emergency rules. Dr. Rahim moved that the Board delegate authority to the Legislative

Committee to act on behalf of the Board with regard to proposed rules 11 CSR 1A and 11 CSR 12, in the interval between Board meetings. Dr. Challa seconded, and the motion carried.

Dr. Faheem reported that the Executive/Management Committee met on Sunday, July 8, 2018, at which time the Committee reviewed and discussed correspondence concerning a request to address the prohibition against the corporate practice of medicine as it applies to physician-owned for-profit hospitals. The requestor asked the Board to extend the current exemption for non-profit hospitals to for-profit hospitals which are entirely physician owned. The Committee considered this issue at length and heard from the attorney for the hospital in question. The Committee ultimately determined that the language of WV Code §30-3-15(a) establishes a clear prohibition on any corporation practicing medicine without a certificate of authorization issued by the Board. In light of the issues raised by recent correspondence to the Board and acknowledging the trend, including in surrounding states, to except all hospitals from the corporate practice of medicine prohibition, the Committee recommended that the Board refer this issue to the Legislative Committee to pursue action by the legislature regarding the applicability of the prohibition against the corporate practice of medicine to hospitals. The motion of the Committee was given by Dr. Faheem, and the motion carried.

EXECUTIVE /  
MANAGEMENT  
COMMITTEE  
REPORT

Dr. Faheem reported that the Committee approved the fiscal report and purchasing card transactions for the period of April 17<sup>th</sup> through June 16<sup>th</sup>, 2018.

Dr. Faheem reported that the Committee received correspondence from the Society of Interventional Radiology expressing their appreciation and approval of the inclusion of Interventional Radiology in the list of specialties utilized by the Board.

Dr. Faheem reported that the Committee reviewed and discussed correspondence that was received from the Board of Pharmacy which identifies proposed recommended

parameters to be used in identifying abnormal or unusual prescribing or dispensing patterns among prescribers. The recommended parameters include:

- Average MED per prescription
- Total MME prescribed
- Total opioid prescriptions;
- Number of unique opioid patients; and
- Number of days supply of overlapping opioids and benzodiazepines.

The Committee recommended that the Board notify the Board of Pharmacy that the Board agrees with the Board of Pharmacy's proposed parameters and suggests that the Boards jointly reassess the efficacy of the parameters in a year. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that the Committee reviewed and discussed correspondence that was received inquiring about Senate Bill 273, which became effective on June 7, 2018. The Committee recommended that the Board authorize staff to respond to the requestor indicating that the Department of Health and Human Resources and several other agencies are working to provide clarification regarding Senate Bill 273, and that more guidance from various regulators is anticipated in the future. The motion of the Committee was given by Dr. Faheem, and the motion carried.

Dr. Faheem reported that no requests for expungement of medical professional liability claims have been received since May 2018. The Board's proposed legislative rule 11 CSR 1A has been modified to clarify the circumstances under which malpractice settlements and judgments must be reported to the Board and to align the Board's malpractice reporting standards with other reporting requirements for malpractice, including the National Practitioner Data Bank.

Dr. Faheem reported that license renewal for physicians whose last names begin with the letters A through L, controlled substance dispensing practitioner registration for physicians whose last names begin with the letters A through L, and Professional Limited Liability Company (PLLC) certificate of authorization renewal began on May 2, 2018 and concluded on June 29, 2018. A final count is pending, however initial counts indicate that

approximately 3557 physicians renewed their medical licenses and 541 medical licenses expired. With regard to controlled substance dispensing registrations, 164 physicians renewed their registrations and 248 registrations expired. With regard to PLLC certificate of authorization, 115 PLLCs renewed their certificates, 44 PLLCs expired and 2 PLLCs notified the Board that they have closed.

Dr. Faheem reported that for the 2018-2019 fiscal year, the Board has contracted with the following:

**Court Reporters**

Wilda Stonestreet  
Sargent’s Court Reporting

**Hearing Examiners**

Lewis Brewer, Esq.  
Jack McClung, Esq.  
J. Rudy Martin, Esq.  
Janis Reynolds, Esq.  
Jennifer Taylor, Esq.

Dr. Faheem moved that the Board accept and ratify the report of the Executive / Management Committee. The motion carried.

Mr. Foster reported that on May 11, 2018, the West Virginia Supreme Court issued a ruling in the matter of *Shivkumar Iyer, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent*. The ruling affirmed the Board’s Order entered on January 11, 2016, which revoked Dr. Iyer’s license to practice medicine and surgery in the state of West Virginia.

BOARD  
ATTORNEY  
REPORT

Mr. Foster reported that the Board is awaiting a decision by the Kanawha County Circuit Court in the matter of *Omar Khalid Hasan, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent*.

Mr. Foster reported that there is a public hearing scheduled to convene on September 28, 2018. Also, it is anticipated that there will be a public hearing scheduled for mid-September.

Mr. Wright provided the report of the Physician Assistant Committee which met on Saturday, July 7, 2018.

PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT

Mr. Wright reported that at its May 2018 meeting, the Physician Assistant Committee reviewed the licensure application of Cheryl-Ann Leslie-Theal, P.A.-C, and Ms. Leslie-Theal was requested to appear before the Committee at its July meeting. Ms. Leslie-Theal appeared before the Committee to discuss her application. The Committee recommended that the Ms. Leslie-Theal be offered the opportunity to request withdrawal of her application prior to the Committee's September 2018 meeting. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that Richard Santostefano, Sr., P.A.-C. entered into a Consent Order with the Board of October 4, 2017, which restricted his practice to direct supervision for a minimum period of six months. At its May meeting, the Physician Assistant Committee reviewed the documentation submitted by his collaborating physician, who had recommended lifting the direct supervision restriction. The Committee recommended that Mr. Santostefano be released from his Consent Order. Mr. Wright reported that the Board's Order Terminating Consent Order was entered on May 7, 2018.

Mr. Wright asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. No conflicts were declared.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Edward Beck Baldwin, III, P.A.-C.  
Jean Trimble Bried, P.A.-C.

Brandon Phillip Carag, P.A.-C.  
Holli Lucia Dalton, P.A.-C.  
Lynn Ann Damico, P.A.-C.  
Pricilla Gail Delp, P.A.-C.  
Amy Leigh Dingess, P.A.-C.  
Kari Rae Hunter, P.A.-C.  
Kayla Marie Johns, P.A.-C.  
Erica Michelle Paul, P.A.-C.  
Kate Kennedy Pierce, P.A.-C.  
Ashley Grace Reese, P.A.-C.  
Adele Denise Rinchuse, P.A.-C.  
Jenna Alyse Saltgaver, P.A.-C.  
Brittany Ann Sebben, P.A.-C.

The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that James Michael Lackey, P.A.-C entered into a Consent Order with the Board on January 4, 2016, which restricted his first 720 hours of practice to on-site collaboration, placed his license in a probationary status during his first two full years of employment and required the submission of quarterly practice status reports from his collaborating physicians. The Committee reviewed the quarterly reports and staff reported to the Committee that Mr. Lackey is nearing the end of the two full years of his probationary employment period in September 2018. The Committee will request that Mr. Lackey appear before the Committee at the September 2018 meeting.

Mr. Wright reported that the Committee reviewed two practice agreements which involve the use of telemedicine for Medication Assisted Treatment (MAT).

Mr. Wright reported that Board staff have authorized 66 practice agreements for the period of May 5, 2018 to July 6, 2018. Additionally, 68 alternate collaborating physicians were designated.

Mr. Wright moved that the Board accept and ratify the report of the Physician Assistant Committee. The motion carried.



In the absence of Dr. Rahim, Mr. Wright chaired the Licensure Committee meeting Saturday, July 7, 2018, and provided the following report.

Mr. Wright reported that four applicants appeared before the Licensure Committee to discuss their applications. Based thereupon the Committee made the following recommendations:

Approve for permanent medical licensure:

Ruthi Shannon Cooper, M.D.

Nathan Rimothy Pearson, M.D.

Approve for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Nassir Rostambeigi, M.D.

The motion of the Committee was given by Mr. Wright, and the motion carried.

The Committee also recommended that the Board approve Gregory Arnold Nelcamp, M.D. for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee and based on the following factors: he has demonstrated extensive experience prior to leaving clinical practice; he has remained current in continuing medical education; he holds eight unrestricted licenses in other states; and he plans to practice administrative medicine exclusively. The motion of the Committee was given by Mr. Wright, and the motion carried.

The Committee recommended that the Board accept Dennis Michael Grolman, M.D.'s request to withdrawal his application. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that Benjamin Jay Bryant, M.D. will be invited to appear before the Committee at its September 2018 meeting. In lieu of appearing, Dr. Bryant may request withdrawal of his application.

The Committee will maintain the application of Tarek Alasil, M.D. on hold per the applicant's request.

Mr. Wright reported that the Committee reviewed and discussed 27 applications. Based thereupon, the Committee makes the following recommendations:

Approve for permanent medical licensure:

Mohamed Alfaris, M.D.  
Mohammed Salah Alreshidan, M.D.  
Gregory Dale Casey, M.D.  
Richard Henry Catlett, III, M.D.  
Yi-Wen Chen, M.D.  
Marcus Felix Cox, M.D.  
Matthew Ramey Craig, M.D.  
David Joseph Cygan, M.D.  
Brian Schmid Dye, M.D.  
Nadia A. Falah, M.D.  
Matthew Guy Kestenbaum, M.D.  
Nico Dorfling Kristen, M.D.  
Robert Aaron Looper, M.D.

The motion of the Licensure Committee was given by Mr. Wright, and the motion carried.

Approve for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Akshay Goel, M.D.  
Asti Pilika, M.D.  
Scott Kain Rineer, M.D.  
Kevin Sanford Smith, M.D.  
William Rost Walker, M.D.

The motion of the Licensure Committee was given by Mr. Wright, and the motion carried.

Accept the letter from the medical school confirming that John Della Badia, Jr., M.D. graduated in June 1988, and approve Dr. Badia for permanent medical licensure. The motion of the Licensure Committee was given by Mr. Wright, and the motion carried.

Accept Samuel Chi Hei Lau, M.D.'s first two years of medical school education at Saint Theresas Medical University, which closed in 2009, as satisfactorily verified based on the accepted transfer of credits listed on his transcript provide by Windsor University, where he completed his last two years of medical education and approve Dr. Lau for permanent medical licensure. The motion of the Licensure Committee was given by Mr. Wright, and the motion carried.

Accept Sherif Albert Felix's medical school education at Cairo University in Egypt as satisfactorily verified and approve Dr. Felix for licensure based on the following factors: there is currently civil unrest in Egypt and Cairo University has not complied with the requests for verification of education from the FCVS; and in accordance with current Board policy, two of Dr. Felix's classmates have submitted notarized letters attesting to graduating from medical school with him. The motion of the Committee was given by Mr. Wright, and the motion carried.

Approve for reactivation of permanent medical licensure:

Laura Anne Hotchkiss, M.D.  
Nathaniel Seth Laden, M.D.

The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the following applicants will be invited to appear before the Committee at the September meeting:

Muhammad Amer, M.D.  
Yokesh Balaraman, M.D.  
Nina Roberta House, M.D.  
Walid Saado, M.D.

Mr. Wright asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared.

The Committee recommended that the Board approve the following applicants for licensure:

Jad M. Abdelsattar  
Samuel Schoen Adams  
Heidar Jasim Albandar  
Ridwaan Albeiruti  
Ali Makki Aldawood  
Hani Abdulmajeed Alhamoud  
Pedro Alberto Alonso  
Eden Tsehaye Amdemichael  
Erin Ashley Amini  
Annahita Amireskandari  
Kousalya Arunagiri  
Isaac Vernon Ashley  
Varun Mohan Badami  
Jasminka Lijic Balderacchi  
Emad Wagdi Barsoum  
Elmira Sadeghi Basaly  
Jay Berdia  
Evan Michael Berger  
Robert Berger  
Alexandra Marie Berguer  
Wayne Jefferson Berry, III  
Steven Benjamin Bleyl  
Pavankumar Bommasamudram  
Jacqueline Carrie Brown  
Neil Amdur Busis  
John Vincent Campo  
Nicole Lynn Carlson  
Melissa Carr  
Stephen Brent Carroll  
Katherine Hannah Carruthers  
Elaine Ann Cassidy  
Rudolph Joseph Castellani, Jr.  
Jesse Randall Chaffin  
Zakeih Chaker  
Parag Narendra Chaudhari  
Fahad Chaudhary  
Nicholas Michael Chill  
Matthew Scott Coleman  
Alexander David Bryant Conti

Jodi Paige Cook  
Michael Cowher  
Chad Barrett Crigger  
Michael Rae Crum  
Tamer A. Dabous  
Dili Dhanani  
Christina Marie DiCarlo  
David Hueglin Dickey  
Nadia Vanessa Dominguez Molina  
Arie Pablo Dosoretz  
Lauren Marie Dudas  
Cedric Edwards  
Douglas Matthew Elwood  
Bradley Matthew End  
Erik Anthony Osin Escuro  
Jessica Elizabeth Frey  
Marian Gaber Saad  
James Estes Gardiner  
Maha Yehia Ghosn  
Lauren Victoria Gioia  
Karen Hyatt Gladden  
David Michael Glener  
Inna Elizabeth Goldberg  
Ana Marie Gonzalez Cadavid  
Rajesh Gopalarathinam  
Michael David Greene, II  
Brian Thomas Grisez  
Emily Kent Groves  
Jeffrey Brooks Groves  
Luciana Maria Guerra  
Darrius Patrick Guiden  
Amy Jo Guido  
John Michael Guido  
Sandra Abreu Guidry  
Kerry Ann Guyer  
Said Hajouli  
Samuel George Hall  
Mehenaz Adly Hanbazazh  
Sean Matthew Hanlon  
Brock Andrew Hardin  
Cecilia Velarde Harrington  
Damian Alexander Hegsted  
Matthew David Hermann  
Deborah Lynette Hill  
Amy Ketchum Hwang  
Michael Casitllo Ilagan

Thomas Michael Jaffe  
Roy Lee Johnson, III  
Suha Muftah Kadura  
Dinesh Kumar Kanagasabapathy Kannabhiran  
Geoffrey Randall Kaump  
Ermelinda Kerpi  
Adil Haleem Khan  
Ahmad Khan  
Muhammad Zia Ul Islam Khan  
Safi Ullah Khan  
Nesreen Salim Khraisha  
Imtiaz Khurshid  
Patrick Sarapol Kietrsunthorn  
Mikhail Davidovich Kirnus  
Christopher Roman Koebele  
James Robert Koepke  
Grace Iyabo Komolafe  
George Kirenga Koromia  
Caitlin Marie Kowcheck  
Sara Kurian  
Jusjit Lalli  
Erin Eaton Langford  
Joanne Elizabeth Lapetina  
Krista Nicole Larson  
Stephanie Jo LeMaster  
Daniel Jacob Liechti  
Benjamin Edward Liss  
Ahmad Naeem Lone  
Adam Michael Lubert  
Hao Anh Ly  
Charles Vasanth Marcus  
Andrew Scott Martin  
Muhammad Masab  
David Michael McDermott  
Devanshi Mehta  
Andrew Dolphus Myers  
Farley Berry Graden V Neasman, III  
Isabela Victoria Negrin  
Chong Hwan Nicholls  
Paymon Nikfarjam  
Nilay Nirdosh  
Rufina Nwanneka Odigwe  
Atousa Ordobazari  
Mohammed Ahmed Abdel Salam Osman  
Alan D. Brownfield Palo  
Kamal Patel

Visad Bipin Patel  
Krista S. Pfaendler  
Daniel Joseph Phelan  
James Kenneth Popovich  
Tamra Ishan Jayendra Ranasinghe  
Robert Steven Walter Riddick  
Lauretha Uzoamaka Rogers  
Anthony Mohammad Roohollahi  
Carlos Alberto Rueda Rios  
Lunden Liston Ryan  
Ankit Sakhuja  
Daniel Salmeron  
Adil Sattar  
Carl Richard Schmidt  
Charles Leroy Frederick Schultz  
Thomas Joseph Seery  
Arsalan Qazi Shabbir  
Ali Hussein Shams  
Kevin James Shannon  
Munira Jamoliddinovna Shodikulova  
Dharampreet Singh  
Jatinder Singh  
John Kennedy Sydney Sir Phillip  
Srividhya Sridharan  
Timothy Noah Stooksbury  
Mohamed Abdulkafi Ragab Tashani  
Justin Carrick Torosian  
Steven Roger Turley  
Venkat Raghavender Reddy Venna  
Xavier Villa  
Richard Francis Warren  
Kimara Helen Whisenant  
Andrea Caterina Susanne Willeitner  
Kathleen DePonte Witt  
Tembele Tara Yangandawele  
Joon Hyung Yim  
Patrick Francis Zazzaro

The motion of the Committee was given by Mr. Wright, and the motion carried.

Approve for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Chaitanya Mishra  
Sarah Rahman  
Nita Ray Chaudhuri

Alexis Marco Rodriguez  
Nico Desiree Roscoe  
Diane Rose Schmidt-Krings  
James Tseng  
Gabriel Elia Yacob

The motion of Committee was given by Mr. Wright, and the motion carried.

Approve for reactivation of permanent medical licensure:

Rose Mary Ayooob  
Salman Naseeruddin Malik

The motion of the Committee was given by Mr. Wright, and the motion carried.

Approve Anthony William Grant, D.P.M. for permanent podiatric physician licensure.

The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the following five applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an Interstate Medical Licensure Compact Commission (IMLCC) application between the March 12, 2018 Licensure Committee meeting and the March 19, 2018 Board meeting and were inadvertently omitted from being reported at the May 2018 Board meeting:

Billy N. Bravo	AZ
Michael Tinamisan Catausan	KS
Curtis Scott Hammerman	AZ
Marcjonathan Serota	WI
Lloyd David Wagner	AZ

The following fourteen applicants listed along with their state of principal licensure were granted permanent medical licensure through an IMLC application between the May and July 2018 Board meetings:

Hem Chand Aggarwal	IL
Jalal Ud-din Akbar	SD
Kavita Garg	CO
Jeffrey Wayne Grossman	ID



Min Sang Kim	MS
King Swee Leong	IL
Patricia Lynn Little	CO
Steven Robert Maynard	WA
Kristin Renee McCoy	CO
Keith Edward Pereira	AZ
Ali Asim Pitafi	SD
Alexis Udal Schmitt	AZ
Joan Hazel Sutcliffe	NH
Bradley Nels Younggren	WA

Also, during this period, the Board received two requests for a Letter of Qualification (LOQ) to be issued by the Board as the state of principal licensure. Letters of Qualification were issued to:

Adeel Ahmad  
Teresa Elizabeth Frazer

Mr. Wright moved that the Board accept and ratify the report of the Licensure Committee. The motion carried.

Reverend Bowyer delivered the report of the Complaint Committee, which met on Sunday, July 8, 2018.

COMPLAINT  
COMMITTEE  
REPORT

**CLOSURES**

18-01-S	Satbir Singh, M.D.
18-29-C	Satbir Singh, M.D.
17-205-C	Luis Enrique Bolano, M.D.
18-77-W	Sebastian Ernesto Cuevas-Pareja, M.D.
18-55-W	Charles Andrew Heiskell, M.D.
18-57-W	Michael David Metzler, M.D.
18-43-W	Ramana M. Murty, M.D.
18-46-W	Patrick Thomas Ryan, M.D.
17-192-W	Whitaker Michael Smith, M.D.
18-49-W	Paul Nathan Trites, M.D.
17-204-P	Sonal Bajaj, M.D.
18-71-G	Andrew John Berardinelli, M.D.
18-67-C	Michael Howard Chancey, M.D.
18-72-M	Darshankumar Ashwinbhai Dave, M.D.

18-74-B Warren Lee Grace, III, M.D.  
18-63-B Jaime Thompson Hayes, M.D.  
18-70-R Thomas William Howard, II, M.D.  
18-40-B Chuanfang Jin, M.D.  
18-24-M Charles Lye, M.D.  
18-73-H Charles Lye, M.D.  
18-37-W Wilfredo Nava Molano, M.D.  
18-35-Z Manuel Evencio Molina, M.D.  
18-32-B Nitesh Ratnakar, M.D.  
18-66-C Mark Kerry Stephens, M.D.  
18-34-N Kathleen Ellen Wides, M.D.  
17-180-W Isabelita T. de Mesa, M.D.

### **INITIATED COMPLAINTS**

18-105-W  
18-106-W  
18-107-W  
18-108-W  
18-109-W  
18-110-W  
18-111-W  
18-112-W  
18-113-W  
18-114-W  
18-115-W  
18-116-W  
18-117-W  
18-118-W

### **FINDINGS OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF DISQUALIFICATION UNDER WV CODE §30-3-14**

17-197-W Muhammed S. Nasher-Alneam, M.D.

### **CONSENT ORDERS**

Reverend Bowyer requested that the Board authorize the Complaint Committee to move forward with offering 13 Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Complaint Committee was given by Reverend Bowyer, and the motion carried.

## FULLY EXECUTED CONSENT ORDERS

Reverend Bowyer reported that since the May meeting, fully executed Consent Orders have been entered with respect to the following licensees:

Efrain Perez-Rivera, M.D.: On June 27, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation for successfully completing the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Livio Romani, M.D.: On June 27, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to professional practice question number twelve on his renewal application.

Kenneth Jude Emch, D.P.M.: On June 21, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for an inaccurate response to professional practice question number twelve on his renewal application.

Sarah Brooke Cash, M.D.: On May 7, 2018, the licensee entered into a Consent Order with the Board which imposed a public reprimand and a suspension of her license for a period of up to five (5) years for exercising influence within a patient-physician relationship for the purpose of engaging a patient in sexual activity.

Joy Jeannine Juskowich, M.D.: On March 5, 2018, the licensee entered into a Consent Order with the Board providing that her medical license would remain in an inactive status until she was fit to return to practice medicine and surgery and until she became compliant with certain terms and conditions. Dr. Juskowich satisfied the conditions of her March 5, 2018 Consent Order. On June 5, 2018, Dr. Juskowich entered into an Amended Consent Order which converted her license to active status and immediately placed her on probation until satisfactory completion of certain terms and conditions or until the Order is lifted or

otherwise modified pursuant to a subsequent Order issued by the Board. Dr. Juskowich may not seek modification of the Amended Consent Order any sooner than one year after entry.

All Consent Orders are available on the Board's website.

Reverend Bowyer reported that Steven Scott Melek, D.P.M. was served an Order of Summary Suspension on May 7, 2018 and a public hearing was scheduled for May 21, 2018. Prior to the public hearing, Dr. Melek moved to continue the hearing and agreed to permanently surrender his podiatric license in lieu of proceeding to hearing. The public hearing was continued by Order of the Hearing Examiner, and the Proposed Consent Order signed by Dr. Melek was submitted to the Complaint Committee for consideration. A copy of the Proposed Consent Order was made available for members to review prior to today's meeting. Under the Proposed Consent Order, Dr. Melek agrees: (1) to permanently surrender his West Virginia license; (2) that he is permanently ineligible for licensure in West Virginia; and (3) that he will not seek or apply for reinstatement or reactivation of his license in the future. The Committee recommended that the Board accept Dr. Melek's Consent Order. The motion of the Committee was given by Mr. Wright, and the motion carried.

Reverend Bowyer reported that the Complaint Committee reviewed and considered the reactivation of licensure application submitted by Thomas Jay Belford, Jr., P.A.-C. Mr. Belford's application was before the Complaint Committee for review because his West Virginia physician assistant license was subject to a period of disciplinary suspension when his license terminated due to his loss of NCCPA certification in March of 2016. Having acquired recertification through the NCCPA, Mr. Belford has applied with the Board for reactivation of licensure.

After a thorough review of Mr. Belford's disciplinary history with the Board, his application for reactivation and all supporting documentation, and having met with Mr. Belford to discuss his application and well being, the Committee recommended that the Board offer Mr. Belford reactivation of licensure contingent upon his acceptance of a

Consent Order which imposes the following terms and conditions:

Mr. Belford's license to practice as a physician assistant in West Virginia shall be subject to an indefinite period of probation, which shall begin upon the entry of this Consent Order. Mr. Belford's license shall be in probationary status throughout his next three full years of active practice as a physician assistant in West Virginia. Calculation of this three-year period of active practice shall commence when Mr. Belford actually begins to practice as a physician assistant pursuant to a Board approved practice agreement. Calculation of the three-year period of active practice probation shall be tolled during any period of time when Mr. Belford is not authorized to practice as a physician assistant pursuant to an approved practice agreement and/or when he is absent from clinical practice for more than 20 consecutive days.

During Mr. Belford's period of probation, he shall comply with the following terms and conditions:

1. Mr. Belford shall see a Board-approved psychiatrist on a regular basis and shall attend regular therapy sessions with a board approved psychologist, each of whom will be required to provide quarterly reports to the Board.
2. Mr. Belford shall continue to attend three AA meetings a week and sexual addiction group once a week. Mr. Belford shall maintain logs of his meeting attendance and shall make the same available to the Board upon request and shall bring them with him for each of his annual appearances before the Complaint Committee
3. In the event that Mr. Belford seeks authorization to practice as a physician assistant pursuant to this license, he shall first submit a proposed practice agreement for review and approval by the Board, which will be reviewed by the Complaint Committee.
4. Any proposed practice agreement submitted to the Board for approval pursuant to this Consent Order shall incorporate a direct collaboration requirement. Direct collaboration means that Mr. Belford's collaborating physician and/or any properly authorized alternate collaborating physician must be physically present at the place of practice and must be immediately available to furnish assistance and directions to the physician assistant.

5. Mr. Belford shall practice under direct collaboration for a minimum of six months.
6. Until further Order of the Board, Mr. Belford shall ensure that his approved collaborating physician submits to the Executive Director of the Board a written statement on a quarterly basis which confirms that Mr. Belford is practicing as a physician assistant with reasonable skill and safety for patients and with recommendations regarding when, after a minimum of six months, the direct collaboration requirement may be lifted. The first such report will be due three months from the date Mr. Belford's is authorized to practice under the collaborating physician pursuant to a Board approved practice agreement.
7. The Committee may lift the direct collaboration provision once it determines that direct collaboration is no longer required.
8. At all times when Mr. Belford is authorized to practice pursuant to an approved practice agreement while under probation, he shall be accompanied by a female health care provider when he has patient encounters with female patients.
9. Mr. Belford shall appear before the Complaint Committee on an annual basis and may not petition for a change in the terms of his probation, other than direct collaboration, for a least one full year after he is actively practicing pursuant to the terms of his probation.

The motion of the Committee was given by Reverend Bowyer, and the motion carried.

Reverend Bowyer moved that the Board accept and ratify the report of the Complaint Committee. The motion carried.

Reverend Bowyer reported that the Nominating Committee met on June 19, 2018, at which time the Committee developed a slate of nominees for the offices of President and Vice President for presentation at today's meeting. The Committee's agreed upon slate of nominees are Kishore Challa, M.D., for President and Ashish P. Sheth, M.D. for Vice President. Dr. Faheem opened the floor for additional nominations. Mr. Wooton moved that Mustafa Rahim, M.D. be nominated for the office of Vice President. Dr. Donatelli seconded, and the motion carried. Dr. Challa was elected President by acclamation, and based on the majority vote of the members present, Dr. Sheth was elected Vice President.

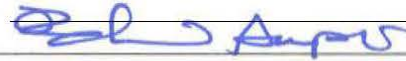
NOMINATING  
COMMITTEE REPORT  
AND ELECTION OF  
OFFICERS

There being no further business to consider, the meeting adjourned.

ADJOURNMENT



Kishore K. Challa, M.D., F.A.C.C  
President



Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**September 10, 2018 at 9:00 a.m.**

---

***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes – July 9, 2018***

***Committee and Staff Reports, Discussion and Action:***

- **Executive/Management Committee Report**
  - Fiscal Report and Purchasing Card Transactions for July and August 2018
  - Correspondence Received Regarding Corporate Practice of Medicine
  - Correspondence Received Regarding the Denial of Certain Medications by Insurance Companies
  - Continuing Education Training
  - Executive Order No. 3-18
  - Database Vendor
  - WVMPHP Agreement
  - Board of Medicine Guidance Regarding Records Retention
  - Office Updates
    - Staffing
  - Report of Other Discussion Which Occurred at the September 9, 2018 Meeting
  
- **Legislative Committee Report**
  - Legislative Rulemaking
    - 11 CSR 12
  - Executive Order No. 3-18
  - Senate Bill 273
  - Potential Legislative Changes for 2019
  - Correspondence Received Regarding Corporate Practice of Medicine
  - Report of Other Discussion Which Occurred at the September 9,



## 2018 Meeting

- **Board Attorney Report**
  - Update on Pending Litigation Matters
    - *Omar Khalid Hasan, M.D. v. West Virginia Board of Medicine*
    - Pending Public Hearings
  
- **Physician Assistant Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Physician Assistants)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the September 8, 2018 Meeting
  
- **Licensure Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the September 8, 2018 Meeting
  
- **Complaint Committee Report**
  - Closures
  - Initiated Complaints
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14, if any
  - Authorization of Consent Orders
  - Consent Order Update
  - Other Matters Originating from the September 9, 2018 Meeting

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**September 10, 2018**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 10<sup>th</sup> day of September 2018 at 9:00 a.m.

The following Board members were present for the meeting:

Kishore K. Challa, M.D., F.A.C.C., President  
Ashish P. Sheth, M.D., Vice President  
Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Reverend O. Richard Bowyer  
Harry Duncan, M.D.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A.,  
Reverend Janet Harman  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Victoria Mullins, P.A.-C.  
Mustafa Rahim, M.D.  
Ashish Sheth, M.D.  
Russell O. Wooton  
K. Dean Wright, P.A.-C.

The following Board members were absent:

Timothy Donatelli, D.P.M.  
Wes Steele, M.D.  
Matthew Upton, M.D.

The following Staff members were present:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI  
Andrew R. Wessels

Dr. Challa called the meeting to order. Reverend Bowyer moved that the July 9, 2018 meeting minutes be approved. Dr. Faheem seconded, and the motion carried.

**CALL TO ORDER AND  
APPROVAL OF  
MINUTES**

Dr. Challa announced that a strategic planning session for the Board will be held on Saturday, October 13, 2018, beginning at 1:00 pm at the Board Office.

**ANNOUNCEMENTS**

Dr. Challa reported that the Executive/Management Committee met on Sunday, September 9, 2018, at which time the Committee approved the fiscal report and purchasing card transactions for the period of June 17<sup>th</sup> through August 15<sup>th</sup>, 2018.

**EXECUTIVE /  
MANAGEMENT  
COMMITTEE  
REPORT**

Dr. Challa reported that the Committee reviewed and discussed correspondence requesting access to the Board's database for the purpose of obtaining licensure data that is otherwise already publicly available on the Board's website. The Committee recommended that the Board deny the request. The motion of the Committee was given by Dr. Challa, and the motion carried.

Dr. Challa reported that the Committee reviewed and discussed correspondence regarding the denial of certain medications by insurance companies. The Board has no jurisdiction over insurance companies, and therefore will refer the correspondent to the West Virginia Offices of the Insurance Commissioner.

Dr. Duncan joined the meeting at this time.

Dr. Challa reported that the Committee reviewed and discussed correspondence regarding continuing education training available by the National Center for Health Statistics, Centers for Disease Control and Prevention entitled *Improving Cause of Death Reporting*. This training focuses on how to accurately complete a death certificate. The Committee recommended that the Board authorize staff to send an email blast to licensees notifying them of the training and providing a link to the same. The motion of the Committee was given by Dr. Challa, and the motion carried.

Dr. Challa reported that per the West Virginia Purchasing Division requirements, the Board's database contract will need to be rebid in 2019. The Committee authorized Board staff to work with the West Virginia Purchasing Division and place the contract out for rebid.

Dr. Challa reported that the Agreement between the Board of Medicine and the West Virginia Medical Professionals Health Program (WVMPHP), designating the WVMPHP as a Physician Health Program, is scheduled to terminate at the end of December. A copy of a proposed agreement between the Board and the WVMPHP for the period beginning January 1, 2019 was made available for members to review prior to today's meeting. The Committee recommended that the Board enter into the Agreement with the WVMPHP beginning January 1, 2019. The motion of the Committee was given by Dr. Challa, and the motion carried.

Dr. Challa reported that the Board may need to hire an additional staff member to process educational permits, however, for the time being, the permits will be processed by licensure staff. Dr. Challa also reported that Kimberly Jett is no longer employed by the Board. Ms. Jett's departure leaves a vacancy in the position of certifications analyst. The Board wishes Ms. Jett the best in her future endeavors.

Dr. Challa moved that the Board accept and ratify the report of the Executive / Management Committee. The motion carried.

Mr. Wright reported that the Legislative Committee met on Sunday, September 9, 2018, at which time the Mr. Spangler reported that the Board's emergency rule 11 CSR 12, pertaining to educational permits, became effective on August 3, 2018. Board staff filed an Emergency Amendment with the Secretary of State's Office which, if approved, will change the date that the Board begins issuing educational permits from October 1, 2018 to September 1, 2018 or as soon as the amendment is approved thereafter. To date, the Secretary of State's office has not taken any action regarding the amendment. Board staff are prepared to begin issuing educational permits as soon as the amendment is approved.

LEGISLATIVE  
COMMITTEE  
REPORT

If the Secretary of State's Office does not take action with regard to the amendment prior to September 18, 2018, the amendment will become effective on that date.

Mr. Wright reported that on January 10, 2018, Governor Justice signed Executive Order No. 3-18 establishing a regulatory review requirement for state regulations. The Order requires executive agencies with rule-making authority to review all rules under the agencies jurisdiction to determine which rules, if any, are outdated, ineffective, or excessively burdensome and unnecessary. Each agency must submit a Regulatory Review report to the Governor and the Legislative Rule-Making Review Committee prior to November 1, 2018. Board staff have begun reviewing the Board's rules and will submit a report prior to the deadline.

Mr. Wright reported that Board staff continue to receive questions regarding Senate Bill 273. Board staff have been working with other entities regarding proposed modifications to Senate Bill 273 and anticipate that the proposed modifications will be introduced during the 2019 legislative session.

Mr. Wright reported that at the request of the Executive/Management Committee, the Legislative Committee considered whether or not to pursue legislative changes to the prohibition on corporate practice of medicine as it applies to for-profit hospitals. The Committee has asked legal staff to provide a summary of the current law and provide some proposed changes for consideration at the November meeting.

Mr. Wright reported that the Committee proposed that the following subjects be considered as topics of interest for the Board during the upcoming legislative session:

- Possible consolidation of the Board of Medicine and the Board of Osteopathic Medicine;
- Potential modifications to Senate Bill 273;
- Clarification regarding the corporate practice of medicine; and
- Possible modifications to the Physician Assistants Practice Act.

Mr. Wright asked board members to identify any additional topics that they would like to be included in the list of 2019 legislative topics of interest / goals. Dr. Challa indicated that he would like for precertification / prior authorization of medications and medical procedures to be included in the list. The Committee recommended that the Board authorize staff to explore the above matters identified as 2019 legislative topics of interest / goals. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that several organizations will be meeting in the coming weeks to discuss and develop proposed legislation to be introduced during the 2019 session relating to the practice of physician assistants. The Committee recommended that the Board authorize staff to participate in upcoming meetings which relate to potential legislative changes for physician assistant practice. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright moved that the Board accept and ratify the report of the Legislative Committee. The motion carried.

Ms. Alley reported that on July 13, 2018, the Kanawha County Circuit Court affirmed the Board's Order in the matter of *Omar Khalid Hasan, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent*. On August 10, 2018, Dr. Hasan filed an appeal to the West Virginia Supreme Court, and the court granted a stay in this matter. Briefing will occur prior to the end of 2018.

**BOARD  
ATTORNEY  
REPORT**

Ms. Alley reported that there are two hearings scheduled to occur in the coming months. Additionally, there are two cases set for hearing that are currently in a stayed posture.

Mr. Wright provided the report of the Physician Assistant Committee which met on Saturday, September 8, 2018.

**PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT**

Mr. Wright reported that James Michael Lackey, P.A.-C. appeared before the

Committee in accordance with the terms of the Consent Order that he entered with the Board on January 4, 2016. No action was taken by the Committee with respect to Mr. Lackey, and his Consent Order will conclude as scheduled.

Mr. Wright asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. No conflicts were declared.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Caitlyn Justine Asbury, P.A.-C.  
Brandon Edouard Bolduc, P.A.-C.  
Jon-Michael Brunner, P.A.-C.  
Daniel Thomas Burns, Jr., P.A.-C.  
Emily Jane Butler, P.A.-C.  
Chelsea Marie Camerlengo, P.A.-C.  
Kaitlyn Nicole Crites, P.A.-C.  
Laura Michelle Dent, P.A.-C.  
Jennifer Lynn Ensminger (formerly Fisher), P.A.-C.  
Ryan John Gratchick, P.A.-C.  
Makenzie Taylor Hamrick, P.A.-C.  
Cara Garrett Housden, P.A.-C.  
Erin Rae Kenny, P.A.-C.  
Victoria Danielle Kissell, P.A.-C.  
Jillian Mari Laslo, P.A.-C.  
Karen Malee Palmateer, P.A.-C.  
Jacob Roger Stoner, P.A.-C.  
Heidi Jo Stout, P.A.-C.  
Laura Alohalani Waialae, P.A.-C.  
Elizabeth Virginia Ward, P.A.-C.  
Hannah Elizabeth Warner, P.A.-C.

The motion of the Physician Assistant Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that Cheryl-Ann Leslie-Theall, P.A.-C. appeared before the Committee at the July 2018 meeting in support of her application for physician assistant licensure. Following her appearance, Ms. Leslie-Theall submitted a request to withdraw her

application. The Committee recommended that the Board accept Ms. Leslie-Theall's request to withdraw her application for physician assistant licensure. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the Committee discussed possible changes in the regulation of physician assistant practice and suggestions for potential legislative changes to the West Virginia Physician Assistants Practice Act which are expected to be introduced during the 2019 legislative session by interested parties.

Mr. Wright reported that the Committee reviewed and discussed an inquiry that was submitted by a physician assistant related to whether physician assistants may perform circumcision procedures. No action was taken by the Committee with regard to the inquiry. This matter will be placed on the November 2018 agenda for further consideration.

Mr. Wright reported that Board staff have authorized 54 practice agreements since July 9, 2018. Additionally, 24 alternate collaborating physicians were designated.

Mr. Wright moved that the Board accept and ratify the report of the Physician Assistant Committee. The motion carried.

Dr. Duncan provided the report of the Licensure Committee which met on Saturday, September 8, 2018.

LICENSURE  
COMMITTEE  
REPORT

Dr. Duncan reported that three out of six scheduled applicants appeared before the Licensure Committee to discuss their applications. Based thereupon the Committee made the following recommendations:

Approve the following applicants for permanent medical licensure:

Muhammad Amer, M.D.  
Nina Roberta House, M.D.



Approve Larissa Braga Casaburi, M.D. for medical school faculty licensure.

The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan reported that the Committee reviewed and discussed fourteen applications. Based thereupon, the Committee made the following recommendations:

Approve Michael Ng, M.D. for permanent medical licensure.

Approve Mark Walter Penn, M.D. for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee.

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board accept the additional information submitted as satisfactory documentation of work history and approve Yokesh Balarman, M.D. for permanent medical licensure. The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board accept the postgraduate training as satisfactorily verified and approve Edward Abell, M.D. for permanent medical licensure. The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board accept Zenoun Omar Abouzelam, M.D.'s medical school education at Ain Sham's University in Egypt as satisfactorily verified and approve Dr. Abouzelam for permanent medical licensure based on the following factors: there is currently civil unrest in Egypt; Ain Shams University has not complied with the requests for verification of education from the applicant; and in accordance with current Board policy, two of Dr. Abouzelam's classmates have submitted notarized letters attesting to graduating from medical school with him. The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board accept Mandana Hashefi, M.D.'s medical school education at Tehran University of Medical Sciences in Iran as satisfactorily verified and approve Dr. Hashefi for licensure based on the following factors: there is currently not diplomatic relations between the United States and Iran; Tehran University has not complied with the requests for verification of education from the applicant or FCVS; and in accordance with current Board policy, two of Dr. Hashefi's classmates have submitted notarized letters attesting to graduating from medical school with her. The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve a change in status of James M. Dauphin, M.D.'s license from inactive status to active status pursuant to his acceptance of a Consent Order with the following terms: (1) Dr. Dauphin acknowledges that he inaccurately attested to the completion of all required CME in association with his 2018 license renewal application and that he can only provide evidence of completion of fifteen hours of CME for the July 1, 2016 through June 30, 2018 licensure cycle; (2) the Board accepts thirty-five hours of CME Dr. Dauphin has completed since July 1, 2018 in satisfaction of his CME deficiency for the period of July 1, 2016 through June 30, 2018; (3) Dr. Dauphin may not utilize any of the 35 hours used to satisfy his CME requirements for the current reporting period; and (4) Dr. Dauphin shall pay an administrative fine in the amount of \$3,500 for his CME delinquency and deficiency prior to his status change becoming effective. The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve a change in status of Michael Joel Shuster, M.D.'s license from inactive status to active status pursuant to his acceptance of a Consent Order with the following terms: (1) Dr. Shuster acknowledges that he inaccurately attested to the completion of a 3 hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1, 2015 and June 30, 2017; (2) the Board accepts Dr. Shuster's completion of a Board approved course in drug diversion training and best practice prescribing of controlled substances on May

20, 2018 in satisfaction of his CME deficiency for the period of July 1, 2015 through June 30, 2017; (3) Dr. Shuster may not utilize the May 2018 course in satisfaction on any CME obligations for the his current reporting period; and (4) Dr. Shuster shall pay an administrative fine in the amount of \$500 for his CME delinquency and deficiency prior to his status change becoming effective. The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board accept the request for withdrawal of application for medical licensure in lieu of appearance for the following applicants:

Benjamin Jay Bryant, M.D.  
Walid Saado, M.D.

The Committee will request that the following applicants appear before the Committee at the November meeting:

Derek Scott Buck, M.D.  
James Lawrence Fernau, M.D.  
Adam Stephen Lundy, M.D.  
Mitchell Brandon Stotland, M.D.

Dr. Duncan asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared. The Committee recommended that the Board approve the following applicants for permanent medical licensure:

Yasir Abdul Ghaffar, M.D.  
Matthew Joseph Abel, M.D.  
Rachel Abou Mrad, M.D.  
Maria Isabel Aguilar, M.D.  
Shamsher Singh Ahluwalia, M.D.  
Troy Earl Aubel, M.D.  
Rami Mahfouz Ausi, M.D.  
Muhammad Adnan Aziz, M.D.  
Janna Elizabeth Baker Rogers, M.D.  
Lakshmi Reddy Beeravolu, M.D.  
Claire Marie Bentley, M.D.  
Jane Ilana Bernstein, M.D.  
Christopher Scott Bewley, M.D.  
Rodney Biglow, M.D.  
Thomas David Bourne, M.D.  
Ryan Rahym Budwany, M.D.

Patrick Russell Burnside, M.D.  
Ekaterina Borisovna Castano, M.D.  
Yvana Cespedes Rockley, M.D.  
Ifeanyichukwu Gabriel Chukwuma, M.D.  
Amanda Sue Cuda, M.D.  
Charles Donovan Davis, M.D.  
Stephen Ellis Deci, M.D.  
Ronald Fitzjohn Dixon, M.D.  
Kayla Saunders Duvall, M.D.  
Milroy Saverianayagam Emmanuel, M.D.  
Uzma Shamim Faheem, M.D.  
John Pegram Ford, M.D.  
Ammar Ghanem, M.D.  
Wayne Houston Gordon, M.D.  
Michael Stephen Grabinski, M.D.  
Jose Gutierrez Contreras, M.D.  
Kelsey Lynn Haarbauer, M.D.  
Muhammad Yousuf Hasan, M.D.  
Patrick Glen Henderson, M.D.  
Philip Justin Howard, M.D.  
Grace Autumn Hutcheson, M.D.  
Shoji Ishigami, M.D.  
Hirenkumar Damjibhai Italia, M.D.  
Priyanka Kalidindi, M.D.  
Brian Scott Kendall, M.D.  
Cathy Lee Kim, M.D.  
Bhavani Shankar Prasad Kundeti, M.D.  
Mehmet Talha Kutlu, M.D.  
Amit Parsottam Ladani, M.D.  
James Christian Lamousin, M.D.  
Mark Robert Lee, M.D.  
Nathaniel Shay Linger, M.D.  
Leena Thomas Lourduraj, M.D.  
Devan Narendra Makati, M.D.  
Thomas Frederick Mauger, M.D.  
Teresa Marie Mazur, M.D.  
Martha Nelly Millan, M.D.  
Sanchez Houda Elaine Mouradian-Al Tawil, M.D.  
Ian Mukand-Cerro, M.D.  
Mary Elizabeth Mullins, M.D.  
Francis Raymond Murphy, M.D.  
Khaled Nashar, M.D.  
Elena Yen-Vi Nguyen, M.D.  
Elizabeth Anyaegbu Onugha, M.D.  
Christopher Ryan Oxner, M.D.  
Sunil Darshan Paudel, M.D.

Karen Gale Phillips, M.D.  
Darin Arthur Portnoy, M.D.  
Mohamedtauqir Mohamedyakub Puthawala, M.D.  
Narayanan Ramesh, M.D.  
Saleem Raslan, M.D.  
Yasha Rastgar, M.D.  
Liliana Robles, M.D.  
Barbra Aileen Ross, M.D.  
Sarah Page Sexton, M.D.  
Qudsia W. Shaikh, M.D.  
Jason Yue Shen, M.D.  
Jennifer Catherine Shippy, M.D.  
John F. Smith, Jr., M.D.  
Scott Russell Soerries, M.D.  
Gregory Lee Spears, M.D.  
YuanYuan Sun, M.D.  
Ahmet Toparli, M.D.  
Sherley Rose Valdez Arroyo, M.D.  
Jason Bennard Van Antwerp, M.D.  
Jayson Francis Varughese, M.D.  
Patrick Louis Wagner, M.D.  
Priyanka Kim Wali, M.D.  
Garrett Douglas Walters, M.D.  
Ella Mae Webster, M.D.  
Daniel Jay Weinberg, M.D.  
Gordon Keith Wolfe, M.D.

The motion of the Licensure Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve the following applicants for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Suzette Adele Robinson, M.D.  
John Hai Nhu Vu, M.D.  
Ramon Reyes Ymalay, M.D.

The motion of the Licensure Committee was given by Dr. Duncan, and the motion carried. Dr. Mullins declared a conflict with regard to an application who is applying for reactivation of permanent medical licensure and left the meeting room.

The Committee recommended that the Board approve the following applicants for reactivation of permanent medical licensure:

Patrick Philip Flannagan, M.D.  
Michael Louis Goodman, M.D.  
William Renick Hutson, M.D.  
Matthew J. Metz, M.D.  
Mark Ford Sullivan, M.D.

The motion of the Licensure Committee was given by Dr. Duncan, and the motion carried.

Dr. Mullins returned to the meeting room at this time.

Dr. Duncan reported that the following 22 applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an Interstate Medical Licensure Compact Commission (IMLCC) application in July and August:

Stanley Francis Abramski	WA
Nitin Naresh Aggarwal	AL
Kathleen Mary Berchelmann	NH
John Edward Britt	IL
Virginia Pearson Cheng	IL
Lisa Marie Dorsey-Bornfreedom	IL
Ana Maria Echenique	AZ
David Joel Goldberg	NH
Hisham Doud Hamam	AZ
Angela Marie Kerchner	IA
Jinping Li	WI
Robert Luther Lile	CO
Haytham Essat Maria	NE
John Nicholas Moustoukas	IL
Samuel Joon Park	CO
Catherine Celeste Roberts	AZ
Richard Victor Spera, Jr.	AL
Leland Carpenter Stillman	CO
Todd Willis Stull	NE
Timothy Scott Talbot	AL
Kimberly Arlene Townsend-Scott	IL
Lee Edward Weiss	AZ

Also, during this period, the Board received 3 requests for a Letter of Qualification (LOQ) to be issued by the Board as the state of principal licensure.

Letters of Qualification were issued to:

Rammy Schmucl Gold, M.D.  
Kyon Amiel Hood, M.D.

Letter of Qualification was declined to:  
Viorel Raducan, M.D.

The following chart was made available to all members for review:

REINSTATEMENT and CHANGE OF LICENSE STATUS REPORT

Application Type	Received July - Aug	Pending	Finalized	License Status
Reinstatement License Expired 6/30/2018	11	2	9	7 Active 2 Inactive
Change of Status from Inactive to Active A- L prior to 6/30/2020	3	1	2	2 Active
Change of Status from Inactive to Active M-Z prior to 6/30/2019	1	0	1	1 Active

Dr. Duncan moved that the Board accept and ratify the report of the Licensure Committee. The motion carried.

Reverend Bowyer provided the following report for the special meeting of the Complaint Committee which was held on August 14, 2018.

**COMPLAINT  
COMMITTEE  
REPORT**

INITIATED COMPLAINTS

- 18-128-W
- 18-129-W
- 18-130-W
- 18-131-W
- 18-132-W
- 18-133-W
- 18-134-W
- 18-135-W
- 18-136-W
- 18-137-W
- 18-138-W

18-139-W  
18-140-W  
18-141-W  
18-142-W

Reverend Bowyer delivered the report of the Compliant Committee, which met on Sunday, September 9, 2018.

### **CLOSURES**

18-108-W	John Patrick Fernald, M.D.
18-115-W	Teresa Elizabeth Frazer, M.D.
18-42-W	Alan Mathew Lintala, M.D.
18-64-C	Jeffrey Byron Sinclair, M.D.
18-62-F	David Livingstone Stuart, M.D.
18-103-C	Muneel Abbas, M.D.
18-95-J	Mark Jason Akers, M.D.
18-101-M	James Alan Akins, M.D.
18-91-H	Miachael Beane, M.D.
18-75-D	David Alan Denning, M.D.
18-69-T	Joseph Hugo Duvert, M.D.
18-93-C	Michael Kelly, M.D.
18-88-N	Samer Kuzbari, M.D.
18-36-C	Sandra Jean Lewis, M.D.
18-98-Y	Dibbendu Mahanayak, M.D.
18-90-F	Ahmed Sayed Ahmed Mahmoud, M.D.
18-87-D	Kamalesh Purushottam Patel, M.D.
18-86-R	Vijayalakshami Reddy Ragoor, M.D.
18-85-D	Khalid Saud Sharif, M.D.
18-102-C	Stephen Brett Whitfield, M.D.

### **INITIATED COMPLAINTS**

18-143-W  
18-144-W  
18-145-W  
18-146-W  
18-147-W  
18-148-W

### **WITHDRAWAL OF PREVIOUS INITIATED COMPLAINT**

18-138-W



**FINDINGS OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF DISQUALIFICATION UNDER WV CODE §30-3-14**

18-79-W

Tod Hagins, M.D.

**CONSENT ORDERS**

Reverend Bowyer requested that the Board authorize the Complaint Committee to move forward with offering 5 Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Complaint Committee was given by Reverend Bowyer, and the motion carried.

**FULLY EXECUTED CONSENT ORDERS**

Reverend Bowyer reported that since the July meeting, fully executed Consent Orders have been entered with respect to the following licensees:

Thomas J. Belford, P.A.-C - On August 15, 2018, the licensee entered into a Consent Order with the Board which granted his application for reactivation of physician assistant licensure pursuant to an indefinite period of probation and the specific terms approved by the Board at its July 9, 2018 meeting. The period of probation shall last through Mr. Belford's next three years of active practice as a physician assistant in West Virginia. During his period of probation, Mr. Belford must comply with specific probationary terms including reentry into practice under direct collaboration until further notice and Complaint Committee approval of his practice agreements. At all times when Mr. Belford is authorized to practice pursuant to an approved practice agreement while under probation, he must be accompanied by a female health care provider when he has patient encounters with females.

Robert Andrew Dale, D.P.M. - On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed restrictions on Dr. Dale's podiatric license that he shall not perform any podiatric medical procedure that involves suturing. This restriction will remain in place until a qualified physician determines, to the satisfaction of the Board,

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that Dr. Dale is fit to return to the unrestricted practice of podiatric surgery with reasonable skill and safety.

Tinofa Ozias Muskwe, M.D. - On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Magued Raafat Rizk Edouard Meawad Rizk, M.D. - On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Arthur Magno Santos, M.D. - On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

William Michael Skeens, M.D. - On August 13, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Steven Ray Smith, M.D. - On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed being publicly reprimanded for his unprofessional conduct related to his prescribing of a controlled substance to his wife and his failure to maintain a medical record with respect thereto. For a period of two years the Board will monitor the

licensee's prescribing practices.

Thomas Robert Walther, M.D. - On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Matthew Frederick Way, M.D. - On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Lesley Wong, M.D. - On August 30, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$500.00 for being unable to produce documentation of successful completion of the required Board approved course on drug diversion training and best practice prescribing of controlled substances during the requisite time frame.

Nayan Kantilal Zinzuwadia, M.D. - On August 13, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$2,650.00 and was required to complete 26.5 hours of CME to satisfy his CME deficiency.

All Consent Orders are available on the Board's website.

Reverend Bowyer reported that when probable cause is found, Consent Orders must be individually considered and approved by the Board. Yesterday, September 9, 2018, the Complaint Committee found probable cause in the matter of Tod Hagins, M.D., Complaint No. 18-79-W. Dr. Hagins has agreed to permanently surrender his West Virginia medical license via Consent Order in lieu of continuing in the disciplinary process. The Committee

requested that the Board approve this Consent Order. The motion of the Committee was given by Reverend Bowyer, and the motion carried.

The Complaint Committee recommended that the Board enter an order terminating the Consent Order of Munawar Siddiqi, M.D.. Dr. Siddiqi's Consent Order prohibits him from seeking a change in licensure status in West Virginia from inactive status to active status until he fully satisfied the obligations of his Consent Order in Kentucky. Dr. Siddiqi has been released from his Kentucky Consent Order and has requested that his West Virginia Consent Order be similarly terminated. The motion of the Committee was given by Reverend Bowyer, and the motion carried.

Reverend Bowyer reported that the Complaint Committee of the Board is currently conducting an investigation in connection with allegations against a particular physician stemming from a patient complaint alleging improper interference in the physician's prescribing by medical office staff and the subsequent termination of the physician-patient relationship. In order to protect the privacy of the licensee, and to ensure the impartiality of the Board should the matter come before it in the future for adjudication, the physician in question will be identified for purposes of this discussion as "Physician A."

Physician A appeared before the Complaint Committee yesterday. Based upon the physician's demeanor and responses to questions by Committee members, the Committee unanimously agreed that it had concerns regarding the mental and physical health and well-being of Physician A.

West Virginia Code § 30-3-14(f) authorizes the Board, under any circumstances, to require a physician to submit to a mental or physical examination by a physician or physicians approved by the Board. In connection with its current investigation, and pursuant to the West Virginia Code § 30-3-14(f), the Complaint Committee moved that the Board authorize the issuance of an Order requiring Physician A to submit to a complete mental and physical examination by a physician or physicians approved by the Board. Such mental and physical examination should be scheduled as soon as possible to ensure that the

public is protected, and should include all appropriate testing. The motion of the Committee was given by Reverend Bowyer, and the motion carried.


Reverend Bowyer moved that the Board accept and ratify the report of the Complaint Committee. The motion carried.

Dr. Challa welcomed Dawn Morton-Rias, President and Chief Executive Officer of the National Commission on Certification of Physician Assistants. Ms. Morton-Rias will be presenting to the Board following today's meeting.

There being no further business to consider, the meeting adjourned.

ADJOURNMENT

  
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Kishore K. Challa, M.D., F.A.C.C.  
President

  
\_\_\_\_\_  
Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Emergency Board Meeting Agenda**  
**October 5, 2018 at 1:30 p.m.**

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***CALL TO ORDER***

- Consideration of whether the continuation in practice of a licensee constitutes an immediate danger to the public

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Emergency Board Meeting Minutes**

**October 5, 2018**

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An emergency meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 5<sup>th</sup> day of October 2018, at 1:30 p.m.

The following Board members attended the meeting via teleconference:

Kishore K. Challa, M.D., F.A.C.C., President  
Ashish Sheth, M.D., Vice President  
Reverend O. Richard Bowyer  
Timothy Donatelli, D.P.M.  
Ahmed D. Faheem, M.D., D.L.F.A.P.A.,  
Reverend Janet Harman  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Victoria Mullins, P.A.-C.  
Mustafa Rahim, M.D.  
Wes Steele, M.D.  
Matthew Upton, M.D.  
Russell O. Wooton  
K. Dean Wright, P.A.-C.

The following members were absent:

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Harry E. Duncan, M.D.

The following Staff member attended the meeting via teleconference:

Mark A. Spangler, M.A.

The following Staff members were present:

Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie Thornton-Inghram, CMBI

Dr. Challa called the meeting to order, and roll call was taken by Ms. Frame.

**CALL TO  
ORDER**

Dr. Challa announced that the purpose of the emergency meeting is to consider whether a licensee's continuation in practice constitutes an immediate danger to the public requiring immediate action by the Board.

Reverend Bowyer reported that this matter relates to possible discipline of a licensee, William Amaro San Pablo, M.D, and asked if there were any declarations of conflict by Board members. No conflicts were declared.

**COMPLAINT  
COMMITTEE  
REPORT**

Reverend Bowyer reported that an emergency meeting of the Complaint Committee was convened at 1:00 p.m. today to discuss information obtained in the course of the Committee's investigation into Complaint No. 18-157-W. The complaint was initiated based upon a report that raised concerns about Dr. San Pablo's current fitness to practice and associated safety concerns for his patients. The Committee is still investigating this complaint, which was initiated on September 27, 2018, and is not ready to make a final determination upon the complaint at this time. However, the Complaint Committee has received and reviewed information obtained by Board Investigators on October 1, 2018 that indicates that Dr. San Pablo's continuation in practice constitutes an immediate danger to the public and summary action is required.

The Committee concluded that the evidence in its possession supports a determination that Dr. San Pablo is unable to practice medicine and surgery with reasonable skill and safety due to physical or mental impairment, including deterioration through the aging process and loss of motor skills. W.Va. Code §30-3-14(c)(21).

The Committee further concluded that evidence in its possession suggests that others may be using Dr. San Pablo's medical license to make medical decisions for and



prescribe medications, including controlled substances, to his patients while he is unable to do so, with or without his agreement and/or meaningful participation.

West Virginia Code §30-3-14(k) provides that:

If the board determines the evidence in its possession indicates that a physician's continuation in practice or unrestricted practice constitutes an immediate danger to the public, the board may take any of the actions provided for in subsection (f) of this section on a temporary basis and without a hearing, if institution of procedures for a hearing before the board are initiated simultaneously with the temporary action and beginning within fifteen days of the action. The board shall render its decision within five days of the conclusion of a hearing under this subsection.

The Committee determined, that under the circumstances and based upon the evidence in its possession, to recommend that the Board summarily suspend Dr. San Pablo's West Virginia medical license while the Committee completes its investigation into the allegations of Complaint No. 18-157-W.

The Complaint Committee recommended that the Board:

1. Ratify the Complaint Committee's conclusion as reported;
2. Determine that under all of the circumstances, for Dr. San Pablo to continue to hold an unrestricted license to practice medicine in the State of West Virginia, constitutes an immediate danger to the health, welfare and safety of the public;
3. Conclude, as a matter of law, that such a danger to the public demands extraordinary measures; and
4. In accordance with its statutory mandate to protect the public interest, summarily suspend the license to practice medicine of Dr. San Pablo, license number 11963,

in accordance with the provisions of W. Va. Code §30-3-14(k) and W. Va. Code R. §11-3-10.16 (2010) while the Board continues its investigation into Initiated Complaint No. 18-157-W.

The Committee further recommended that if the Board votes to summarily suspend Dr. San Pablo, that he be offered a Consent Order to permanently surrender his West Virginia medical license in lieu of proceeding to hearing on his summary suspension and to resolve any and all pending complaints against him.

The following members left the teleconference at this time:

Reverend O. Richard Bowyer

Ashish P. Sheth, M.D.

Wes Steele, M.D.

Matthew Upton, M.D.

With a quorum of the Board present and voting, Dr. Faheem moved that the Board find that for Dr. San Pablo to continue to hold an unrestricted license to practice medicine in the State of West Virginia constitutes an immediate danger to the health, welfare and safety of the public; that such a danger to the public demands extraordinary measures; and that in accordance with its statutory mandate to protect the public interest, the Board summarily suspend the license to practice medicine of Dr. San Pablo, license number 11963, in accordance with the provisions of W. Va. Code §30-3-14(k) and W. Va. Code R. §11-3-10.16(2010) while the Board continues its investigation into Initiated Complaint No. 18-157-W. Dr. Faheem further moved that the summary suspension become effective on the date that the Order is served on Dr. San Pablo, and that Dr. San Pablo be offered a Consent Order to permanently surrender his West Virginia medical license in lieu of proceeding to hearing on his summary suspension and to resolve any and all pending complaints against him. Dr. Wooton Seconded. Dr. Challa called for a roll call vote, and the motion carried unanimously.

Dr. Rahim left the teleconference at this time.

Reverend Harman moved that the summary suspension hearing be held on Wednesday, October 17, 2018 at 10:00 am at the Board Office. Mr. Wright seconded, and the motion carried.

Dr. Faheem moved that the Board accept and ratify the Complaint Committee report. Mr. Wooten seconded, and the motion carried.

There being no further business to consider, Reverend Harmon moved that the meeting adjourned. Dr. Mullins seconded, and the motion carried. **ADJOURNMENT**



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Kishore K. Challa, M.D., F.A.C.C.  
President



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Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P.  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Strategic Planning Meeting Agenda**  
**October 13, 2018 at 1:00 p.m.**

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***AGENDA ITEMS:***

- **Mission Statement**
- **Vision Statement**
- **Core Values**
- **Strategic Plan**

**WEST VIRGINIA BOARD OF MEDICINE**

**Strategic Planning Meeting Minutes  
October 13, 2018**

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A West Virginia Board of Medicine strategic planning meeting was held at 101 Dee Drive, Charleston, West Virginia, on the 13<sup>th</sup> day of October 2018 at 1:00 p.m.

The following Board members were present for the meeting:

Kishore K. Challa, M.D., F.A.C.C., President  
Ashish P. Sheth, M.D., Vice President  
Reverend O. Richard Bowyer  
Ahmed D. Faheem, M.D., D.L.F.A.P.A.,  
Reverend Janet Harman  
Carrie Lakin, D.P.M.  
David Mullins, M.D.  
Victoria (Tori) Mullins, P.A.-C.  
Ashish Sheth, M.D.  
Thomas (Wes) Steele, M.D.  
K. Dean Wright, P.A.-C.

The following Board members were absent:

Rahul Gupta, M.D., M.P.H., M.B.A., F.A.C.P., Secretary  
Timothy Donatelli, D.P.M.  
Harry Duncan, M.D.  
Mustafa Rahim, M.D.  
Matthew Upton, M.D.  
Russell O. Wooton

The following Staff members were present for the meeting:

Mark A. Spangler, M.A.  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Deborah Scott  
Sheree Thompson  
Leslie A. Thornton, CMBI  
Andrew Wessels

The following AlignHR representatives were present for the meeting:

Zachary T. Abraham, MSIR, SPHR, SHRM-SCP  
Leonard "Lenny" Hannigan, II

Dr. Challa called the meeting to order. Mr. Spangler thanked board and staff members for preparing for and attending today's meeting. **CALL TO ORDER**

Mr. Abraham provided a recap of the Board's current Mission, Vision and Core Values. No modifications were made to the Mission, Vision or Core Values.

Mr. Spangler provided an update with regard to the Board's 2018 goals.

Mr. Hannigan and Mr. Abraham assisted members in developing a strengths, weaknesses, opportunities and threats (SWOT) analysis.

AlignHR staff guided members to develop the following preliminary mutually accountable goals and objectives for the Board. Formal goals will be drafted as a result of this planning session and will be present to the Board for consideration at an upcoming meeting.

The planning session concluded and the meeting adjourned.

**ADJOURNMENT**



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Ahmed D. Faheem, M.D., D.L.F.A.P.A.  
President



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Rahul Gupta, M.D., M.P.H, M.B.A., F.A.C.P.  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**November 5, 2018 at 9:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes***

- September 10, 2018
- October 4, 2018
- October 13, 2018
- Nominating Committee Minutes June 19, 2018

***Committee and Staff Reports, Discussion and Action:***

- **Executive Director Report**
- **Executive/Management Committee Report**
  - Fiscal Report and Purchasing Card Transactions for August, September and October 2018
  - Selection of 2019 Board Meeting Dates
    - January 14, 2019
    - March 11, 2019
    - May 6, 2019 or May 20, 2019
    - July 15, 2019
    - September 9, 2019
    - November 4, 2019 or November 18, 2019
  - 2019 Strategic Plan
  - Consideration of Motions for Expungement of Medical Malpractice Payment Reports
    - Jessica A. Rhodes, P.A.-C.
    - John France, M.D.
    - Robert D. Santrock, M.D.
    - Jan C. Kletter, M.D.
  - Correspondence Received Regarding Controlled Substance Prescribing
  - Faculty License / Extraordinary Circumstance License
  - Ad Hoc Committee on Joint Regulatory Concerns / Opportunities
  - Proposed Modification to WVMPHP Agreement
  - Report back to the Committee Regarding Processing of Requests for Licensee Information

- Medical Corporations and PLLCs update
  - Board of Medicine Guidance Regarding Medical Records Retention
  - Report to the Committee from the President Concerning Communication with West Virginia University School of Medicine
  - Pending Litigation
    - *Young vs. WVBOM*, Civil Action No. 18-C-121
  - Office Updates
    - Database
    - Staffing
  - Report of Other Discussion Which Occurred at the November 4, 2018 Meeting
  
- **Legislative Committee Report**
  - Board of Medicine Rules
    - 11 CSR 1A
    - 11 CSR 12
  - Executive Order No. 3-18 – WVBOM Regulatory Review Report
  - Legislative Agenda for 2019
    - Corporate Practice of Medicine
    - Physician Assistants Practice Act
    - Possible Changes to Chapter 30 Boards
    - SB 273
    - Precertification/Prior Authorization of Medications and Medical Procedures
    - Other Potential Legislative Topics of Interest to the Board
  - Report of Other Discussion Which Occurred at the November 4, 2018 Meeting
  
- **Board Attorney Report**
  - Update on Pending Litigation Matters
    - *Omar Khalid Hasan, M.D. v. West Virginia Board of Medicine*
    - Pending Public Hearings
  - *Young v. WVBOM*, Civil Action No. 18-C-1216
  
- **Physician Assistant Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applications (Physician Assistants)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the November 3, 2018 Meeting



- **Licensure Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the November 3, 2018 Meeting
  
- **Complaint Committee Report**
  - Closures
  - Initiated Complaints
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14, if any
  - Authorization of Consent Orders
  - Consent Order Update
  - Other Matters Originating from the November 4, 2018 Meeting
    - Update on Order Requiring Mental and Physical Evaluation for Physician A (Board Order dated September 10, 2018)
    - Consideration of Possible Action with Respect to 18-79-W

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**November 5, 2018**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 5<sup>th</sup> day of November 2018 at 9:00 a.m.

The following Board members were present for the meeting:

Kishore K. Challa, MD., FACC, President  
Ashish P. Sheth, MD, Vice President  
Rahul Gupta, MD, MPH., MBA., FACP, Secretary  
Reverend O. Richard Bowyer  
Timothy Donatelli, DPM  
Harry Duncan, MD  
Ahmed D. Faheem, MD, DLFAPA  
Reverend Janet Harman  
Carrie Lakin, DPM  
David Mullins, MD  
Victoria Mullins, PA-C  
Russell O. Wooton  
K. Dean Wright, PA-C

The following Board members were absent:

Mustafa Rahim, MD  
Wes Steele, MD  
Matthew Upton, MD

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI  
Andrew R. Wessels

Dr. Challa called the meeting to order and announced that today, November 5, 2018, is Dr. Gupta's last meeting as Secretary of the Board. Dr. Challa thanked Dr. Gupta for his commitment to the Board and wished him the best in his future endeavors.

**CALL TO  
ORDER  
AND APPROVAL  
OF MINUTES**

The Committee recommended that the following meeting minutes be approved:

September 10, 2018 Board Meeting Minutes  
October 4, 2018 Board Meeting Minutes  
October 13, 2018 Board Meeting Minutes  
June 19, 2018 Nominating Committee Minutes

Reverend Bowyer moved that the Board adopt the Committee's recommendation. Mr. Wright seconded, and the motion carried.

Mr. Spangler reminded members to promptly notify Board staff if they are unable to attend any Committee or Board meeting.

**EXECUTIVE  
DIRECTOR  
REPORT**

Mr. Spangler announced that the 2018 Licensing Board Seminar will be held on Tuesday, November 27, 2018 from 8:00 am to 4:30 pm at the Charleston Marriott. W.Va. Code provides that all board members are required to attend at least one licensing board seminar during their term. The deadline to register for the seminar is Friday, November 16, 2018. Mr. Spangler asked that any member who is interested in attending the seminar, please see him following today's meeting.

Mr. Spangler reported that during the Alderson Broaddus University Alumni Awards Banquet, which was held on October 6, 2018, Mr. Wright received the Hu C. and Avanelle Myers Award. The award is named in honor of Dr. Hu C. Myers, founder of the program, and his wife Avanelle.

Mr. Spangler thanked members for their participation during the recent strategic planning session and for their commitment to the Board.

Dr. Challa reported that the Executive/Management Committee met on Sunday, November 4, 2018, at which time the Committee approved the fiscal report and purchasing card transactions for the period of August 16<sup>th</sup> through October 16<sup>th</sup>, 2018.

The Committee recommended that the Board approve the following 2019 Board meeting dates:

January 14, 2019  
March 11, 2019  
May 20, 2019  
July 15, 2019  
September 9, 2019  
November 4, 2019

Reverend Harman moved that the Board adopt the Committee's recommendation. Dr. Lakin seconded, and the motion carried.

Dr. Challa reported that the Board will need to hold a special meeting prior to December 13, 2018 to consider the Hearing Examiner's Recommended Decision in the matter of *West Virginia Board of Medicine v. David Carol Shamblin, MD*, Complaint Nos. 16-36-W and 16-154-W. Dr. Challa asked all members who are not excluded from voting on this matter to review their calendar and identify which of the following proposed meeting dates best fit their schedule: November 20, 21, 28, 29 or 30, 2018 or December 3, 4 or 5, 2018. Members will be notified of the meeting date once it has been confirmed.

Dr. Challa reported that the 2019 strategic plan has made available on the cloud for members to review. The Committee recommended that the Board adopt the 2019 Strategic Plan as presented. Dr. Lakin moved that the Board adopt the Committee's recommendation. Dr. Sheth seconded, and the motion carried.

Dr. Challa reported that the Committee reviewed four requests for expungement of a medical malpractice settlement claim report. The expungement requests and supporting

documents were made available for members to review prior to today's meeting. The Committee recommended that the Board take the following action upon the requests:

Grant the request for expungement of a medical malpractice claim report for Jessica A. Rhodes, PA-C;

Grant the request for expungement of a medical malpractice claim report for Robert D. Santrock, MD;

Decline the request for expungement of a medical malpractice claim report for John France, MD; and

Decline the request for expungement of a medical malpractice claim report for Jan C. Kletter, MD.

Dr. Lakin moved that the Board adopt the Committee's recommendation. Dr. Duncan seconded, and the motion carried.

Dr. Challa reported that the Committee reviewed and discussed correspondence that was received from a licensee regarding controlled substance prescribing. The Committee authorized Board staff to respond to the licensee indicating that the correspondence will be maintained in his historical record.

Dr. Challa reported that he will establish an Ad Hoc Committee on Joint Regulatory Concerns / Opportunities for the purpose of engaging with other regulatory entities with common interests.

Dr. Challa reported that at the September 2018 meeting, the Board approved a proposed agreement between the Board and the West Virginia Medical Professionals Health Program (WVMPHP) for the period beginning January 1, 2019. The agreement was presented to Brad Hall, M.D for consideration and review. A WVMPHP Board member suggested that language in section 4.1, which is included in the current agreement but was struck from the proposed agreement, be reinserted. A copy of the Agreement and the modification being proposed by the WVMPHP were made available for members to review prior to today's meeting. The language that the WVMPHP proposed be reinserted does not cover all of the code sections and may undercut what is already stated. The Committee

recommended that the Board make no modifications to the proposed Agreement that the Board will enter into with the WVMPHP effective January 1, 2019. Reverend Bowyer moved that the Board adopt the Committee's recommendation. Dr. Duncan seconded, and the motion carried.

Dr. Challa reported that there are 365 active medical corporations and 141 active professional limited liability companies that are authorized by the Board. It currently takes approximately two weeks for Board staff to obtain the Board President and Secretary's signature on the certificate of authorization that is issued to medical corporations and PLLCs. In order to improve the processing time and consistent with other non-license authorizations, the Committee recommended that the Board authorize Mr. Spangler to sign the certificates of authorization that the Board issues to medical corporations and PLLCs. Reverend Harman moved that the Board adopt the Committee's recommendation. Mr. Wooton seconded, and the motion carried.

Dr. Challa reported that the Committee reviewed an article that was drafted by Board staff entitled *Medical Records Retention Guidelines*. The article includes a recommendation that licensees retain patient medical records "for at least 10 years after the last entry into the record or the last date of service, whichever is greater." A copy of the article was made available for members to review prior to today's meeting. The Committee recommended that the Board approve the article as presented. Dr. Lakin moved that the Board adopt the Committee's recommendation. Mr. Wooton seconded, and the motion carried.

Dr. Challa reported to the Board that he has had conversation with West Virginia University School of Medicine regarding the application process for physicians whose services are highly sought after and would greatly benefit West Virginia. He reported that he explained the medical faculty license and extraordinary faculty license process and that eligible applicants may seek licensure through these existing statutory provisions.

Dr. Challa reported that a wrongful termination suit has been filed against the Board in the Circuit Court of Kanawha County, *Young v. WVBOM*. Charles Bailey, Esquire, has been assigned to represent the Board by AIG Insurance.

Dr. Challa reported that Board staff continue to work with the West Virginia Purchasing Division and are beginning to develop specifications to be included in the request for quotation as it relate to the rebidding of the database provider.

Dr. Challa reported that with regard to staff, the Board has not yet filled the vacant certifications analyst position. Additionally, one staff member is out of the office on maternity leave beginning today, November 5, 2018. Licensure staff will assume the duties associated with this position while the staff member is on leave.

The Committee recommended that the Board accept and ratify the report of the Executive / Management Committee. Dr. Duncan moved that the Board adopt the Committee's recommendation. Dr. Lakin seconded, and the motion carried.

Mr. Wright reported that the Legislative Committee met on Sunday, November 4, 2018, at which time Mr. Spangler reported that the Legislative Rule-Making Review Committee has authorized the Board to promulgate 11 CSR 1A, *Licensing and Disciplinary Procedures: Physicians; Podiatric Physicians and Surgeons*, and 11 CSR 12, *Permitting and Disciplinary Procedures: Education Permits for Graduate Medical Interns Residents and Fellows*, as originally filed. The Committee will monitor these rules during the 2019 legislative session.

**LEGISLATIVE  
COMMITTEE  
REPORT**

Mr. Wright reported that pursuant to Executive Order No. 3-18, Board staff have submitted a Regulatory Review Report to the Governor and the Legislative Rule-Making Review Committee. The report provides a description of each of the fourteen rules that the Board has jurisdiction over and identifies recent changes to the rule as well as anticipated upcoming changes when applicable. A copy of the report was made available for members

to review prior to today's meeting.

Mr. Wright reported that the following subjects which will likely be topics of interest for the Board during the 2019 legislative session:

- o Possible modifications to the PA Practice Act
- o Possible changes to Chapter 30 Boards
- o Senate Bill 273
- o Precertification / prior authorization of medications and medical procedures
- o Medical cannabis
- o Modifications to current immunization requirements, including changes to exemption process

Mr. Wright reported that discussion occurred regarding corporate practice of medicine. The Committee recommended that Board staff be directed to draft proposed amendments to W.Va. Code §30-3-15, which would: (1) exclude all hospitals, both for-profit and non-profit, from the prohibition on corporate practice of medicine; and (2) permit providers (MDs, DPMs, and PAs) licensed by the Board of Medicine to form a medical corporation, either solely or in combination with other members, and seek authorization by the Board of Medicine. Likewise, DOs and PAs who are licensed by the Board of Osteopathic Medicine may join together with practitioners licensed by the Board of Medicine to seek authorization to practice as a medical corporation. The proposed amendments will be presented to the Committee at the January 2019 meeting. Dr. Duncan moved that the Board adopt the Committee's recommendation. Dr. Gupta seconded, and the motion carried.

Mr. Wright reported that it is likely that there will be legislation introduced during the upcoming session regarding a PEIA pilot project utilizing telemedicine services. The Committee recommended that the Board support the current telemedicine requirements and not support any legislation that would allow the physician patient relationship to be established utilizing audio-only communication or text-based communications such as email, internet questionnaires, text-based messaging or other written forms of communication. Dr. Faheem moved that the Board adopt the Committee's recommendation. Mr. Wooton seconded and the motion carried.



Mr. Wright reported that the Committee recommends that the Board support legislation which would authorize at least one investigator to carry a firearm. Dr. Faheem moved that the Board adopt the Committee's recommendation. Dr. Lakin seconded, and the motion carried.

The Committee recommended that the Board accept and ratify the report of the Legislative Committee. Dr. Faheem moved that the Board adopt the Committee's recommendation. Dr. Lakin seconded, and the motion carried.

Mr. Foster reported that the Kanawha County Circuit Court affirmed the Board's Order in the matter of *Omar Khalid Hasan, M.D., Petitioner, v. West Virginia Board of Medicine, Respondent*. Dr. Hasan filed an appeal to the West Virginia Supreme Court, and the court granted a stay in this matter. The Board's brief in this matter is due at the end of December 2018.

**BOARD  
ATTORNEY  
REPORT**

Mr. Foster reported that one hearing recently concluded, and there are three hearings scheduled to occur in the coming months.

Mr. Wright provided the report of the Physician Assistant Committee which met on Saturday, November 3, 2018.

**PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT**

Mr. Wright reported that James Michael Lackey, PA-C. entered into a Consent Order with the Board on January 4, 2016. Mr. Lackey's Consent Order restricted his practice to direct supervision for a minimum of the first 720 work hours, required a minimum two-year probationary period of his license and required all submitted practice agreements to be reviewed by the Physician Assistant Committee prior to authorization to practice. Mr. Lackey has fulfilled the terms of his Consent Order, and his Consent Order was terminated effective September 18, 2018.

Mr. Wright asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. No conflicts were declared.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Brittany Nicole Abruzzino, PA-C  
Paige Nicole Berkhouse, PA-C  
Jill Bethany Bethlehem, PA-C  
Heather Lynn Booth, PA-C  
Caitlyn M. Brown, PA-C  
Peter John Villanueva Domaoal, PA-C  
Cristina Lee Eddy, PA-C  
Allison Marie Fansler, PA-C  
Christopher John Foti, PA-C  
Shannon Catherine Harman Kerr, PA-C  
Casey Shannon Hatfield, PA-C  
Jamie Elizabeth Jackson, PA-C  
Amber Dawn King, PA-C  
Gretchen Danielle Lantz, PA-C  
Katharine Victoria Lee, PA-C  
Sarah Catherine Lobert, PA-C  
Kelsey Dawn Mathis, PA-C  
Rebekah Ruth Rick, PA-C  
Rachel Marie McKay Rosa, PA-C  
Kacey Lynn Sebert, PA-C  
Shalee Lynn Shumiloff, PA-C  
Laura K. Smith, PA-C  
Ian Christopher Stack, PA-C  
David Tomczyk, PA-C  
Kayla Marie Turconi, PA-C  
Raafeh Ahmed Waseem, PA-C  
Thomas Wilson Wood, PA-C

Dr. Duncan moved that the Board adopt the Committee's recommendation. Reverend Harman seconded, and the motion carried.

Mr. Wright reported that Sarah Leigh LaSala, PA-C entered into a Consent Order with the Board on April 24, 2018, which restricted her practice as a physician assistant to

direct collaboration for a minimum period of six months. Ms. LaSala's collaborating physician submitted quarterly status reports and recommended lifting the restriction of direct collaboration. The Committee recommended that the Board enter an Order terminating Ms. LaSala's Consent Order. Dr. Lakin moved that the Board adopt the Committee's recommendation. Dr. Duncan seconded, and the motion carried.

Mr. Wright reported that the Committee discussed possible changes in the regulation of physician assistant practice and suggestions for potential legislative changes to the West Virginia Physician Assistants Practice Act which are expected to be introduced during the 2019 legislative session by interested parties.

Mr. Wright reported that the Committee reviewed an inquiry submitted by the West Virginia Association of Health Plans related to the designation of physician assistants as primary care providers. The Committee directed Board staff to respond to the inquiry stating the nothing in the Medical Practice Act or the West Virginia Physician Assistants Practice Act precludes physician assistants from service as primary care providers, and this is a role that physician assistants have played in primary care settings for years.

Mr. Wright reported that the Committee reviewed an inquiry submitted by a physician assistant related to whether physician assistants may perform circumcision procedures at its September 2018 meeting. At that time, the Committee elected to review the issued and consider it at the November meeting. At its November meeting, the Committee determined that circumcision will not currently be approved as an advanced duty for physician assistants.

Mr. Wright reported that the Committee reviewed an inquiry related to the delegation of the advanced duty of testosterone pellet implantation. The Committee determined that testopel implantation may be delegated as an advanced duty through a practice agreement which includes satisfactory evidence of completion of appropriate training and a log of personal supervision of ten procedures completed by the physician assistant in the presence of a collaborating physician.

Mr. Wright reported that the Committee reviewed and discussed whether use of the Good Moral Character Statement form in the application for licensure for physician assistants was beneficial. The form is currently submitted by a medical doctor, doctor of osteopathy or podiatric physician who knows the applicant and attests, via notarized signature, the good moral character of the applicant, and that the applicant is physically and mentally capable of practicing as a physician assistant. The Committee determined that the applicant's moral character and ability to engage safely in practice as a physician assistant is more adequately determined through the answers provided in response to the Professional Practice, Character and Fitness application questions. The Committee recommended that beginning January 1, 2019, applicants no longer be required to submit Good Moral Character Statements. Dr. Sheth moved that the Board adopt the Committee's recommendation. Dr. Lakin seconded, and the motion carried.

Mr. Wright reported that the Committee received and approved a practice agreement which involves the use of telemedicine in psychiatry.

Mr. Wright reported that Board staff have authorized 69 practice agreements since September 10, 2018. Additionally, 59 alternate collaborating physicians were designated.

The Committee recommended that the Board accept and ratify the report of the Physician Assistant Committee. Dr. Duncan moved that the Board adopt the Committee's recommendation. Mr. Wooton seconded, and the motion carried.

Dr. Duncan provided the report of the Licensure Committee which met on Saturday, November 3, 2018.

**LICENSURE  
COMMITTEE  
REPORT**

Dr. Duncan reported that at its September 2018 meeting the Licensure Committee recommended and the Board approved a change in status of James M. Dauphin, MD's license from inactive to active status pursuant to his acceptance of a Consent Order

imposing an administrative fine of \$3,500 for his CME delinquency for the July 1, 2016 through June 30, 2018 licensure cycle, during which time he completed only 15 CME hours. Dr. Dauphin has since completed 35 CME hours in satisfaction of his CME deficiency. Dr. Dauphin may not utilize any of these 35 CME hours to satisfy his CMEs for the current reporting period. Dr. Dauphin accepted the terms and the Consent Order was entered on October 2, 2018.

Dr. Duncan reported that at its September 2018 meeting the Licensure Committee recommended and the Board approved a change in status of Michael Joel Shuster, MD's license from inactive to active status pursuant to his acceptance of a Consent Order imposing an administrative fine of \$500 due to his failure to complete a 3-hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1, 2015 and June 30, 2017. The Board accepted Dr. Shuster's completion of the needed course on May 20, 2018 in satisfaction of his delinquency. Dr. Shuster may not use the May 2018 course to satisfy any CME obligations for the current reporting period. The Board has received the signed Consent Order from Dr. Shuster.

Dr. Duncan reported that seven applicants appeared before the Licensure Committee to discuss their applications. The Committee recommended that the following applicants be approved for permanent medical licensure:

Derek Scott Buck, MD  
Sebastian Francis Cruz-Schiavone, MD  
Adam Stephen Lundy, MD

Dr. Lakin moved that the Board adopt the Committee's recommendation. Dr. Faheem seconded, and the motion carried.

The Committee recommended that the following applicants be approved for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Cynthia Erin Prather, MD

Hussain Mohammad H. Naseri, MD

Dr. Faheem moved that the Board adopt the Committee's recommendation. Dr. Sheth seconded, and the motion carried.

The Committee reported that the application of Edward Joseph Silvio Picardi, MD was placed on hold pending receipt of additional information.

The Committee recommended that the Board approve Jodi Lynn Long, D.P.M. for permanent podiatric licensure via proposed Consent Order with the following terms, conditions, limitations and restrictions:

Prior to engaging in the unsupervised practice of surgical podiatric medicine pursuant to her West Virginia license, Dr. Long shall complete a proctoring regimen designed to ensure her clinical skills are current and appropriate for the practice of surgical podiatric medicine. For the purposes of the Consent Order "surgical podiatric medicine" means the practice of podiatric medicine involving operative care for foot and/or ankle conditions requiring the use of sterile preparation and a sterile field with or without anesthesia.

Dr. Long's proctoring regimen shall comport with the following requirements:

- a. Dr. Long shall be proctored by a West Virginia licensed podiatric physician ("Proctoring Physician") who has been approved by the Board to serve as a proctor for Dr. Long.
- b. In order to be eligible to serve as proctor for Dr. Long, and prior to initiating the proctoring regimen, the Proctoring Physician must be familiar with the terms and conditions of the Consent Order and must submit written

notification to the Board that he or she understands the terms of the proctorship imposed by the Order and agrees to submit the required documentation associated with the proctorship.

- c. Prior to engaging in the unsupervised practice of surgical podiatric medicine pursuant to her West Virginia license, Dr. Long shall complete a proctoring regimen for a minimum of six weeks.
- d. The proctoring regimen shall include the performance of the following specific procedures under direct supervision of the Proctoring Physician. For each procedure and/or item, the minimum required number of proctored cases is indicated. For the purposes of the Consent Order, each proctored case must be associated with a unique patient. Multiple procedures on the same patient constitute one case for the purposes of the proctoring required by the Consent Order.

Procedures	Minimum Number of Proctored Cases
Incision and drainage of deep infection(s) of the foot or ankle	5
Osseous elective procedures of the forefoot such as bunionectomy, hammertoe corrections, hallux varus correction, exostectomy, joint replacement or fusion of metatarsophalangeal joint or proximal interphalangeal joint and/or digital amputations	10
Non-osseous elective procedures such as endoscopic plantar fasciotomy (EPF), neuroma removal and/or cyst removal	10

Surgical care of traumatic injuries of the foot or ankle such as deep laceration 5  
and/or removal of a foreign body deep to the subcutaneous layer

- e. At the discretion of the Proctoring Physician, the number of proctored procedures can be increased as needed to ensure that Dr. Long's clinical skills are satisfactory.
- f. Upon completion of the proctoring regimen, the proctoring physician shall submit a report to the Board containing a certification that the proctoring regimen was successfully completed, and recommendations regarding Dr. Long's independent practice of surgical podiatric medicine.
- g. Once the Board receives and reviews documentation from the proctoring physician which indicates that Dr. Long is recommended for independent surgical podiatric practice, with or without conditions, the Board will notify Dr. Long that she may commence independent surgical podiatric practice.

The Consent Order may be terminated by Order of the Board when the Board, in its discretion, determines that all of the terms and conditions imposed upon Dr. Long's license should be lifted. Dr. Faheem moved that the Board adopt the Committee's recommendation. Dr. Sheth seconded, and the motion carried.

Dr. Duncan reported that the Committee reviewed and discussed fourteen applications. Based thereupon, the Committee recommended that the following applicants be approved for permanent medical licensure:

Michael Scott Fenster, MD  
John Wagdy William Fahim Ibrahim, MD  
Eric Richmond Fenn, MD (pending receipt of the PICF fee)  
Mark William McCurry, MD (pending receipt of the PICF fee)  
Cornell Jacobus Overbeeke, MD (pending receipt of the PICF fee)  
John Henry Velyvis, MD (pending receipt of the PICF fee)



Dr. Faheem moved that the Board adopt the Committee's recommendation. Dr. Lakin seconded, and the motion carried.

The Committee recommended that Christopher Eric Majewski, DPM be approved for permanent podiatric licensure. Dr. Lakin moved that the Board adopt the Committee's recommendation. Dr. Gupta seconded, and the motion carried.

Dr. Duncan reported that the application for Jana Betsy Alyce Macleod, MD will be placed on hold pending receipt of additional information and possible appearance before the Committee.

The Committee recommended that the Board authorize staff to reach out to applicant Mitchell Brandon Stotland, MD to obtain additional information regarding his request to appear on a day other than Saturday. The Committee further recommended that the Board delegate staff the authority to determine whether or not accommodations should be made which would allow Dr. Stotland to appear before the Executive / Management Committee on a Sunday. Reverend Bowyer moved that the Board authorize staff to further explore Dr. Stotland's unavailability to appear at a Saturday meeting and to report back to the Board. Dr. Gupta seconded, and the motion carried.

The Committee recommended that the Board accept Casandra Arevalo Marcano, MD's medical school education at Universidad Central de Venezuela in Venezuela as satisfactorily verified and approve Dr. Marcano for permanent medical licensure. Dr. Gupta moved that the Board adopt the Committee's recommendation. Dr. Lakin seconded, and the motion carried.

The Committee recommended that the Board approve a change in status of Charles Matthew Justice, MD's license from inactive status to active status pursuant to his acceptance of a Consent Order with the following terms: (1) Dr. Justice acknowledges that he inaccurately attested to the completion a 3 hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1,

2016 and June 30, 2018; (2) the Board accepts Dr. Justice's completion of a Board approved course in drug diversion training and best practice prescribing of controlled substances on October 12, 2018 in satisfaction of his CME deficiency for the period of July 1, 2016 through June 30, 2018; (3) Dr. Justice may not utilize the October 2018 course in satisfaction on any CME obligations for the his current reporting period; and (4) Dr. Justice shall pay an administrative fine in the amount of \$500 for his CME delinquency and deficiency prior to his status change becoming effective. Dr. Faheem moved that the Board adopt the Committee's recommendation. Dr. Lakin seconded, and the motion carried.

The Committee will request that the following applicants appear before the Committee at its January 2019 meeting:

James Lawrence Fernau, MD  
Michael Hosny Gabriel, MD  
Sunila Mehrotra, MD

Dr. Duncan asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared. The Committee recommended that the Board approve the following applicants for permanent medical licensure:

Lina May AbuJamra, MD  
Kelly Melissa Aguilar, MD  
Magid Hashim Amer, MD  
Pascal Aliihnu Atanga, MD  
Magid Hashim Amer, MD  
Saad Muhammad Amin, MD  
Michelle Raney Angeline, MD  
Ruta Arays, MD  
Cengiz Aygun, MD  
Kenneth John Baker, MD  
Ulas Darda Bayraktar, MD  
Richard Earl Bird, MD  
Phillip Snowden Brackin, MD  
Timothy Michael Bradley, MD  
Monica Maria Cerone, MD  
Melina Dias Chan, MD  
Timothy Paul Chizmar, MD  
Parina Gupta Cho, MD

Kristen Hillari Davis, MD  
Chad Brian Dunn, MD  
Miguel Antonio Espinal Santos, MD  
Avi Factor, MD  
Justine Anne Falcone, MD  
Michael John Flaherty, MD  
Galal Younis Gargodhi, MD  
Jack Jay Gelman, MD  
Lynda-Marie Serene Eunice George, MD  
John Kent Granger, MD  
Bradley Wayne Gray, MD  
Zartash Gul, MD  
Luke Gregory Gutwein, MD  
Bill Herbert Harris, MD  
Todd H. Hillman, MD  
Hao Chih Ho, MD  
Brendan Adam Jones, MD  
Sarbjit Kaur, MD  
Theodore William Kieffer, MD  
Joseph Hyoung Uk Kim, MD  
Leah Carol Laxson, MD  
Huy Quang Le, MD  
Jorge Ivan Lopez, MD  
Patricia Kathleen Mahoney, MD  
Tanner Mattson Moore, MD  
Inmaculada Andeme Ncogo Alene, MD  
Diane Kay Noyes, MD  
Ryan Keith Olson, MD  
John Anthony Ozolek, MD  
David Christopher Reilly, MD  
John Michael Richmond, MD  
Kamaldeen Rizvie Saldin, MD  
Mathew Puthenparampil Samuel, MD  
Arpan Shrivastava, MD  
Imran Mohiuddin Siddiqui, MD  
Eric Bruce Sklar, MD  
Scott James Sullivan, MD  
Frehiwot Derbew Temesgen, MD  
Arthur Sterling Ticknor, MD  
Dennis William Vane, MD  
Nitin Verma, MD  
David John Watts, MD

Reverend Harman moved that the Board adopt the Committee's recommendation. Dr. Lakin seconded, and the motion carried.

The Committee recommended that the Board approve the following applicants for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Jonathan Lee Mathis, MD  
Michael Gordon Millin, MD  
Ijaz Rasul, MD  
Li Roters-Ouyang, MD  
Ehab Mostafa Shalaby, MD

Dr. Lakin moved that the Board adopt the Committee's recommendation. Dr. Faheem seconded, and the motion carried.

The Committee recommended that the Board approve the following applicants for reactivation of permanent medical licensure:

Daniel Alfred Beals, MD  
Michael Dale Hendren, MD  
Rishi Kad, MD  
Zaher Admin Naji, MD  
Ronak Rajnikant Shah, MD

Dr. Sheth moved that the Board adopt the Committee's recommendation. Mr. Wooton seconded, and the motion carried.

The Committee recommended that the Board approve the following applicants for permanent podiatric medical licensure:

Jacqueline Marie Chen, DPM  
Isaac Kwaku Neequaye, DPM  
Brian Joseph Tuminski, DPM

Dr. Lakin moved that the Board adopt the Committee's recommendation. Mr. Wooton seconded, and the motion carried.

Dr. Donatelli declared a conflict with regard to an applicant who is applying for reactivation of permanent medical licensure and left the meeting room at this time.

The Committee recommended that the Board approved Jungmin Yoo, DPM for permanent podiatric medical licensure. Dr. Lakin moved that the Board adopt the Committee's recommendation. Ms. Mullins seconded, and the motion carried.

Dr. Donatelli returned the meeting room at this time.

Dr. Duncan reported that the Committee reviewed and discussed whether use of the Good Moral Character Statement form in the application for licensure for medical doctors and podiatric physicians is beneficial. The form is currently submitted by a fellow medical doctor or podiatric physician who attests that the applicant has good moral character and is physically and mentally capable of practicing as a medical doctor or podiatric physician. The Committee determined that the applicant's moral character and ability to engage safely in practice as a physician or podiatric physician is satisfactorily and more adequately determined through the answers provided in response to the Professional Practice, Character and Fitness application questions. The Committee recommended that beginning January 1, 2019, applicants no longer be required to submit Good Moral Character Statements. Dr. Faheem moved that the Board adopt the Committee's recommendation. Dr. Gupta seconded, and the motion carried.

Dr. Duncan reported that the Committee reviewed and discussed modifications to the physician application instructions relating to primary source verification of international medical education. The current instructions are arcane, and refer to countries under Communist rule:

*For schools located in countries under Communist rule or presently engaged in civil war, we will accept notarized letters from two (2) classmates, officials of the school, professors, etc., who will swear to your graduation and who were at the school the same time you were. These letters must give the name of the school, the dates both you and the letter writer started and graduated (month, day, year). The letters must be received by the West Virginia Board of Medicine directly from the letter*

*writer, not from you. These letters will not be accepted by the board just because it will take a long time to have your school complete this form. It will be up to the Board office to determine which schools cannot or will not complete this form.*

The Committee recommended that the Board to continue the practice of accepting notarized letters from classmates under circumstances where other avenues of verification are impossible and to revise the instructions to replace “For schools located in countries under Communist rule or presently engaged in civil war” with “For medical schools located in countries experiencing known civil unrest or countries with no diplomatic relations with the United States” Discussion occurred concerning the current language and the recommendation of the Licensure Committee. Reverend Bowyer moved that the Board accept the recommendation of the Licensure Committee with the modification that the Board will accept letters from not only year-mate classmates of the applicant, but also any other student who attended the same school during the same timeframe as the applicant and who can attest to the necessary information as set forth in the instructions. Dr. Gupta seconded the motion, and the motion carried.

Dr. Duncan reported that the Committee reviewed an inquiry that was made by a hospital chief quality officer for clarification of the scope of practice questions for a podiatric physician who has been granted privileges to perform ankle surgery in their hospital. While the Board cannot opine on local credentialing and privileging practices, all patient care provided by podiatric physicians should be consistent with podiatric medical practice in West Virginia. The Committee directed Board staff to offer the following scope of practice guidance:

1. A podiatric physician may perform Achilles tendon lengthening, even if it involves an incision above the ankle.
2. A podiatric physician may perform ankle repair fracture that may involve the tibia and fibula.

3. A podiatric physician may not take skin grafts from above the ankle.

4. A podiatric physician may treat venous status ulcers above the ankle and below the knee if simultaneously treating venous status ulcers that are at or below the ankle on the same leg.

Dr. Duncan reported that the Board has received eighty-eight educational permit applications through October 31, 2019. Eighty permits have been issued and eight are awaiting payment for final processing.

Dr. Duncan reported that there are currently four hundred and sixty-nine medical doctors, sixteen podiatric physicians, and twenty-three physician assistants who are registered as controlled substance dispensing practitioners. The total includes thirteen medical doctor and six physician assistant registrations issued after July 1, 2018.

Dr. Duncan reported that fifteen reinstatement applications have been received since July 1, 2018. Thirteen have been processed, with ten requesting active status, and three requesting inactive status. Two applications are pending additional information. In addition, five applications for change of license status from inactive to active status were received. Four have been processed and one is pending.

Dr. Duncan reported that the following twenty-two applicants, listed along with their state of principal licensure, were granted permanent medical licensure through an Interstate Medical Licensure Compact Commission (IMLCC) application in September and October of 2018:

<u>State of Principal Licensure</u>	<u>Licensee</u>
NH	Francis Michael Adams, MD
CO	Linus Ngante Akamangwa, MD
IL	Ayoob Ali, MD
WI	Kalil Ibrahim Al-Nassir, MD
KS	Vijay Rajendra Bhat, MD
CO	Rebecca Jean Blatt, MD
AZ	Anika Saran Goodwin, MD
IL	Hari Iyengar, MD
IL	Fatima Hussain, MD
WA	Guy Edward Katz, MD

WA	Salman Kazim, MD
WA	Laurie Lynn Kreiter, MD
KS	Davis Liu, MD
WA	Thomas Dickson McKellar McCloy, MD
NH	Virginia Herbert McDougall, MD
NV	Paul Oskar Michels, MD
IA	Terry Eugene Parsons, MD
MT	Velisar Laurian Rill, MD
MS	Anthony Louis Schmidt, MD
WA	Kyle Benton Varner, MD
MT	Charles Richard Wilson, MD
AZ	Judy Yun-Lun Wu, MD

Also, during this period, letters of Qualification were issued to:

Akash Vijaykumar Ajmera, MD  
Kevin Douglas Maupin, MD

The Committee recommended that the Board accept and ratify the report of the Licensure Committee. Dr. Lakin moved that the Board adopt the Committee's recommendation. Mr. Wooton seconded, and the motion carried.

Reverend Bowyer delivered the report of the Complaint Committee, which met on Sunday, November 4, 2018.

**COMPLAINT  
COMMITTEE  
REPORT**

### **CLOSURES**

18-27-W	Stevan Jeffrey Milhoan, MD
18-80-W	Stevan Jeffrey Milhoan, MD
18-129-W	Liza Antonette Arceo, MD
18-131-W	Jodi Michelle Cisco-Goff, MD
18-133-W	John Dylan Davis, MD
18-113-W	Antonio Rimando Diaz, Jr., MD
18-137-W	David Mark Grossman, MD
18-139-W	Abdrhman Hamo, MD
18-89-P	Ronald William Hargraves, MD
18-140-W	Fatemeh Kalantarpour, MD
18-141-W	Adam Jared Kaplan, MD



18-142-W Ranga Chelva Krishna, MD  
17-178-W Mustafa Rahim, MD  
18-16-W William Amaro San Pablo, MD  
17-188-W Oluyemisi Reuben Sangodeyi, MD  
18-83-W Robert Jeffrey Shalowitz, MD  
18-118-W Michael Timothy Wayt, MD  
18-112-W Michael McLaren Zilles, MD  
18-104-B Ronald Ernie Barebo, MD  
18-122-S Jan Howard Cunningham, MD  
18-119-H Justina Egbichi Eke, MD  
18-99-T Ahmad F. Elbash, MD  
18-120-L Seyed Abdolreza Ghodsi, MD  
18-123-P Charles Andrew Heiskell, MD  
18-125-C William Clifford Mitchell, MD  
18-97-R Kamalesh Purushottam Patel, MD  
18-126-H Mohamed Amin Sabbagh, MD  
18-127-C Katherine Rose Tigas, MD  
18-152-B John Alexander Wade, Jr., MD

### **INITIATED COMPLAINTS**

18-161-W  
18-162-W  
18-163-W  
18-164-W  
18-165-W  
18-166-W  
18-167-W  
18-168-W  
18-169-W  
18-170-W  
18-171-W  
18-172-W  
18-173-W  
18-174-W

### **CONSENT ORDERS**

Reverend Bowyer requested that the Board authorize the Complaint Committee to offer eight Consent Orders and/or Amended Consent Orders in ongoing Complaint

Committee matters. Dr. Faheem moved that the Board adopt the Committee's recommendation. Mr. Wooton seconded, and the motion carried.

### **FULLY EXECUTED CONSENT ORDERS**

Reverend Bowyer reported that since the September meeting, fully executed Consent Orders have been entered with respect to the following licensees:

William Amaro San Pablo, MD - Effective October 10, 2018, the licensee entered into a Consent Order with the Board permanently surrendering his West Virginia medical license.

Carol M. Williams, PA-C - On October 18, 2018, the licensee entered into a Consent Order with the Board which imposed a public reprimand for failing to disclose a disciplinary complaint pending before the Osteopathic Board on her 2017 renewal application with this Board.

Curtis Jeffrey Thwing, MD - On October 18, 2018, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$3,000.00 for failing to produce documentation of successful completion of all of his CME requirements in response to a CME audit. Dr. Thwing must also successfully complete 3 CME hours in a Board approved course on drug diversion training and best practice prescribing of controlled substances and 27 hours of additional CME to satisfy his CME deficiency.

All Consent Orders are available on the Board's website.

Reverend Bowyer reported that the Complaint Committee has two additional matters to report which require Board Action.

With regard to Complaint No. 18-79-W, the Complaint Committee recommended that the Board accept a copy of the signature page signed by the Respondent for his Consent Order in lieu of the original signature page, effecting the permanent voluntary surrender of

the Respondent's West Virginia license. This is based on the fact that the Respondent is currently in jail and neither the Respondent nor his counsel have access to the original signature page. The Respondent's counsel verified that the Respondent executed the signature page and the copy that was provided via email to the Board is authentic. Under the circumstances, the Respondent's counsel has requested that the Board accept the copy of the Respondent's signature page and enter the Consent Order in accordance with the Respondent's wishes. Dr. Faheem moved that the Board adopt the Committee's recommendation. Dr. Duncan seconded, and the motion carried.

Reverend Bowyer reported that the Complaint Committee is currently conducting an investigation in connection with allegations against a particular physician associated with responses provided in association with the physician's 2018 licensure renewal application. In order to protect the privacy of the licensee, and to ensure the impartiality of the Board should the matter come before it in the future for adjudication, the physician in question was identified as "Physician A." Physician A was subpoenaed to appear before the Complaint Committee yesterday, November 4, 2018. He failed to appear. Based upon information currently in possession of the Complaint Committee, the Committee unanimously agreed that they have concerns regarding the mental and physical health and well-being of Physician A.

West Virginia Code §30-3-14(f) authorizes the Board, under any circumstances, to require a physician to submit to a mental or physical examination by a physician or physicians approved by the Board. In connection with its current investigation, and pursuant to the West Virginia Code §30-3-14(f), the Complaint Committee moved that the Board authorize the issuance of an Order requiring Physician A to submit to a complete mental and physical examination by a physician or physicians approved by the Board. Such mental and physical examination should be scheduled as soon as possible to ensure that the public is protected and should include all appropriate testing.

In an effort to provide the Board with the basis for the Complaint Committee's request, a proposed Order with the physician's personally identifiable information redacted

was made available to all Board members on the cloud for review.

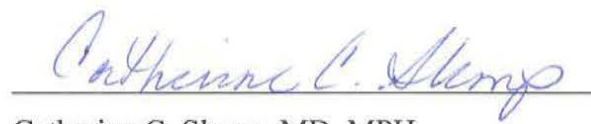
The motion of the Committee was given by Reverend Bowyer, and the motion carried.

The Committee recommended that the Board accept and ratify the report of the Complaint Committee. Dr. Duncan moved to adopt the Committee's recommendation. Dr. Challa seconded, and the motion carried.

There being no further business to consider, the meeting adjourned.

**ADJOURNMENT**

  
Kishore K. Challa, MD, FACC  
President

  
Catherine C. Slemph, MD, MPH  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**November 28, 2018 at 4:30 p.m.**

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***CALL TO ORDER***

***Public Comments***

- **Consideration of a Scheduling Request in Association with a Licensure Matter**
  - Mitchell Stotland, MD
  
- **Consideration of Recommended Decision and Possible Board Action**
  - David Carol Shamblin, MD

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Minutes**

**November 28, 2018**

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A special meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 28<sup>th</sup> day of November 2018, at 4:30 pm.

The following Board members were present for the meeting:

Catherine C. Slemp, MD, MPH, Secretary  
Harry E. Duncan, MD  
Reverend Janet Harman  
Carrie Lakin, DPM  
Jonathan Lilly, MD

The following Board members were present via telephone:

Kishore K. Challa, MD, FACC, President  
Ashish P. Sheth, MD  
Reverend O. Richard Bowyer  
Timothy Donatelli, DPM  
David Mullins, MD  
Victoria (Tori) Mullins, PA-C  
Thomas (Wes) Steele, MD  
Rusty Wooton  
K. Dean Wright, PA-C

The following Board members were absent:

Ahmed D. Faheem, MD, DLFAPA  
Mustafa Rahim, MD

The following Staff members were present:

Mark A. Spangler  
Jamie S. Alley, Esq.  
Jamie C. Frame

The following counsel from the West Virginia Attorney  
General's Office was present:

Kelli Talbott, Esq.

With a quorum of the Board present and participating, Dr. Challa called the meeting to order.

**CALL TO  
ORDER**

Mr. Spangler reported that medical licensure applicant Mitchell Stotland, MD is unable to appear before the Licensure Committee at their meeting which is scheduled for January 12, 2019, or any other Saturday, due to religious reasons. Dr. Duncan moved that the Board allow Dr. Stotland to appear before the Executive/Management Committee on Sunday, January 13, 2019 in lieu of appearing before the Licensure Committee on Saturday, January 12, 2019. Dr. Duncan further moved that the Board authorize the Executive/Management Committee to make a recommendation to the Board on January 14, 2019 with regard to the licensure application of Dr. Stotland. Dr. Challa seconded, and the motion carried.

Mr. Spangler announced that the next agenda item relates to the consideration of the Hearing Examiner's Recommended Decision in the matter of *West Virginia Board of Medicine, Petitioner, v. David Carol Shamblin, MD, Respondent*, Complaint Nos. 16-36-W and 16-154-W. He asked that all members who need to declare a conflict with regard to this matter state the reason for the conflict.

Ms. Alley left the meeting room at this time and was not present for the remainder of the meeting.

Dr. Challa designated Mr. Wright to chair the remainder of the meeting. Mr. Wright requested that roll call be taken, and that members who are conflicted from participating in the matter of *West Virginia Board of Medicine, Petitioner, v. David Carol Shamblin, Respondent*, Complaint Nos. 16-36-W and 16-154-W, declare a conflict and provide the reason for the conflict. Roll call was taken by Ms. Frame with the following responses:

Reverend O. Richard Bowyer - declared a conflict due to his participation on the Board's Compliant Committee during the investigation of the underlying administrative complaints;

Kishore K. Challa, MD, FACC - declared a conflict due to his participation on the Board's Compliant Committee during the investigation of the underlying administrative complaints;

Timothy Donatelli, DPM – no conflict declared;

Harry Duncan, MD – no conflict declared;

Reverend Janet Harman – no conflict declared;

Carrie Lakin, DPM – no conflict declared;

Jonathan Lilly, MD – no conflict declared;

David Mullins, MD – no conflict declared;

Victoria (Tori) Mullins, PA-C – no conflict declared;

Ashish Sheth, MD – declared a conflict due to his participation on the Board's Compliant Committee during the investigation of the underlying administrative complaints;

Catherine Slem, MD, MPH – no conflict declared;

Thomas (Wes) Steele – declared a conflict due to his participation on the Board's Compliant Committee during the investigation of the underlying administrative complaints;

Rusty Wooton – declared a conflict due to a business relationship with Dr. Shamblin; and  
K. Dean Wright, PA-C – no conflict declared.



The following members left the meeting at this time and were not present for the remainder of the meeting:

Reverend O. Richard Bowyer

Kishore Challa, MD, FACC

Ashish Sheth, MD

Thomas (Wes) Steele, MD

Rusty Wooton

Mark A. Spangler also left the meeting room at this time and was not present for the remainder of the meeting.

Mr. Wright requested that Ms. Frame take roll call of the remaining members at this time. The following members remained in attendance:

Timothy Donatelli, DPM

Harry Duncan, MD

Reverend Janet Harman

Carrie Lakin, MD

Jonathan Lilly, MD

David Mullins, MD

Victoria (Tori) Mullins, PA-C

Catherine Slemph, MD, MPH

K. Dean Wright, PA-C.

With a quorum present and participating, Ms. Talbott advised the Board in the matter of *West Virginia Board of Medicine, Petitioner, v. David Carol Shamblin, MD, Respondent*, Complaint Nos. 16-36-W & 16-154-W. Ms. Talbott gave the procedural history of the case and reported on the Hearing Examiner's Recommended Findings of Fact, Conclusions of Law and Recommended Decision.

Dr. Duncan moved that the Board adopt and accept the Hearing Examiner's Findings of Fact and Conclusions of Law and modify the Hearing Examiner's Recommended Decision. Mr. Wright seconded, and the motion carried.

Dr. Duncan moved that the Board modify the "Procedural History" section on page two of the Hearing Examiner's Findings of Fact, Conclusions of Law and Recommended Decision, by changing the date that the matter became mature for a recommended decision from October 24, 2015 to the correct date which the matter became mature for a recommended decision which was October 24, 2018. Mr. Wright seconded, and the motion carried.

Dr. Duncan moved that the Board use the term revoked rather than the term suspend. Reverend Harman seconded, and the motion carried.

Dr. Slemp moved that Dr. Shamblin's license to practice medicine and surgery in the State of West Virginia be revoked for a period of three years, after which he may petition the Board to restore his license. Dr. Duncan seconded, and the motion carried.

Dr. Duncan moved that the Order of Revocation be hand delivered to Dr. Shamblin, and that the Order begin at 11:59 pm on December 31, 2019 to allow Dr. Shamblin to facilitate the transition of care for his patients. Dr. Lakin seconded, and the motion carried.

Dr. Duncan moved that Dr. Shamblin be Ordered to pay a fine to the Board of Medicine in the amount of \$3,000.00, that Dr. Shamblin pay the costs and expenses of the proceeding against him, and that the fine and cost and expenses be paid within thirty days of the issuance of an invoice by the Board. Dr. Lilly seconded, and the motion carried.

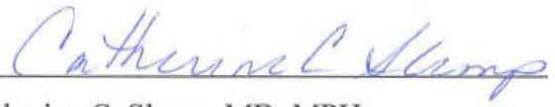
Reverend Harman moved that Dr. Shamblin be publicly reprimanded for the violations of the Medical Practice Act set forth in the Hearing Examiner's Recommended

Findings of Fact, Conclusions of Law and Recommended Decision as adopted, with modification, by the Board. Dr. Mullins seconded, and the motion carried.

ADJOURNMENT

There being no further business to consider, Dr. Duncan moved that the meeting be adjourned. Dr. Slempp seconded, and the motion carried.

  
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Kishore K. Challa, MD, FACC  
President

  
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Catherine C. Slempp, MD, MPH  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**January 14, 2019 at 9:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes***

- November 5, 2018
- November 28, 2018

***Committee and Staff Reports, Discussion and Action:***

- **Executive Director Report**
- **Executive/Management Committee Report**
  - Fiscal Report and Purchasing Card Transactions for October, November and December 2018
  - Consideration of Correspondence Received Regarding Telemedicine
  - Video Appearances
  - Young v. WVBOM, Civil Action No. 18-C-1216
  - Board of Medicine Database
  - Appearance – Mitchell Brandon Stotland, MD
  - Report of Other Discussion Which Occurred at the January 13, 2019 Meeting
- **Legislative Committee Report**
  - 2019 Legislative Session
    - Bills Introduced Since January 9, 2019
    - Proposed amendments to W.Va. Code §30-3-15
    - Authorization for Board Investigators to Carry a Concealed Weapon
  - Potential Legislation Regarding Licensee Regulation and Chapter 30 Boards
  - Senate Bill 273
  - 2019 Interim Legislative Committee Meeting Dates
  - Authorization for the Legislative Committee to Act on Behalf of the Board During the 2019 Legislative Session
  - Report of Other Discussion Which Occurred at the January 13, 2019 Meeting

- **Board Attorney Report**
  - Update on Pending Litigation Matters
    - *Omar Khalid Hasan, M.D. v. West Virginia Board of Medicine*
    - Pending Public Hearings
  - *Young v. WVBOM*, Civil Action No. 18-C-1216
  
- **Physician Assistant Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applications (Physician Assistants)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the January 12, 2019 Meeting
  
- **Licensure Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the January 12, 2019 Meeting
  
- **Complaint Committee Report**
  - Closures
  - Initiated Complaints
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14, if any
  - Authorization of Consent Orders
  - Consent Order Update
  - Other Matters Originating from the January 13, 2019 Meeting

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**January 14, 2019**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 14<sup>th</sup> day of January 2019 at 9:00 am.

The following Board members were present for the meeting:

Kishore K. Challa, MD., FACC, President  
Ashish P. Sheth, MD, Vice President  
Catherine C. Slemp, MD, MPH., Secretary  
Reverend O. Richard Bowyer  
Timothy Donatelli, DPM  
Harry Duncan, MD  
Ahmed D. Faheem, MD, DLFAPA  
Reverend Janet Harman  
Carrie Lakin, DPM  
Jonathan P. Lilly, MD  
David (Dave) Mullins, MD  
Victoria (Tori) Mullins, PA-C  
Mustafa Rahim, MD  
Thomas (Wes) Steele, MD  
Russell O. Wooton  
K. Dean Wright, PA-C

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI  
Andrew R. Wessels

Dr. Challa called the meeting to order and welcomed newly appointed Board member Jonathan P. Lilly, MD and interim Commission of the Bureau for Public Health, Catherine C. Slemp, MD, MPH, to the meeting. As interim Commission for the Bureau for Public Health Dr. Slemp serves as Secretary of the Board. Reverend Bowyer moved that

**CALL TO  
ORDER  
AND APPROVAL  
OF MINUTES**

the minutes of the November 5, 2018 and the November 28, 2018 meetings be approved. Dr. Duncan seconded, and the motion carried.

Ms. Mullins joined the meeting at this time.

Mr. Spangler reported that former Board members, Dr. Gupta and Dr. Upton, were invited to attend today's meeting and be recognized for their dedication and service to the Board. Unfortunately, they were unable to attend. They will be invited to attend the March 2019 Board meeting.

**EXECUTIVE  
DIRECTOR  
REPORT**

Mr. Spangler reported that all Board members are required to file financial disclosures with the West Virginia Ethics Commission annually. He reminded members that the deadline to file disclosures is February 1, 2019.

Mr. Spangler reported that the 2019 Federation of State Medical Boards annual meeting will be held April 25-27, 2019 in Fort Worth, Texas. He advised any member who is interested in attending the meeting to see him at the conclusion of today's meeting.

Mr. Spangler reported that the Board is meeting the goals and objectives outlined in the 2019 Strategic Plan.

Mr. Spangler reported that copies of the *2018-2019 West Virginia Board of Medicine Medical Practice Act, Physician Assistants Practice Act, Related Articles and Board Rules* are available if any member is interesting in a receiving a paper copy. This information is available electronically on the Board's website.

Dr. Challa reported that the Executive/Management Committee met on Sunday, January 13, 2019, at which time the Committee approved the fiscal report and purchasing card transactions for the period of October 16 through December 17, 2018.

**EXECUTIVE /  
MANAGEMENT  
COMMITTEE  
REPORT**

Dr. Challa reported that the Committee reviewed correspondence and received comments from individuals who are seeking a modification to W.Va. Code §30-3-13a(g)(1), relating to telemedicine prescribing limitations. They would like to see language added to this section of the Code that would allow physicians who are practicing critical care telemedicine to hospitalized patients in an intensive care unit setting to order a Schedule II controlled substance. The Committee provisionally supports a modification to §30-3-13a(g)(1) which would allow physicians practicing telemedicine to order a Schedule II controlled substance for a hospital patient for immediate administration, pending legal review. This matter will be referred to the Legislative Committee for further consideration after legal review by Board staff.

Dr. Challa reported that on Saturday, January 12, 2019, an applicant for extraordinary circumstances licensure appeared before the Licensure Committee via video appearance utilizing Skype. This is the first time that the Board has authorized such an appearance and there are currently no policies or procedures in place regarding video appearances. The Committee directed Board staff to research the possibility of allowing video appearances, including technical and legal concerns, as well as policies and procedures, and report back to the Committee with recommendations at a future meeting.

Dr. Challa reported that a wrongful termination suit, *Young v. WVBO* is scheduled for trial in Kanawha County Circuit Court on March 20, 2020. Board staff will keep members apprised of any updates.

Dr. Challa reported that Board staff have submitted specifications and all related documents for the Request for Quotation (RFQ) to the West Virginia Purchasing Division for the rebidding of the database provider. Board staff are awaiting final approval of the RFQ from purchasing, and it is likely that bidding will begin within a month.

Dr. Challa reported that Mitchell Brandon Stotland, MD's application for medical licensure was transferred from the Licensure Committee to the Executive/Management Committee for consideration at a Sunday meeting. Having met with Dr. Stotland, the



Committee recommended that he be approved for permanent medical licensure. The motion of the Committee was given by Dr. Challa, and the motion carried.

The Committee recommended that the Board accept and ratify the report of the Executive / Management Committee. The motion of the Committee was given by Dr. Challa, and the motion carried.

Mr. Wright reported that the Legislative Committee met on Sunday, January 13, 2019, at which time Mr. Spangler reported that the following bills have been introduced since January 9, 2019 and are being monitored by Board staff:

**LEGISLATIVE  
COMMITTEE  
REPORT**

Senate Bill 5 – Requiring certain insurers and managed care organization develop prior authorization forms

Senate Bill 80 – Establishing a tax credit for practicing physicians locating in West Virginia

Senate Bill 119 – Specifying documents not subject to discovery in certain proceedings

Senate Bill 145 – Relating to the West Virginia Medical Cannabis Act

Senate Bill 201 and House Bill 2248 – Board of Medicine rule 11 CSR 1A, relating to licensing and disciplining of physician and podiatric physicians

Senate Bill 202 and House Bill 2249 – Board of Medicine rule 11 CSR 12, relating to educational permits

House Bill 2038 – Relating to the procedure to determine if an occupation or profession should be regulated

House Bill 2090 – Relating to advertising by physicians and podiatric physicians

House Bill 2189 – Relating generally to the disclosure of certain confidential information

House Bill 2204 – Prohibiting state licensing boards from hiring lobbyists

House Bill 2210 – Relating to the criminal offense of therapeutic deception

House Bill 2227 – Nondiscrimination in Involuntary Denial of Treatment Act

House Bill 2351 – Relating to regulating prior authorizations

Mr. Wright reported that the Committee reviewed proposed legislation that was drafted by Board staff which would authorize Board of Medicine investigators to carry a

concealed weapon. The Board has not yet sought a sponsor for the bill.

Mr. Wright reported that there are conversations occurring regarding the possible combining of the Board of Medicine and the Board of Osteopathic Medicine. To date, no bills related to combining the Boards has been introduced.

Mr. Wright reported that it is likely that Senate Bill 273, reducing the use of certain prescription drugs, which was passed during the 2018 legislative session, but was vetoed by the Governor, will be reintroduced during the 2019 session. It is anticipated that the 2019 bill will clean up language throughout and will address the Board's concerns regarding the provision of the bill which requires a practitioner to conduct and document the results of a physical examination every 90 days for any patient that he or she continues to treat with any Schedule II controlled substance, including non-opioids. If introduced, Board staff will monitor the bill and will keep the Board apprised.

Mr. Wright reported that the Committee will hold three interim meetings between today's Board meeting and the March Board meeting. The tentative dates of these meetings are:

January 29, 2019

February 12, 2019

February 26, 2019

Mr. Wright reported that it has been the practice of the Board to delegate authority to the Legislative Committee to act on behalf of the Board as necessary to respond to legislative matters at these meetings, and any other special meetings which become necessary during the legislative session. The Committee recommended that the Board delegate such authority to the Committee again this year. The motion of the Committee was given by Mr. Wright, and the motion carried.

The Committee recommended that the Board accept and ratify the report of the Legislative Committee. The motion of the Committee was given by Mr. Wright, and the motion carried.

Ms. Alley reported that the Board filed its brief with the West Virginia Supreme Court of Appeals in the matter of *Omar Khalid Hasan, MD, Petitioner, v. West Virginia Board of Medicine, Respondent*. The petitioner's rely brief is due to the Court in January. Once briefing is complete, the court will determine whether to schedule oral arguments or issue a ruling based upon the parties' submissions.

**BOARD  
ATTORNEY  
REPORT**

Ms. Alley reported that one matter is currently awaiting the hearing examiner's recommended decision, and two complaint matters are in a continued posture and will hopefully be rescheduled soon.

Mr. Wright provided the report of the Physician Assistant Committee which met on Saturday, January 12, 2019.

**PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT**

Mr. Wright reported that Sarah Leigh LaSala, PA-C. entered into a Consent Order with the Board on April 24, 2018, which restricted her practice to direct collaboration for a minimum period of six months. Ms. LaSala has fulfilled the terms of her Consent Order, and her Consent Order was terminated effective November 5, 2018.

Mr. Wright asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. No conflicts were declared.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Stacy Megan Blake, PA-C  
Sharon Roberta Cain, PA-C

Chase Emerson Duckwall, PA-C  
Randy Erik Gessel, PA-C  
Natalie Marie Kovatch, PA-C  
Alexandra Leigh Tranchini, PA-C  
Michele Gedeon Vidulich, PA-C

The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the Committee reviewed the application of Tyler Joesph Zwahlen, PA-C. At the applicant's request, the Committee deferred action upon Mr. Zwahlen's application until the March 2019 meeting.

Mr. Wright reported that the Committee reviewed and discussed the procedure for handling physician assistant reinstatement applications for expired licensees who seek to reinstate within a year of license expiration. In prior years, the Physician Assistant Committee personally reviewed all reinstatement applications, which required applicants to await a scheduled meeting for reinstatement and potentially delayed return to practice. The Committee recommended that the Board authorize staff to process physician assistant reinstatement applications in conformity with the current medical doctor and podiatric physician reinstatement applications. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Wright reported that the Committee reviewed correspondence from a hospital requesting clarification with respect to whether a physician assistant may prepare discharge summaries for patients at a secondary location if the physician assistant was not involved in the patient's care. The Committee directed Board staff to notify the hospital that W. Va. Code R. § 11-1B-9.1.q establishes that physician assistants may only "prepare patient discharge summaries if physician assistant has been directly involved in patient care[.]"

Mr. Wright reported that physician assistant renewal is scheduled to commence on February 6, 2019 and to conclude on March 29, 2019.

Mr. Wright reported that the Committee considered and approved the following procedures to be added to the Board's *Advanced Procedure List for all Practice Locations Except Hospital and Ambulatory Surgical Facilities*: (1) LEEP; (2) IUD removal; and (3) intradermal injection of steroids.

Mr. Wright reported that Board staff have authorized 35 practice agreements since November 5, 2018. Additionally, 49 alternate collaborating physicians were designated.

The Committee recommended that the Board accept and ratify the report of the Physician Assistant Committee. The motion of the Committee was given by Mr. Wright, and the motion carried.

Dr. Duncan provided the report of the Licensure Committee which met on Saturday, January 12, 2019.

**LICENSURE  
COMMITTEE  
REPORT**

Dr. Duncan reported that at its September 2018 meeting the Licensure Committee recommended and the Board approved a change in status of Michael Joel Shuster, MD's license from inactive status to active status pursuant to his acceptance of a Consent Order imposing an administrative fine of \$500 due to his failure to complete a 3-hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1, 2015 and June 30, 2017. The Board accepted Dr. Shuster's completion of the needed course in satisfaction of his delinquency. Dr. Shuster may not use the accepted out of cycle course to satisfy any CME obligations for the current reporting period. The Consent Order was entered on November 5, 2018.

Dr. Duncan reported that at its September 2018 meeting the Licensure Committee recommended and the Board approved a change in status of Charles Matthew Justice, MD's license from inactive status to active status pursuant to his acceptance of a Consent Order imposing an administrative fine of \$500 due to his failure to complete a 3-hour Board approved course in drug diversion training and best practice prescribing of controlled substances between July 1, 2015 and June 30, 2017. The Board accepted Dr. Justice's

completion of the needed course in satisfaction of his delinquency. Dr. Justice may not use the accepted out of cycle course to satisfy any CME obligations for the current reporting period. The Consent Order was entered on December 21, 2018.

Dr. Duncan reported that four of the five scheduled applicants appeared before the Licensure Committee to discuss their applications. The Committee recommended that the Board approve David Philip Richards, MD for a medical school faculty license to practice medicine and surgery at the medical center of West Virginia University School of Medicine's Eastern Division. If West Virginia University advises the Board that the medical center of the Eastern Division is Jefferson Medical Center located at 300 S. Preston Street, Ranson, West Virginia 25438, rather than the currently identified location of West Virginia University health Science Center, Eastern Division, 2500 Foundation Way, Martinsburg, West Virginia 25401, West Virginia University must submit a new Certification of Faculty appointment which includes the appropriate location and Dr. Richard's will be authorized to practice as medical school faculty at the appropriate location of the division medical center. The motion of the Committee was given by Dr. Duncan, and the motion carried.

The application for the following physicians was placed on hold pending receipt of additional information:

James Lawrence Fernau, MD

Seyfi Alper Toker, MD

Dr. Duncan reported that Sunila Mehrotra, MD will appear before the Committee at the March 2019 meeting.

Dr. Duncan reported that Michael Hosny Gabriel, MD appeared before the Committee in support of his application for medical licensure. The Committee recommended that the Board find that probable cause exists to deny Dr. Gabriel's medical licensure application and refuse to grant Dr. Gabriel a license based upon the following:

1. On June 28, 2012, based upon Dr. Gabriel's plea of guilty, he was adjudicated guilty of the felony offense of conspiracy to distribute and possess with intent to distribute the controlled substance Adderall, in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(C) in the matter of *United States of America v. Michael Hosny Gabriel*, Case Number CR10-588. This adjudication constitutes a felony conviction involving prescribing, selling, administering, dispensing, mixing, or otherwise preparing any prescription drug, including any controlled substance under state or federal law, for other than generally accepted therapeutic purposes within the meaning of W. Va. Code § 30-3-14(d).
2. The Board considered the facts and circumstances as set forth in the September 10, 2010 Information filed against Dr. Gabriel in the matter of *United States of America v. Michael Hosny Gabriel*, Case Number CR10-588.
3. Between May 1, 2008 and December 21, 2009, Dr. Gabriel knowingly and intentionally conspired to distribute and possessed with the intent to distribute a Schedule II Controlled Substance, Adderall within the jurisdiction of the United States District Court for the Eastern District of New York.
4. Dr. Gabriel obtained access to the Schedule II Controlled Substance by affirmatively seeking and obtaining a prescription pad from the pharmacy of the hospital where Dr. Gabriel was engaged in training, despite having no legitimate need for access to a prescription pad. Dr. Gabriel used the prescription pad to prescribe Schedule II Controlled Substances, with no legitimate medical purpose and outside the bounds of medical practice, to sell to others.

5. The scope of Dr. Gabriel's prescribing and selling of a controlled substance outside the bounds of the medical profession was such that Dr. Gabriel received money and property equal to or greater than the sum of Dr. Gabriel's forfeiture judgment, which was \$88,500.
6. The Board considered the terms, conditions and sentence imposed upon Dr. Gabriel in the Judgment issued in 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(C) in the matter of *United States of America v. Michael Hosny Gabriel*, Case Number CR10-588, including the requirement that Dr. Gabriel satisfy the associated Forfeiture Order entered against him.
7. The Board considered Dr. Gabriel's education and training as set forth in Dr. Gabriel's application, including but not limited to the fact that Dr. Gabriel was dismissed from his PGY-2 year of anesthesia training after the facts and circumstances forming the basis of Dr. Gabriel's felony conviction resulted in Dr. Gabriel's arrest, and Dr. Gabriel has not participated in graduate medical education or practiced medicine in any jurisdiction at any time since 2010.

The Committee further recommended that the Board find that Dr. Gabriel has failed to meet his burden of satisfying the Board that he is qualified for licensure and that under all of the circumstances, it would not protect the public health, interest, safety and welfare to grant Dr. Gabriel a license to practice medicine in the state of West Virginia. The Board should determine that Dr. Gabriel is not qualified for licensure because of:

1. His lengthy absence from clinical practice;
2. **W. Va. Code § 30-3-14(d)**, which provides:

The board shall deny any application for a license or other authorization to practice medicine and surgery or podiatry in this state to any applicant, and shall revoke the license of any physician or podiatrist licensed or otherwise lawfully practicing within this state who, is found guilty by



any court of competent jurisdiction of any felony involving prescribing, selling, administering, dispensing, mixing, or otherwise preparing any prescription drug, including any controlled substance under state or federal law, for other than generally accepted therapeutic purposes. Presentation to the board of a certified copy of the guilty verdict or plea rendered in the court is sufficient proof thereof for the purposes of this article. A plea of nolo contendere has the same effect as a verdict or plea of guilt. Upon application of a physician that has had his or her license revoked because of a drug related felony conviction, upon completion of any sentence of confinement, parole, probation, or other court-ordered supervision and full satisfaction of any fines, judgments, or other fees imposed by the sentencing court, the board may issue the applicant a new license upon a finding that the physician is, except for the underlying conviction, otherwise qualified to practice medicine: Provided, That the board may place whatever terms, conditions, or limitations it deems appropriate upon a physician licensed pursuant to this subsection.

3. **W. Va. Code §30-3-14(c)(2)** and/or **W. Va. Code R. §11-1A-12.1.k**, relating to being found guilty of a crime in any jurisdiction, which offense is a felony, involves moral turpitude or directly relates to the practice of medicine;
4. **W. Va. Code §30-3-14(c)(13)** relating to prescribing, dispensing administering, mixing or otherwise preparing a prescription drug, including any controlled substance under state and federal law, other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the physician's practice; and/or
5. **W. Va. Code §30-3-14(c)(17)** and **W. Va. Code R. §11-1A-12.2.a**, relating to prescribing or dispensing a controlled substance:
  - a. with the intent or knowledge that a controlled substance will be used or is likely to be used other than medicinally or for an accepted therapeutic purpose;
  - b. with the intent to evade any law with respect to the sale, use or disposition of the controlled substances;
  - c. for the licensee's personal use, or for the use of his or her immediate family when the licensee knows or has reason to know that an abuse of controlled substance(s) is occurring, or may result from such a practice; or
  - d. in such amounts that the licensee knows or has reason to know, under the attendant circumstances, that the amounts prescribed or dispensed are excessive under accepted and prevailing medical practice standards;

6. **W. Va. Code §30-3-14(c)(17) and W. Va. Code R. §11-1A-12.1.e.** relating to engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public or any member thereof;
7. **W. Va. Code §30-3-14(c) (17) and W. Va. Code R. §11-1A-12.1.j.** relating to engaging in unprofessional conduct, including, but not limited to, any departure from, or failure to conform to, the standards of acceptable and prevailing medical practice, or the ethics of the medical profession, irrespective of whether or not a patient is injured thereby, or has committed any act contrary to honesty, justice or good morals, whether the same is committed in the course of his or her practice or otherwise and whether committed within or without this State;
8. **W. Va. Code §30-3-14(c) (17) and W. Va. Code R. §11-1A-12.2.d.** relating to conduct which is calculated to bring or has the effect of bringing the medical profession into disrepute, including, but not limited to, any departure from or failure to conform to the standards of acceptable and prevailing medical or podiatric practice within the state, and any departure from or failure to conform to the current principles of medical ethics of the AMA, with or without an actual injury to a patient; and/or
9. **W. Va. Code §30-3-14(c) (17) and W. Va. Code R. §11-1A-12.1.bb.** relating to violating or attempting to violate any law or lawfully promulgated rule or regulation of this State, any other state, the Board, the United States or any other lawful authority (without regard to whether the violation is criminally punishable), which law or rule or regulation relates to or in part regulates the practice of medicine or podiatry, when the licensee or applicant knows or should know that such action is violative of the law, rule or regulation; or has violated a lawful order of the Board; or has failed to comply with a lawfully issued subpoena of the Board; or has violated an order of any court entered pursuant to any proceedings commenced by the Board.

Dr. Duncan reported that if the Board reaches this conclusion, Dr. Gabriel will be notified of this preliminary determination, and will be given the opportunity to request a hearing to have his rights and interests with respect to his application for medical licensure adjudicated before a duly appointed hearing examiner. If he does not request a hearing, an Order denying his application will be entered by the Board at the March 2019 meeting. Mr.

Wright abstained from voting on this matter. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan reported that the Committee reviewed and discussed fourteen applications. Based thereupon, the Committee recommended that the following applicants be approved for permanent medical licensure:

Jerry Alvin Allison, MD (pending receipt of complete medical school education verification)  
Percival Ofrecio Buenaventura, MD  
Susan Leontyne Carter, MD  
Bernard Stanley Jay, MD  
William Richard Poller, MD (pending receipt of the PICF fee)  
Adarsh Sahni, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board accept the postgraduate training as satisfactory verified and approve the following applicants for permanent medical licensure:

John Daniel Morrissey, Jr., MD  
Rachel Miriam Wagner, MD (pending receipt of the PICF fee)  
Noormahal Kabani, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that Nagaraj R. Birudavol, MD be approved for reactivation of medical licensure. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan reported that the applications for the following physicians will be placed on hold pending receipt of additional information and possible appearance before the Committee:

Chaudhury Mohammed Sarwarul Hasan, MD  
Edward Joseph Silvio Picardi, MD

Jodi Lynn Long, DPM

The Committee will request that Mohamed Chebaclo, MD appear before the Committee at its March 2019 meeting.

The Committee recommended that the Board accept Jana Betsy Alyce Macleod, MD's request for withdrawal of her application for medical licensure. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared. The Committee recommended that the Board approve the following applicants for permanent medical licensure:

Iryna Aberkorn, MD  
Imad Ahmado, MD  
Fathia Anwar Bader AlFakeri, MD  
Nicholas James Aquino, MD  
Madhu Satya Bajaj, MD  
Aimee Michelle Barton, MD  
Krystal Claire Buchanan, MD  
Rogelio Luis Carrera, MD  
Phillip Eugene Carron, MD  
Jesse Limmon Chang, MD  
Josya-Gony Charles, MD  
Scott Brian Chelemer, MD  
Kaleena Christine Chilcote, MD  
Shane Edward Cook, MD  
Raul Gustavo Corredor, MD  
John William Cronin, MD  
Jennifer Lori Cunningham-Farbstein, MD  
Kirstie Lynn Cutlip, MD  
Guy Elise Constant De Gent, MD  
Atiya Fatima Dhala, MD  
Ahmad Ramy Abdelrahman Ibrahim Elashery, MD  
Osama Elsallabi, MD  
Nonso Andrew Ezema, MD  
Edward Richard Ferguson, Jr., MD  
Beth Ann Fisher, MD  
Dee Walker Ford, MD  
Erika Antoinette Gerz, MD

James William Gigantelli, Jr., MD  
Uri Aaron Laufer Goldberg, MD  
Alina Maria Grigore, MD  
Soleyah Caridad Groves, MD  
Alemeshet Yami Gudeta, MD  
Richa Gupta, MD  
Tariq Abdelrahim Faris Hammad, MD  
Tara Melgary Hansen, MD  
Joseph Andrew Hansroth, MD  
Iman Abdel Meguid Hassan, MD  
Gaylord Thomas Hoffert, MD  
Edward Howard Hurley, MD  
Mark Ainsley Innis, MD  
Warren Isakow, MD  
Jeffrey Phillip Jacobs, MD  
Simha Vivek Jagadeesh, MD  
Bchara Janadri, MD  
Tonya Lynne Johnson, MD  
Bruce Alan Kaczmarek, MD  
Thomas Heller Kalb, MD  
Courtney Molnar Kassar, MD  
Flora Katsnelson, MD  
John Athanasios Kazianis, MD  
Urooj Khan, MD  
Faisal Abdulah Khasawneh, MD  
Murad Ma'An Hanna Kheetan, MD  
Edward Francis Kilb, III, MD  
Vanessa Kitzis, MD  
Jaromir Kohout, MD  
Thomas Patrick Krupica, Jr., MD  
Barbara Y. Lee, MD  
Jacqueline Kathleen Lekostaj, MD  
Li Li, MD  
Donald Paul Lombardi, MD  
Zeba Madni, MD  
Venkateswara Rao Malineni, MD  
Midhun Malla, MD  
Suresh Kumar Manickavel, MD  
John Patrick Mawn, MD  
Erika Ryan Maynard, MD  
Janet Marie McNaughton, MD  
Margaret Leigh Meldrum, MD  
Anthony Michael Migura, MD  
Jimmy Joe Morrison, MD  
Frederick Ki-In Nahm, MD  
Myung Hee Nam, MD

David Mark Nierman, MD  
Francis David Rwampame Ntimba, MD  
Roshan Balakrishna Pai, MD  
Aimee Soyun Paik German, MD  
Sukhbir Singh Pannu, MD  
Bankim Udayan Patel, MD  
Kiran Navin Patel, MD  
Allamprabhu Sahebjourda Patil, MD  
Ramayee Periakaruppan, MD  
Bala Prakash, MD  
Nagarajan Ramakrishnan, MD  
Lisa Rho, MD  
Scott Burgess Richards, MD  
Paul Rosen, MD  
Mohammad Hassan Saeed, MD  
Kathleen Susan Schwabenbaur, MD  
Gary Weifeng Shih, MD  
Mark Winston Smith, MD  
Sriraman Srinivasan, MD  
Lon Robert Steinberg, MD  
Rael David Sundy, MD  
John David Brandon Thomas, Jr., MD  
Andrew David Thompson, MD  
Archana Vasudevan, MD  
Ramesh Venkataraman, MD  
Srikrishna Vulava, MD  
Barryton Decruse Waanbah, MD  
Michael Mundy Ward, MD  
Jennifer Tumulty Wargo, MD  
Duane Charles Wilson, MD  
Amy Hnin Zhang, MD  
Christian Westcott Zoeller, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve the following applicants for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Geoffrey Allan Martin, MD  
Michael Bruce Robins, MD  
Anna Heffernan Rominger, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

Reverend Bowyer declared a conflict with regard to Alison Marian Spiker, MD, as they are members of the same congregation, and he left the meeting room at this time.

The Committee recommended that Dr. Spiker be approved for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Reverend Bowyer returned to the meeting room at this time.

The Committee recommended that the Board approve the following applicants for reactivation of permanent medical licensure:

Jon Peter Anderson, MD  
Clement Albert Cahall, MD  
Felicia Kay Cain, MD  
Cheryl Linette Dickason, MD  
David Wayne Mantik, MD  
Michelle Mercia Mouria, MD  
Kevin Ray Shanabrook, MD  
Arthur Lawson Webb, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve Brett James Dupont, DPM for permanent podiatric medical licensure. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Donatelli declared a conflict with regard to Bradley Henry Hoffman, DPM, as he will be employing this physician, and he left the meeting room at this time.

The Committee recommended that Dr. Hoffman be approved for permanent podiatric medical licensure. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Donatelli returned to the meeting room at this time.

Dr. Duncan reported that the Committee discussed a pending Interstate Medical Licensure Compact (IMLC) application for an applicant that the Board has been unable to locate or contact. The Committee recommended that the Board correspond with the IMLC Commission to seek a written opinion on how to handle situation where the Board does not receive valid contact information from IMLC applicants. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan reported that the Committee considered a written inquiry seeking an opinion from the Board concerning whether a podiatric physician may supervise CRNAs and/or the anesthesia plan of care for operative patients. The Committee gave staff direction to respond that the podiatric physician's scope of practice does not preclude a podiatric physician from performing this function, and that the decisions regarding privileging for this purpose should be made at the institutional level in accord with hospital protocol and policies. Dr. Lakin and Dr. Donatelli have concerns regarding this matter. Reverend Bowyer moved that this matter be tabled for consideration at the March meeting. Mr. Wooton seconded, and the motion carried.

Dr. Duncan reported that renewal will occur in May and June for medical doctors with the last names beginning with M – Z and all podiatric physicians.

Dr. Duncan reported that the Board received 17 educational permit applications in November and December 2018. To date, the Board has issued 105 educational permits.

Dr. Duncan reported that there are currently 473 medical doctors, 16 podiatric physicians, and 30 physician assistants who are registered as controlled substance



dispensing practitioners. Since July 1, 2018, 34 new practitioners have registered (16 medical doctors and 18 physician assistants). During November and December, the Board processed controlled substance dispensing registration applications for 4 medical doctors and 7 physician assistants.

Dr. Duncan reported that Board staff have processed 16 reinstatement applications since July 1, 2018. Two applications are currently pending. Board staff have processed seven change of license status from inactive to active applications since July 1, 2018.

Dr. Duncan reported that in November and December 2018, the Board issued licenses to the following twenty applicants (listed along with their state of principal licensure) through the IMLC application process.

Licensee	State of Principal Licensure
Scott Garret Baginski, MD	WI
Mary Jane Bovo, MD	AL
Terry Chris Chiganos, MD	IL
Dennis DeJesus, MD	NV
Cheryl Elaine DeZayas, MD	AL
Joseph Christopher Farmer, MD	AZ
Ronak Dana Hendry, MD	IL
Elizabeth Chandler Williams Hughes, MD	WA
Tommy Junyoung Kwak, MD	IL
Alex Shokouhi Mohseni, MD	CO
Vishwanatha Subramanya Nadig, MD	KS
Anna Ngoc Nguyen, MD	CO
Rebecca Anne Pifer, MD	IL
Srinivas Parvathareddy Reddy, MD	IL
Scott Taggart Roethle, MD	KS
Alicia Kim Sanchez, MD	WA
Niranjan Seshadri, MD	IL
Umashankar Subramaniam, MD	IA
Holmes Russell Troutman, MD	WA
Jessica Sonita Yoon, MD	CO

Additionally, the Board issued licenses to the following two physicians through the IMLC process earlier this year.

Licensee	State of Principal Licensure
King Swee Leong, MD	IL
Brian Keith Privett , MD	IA

In November and December 2018, the Board issued Letters of Qualification (LOQs) to the following licensees:

- Akash Vijaykumar Ajmera, MD
- Joel LeRoy Grow, MD
- Kevin Douglas Maupin, MD
- Gregory Michael Peters, MD
- Zhengyi Wang, MD

The Board declined to issue a LOQ to Bahar Altaha, MD.

The Committee recommended that the Board accept and ratify the report of the Licensure Committee. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Reverend Bowyer delivered the report of the Complaint Committee, which met on Sunday, January 13, 2019.

**COMPLAINT  
COMMITTEE  
REPORT**

**CLOSURES**

- 18-100-W Stephen Eugene Groves, MD
- 18-121-B Paramjit Chumber, MD
- 18-39-W Ahmad Daver Faheem, MD
- 18-78-W Michael Lee Ferrebee, MD

18-146-W Alastair Tucker Hoyt, MD  
18-109-W Ali Akbar Khan, MD  
18-82-W Hemant Sarin, MD  
18-143-W John Clark Vallandigham, MD  
18-144-W Robert Lee Wheeler, MD  
17-198-B Kevin Edward Kelly, MD  
18-150-T Suzanne Holroyd, MD  
18-92-G Karim Abdul Katrib, MD  
18-158-E Muhammed Aslam Khan, MD  
18-124-T Rida Suleiman Mazagri, MD  
18-177-H William J. McIntyre, MD  
18-154-S Nika Razavipour, MD  
18-156-N Letitia Elaine Tierney, MD  
18-160-J Christopher J. Tipton, PA-C

#### **INITIATED COMPLAINTS**

19-06-W  
19-07-W  
19-08-W  
19-09-W  
19-10-W  
19-11-W  
19-12-W  
19-13-W  
19-14-W  
19-15-W  
19-16-W  
19-17-W  
19-18-W  
19-19-W  
19-20-W  
19-21-W  
19-22-W  
19-23-W  
19-24-W  
19-25-W  
19-26-W  
19-27-W  
19-28-W  
19-29-W

**FINDINGS OF PROBABLE CAUSE TO SUBSTANTIATE CHARGES OF DISQUALIFICATION UNDER WV CODE §30-3-14**

18-33-K Wigberto C. Camomot, MD  
18-161-W Steven R. Matulis, MD  
18-110-W Marios D. Papachristou, MD

**CONSENT ORDERS**

Reverend Bowyer requested that the Board authorize the Complaint Committee to offer ten Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Committee was given by Reverend Bowyer, and the motion carried.

**FULLY EXECUTED CONSENT ORDERS**

Reverend Bowyer reported that since the September meeting, fully executed Consent Orders have been entered with respect to the following licensees:

**Tod Hagins, MD** - On November 13, 2018, the licensee entered into a Consent Order with the Board permanently surrendering his West Virginia medical license subsequent to his plea of guilty to three felony charges, including conspiracy to distribute controlled substances without a legitimate medical purpose and outside the boundaries of the medical profession, in the matter of USA v. Tod Hagins, MD Criminal Action No. 5:18-CR-7.

**Roger Lee McCauley, MD** - Due to his CME deficiency during the Board's CME audit, on November 8, 2018, the licensee entered into a Consent Order with the Board which required him to complete 44 hours of volunteer/community service medical practice. Dr. McCauley also completed 44 hours of CME out of cycle to satisfy his CME deficiency.

**David Allen Moore, PA-C** - On November 28, 2018, the licensee entered into a Consent Order with the Board which publicly reprimanded him and required him to take continuing

education in the prescribing of benzodiazepines. Mr. Moore is not currently practicing in West Virginia, and if he seeks to return to practice pursuant to his West Virginia license he must submit a proposed practice agreement for Complaint Committee review and approval.

All Consent Orders are available on the Board's website.

Reverend Bowyer reported that the Complaint Committee considered a Motion for Expungement of Information and Documents Within Historical Record of Alison M. Wilson, MD. Dr. Wilson is seeking to expunge all information and documents in her historical record related to Initiated Complaint No. 18-18-W, which was initiated after the Board received a report of a medical malpractice payment made on behalf of Dr. Wilson. Complaint No. 18-18-W was subsequently closed because it was determined that the medical malpractice payment report was incorrectly reported to the Board. Because the Complaint was initiated based upon an incorrect report, the Complaint Committee recommended that all documents within the Complaint File related to Complaint No. 18-18-W be expunged, with the exception of the Closure Decision Order, which the Board is required to maintain. The motion of the Committee was given by Reverend Bowyer, and the motion carried.

Reverend Bowyer reported that the Complaint Committee is currently investigating allegations against a particular podiatric physician stemming from an issue related to potential impairment. In order to protect the privacy of the licensee, and to ensure the impartiality of the Board should the matter come before it in the future for adjudication, the physician in question is identified for purposes of this discussion as "Physician A."

Physician A appeared before the Complaint Committee yesterday. Based upon the physician's demeanor, responses to questions by Committee members, and other information obtained during the course of the investigation, the Committee unanimously agreed that they have concerns regarding the mental and physical health and well-being of Physician A.

West Virginia Code § 30-3-14(f) authorizes the Board, under any circumstances, to require a physician to submit to a mental or physical examination by a physician or physicians approved by the Board. In connection with its current investigation, and pursuant to the West Virginia Code § 30-3-14(f), the Complaint Committee recommended that the Board authorize the issuance of an Order requiring Physician A to submit to a complete mental and physical examination by a physician or physicians approved by the Board. Such mental and physical examination will be scheduled as soon as possible to ensure that the public is protected and should include all appropriate testing including drug testing.

Reverend Bowyer, Dr. Sheth, Dr. Lakin and Dr. Steele, members of the Board's Complaint Committee, and they left the meeting room at this time and the Board considered the matter in their absence.

With a quorum present and voting, the motion of the Committee carried, and the Board authorized a complete mental and physical evaluation of Physician A to include all appropriate testing including drug testing.

Reverend Bowyer, Dr. Sheth, Dr. Lakin and Dr. Steele returned to the meeting room at this time.

The Committee recommended that the Board accept and ratify the report of the Complaint Committee. The motion of the Committee was given by Reverend Bowyer, and the motion carried.

There being no further business to consider, Dr. Lakin moved that the meeting be adjourned. Dr. Faheem seconded, and the motion carried. ADJOURNMENT



Kishore K. Challa, MD, FACC  
President

3/11/2019



Catherine C. Slemp, MD, MPH  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**March 11, 2019 at 9:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes***

- January 14, 2019

***Committee and Staff Reports, Discussion and Action:***

- **Executive Director Report**
- **Executive/Management Committee Report**
  - Fiscal Report and Purchasing Card Transactions for January and February 2019
  - Consideration of Correspondence Regarding West Virginia Provider Survey on Pain Management and Medication-Assisted Treatment
  - Video Appearances
  - Notice of Claims
    - *John France, MD v. West Virginia Board of Medicine*
    - *Jan Carey Kletter, MD v. West Virginia Board of Medicine*
  - Office Updates
    - Database Vendor RFQs
    - Staffing Needs
  - Report of Other Discussion Which Occurred at the March 10, 2019 Meeting
- **Legislative Committee Report**
  - Board of Medicine Legislative Rules 11 CSR 1A and 11 CSR 12
  - Overview of the 2019 Legislative Session
  - Bills Monitored by the Board and Passed by the Legislature
  - Emergency Rulemaking as a Result of 2019 Legislation
  - Consideration of Rulemaking for the 2020 Legislative Session, Including Amendments Required by 2019 Legislation and Modernization of Current Board of Medicine Rules
  - Discussion of Potential Legislative Goals for 2020
  - Report of Other Discussion Which Occurred at the March 10, 2019 Meeting



- **Board Attorney Report**
  - Update on Pending Litigation Matters
  
- **Physician Assistant Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applications (Physician Assistants)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the March 9, 2019 Meeting
  
- **Licensure Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the March 9, 2019 Meeting
  
- **Complaint Committee Report**
  - Closures
  - Initiated Complaints
  - Authorization of Consent Orders
  - Consent Order Update
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14(d)
    - Marios Dimitrios Papachristou, MD
  - Other Matters Originating from the March 10, 2019 Meeting

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**March 11, 2019**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 11<sup>th</sup> day of March 2019 at 9:00 am.

The following Board members were present for the meeting:

Kishore K. Challa, MD, FACC, President  
Ashish P. Sheth, MD, Vice President  
Timothy Donatelli, DPM  
Harry Duncan, MD  
Ahmed D. Faheem, MD, DLFAPA  
Reverend Janet Harman  
Carrie Lakin, DPM  
Jonathan P. Lilly, MD  
Angela Mayfield  
David (Dave) Mullins, MD  
Victoria (Tori) Mullins, PA-C  
Thomas (Wes) Steele, MD  
Russell O. Wooton  
K. Dean Wright, PA-C

The following members were absent:

Mustafa Rahim, MD  
Cathy C. Slemp, MD, MPH, Secretary

The following former Board member was present:

Matthew Upton, MD

The following former Board member attended the meeting via Skype:

Rahul Gupta, MD, MPH, MBA, FACP

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.

Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI  
Andrew R. Wessels

Dr. Challa called the meeting to order and welcomed newly appointed Board member Angela Mayfield. Ms. Mayfield was appointed by the Governor to succeed Reverend O. Richard Bowyer, as one of the three lay members on the Board.

CALL TO  
ORDER AND  
ANNOUNCEMENTS

Dr. Challa welcomed former board members Rahul Gupta, MD, MPH, MBA, FACP and Matthew Upton, MD. Dr. Upton's term ended on September 30, 2018. Dr. Gupta accepted a position with the March of Dimes in November 2018. In recognition of their outstanding service and in appreciation of their commitment to protecting the quality and safety of medical and podiatric care for the citizens of West Virginia, Dr. Challa presented Dr. Upton and Dr. Gupta with plaques on behalf of the Board. Following recognition, Dr. Gupta and Dr. Upton left the meeting.

Dr. Challa announced that Dr. Slemp has been temporarily serving as the Commissioner for the Bureau for Public Health since November 2018. On February 8, 2019, Dr. Slemp was selected to fill the position of Commissioner for the Bureau for Public Health on a permanent basis, and therefore will continue to serve as Secretary of the Board.

Dr. Challa congratulated Dr. Faheem, who has been selected to receive the Federation of State Medical Boards (FSMB) 2019 John H. Clark, MD Leadership award. This award will be presented at the FSMB annual meeting next month in recognition of Dr. Faheem's "outstanding and exemplary leadership, commitment and contribution in advancing the public good at the state board level."

Dr. Challa reminded members that the FSMB annual meeting will be held on April 25 – 27, 2019 in Fort Worth, Texas. Any member who is interested in attending the meeting was instructed to see Mr. Spangler at the conclusion of today's meeting.

Due to the importance of maintaining quorum, Dr. Challa reminded members to contact either Mr. Spangler or himself if they are unable to attend any Committee or Board meeting.

Dr. Faheem moved that the January 14, 2019 meeting minutes be approved. Dr. Duncan seconded, and the motion carried.

**APPROVAL  
OF MINUTES**

Mr. Spangler reported that the Board is meeting the goals and objectives outlined in the 2019 Strategic Plan. Specifically, the Board has began the rebidding process as it relates to the database, implemented an orientation procedure for newly appointed Board members, pursued opportunities for Board and Staff members to serve on a regional or national group devoted to the oversight of health professionals, and collaborated with other regulatory agencies regarding legislative matters.

**EXECUTIVE  
DIRECTOR  
REPORT**

Dr. Challa reported that the Executive/Management Committee met on Sunday, March 10, 2019, at which time the Committee approved the fiscal report and purchasing card transactions for January and February 2019.

**EXECUTIVE /  
MANAGEMENT  
COMMITTEE  
REPORT**

The Committee reviewed correspondence requesting that the Board email current licensees a survey titled *West Virginia Provider Survey on Pain Management and Medication-Assisted Treatment*. The Committee recommended that the Board on this singular occasion, and taking into consideration that public health issue, that the survey be forwarded to the West Virginia Bureau of Public Health (WVBPH) for review in conjunction with the West Virginia Office of Drug Control Policy (WVODCP), and if the survey is supported by the WVBPH and WVODCP, authorize Board staff to email licensees a link to the survey. The motion of the Committee was given by Dr. Challa, and the motion carried.

Dr. Challa reported that at the November 2018 Board meeting, the Executive/Management Committee recommended, and the Board voted to decline the request for expungement of a medical malpractice claim report for John France, MD and Jan Kletter, MD. The Board recently received two Notice of Claims, *France v. WVBOM* and *Kletter v. WVBOM*, indicating that each of the licensees intends to file suit against the Board in Kanawha County Circuit Court to have the medical malpractice settlement report expunged from their historical record.

Dr. Challa reported that the Request for Quotation (RFQ) for the rebidding of the database provider has concluded. Per West Virginia Division of Purchasing requirements, the Board is required to accept the lowest bid which meets all of the required specifications. Board staff have reviewed the quotes and have determined that the lowest bidder meets all of the required specifications. The bid is currently being reviewed by the West Virginia Office of Technology.

The Committee recommended that the Board accept and ratify the report of the Executive/Management Committee. The motion of the Committee was given by Dr. Challa, and the motion carried.

Mr. Wright reported that the Legislative Committee met on Sunday, March 10, 2019, at which time Mr. Spangler reported that the following bills, which were being monitored by Board staff, have completed the 2019 legislative process:

**Senate Bill 199**, which contains the Board's legislative rules 11 CSR 1A, relating to licensing and discipline of physicians and podiatric physician, and 11 CSR 12, relating to educational permits;

**Senate Bill 119**, specifying documents not subject to discovery in certain proceedings (the Board of Medicine was removed from this bill);

**Senate Bill 396**, which requires chapter 30 boards to process the initial application for low-income individuals or military families within 30 days of receipt of the application and

requires that licensing fees be waived. If signed by the Governor, this bill will require legislative rulemaking by the Board;

**Senate Bill 510**, relating to medical professional liability;

**Senate Bill 653**, the Board's bill which modifies W.Va. Code §30-3-15 to exclude all hospitals from the prohibition on the corporate practice of medicine and permits medical doctors, podiatric physicians and physician assistants to seek authorization as a medical corporation;

**Senate Bill 668**, which provides that a physician assistant who is practicing in a hospital setting will need to submit a notification of practice rather than a practice agreement. If signed by the Governor, this bill will require emergency and legislative rulemaking by the Board;

**House Bill 2204**, prohibiting state licensing boards from hiring lobbyists;

**House Bill 2351**, relating to regulating prior authorizations;

**House Bill 2486**, using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation (the Board of Medicine was removed from this bill);

**House Bill 2510**, relating to special funds of boards of examination or registration, which provides that if the special fund of any board accumulates to an amount which exceeds twice the annual budget of the board or \$10,000, whichever is greater, that the State Treasurer will transfer the excess amount to the General Revenue Fund and the Legislative Auditor will review the fee structure of the board;

**House Bill 2768**, reducing the use of certain prescription drugs, this legislation makes certain amendments to the Opioid Reduction Act passed as Senate Bill 273 in 2018; and

**House Bill 2947**, which permits a physician practicing telemedicine to submit an order to dispense a controlled substance, listed in Schedule II of the Uniform Controlled Substance Act, to a hospital patient for immediate administration in a hospital, excluding the emergency department.

Mr. Wright reported that Senate Bill 464, modifying licensing requirements for telemedicine and surgery or podiatry, was closely monitored by Board staff. This bill would have eliminated the prohibition on audio-only contact for establishing a physician/patient

relationship via telemedicine. The bill was not passed during the 2019 legislative session; however, it is likely that similar proposed legislation will be introduced during the 2020 session.

Mr. Wright reported that the Board will need to evaluate current legislative and procedural rules to determine which will need to undergo rulemaking in the 2020 legislative session.

The Committee recommended that the Board accept and ratify the report of the Legislative Committee. The motion of the Committee was given by Mr. Wright, and the motion carried.

Mr. Foster reported that there are currently three hearings pending. One hearing is scheduled to convene on March 26, 2019, but will likely be continued to a later date, one hearing is scheduled to convene in June 2019, and one hearing is on hold.

**BOARD  
ATTORNEY  
REPORT**

The matter of *Omar Khalid Hasan, MD, Petitioner, v. West Virginia Board of Medicine, Respondent*, remains pending before the West Virginia Supreme Court of Appeals.

Ms. Mullins provided the report of the Physician Assistant Committee which met on Saturday, March 9, 2019.

**PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT**

Ms. Mullins asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. No conflicts were declared.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Dominic Michael Alesandrini, PA-C  
Robin Mary Allen, PA-C

Shanna Michele Autrey, PA-C  
Amber Rose Blackledge, PA-C  
Lynette Joy Cline, PA-C  
Alexa Marie Falo, PA-C  
Sha'Quayla Jean Hill, PA-C  
Rachele Nicole Jeffries, PA-C  
Raymond Jacob Johnson, PA-C  
Thomas E. Johnson, PA-C  
Jonathan Kirk Livers, PA-C  
Kara Michelle Malagise, PA-C  
Aislinn Marie McIlvenny, PA-C  
Megan Nicole Olish-Terry, PA-C  
Dustyn Gregory Pastors, PA-C  
Alycia Marie Perrine, PA-C  
Melissa Ann Rabinek, PA-C  
Janet Lee Smith, PA-C  
Leah Marie Trautzch, PA-C

The motion of the Committee was given by Ms. Mullins, and the motion carried.

Ms. Mullins reported that Farrah Syed Zahir, PA-C appeared before the Committee in support of her application for physician assistant licensure. The Committee recommended that Ms. Zahir be granted physician assistant licensure contingent upon her acceptance of a licensure Consent Order with the following terms:

Until further order of the Board:

- a. Ms. Zahir may only practice in West Virginia through a Board approved practice agreement, regardless of her practice setting;
- b. Any practice agreement she submits must be reviewed by the Physician Assistant Committee for approval prior to authorization;
- c. Ms. Zahir shall practice under direct collaboration for a minimum of 1000 work hours;
- d. Ms. Zahir's collaborating physician must send quarterly status reports updating the Board on her progress reentering PA practice, and a recommendation regarding when direct collaboration should be lifted;  
and
- e. Ms. Zahir must appear before the Physician Assistant Committee at its



discretion, but no later than six months after her return to clinical practice to discuss her reentry to practice.

The motion of the Committee was given by Ms. Mullins, and the motion carried.

Ms. Mullins reported that Stacy Megan Blake, PA-C was granted physician assistant licensure in January 2019. Prior to the January Board meeting, Ms. Blake requested that her application be deferred until the March 2019 meeting as applicants who are granted an initial license in March 2019 are not required to participate in the current renewal process, which concludes on March 29, 2019. Ms. Blake's deferral request was inadvertently overlooked. Similar requests to defer licensure are customarily granted. The Board cannot rescind the reissuance of Ms. Blake's license, however, the Committee recommended that since the Board overlooked her valid deferral request that Ms. Blake's 2019 renewal fee of \$150.00 be waived. The motion of the Committee was given by Ms. Mullins, and the motion carried.

Ms. Mullins reported that the Committee reviewed correspondence from a physician assistant seeking guidance regarding whether physician assistant SOAP notes/progress notes need physician cosignature in a hospital practice environment. The Committee directed Board staff to respond that while neither the Physician Assistants Practice Act nor the Board's legislative rules require a physician to cosign progress notes, hospitals have the discretion to establish their own policy and practice requirements with respect to when a physician cosignature is required.

Ms. Mullins reported that the Committee reviewed correspondence from Community Care of West Virginia seeking guidance on how to complete practice agreements for physician assistants who may be scheduled to work at any of its 51 school-based health centers and 15 primary care clinics. The Committee directed staff to respond that the physician assistant's primary practice locations must be included on the application form, and a list of all possible locations may be provided as an attachment to the practice agreement. The primary work locations will be publicly available on the Board's website.

Ms. Mullins reported that the Committee reviewed Senate Bill 668, which provides process changes for physician assistant practice authorization in hospital settings. Physician assistants employed by hospitals will be able to submit institutional practice notifications rather than practice agreements with individual collaborating physicians. If approved by the Governor, the bill will require emergency and legislative rulemaking by the Board.

Ms. Mullins reported that the Committee considered and approved the Mona Lisa Touch procedure as an advanced duty for physician assistants. The procedure will be added to the Board-Approved Advanced Procedure List and will require the submission of ten logs for approval.

Ms. Mullins reported that physician assistant licensure renewal began on February 6, 2019. To date, approximately 60% of licensees have renewed their license. The renewal deadline is 4:30 pm on Friday, March 29, 2019.

Ms. Mullins reported that the Committee reviewed and approved three proposed practice agreements that include telemedicine practice.

Ms. Mullins reported that Board staff have authorized 50 practice agreements since January 14, 2019. Additionally, 17 alternate collaborating physicians were designated.

The Committee recommended that the Board accept and ratify the report of the Physician Assistant Committee. The motion of the Committee was given by Ms. Mullins, and the motion carried.

Dr. Duncan provided the report of the Licensure Committee which met on Saturday, March 9, 2019.

**LICENSURE  
COMMITTEE  
REPORT**

Dr. Duncan reported that two of the five scheduled applicants appeared before the Licensure Committee to discuss their applications. The Committee recommended that:

David Charles Fogarty, DDS, MD be approved for reactivation of medical licensure; and John Stanley Taras, MD be approved for medical licensure pending payment of the patient injury compensation fund assessment fee. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan reported that the following applicants will appear before the Committee at its May 2019 meeting:

Mohhamed Chebaelo, MD

Sunil Mehrotra, MD

Chaudhury Mohammed Sarwarul Hasan, MD.

Dr. Duncan reported that the Committee reviewed and discussed 24 applications. Based thereupon, the Committee recommended that the following applicants be approved for permanent medical licensure:

Ioanna Kanellitsas, MD

Chukwuemeke Oscar Nkadi, MD

Michael Lawrence Stanchina, MD

Chioma Vivian Udogu, MD

Omer Wali, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the following applicants be approved for permanent medical licensure pending payment of the patient injury compensation fund assessment fee:

Ishtiaque Hossain Mohiuddin, MD

Sanjoydeb Mukherjee, MD

Ethan Harold Silver, MD

Robert Terry Smith, MD

Daniel Benjamin Westawski, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board accept the postgraduate training as satisfactory verified and approve the following applicants for permanent medical licensure:

Ashraf Yehia Youssef Abou-El-Ezz, MD

Cherif M. El Younis, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the following applicants be approved for medical licensure pending receipt of satisfactory verification of medical education:

Malik Moh'd Saleh Hamdan, MD

Daniel Dmitry Langleben, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that Tushar Nandlad Shah, MD be approved for medical licensure reactivation. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan reported that Seyfi Alper Toker, MD appeared before the Committee at its January 2019 meeting in support of his application for a restricted license in extraordinary circumstances. Dr. Toker's application was placed on hold in January, pending receipt of additional information. Having received the additional information, the Committee recommended that the Board make the following findings:

1. Dr. Toker has exceptional education, training and practice credentials, including:
  - a. He is an internationally renowned leader in the practice of thoracic surgery;
  - b. He has conducted leading research in cardiovascular surgery, tracheal reconstruction and lung transplantation;
  - c. He is past president (2014-2015) of the European Society of Thoracic Surgeons, which is the largest international association of thoracic surgeons;
  - d. He is a member of the American Association for Thoracic Surgery, the most prestigious thoracic association in the world;

- e. He is recognized by the International Thymic Malignancy Interest Group as a pioneer in robotic mediastinal surgery; and
  - f. He is currently Professor and Head of Thoracic Surgery at Istanbul Medical School, Istanbul University.
2. Dr. Toker's practice in the state would be beneficial to the public welfare because West Virginia has the highest cancer rates in the country, including lung cancer. Additionally, West Virginia has an alarming rate of black lung diagnoses, and many black lung patients will eventually require lung transplants. Dr. Toker's skills and expertise will fill an existing service gap for these patients.
  3. Dr. Toker's specialty is thoracic surgery, and there is a need for this specialty in West Virginia because West Virginia does not currently have a lung transplant program.
  4. The applicant's education, training and practice credentials are substantially equivalent to the requirements of licensure established in W. Va. Code §30-3-10(b). While Dr. Toker's education and training occurred outside of the United States and are not, standing alone, substantially equivalent to the licensure requirements in this state his superior research, extensive clinical experience, renowned scholarship, including over 120 peer reviewed publications and contributions to leading texts books in his field, his lengthy faculty appointments, and his international leadership in thoracic surgery satisfy this requirement.
  5. Dr. Toker received more than nine years of medical postgraduate training outside of the United States and its territories.
  6. Dr. Toker has no professional discipline which would render him ineligible for an extraordinary circumstances license.
  7. Dr. Toker is eligible for a restricted license in extraordinary circumstances.

The Committee further recommended that the Board grant Dr. Toker a restricted license in extraordinary circumstances restricted to the practice of thoracic medicine and surgery at West Virginia University in Morgantown, West Virginia, pending receipt of the patient injury compensation fund assessment fee. A roll call vote was taken with all members voting to accept the Committee's recommendation. The motion carried unanimously, exceeding the statutory requirement of approval by  $\frac{3}{4}$  of the membership of the Board.

The Committee recommended that the Board accept Jodi Lynn Long, DPM's request to withdraw her podiatric medical licensure application. The motion of the Committee was given by Dr. Duncan and the motion carried.

Dr. Duncan reported that the applications for the following physicians will be placed on hold pending receipt of additional information and possible appearance before the Committee:

James Lawrence Fernau, MD

Allison Marian Spiker, MD

The Committee will request that the following applicants appear before the Committee at its May 2019 meeting:

Ruxandra Faraon-Pogaceanu, MD

Bryan Ross Fine, MD

Syed Arsalan Khalid, MD

Ebad Ur Rahman, MD

Ijaz Rasul, MD

Dr. Duncan asked Board members to review the list of physicians up for action and to advise of any conflicts. The Committee recommended that the Board approve the following applicants for permanent medical licensure:

Faith Aiguekeagbon Aimua, MD

Ahlim M Omer A Al Sanani, MD

Douglas James Alden, MD

Amar Muniyappa Amaresh, MD

Johat Aponte, MD  
Mack Joe Arroliga, MD  
Jean-Edson Belcourt, MD  
Lonnie Lee Berry, MD  
Parth Jayprakashbhai Bhatt, MD  
Lynsey Allen Smith Biondi, MD  
Atif Butt, MD  
Anna Lynne Carpenter, MD  
Vishy Chaudhary, MD  
Monica Chowdhry, MD  
William Patrick Conroy, MD  
Deborah Jo Conway, MD  
Jesse Newton Cottrell, MD  
Emily Ellen Crocetti, MD  
Catherine Isabel Dalton, MD  
Steven Quinton Davis, MD  
Hassan Dbouk, MD  
Gina Adel Elhammady, MD  
David Michael Erani, MD  
Sheila Marie Garcia Santana, MD  
David Allen Gay, MD  
Aarti Goswami, MD  
Racine Shmay Gue, MD  
Yasmin Shamshuddin Hamirani, MD  
Arash Hassantoufighi, MD  
Henry John Iwinski, Jr., MD  
Romel Izauierdo Mera, MD  
Amir Shahzad Kamran, MD  
Sayanika Kaur, MD  
Katrín Kiavash, MD  
Isabelle Catherine Kopec, MD  
Raju Prasad Krishna, MD  
Henry Michel Kurban, MD  
Fawn Michelle Langerman, MD  
Rebecca J. Lee, MD  
Gayatri Wallata-Zion Kamala Lessey, MD  
Fadi Makari, MD  
Bruce Lee McHam, MD  
Mina Mecheal Benjamin Mehanni, MD  
Lin Mei, MD  
Hal Steven Meltzer, MD  
Richard Alan Meter, MD  
Konstantin Millerman, MD  
Nathaniel Joseph Mohny, MD  
Girish Rudra Naik Mood, MD  
Robert Mark Mordkin, MD

Ryan David Muchow, MD  
Charles Tonderai Mupamombe, MD  
Minh Duc Nguyen, MD  
Stephen Gbejule Odaibo, MD  
Gbemisola Mayokun Olayemi, MD  
Dane Christopher Olevian, MD  
Joanne Mary Ondrush, MD  
Patrick Francis O'Neil, MD  
Dragana Orlovic, MD  
Rahul Kanhaiya Lal Pandey, MD  
Kimberly Marie Pezzone, MD  
Vincent William Prusick, MD  
William Kimberly Raboff, MD  
Sneha Nanjundiah Raghunath, MD  
Janet Frances Robinson Waters, MD  
Ronald Joseph Ruszkowski, MD  
Marwan Saad Mohamad Saad, MD  
Rachel Emily Sackrowitz, MD  
Pooja Sahni, MD  
Shameen Abdul Salam, MD  
Tarek Hamad Soliman Salman, MD  
Anurag Satsangi, MD  
Nabeel Jalal Sawaged, MD  
Mitchell Lonny Schwartz, MD  
Maziar Seyedian, MD  
Mazin Shackour, MD  
Sumaira Shafi, MD  
Kavit Bhartendu Shah, MD  
Moazzam Shahzad, MD  
Glenn Iver Sharfin, MD  
Sunil Sharma, MD  
Peter Jeffrey Sloane, MD  
Lawanna Marie Starks, MD  
Orli Stern, MD  
Jeremy Patrick Stich, MD  
Sanjay Suwal, MD  
Sunita Tulachan, MD  
Tina Chen Twu, MD  
Lawrence Eugene Wilson, Jr., MD  
Matthew Harry Wong, MD  
Kerri Michelle Woodberry, MD  
Emad Nasr Yacoub, MD  
Joseph Abraham Zacharias, MD  
Samrah Zaigham, MD  
Vikram Philip Zadoo, MD



The motion of the Committee was given by Dr. Duncan, and the motion carried.

Reverend Harman declared a conflict with respect to initial medical doctor applicant William James Artrip, IV, MD as Dr. Artrip is a member of her congregation. After declaring a conflict, Reverend Harmon exited the meeting room and was absent for all discussion and action regarding Dr. Artrip. The Committee recommended that Dr. Artrip be approved for permanent medical licensure. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Reverend Harman returned to the meeting room at this time.

The Committee recommended that the Board approve the following applicants for permanent medical licensure pending receipt of the patient injury compensation fund assessment fee:

Raja Nanda Gopal Mogallapu, MD  
Amar Raju Patel, MD  
Luis Alberto Puchi, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve the following applicants for reactivation of medical licensure:

Ernest Frank Baldwin, III, MD  
Rut Dinkar Dholakia, MD  
Richard John Mailloux, MD  
Fauzia Naeem Rana, MD  
Rebecca Marie Reece, MD  
Scott Andrew Riley, MD  
Janet Lynn Walker, MD  
Beverly Jean Davis Yamour, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Lilly declared a conflict with respect to a medical doctor applicant for reactivation of licensure, Jeffrey Wayne Hively, MD due to a recent business relationship with a family member of the applicant. After declaring a conflict, Dr. Lilly exited the

meeting room and was absent for all discussion and action regarding Dr. Hively. The Committee recommended that the Board approve Jeffrey Wayne Hively, MD for medical licensure reactivation. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Lilly returned to the meeting room at this time.

Dr. Duncan reported that the Committee revisited an inquiry it received in January 2019 requesting clarification on CRNA supervision. The inquiry seeks an opinion from the Board on whether the podiatric scope of practice includes supervision of CRNAs and the anesthesia plan of care. The Committee directed staff to notify the requesting hospital that the Board recommends that the best practice is for anesthesiologists to provide oversight of CRNAs and anesthesia plans of care. Dr. Lakin moved that the Board modify the Committee's direction, and for staff to notify the requesting hospital that the Board recommends that the best practice is for anesthesiologists rather than podiatric surgeons to provide oversight of CRNAs and anesthesia plans of care for podiatric patients. Dr. Mullins seconded, and the motion carried.

Dr. Duncan reported that in January the Committee reported on a situation involving an IMLC applicant that the Board could not reach at the contact information provided. Since January, new contact information has been obtained from another licensing board. The applicant has been contacted by telephone and is no longer interested in pursuing licensure in West Virginia due to a change in his practice. He has indicated that he will submit a request to withdraw his application. The Committee authorized the Executive Director to follow-up with the IMLCC on applicant address issues and concerns at a future IMLCC meeting.

Dr. Duncan reported that the 2019 renewal period for educational permits will begin on April 1, 2019 and will conclude on June 28, 2019. The renewal period for physicians whose last names begin with the letters M-Z, all podiatric physicians, controlled substance dispensing practitioner registration(s) for physicians whose last names begin with the

letters M-Z, and professional limited liability companies will begin on May 1, 2019 and will conclude on June 28, 2019.

Dr. Duncan reported that the Board has issued one educational permit since January 1, 2019. The total number of current educational permits issued by the Board is 106. Educational permits, including reciprocal permits for out of state residents completing rotations in West Virginia, become mandatory effective July 1, 2019.

Dr. Duncan reported that there are currently 476 medical doctors, 16 podiatric physicians, and 31 physician assistants who are registered as controlled substance dispensing practitioners. Since July 1, 2018 there have been 37 new registrants (18 medical doctors and 19 physician assistants). During January and February, the Board processed controlled substance dispensing practitioner registration applications for three medical doctors and one physician assistant.

Dr. Duncan reported that Board staff have processed 20 reinstatement applications and eight change of status applications since July 1, 2018. Eight applications are pending.

Dr. Duncan reported that in January and February, the Board issued licenses to the following 20 applicants (listed along with their state of principal licensure) through the IMLC application process.

Name of the Licensee	State of Principal Licensure
Tommeka Michele Archinard, MD	AL
Nana Frema Atuahene, MD	IL
Elizabeth Hauslein Buell, MD	CO
John Patrick Dutton, MD	CO
Richard Wesley Ellison, MD	WI
Muhammad Khalid Gondal, MD	NV
Moneera Nur Haque, MD	MS
Clarence Richard Henriksen, MD	UT
Jerri Lynne Jensen, MD	ME

Tommeka Michele Archinard, MD	AL
Gene Hy6ung Lee, MD	WA
Jeffrey Lawrence Lieberman, MD	AZ
Martin Maimon, MD	WA
Diane Whelton McCarthy, MD	WA
Amanda Marie McSweeney, MD	CO
Samuel Harry Mehr, MD	NE
Garrie Priyampolskiy, MD	ME
Francisco Rafael Rivera Pabon, MD	AZ
James Edwin Stone, MD	MT
Angie Roseanne Taras, MD	WI
Joseph Anthony Zaremba, MD	CO

In January and February, the Board issued Letters of Qualification (LOQs) to the following licensees:

Mary Elizabeth Faw, MD  
David Lee Groten, MD  
Lauretha Uzoamaka Rogers, MD  
Stephanie Ann Salas, MD

The Committee recommended that the Board accept and ratify the report of the Licensure Committee. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Mr. Wooton joined the meeting via teleconference at this time.

Dr. Sheth delivered the report of the Complaint Committee, which met on Sunday, March 10, 2019.

**COMPLAINT  
COMMITTEE  
REPORT**

**CLOSURES**

18-155-W Wassim Salem Saikali, MD  
18-94-C James White Caudill, MD  
18-149-S George Maurice Charron, MD  
18-96-A Joseph Hugo Duvert, MD  
18-153-M Noma Khan, MD  
18-84-W Govindbhai Mafatlal Patel, MD

18-162-W Robert Jeffrey Shalowitz, MD, MD  
18-163-W Anna Maria Suray, MD  
18-179-B Susan Christine Capelle, MD  
18-176-B Artina Duncan Lane, MD  
18-185-D Stephanie Hanh Le, MD  
19-03-B Bernard Joseph Luby, MD  
18-181-G Nikunj Manmohan Shah, MD  
18-159-W Devika Hanumara Sood, MD  
18-182-M Hany Tadros, MD  
19-02-D Theodore Paul Werblin, MD  
18-183-B Janet Wilson Workman, PA-C

### **INITIATED COMPLAINTS**

19-39-W  
19-40-W  
19-41-W  
19-42-W  
19-43-W  
19-44-W  
19-45-W  
19-46-W  
19-47-W  
19-48-W  
19-49-W  
19-50-W

### **WITHDRAWAL OF PREVIOUSLY INITIATED COMPLAINTS**

19-17-W  
19-23-W

### **CONSENT ORDERS**

Dr. Sheth requested that the Board authorize the Complaint Committee to offer ten Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Committee was given by Dr. Sheth, and the motion carried.

## **FULLY EXECUTED CONSENT ORDERS**

Dr. Sheth reported that since the January meeting, fully executed Consent Orders have been entered with respect to the following licensees:

**Sylvanus Osomoba Oyogoa, MD:** On January 28, 2019, the licensee entered into an Amended Consent Order with the Board which modified the terms of his September 10, 2018 Consent Order to permit him to complete an online course entitled “ACS/APDS Surgery Resident Skills Curriculum- Phase 3: Team-Based Skills” as an acceptable in-person course as required by the original Consent Order was not located.

**Edmundo E. Figueroa, MD:** On January 14, 2019, the licensee entered into a Consent Order with the Board which restricts Dr. Figueroa from performing any surgical procedures. This restriction will remain in place until a qualified physician determines that he may return to surgical practice with reasonable skill and safety.

**Daniel Leon Alkon, MD:** On January 14, 2019, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$5,000.00 for CME noncompliance. Within 30 days Dr. Alkon must submit proof of satisfactory CME completion and verify that he has read and fully understands his CME obligations.

**Thomas Alan Durnell, MD:** On January 14, 2019, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for failure to disclose a medical malpractice payment on his renewal application for the period of July 1, 2016 through June 30, 2018.

**Johnny Dy, MD:** On January 14, 2019, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for failure to disclose his September 25, 2017 Consent Order on his 2018 license renewal application.

**Anup Kumar Das, MD:** On January 14, 2019, the licensee entered into a Consent Order with the Board which imposed a fine in the amount of \$400.00 for failure to disclose his October 5, 2017 Consent Order on his 2018 license renewal application.

**Thair Ali Barghouthi, MD:** On March 5, 2019, the licensee entered into a Consent Order with the Board which prohibits him from performing or directing the performance of nuclear stress tests in an office-based setting.

All Consent Orders are available on the Board's website.

Dr. Sheth reported that on March 10, 2019, the Committee reviewed certified court records regarding licensee Marios Dimitrios Papachristou, MD in association with an ongoing matter. The court records including certified copy of the Judgment Order in the matter of *United States of America v. Marios D. Papachristou*, Criminal Action No. 2:18-CR-00084, were made available to Board members for review. Ms. Alley provided an overview of this matter. Dr. Papachristou holds a license to practice medicine and surgery in West Virginia, License Number 26968. His West Virginia medical license was initially granted on May 16, 2016. On or about March 27, 2018, a criminal Information was filed in the United States District Court for the Western District of Pennsylvania against Dr. Papachristou, in the matter of the *United States of America v. Marios D. Papachristou*, Criminal Action No. 2:18-CR-00084. The Information charged Dr. Papachristou with forty-six (46) felonious counts of unlawful dispensing and distributing hydrocodone and acetaminophen ("Vicodin"), a Schedule II controlled substance, from December 2014 to March 2018, in violation of 21 U.S.C. §§ 841 (a)(1) and 841 (b)(1)(C); and one (1) felony count of health care fraud (Count 47), in and around December 2014 to March 2018, in violation of 18 U.S.C. § 1347. According to the Information, on forty-six (46) separate occasions Dr. Papachristou did knowingly, intentionally and unlawfully dispense and distribute, and cause to be dispensed and distributed, a quantity of Vicodin, a Schedule II controlled substance, to two different individuals, identified as "E.A." and "A.N.", outside the usual course of professional practice and not for a legitimate medical purpose. In regard to the count for health care fraud, the Information alleged:

- a. That Dr. Papachristou, along with other individuals, participated in a scheme to defraud a health care benefit program, namely UPMC Health Plan, to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money under the custody and control of the program in connection with the delivery of and payment for health care benefits and services.
- b. As part the scheme, Dr. Papachristou prepared and signed prescriptions for Schedule II narcotics outside the usual course of professional practice and not for a legitimate medical purpose. Dr. Papachristou caused these fraudulent and forged prescriptions to be filled in pharmacies by individuals known and unknown to the United States Attorney.
- c. As a result of the scheme, Dr. Papachristou caused losses to UPMC Health Plan.
- d. From December 2014 through March 2018, in the Western District of Pennsylvania and elsewhere, Dr. Papachristou did knowingly and willfully execute the scheme by submitting and causing to be submitted to UPMC Health Plan, false claims for payment for prescription narcotics, when in truth and fact as he well knew, the prescriptions were outside the course of professional practice and not for a legitimate medical purpose.

On May 3, 2018, the Court entered a plea of guilty signed by Dr. Papachristou, wherein Dr. Papachristou pled guilty to one felony count of unlawful dispensing and distributing a Schedule II controlled substance (Count 1), in violation of 21 U.S.C. §§ 841 (a)(1) and 841 (b)(1)(C), and one felony count of health care fraud (Count 47), in violation of 18 U.S.C. § 1347. On December 3, 2018, preceding his criminal sentencing hearing, Dr. Papachristou filed a Sentencing Memorandum in his criminal proceeding wherein he acknowledged his wrongful conduct and discussed the circumstances that facilitated his actions. On December 13, 2018, Dr. Papachristou was convicted on Count 1 and Count 47 of the Information, both felonies, pursuant to his guilty plea. The remaining counts of the Information were dismissed. Dr. Papachristou was sentenced to a term of imprisonment



of twenty-four (24) months followed by three (3) years of supervised release. Dr. Papachristou was further ordered to pay a \$200.00 assessment, a \$15,000.00 fine, and \$591.78 in restitution to UPMC Health Plan.

West Virginia Code §30-3-14(d) imposes a nondiscretionary duty upon the Board to revoke a license if a licensee has been found guilty and/or pled guilty in a court of competent jurisdiction to any felony involving prescribing, selling, administering, dispensing, mixing or otherwise preparing a prescription drug, including a controlled substance under state or federal law, for other than generally accepted therapeutic purposes. The Complaint Committee recommended that the Board conclude that:

- a. The Board has received sufficient proof, pursuant to W. Va. Code §30-3-14(d), to determine that Dr. Papachristou has been found guilty in a court of competent jurisdiction of guilty to one felony count of unlawful dispensing and distributing a Schedule II controlled substance (Count 1), in violation of 21 U.S.C. §§ 841 (a)(1) and 841 (b)(1)(C), and one felony count of health care fraud (Count 47), in violation of 18 U.S.C. § 1347;
- b. Dr. Papachristou's conviction of one felony count of unlawful dispensing and distributing a Schedule II controlled substance (Count 1), in violation of 21 U.S.C. §§ 841 (a)(1) and 841 (b)(1)(C) constitutes a felony involving prescribing, selling, administering, dispensing, mixing or otherwise preparing a prescription drug, including a controlled substance under state or federal law, for other than generally accepted therapeutic purposes; and
- c. Pursuant to West Virginia Code §30-3-14(d), the Board conclude that, as a matter of law, the license to practice medicine and surgery of Dr. Papachristou, License No. 26968, must be revoked, effective upon the entry of an Order of Revocation.

The Committee's recommendation was made in the form of a motion by Dr. Sheth, and the motion carried.

Dr. Sheth reported that the Complaint Committee is presenting a recommendation to the full Board concerning possible discipline of a licensee, Nabil Gaballa Guirguis, MD, license number 21364. He asked members if there were any conflicts. Dr. Faheem declared a conflict and left the meeting room at this time.

Dr. Sheth reported that the Committee concluded that the evidence in its possession supports a determination that Dr. Guirguis is unable to practice medicine and surgery with reasonable skill and safety due to physical or mental impairment. W. Va. Code § 30-3-14(c)(21).

West Virginia Code § 30-3-14(k) provides that:

if the board determines the evidence in its possession indicates that a physician's continuation in practice or unrestricted practice constitutes an immediate danger to the public, the board may take any of the actions provided for in subsection (j) of this section on a temporary basis and without a hearing, if institution of procedures for a hearing before the board are initiated simultaneously with the temporary action and begin within fifteen days of the action. The board shall render its decision within five days of the conclusion of a hearing under this subsection.

The Committee determined, that under the circumstances and based upon the evidence in its possession, to recommend that the full Board summarily suspend Dr. Guirguis' West Virginia medical license on the grounds that Dr. Guirguis' continuation in practice or unrestricted practice constitutes an immediate danger to the health, welfare and safety of the public.

Materials reviewed by the Complaint Committee were made available to the members of the Board for review and consideration, including the results of a Board-ordered mental and physical evaluation of the licensee.

The Complaint Committee recommended that the Board:

1. Ratify the Complaint Committee's conclusions as reported here today;
2. Determine that under all of the circumstances, for Dr. Guirguis to continue to hold an unrestricted license to practice medicine in the State of West

Virginia, constitutes an immediate danger to the health, welfare and safety of the public;

3. Conclude, as a matter of law, that such a danger to the public demands extraordinary measures; and
4. In accordance with its statutory mandate to protect the public interest, summarily suspend the license to practice medicine of Dr. Guirguis, license number 21364, in accordance with the provisions of W. Va. Code §30-3-14(k) and W. Va. Code R. §11-3-10.16 (2010).

Dr. Sheth reported that if the Board votes to summarily suspend Dr. Guirguis, it must determine an effective date of the suspension. A hearing before a minimum of nine eligible Board members and a hearing examiner, must be held within fifteen days of the suspension. The licensee must be given ten days' notice of any hearing. Within five days of the conclusion of the hearing, the Board has to decide what action to take and must issue an order setting forth its final determination. Members of the Complaint Committee may not participate in the full hearing or the final vote.

Dr. Mullins, Dr. Lakin, Dr. Sheth and Dr. Steele, as member of the Complaint Committee, left the meeting room at this time and the Board considered this matter in their absence.

With a quorum of the Board present and voting, Mr. Wright moved that the Board accept the Complaint Committee's recommendation and find that for Dr. Guirguis to continue to hold an unrestricted license to practice medicine in the State of West Virginia, constitutes an immediate danger to the health, welfare and safety of the public, and to summarily suspend Dr. Guirguis' license to practice medicine effective immediately. Mr. Wright further moved that a hearing with regard to this matter convene at 10:00 am on March 21, 2019 at the Board office. Dr. Duncan seconded, and the motion carried.

Dr. Mullins, Dr. Lakin, Dr. Sheth and Dr. Steele returned to the meeting room at this time.

The Committee recommended that the Board accept and ratify the Complaint Committee report. The motion was given by Dr. Sheth, and the motion carried.

There being no further business to consider, Dr. Lakin moved that the meeting be adjourned. Dr. Steele seconded, and the motion carried. ADJOURNMENT



Kishore K. Challa, MD, FACC  
President



Catherine C. Slemp, MD, MPH  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**March 19, 2019 at 12:00 pm**

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***CALL TO ORDER***

***Public Comments***

***Committee and Staff Reports, Discussion and Action:***

- **Complaint Committee Report**
  - Matters Originating from the March 19, 2019 Special Meeting of the Complaint Committee

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Minutes**  
**March 19, 2019**

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A special meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 19<sup>th</sup> day of March 2019 at 12:00 pm.

The following Board members attended the meeting via teleconference:

Kishore K. Challa, MD, FACC, President  
Ashish P. Sheth, MD, Vice President  
Catherine C. Slemp, MD, MPH, Secretary  
Timothy Donatelli, DPM  
Harry Duncan, MD  
Ahmed D. Faheem, MD, DLFAPA  
Reverend Janet Harman  
Jonathan P. Lilly, MD  
Angela Mayfield  
David (Dave) Mullins, MD  
Victoria (Tori) Mullins, PA-C  
Mustafa Rahim, MD  
Thomas (Wes) Steele, MD  
Russell O. Wooton

The following Board members were absent:

Carrie Lakin, DPM  
K. Dean Wright, PA-C

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI

Dr. Challa called the meeting to order and roll call was taken by Ms. Frame.

**CALL TO  
ORDER**

Dr. Sheth provided the report of the Complaint Committee which met earlier today, March 19, 2019. He reported that the Complaint Committee is presenting a recommendation to the full Board concerning possible discipline of a licensee, Jamie Leann Hall-Jasper, DPM, license number 10421. He asked members to advise of any conflicts. No conflicts were declared.

Dr. Slemp joined the meeting at this time.

Dr. Sheth reported that the Committee has concluded that the evidence in its possession supports a determination that Dr. Hall-Jasper is unable to practice medicine and surgery with reasonable skill and safety due to physical or mental impairment. W. Va. Code § 30-3-14(c)(21).

West Virginia Code § 30-3-14(k) provides that:

if the board determines the evidence in its possession indicates that a physician's continuation in practice or unrestricted practice constitutes an immediate danger to the public, the board may take any of the actions provided for in subsection (j) of this section on a temporary basis and without a hearing, if institution of procedures for a hearing before the board are initiated simultaneously with the temporary action and begin within fifteen days of the action. The board shall render its decision within five days of the conclusion of a hearing under this subsection.

The Committee determined, that under the circumstances and based upon the evidence in its possession, to recommend that the full Board summarily suspend Dr. Hall-Jasper's West Virginia podiatric license on the grounds that her continuation in practice or unrestricted practice constitutes an immediate danger to the health, welfare and safety of the public.

Dr. Sheth reported that in order to provide more detail regarding grounds for the Complaint Committee's recommendation, the Board will need to enter into executive session to discuss personal medical information regarding the licensee which was obtained in the course of the investigation. Dr. Sheth moved that the Board enter into executive session. Dr. Challa seconded, and the motion carried.

**EXECUTIVE  
SESSION**

The executive session concluded, and the Board reentered public session.

**PUBLIC  
SESSION**

The Complaint Committee recommended that the Board:

1. Ratify the Complaint Committee's conclusions as reported here today;

2. Determine that under all of the circumstances, for Dr. Hall-Jasper to continue to hold an unrestricted license to practice podiatric medicine in the State of West Virginia, constitutes an immediate danger to the health, welfare and safety of the public;
3. Conclude, as a matter of law, that such a danger to the public demands extraordinary measures; and
4. In accordance with its statutory mandate to protect the public interest, summarily suspend the license to practice medicine of Dr. Hall-Jasper, license number 10421, in accordance with the provisions of W. Va. Code §30-3-14(k) and W. Va. Code R. §11-3-10.16 (2010).

Dr. Sheth reported that if the Board votes to summarily suspend Dr. Hall-Jasper's podiatric license, it must determine an effective date of the suspension. A hearing before a minimum of nine eligible Board members and a hearing examiner, must be held within fifteen days of the suspension. The licensee must be given ten days' notice of any hearing. Within five days of the conclusion of the hearing, the Board has to decide what action to take and must issue an order setting forth its final determination. Members of the Complaint Committee may not participate in the full hearing or the final vote.

The Committee recommended that the Board accept and ratify the report of the Complaint Committee. The motion of the Committee was given by Dr. Sheth, and the motion carried.

Dr. Mullins, Dr. Sheth and Dr. Steele, as members of the Complaint Committee, left the meeting at this time and the Board considered this matter in their absence.

With a quorum of the Board present and voting, Dr. Faheem moved that the Board ratify the Complaint Committee's determination that Jamie Leanne Hall-Jasper's continuation in practice or unrestricted practice constitutes an immediate danger to the health, welfare and safety of the public and therefore, in accordance with the Board's mandate to protect the public interest, that Dr. Hall-Jasper's license to practice podiatric medicine and surgery in West Virginia be summary suspended in accordance with the



provisions of W.Va. Code 30-3-14(k) and W.Va. Code R. 11-3-10.16. Mr. Wooton seconded, and the motion carried.

Dr. Rahim joined the meeting at this time.

Dr. Challa moved that the summary suspension become effective at 11:59 pm on March 20, 2019. Reverend Harman seconded, and the motion carried.

Mr. Wooton moved that the summary suspension hearing regarding this matter convene at 10:00 am on April 1, 2019 at the Board Office. Dr. Faheem seconded, and the motion carried.

Dr. Faheem moved that Dr. Hall-Jasper be offered a consent order that she previously declined which would retain her license in suspended status until such time as she complies with specific terms and conditions for establishing her current fitness to return to active practice.

There being no further business to consider, Dr. Rahim moved that the meeting be adjourned. Dr. Slempp seconded, and the motion carried.

**ADJOURNMENT**



Kishore K. Challa, MD, FACC  
President



Catherine C. Slempp, MD, MPH  
Secretary

**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**May 20, 2019 at 9:00 a.m.**

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***CALL TO ORDER***

***Public Comments***

***Announcements***

***Approval of Minutes***

- March 11, 2019
- March 19, 2019

***Committee and Staff Reports, Discussion and Action:***

- **Consideration of a Recommended Decision and Possible Board Action**
  - Nathan David Airhart, MD
- **Executive Director Report**
- **Executive/Management Committee Report**
  - Fiscal Report and Purchasing Card Transactions for March and April 2019
  - Consideration of Correspondence Received Inquiring Whether a Medical License is Required to Eviscerate a Body for Pathologic Examination
  - Consideration of Correspondence Received from iSelectMD
  - Consideration of Correspondence Received Regarding Medical Corporation Approval
  - Consideration of Motion for Expungement of Medical Malpractice Payment Report
    - Jennifer Cristine Knight David, MD
  - Update on Pending Legal Matters
    - *John France, MD v. West Virginia Board of Medicine*
    - *Jan Carey Kletter, MD v. West Virginia Board of Medicine*
    - *Young v. West Virginia Board of Medicine*
  - Selection of 2020 Strategic Planning Meeting Date
    - October 19, 2019
  - Survey Results
  - Office Updates
    - 2019 Renewal Update
    - Database Vendor
    - Staffing Needs
  - Report of Other Discussion Which Occurred at the May 19, 2019 Meeting

- **Legislative Committee Report**
  - Emergency Rulemaking as a Result of 2019 Legislation
  - Consideration of Rulemaking for the 2020 Legislative Session, Including Amendments Required by 2019 Legislation and Modernization of Current Board of Medicine Rules
  - Selection of Special Meeting Dates
  - Report of Other Discussion Which Occurred at the May 19, 2019 Meeting
  
- **Personnel Committee Report**
  - Employee Evaluation Review and Recommendation
  - Salary Adjustments
  
- **Board Attorney Report**
  - Update on Pending Litigation Matters
  
- **Physician Assistant Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applications (Physician Assistants)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the May 18, 2019 Meeting
  
- **Licensure Committee Report**
  - Consent Order Update
  - Committee Recommendations on Licensure Applicants (Medical Doctors and Podiatric Physicians)
    - Appearances
    - Discussion
    - New Applicants
    - Reinstatement / Reactivation
  - Report of Other Discussion Which Occurred at the May 18, 2019 Meeting
  
- **Complaint Committee Report**
  - Closures
  - Initiated Complaints
  - Authorization of Consent Orders
  - Consent Order Update
  - Findings of Probable Cause to Substantiate Charges of Disqualification Under §30-3-14(d)
  - Other Matters Originating from the May 19, 2019 Meeting

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**May 20, 2019**

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A meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 20<sup>th</sup> day of May 2019 at 9:00 am.

The following Board members were present for the meeting:

Kishore K. Challa, MD, FACC, President and Executive Management Committee and Personnel Committee Chair  
Ashish P. Sheth, MD, Vice President and Complaint Committee Chair  
Catherine C. Slemp, MD, MPH, Secretary  
Harry Duncan, MD, Licensure Committee Chair  
Ahmed D. Faheem, MD, DLFAPA  
Reverend Janet Harman  
Carrie Lakin, DPM  
Jonathan P. Lilly, MD  
Angela Mayfield  
David (Dave) Mullins, MD  
Victoria (Tori) Mullins, PA-C, Physician Assistant Committee Chair  
Mustafa Rahim, MD  
Thomas (Wes) Steele, MD  
Russell O. Wooton  
K. Dean Wright, PA-C, Legislative Committee Chair

The following Board member was absent:

Timothy J. Donatelli, DPM

The following former Board member was present:

Reverend O. Richard Bowyer

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Jamie C. Frame  
Leslie A. Thornton, CMBI

Andrew R. Wessels

The following representative from the West Virginia Attorney General's Office was present:

Kelli Talbott, Deputy Attorney General

Dr. Challa called the meeting to order and welcomed former board member, Reverend O. Richard Bower. Reverend Bowyer was first appointed to the Board in 1981 by Governor John D. Rockefeller. Throughout his tenure on the Board, Reverend Bowyer was appointed and/or reappointed by seven governors. In recognition of his dedicated service and in appreciation of his commitment to protecting the safety of medical and podiatric care for the citizens of West Virginia, Dr. Challa presented him with a plaque on behalf of the Board.

CALL TO  
ORDER AND  
ANNOUNCEMENTS

Ms. Mayfield and Dr. Slemp joined the meeting at this time.

In recognition of her 25 years of dedicated service to the state of West Virginia, Dr. Challa presented Leslie Thornton, Supervisor of the Investigation, Complaints and Compliance Division, with a Certificate of Appreciation signed by Governor Justice. Ms. Thornton has actually been employed by the state for 29 years; however, certificates are only issued for 25 and 30 years of service. Dr. Challa thanked Ms. Thornton for her commitment to the Board and its mission.

Dr. Rahim moved that the minutes of the Board's March 11, 2019 and March 19, 2019 meetings be approved. Dr. Duncan seconded, and the motion carried.

Mr. Spangler announced that the next agenda item relates to consideration of the Hearing Examiner's Findings of Fact, Recommended Decision in the matter of *West Virginia Board of Medicine, Petitioner, v. Nathan David Airhart, MD, Respondent*, Complaint No. 17-100-W. He asked that all board members who need to declare a conflict with regard to this matter do so at this time.

The following board members declared a conflict due to their participation on the Board's Complaint Committee during the investigation of the underlying administrative complaint:

Kishore K. Challa, MD, FACC  
Carrie Lakin, DPM  
David A. Mullins, MD  
Thomas (Wes) Steele, MD

Dr. Challa designated Dr. Faheem to chair the meeting in his absence. The members who declared a conflict (identified above) left the meeting room at this time. Additionally, the following staff members left the meeting room at time:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Greg S. Foster, Esq.  
Leslie A. Thornton, CMBI

Mr. Wright joined the meeting at this time.

With a quorum of the Board present and participating, Ms. Talbott advised the Board in the matter of *West Virginia Board of Medicine, Petitioner, v. Nathan David Airhart, MD, Respondent*, Complaint No. 17-100-W. Ms. Talbott gave the procedural history of the case and reported on the Hearing Examiner's Recommended Findings of Fact, Conclusions of Law and Recommended Decision.

Dr. Rahim moved that the Board adopt and accept the Hearing Examiner's Recommended Findings of Fact, Conclusion of Law and Recommended Decision and publicly reprimand Dr. Airhart for:

1. Failure to respond to the Board's continuing medical education audit in a timely fashion;

2. Failure to comply with his continuing medical education requirements for the reporting period of July 1, 2014 through June 30, 2016;
3. Renewal of his West Virginia medical license through fraudulent misrepresentation;
4. Failure to appear, as requested, before the Board's Complaint Committee; and
5. Demonstration of a lack of candor in his communications with the Board of Medicine.

Dr. Rahim further moved that Dr. Airhart be order to pay a fine in the amount of \$1,500.00 and that he pay the costs and expenses of the proceeding against him, each to be paid to the Board within thirty days of receipt of an invoice from the Board. Mr. Wooton seconded, and the motion carried.

The following board and staff members returned to the meeting room at this time:

Kishore K. Challa, MD, FACC

Carrie Lakin, DPM

David A. Mullins, MD

Thomas (Wes) Steele, MD

Mark A. Spangler, MA

Jamie S. Alley, Esq.

Greg S. Foster, Esq.

Leslie A. Thornton, CMBI

Ms. Talbott left the meeting at this time and was not present for the remainder of the meeting.

Dr. Sheth joined the meeting at this time.

Mr. Spangler reported that the Board is meeting the goals and objectives outlined in the 2019 Strategic Plan.

**EXECUTIVE  
DIRECTOR  
REPORT**

Mr. Spangler reported that a Board of Medicine Communications Survey was recently emailed to Board of Medicine licensees, state lawmakers and key stakeholders in an effort to improve outreach efforts. The Board received 925 responses to the survey. Respondents reported familiarity with the Board's newsletter, website and email blasts. More than eighty percent of the respondents reported that they read Board publications as they become available, and nearly ninety percent of respondents consider them to be a valuable source of information.

Dr. Challa reported that the Executive/Management Committee met on Sunday, May 19, 2019, at which time the Committee approved the fiscal report and purchasing card transactions for March and April 2019.

Dr. Challa reported that the Committee reviewed correspondence and received comments from individuals representing iSelectMD, who are seeking the Board's support of legislation to be introduced during the 2020 session that would authorize a pilot project within the Public Employee Insurance Agency (PEIA) system to permit the physician-patient relationship to be established via audio-only communication (similar but narrower in application to legislation introduced, but not passed, during the 2019 legislative session). This matter will be referred to the Legislative Committee for consideration.

Dr. Challa reported that the Committee reviewed a request for expungement of a medical malpractice settlement claim report for Jennifer Christine Knight Davis, MD. The expungement request and supporting documents were made available for members to review. The Committee recommended that the Board grant the request for expungement of a medical malpractice settlement report for Jennifer Christine Knight Davis, MD. Dr. Duncan moved to accept the Committee's recommendation. Dr. Faheem seconded, and the motion carried.

Dr. Challa reported that there are currently three legal matters that remain in a pending status. *John France, MD, v. West Virginia Board of Medicine* and *Jan Carey Kletter, MD, v. West Virginia Board of Medicine* both relate to requests for expungement



of a medical malpractice settlement. The West Virginia Attorney General's Office is representing the Board in these matters. *Young v. West Virginia Board of Medicine* involves a former Board employee. Charles Bailey, Esquire, of Bailey & Wyant has been assigned to represent the Board in this matter. The Committee will keep the Board apprised of any updates in these matters.

Dr. Challa reported that the annual strategic planning meeting will be held on Saturday, October 19, 2019. He asked members to check their calendar and let Mr. Spangler or Ms. Frame know as soon as possible if they have a conflict with this date.

Dr. Challa reported that licensure renewal and controlled substance dispensing practitioner registration (CSDPR) renewal for medical doctors whose last names begin with the letters M-Z and all podiatric physicians, as well as PLLCs began earlier this month. As of May 17, 2019, Board staff have processed renewal applications for:

868 medical doctors;

13 podiatric physicians;

9 controlled substance dispensing practitioner registrations; and

28 professional limited liability companies.

Dr. Challa reported that the rebidding of the database has concluded, and the database contract has been awarded to inLumon. Board staff have begun meeting with inLumon, and the new database is expected to be fully implemented within 180 days. The Board has extended its contract with the current database vendor, Big Picture, for one year; however, it is likely that the contract with Big Picture will terminate once the new database is fully implemented.

Dr. Challa reported that the Board is currently seeking candidates to fill the following three positions within the office: paralegal, physician assistant coordinator, and a technical writing / support staff position.

Dr. Lakin moved that the Board accept and ratify the Executive/Management Committee report. Reverend Harman seconded, and the motion carried.

Mr. Wright reported that the Legislative Committee met on Sunday, May 19, 2019, at which time Mr. Spangler reported that Senate Bill 668, which provides process changes for physician assistant practice authorization in hospital settings, was passed during the 2019 legislative session and becomes effective on June 6, 2019. Pursuant to this legislation, physician assistants who are employed by hospitals will be able to submit to the Board institutional practice notifications rather than practice agreements with individual collaborating physicians. The Board will need to promulgate emergency and legislative rules in order to implement this change.

Mr. Wright reported that Senate Bill 396 was passed during the 2019 legislative session. This legislation requires the Board to waive initial licensing fees for low-income individuals and military families. This bill becomes effective on June 6, 2019 and requires the Board to promulgate a legislative rule to implement the waiver.

Mr. Wright reported that in addition to rulemaking, required by bills passed during the 2019 legislative session, the Committee directed staff to review the Board's rule 11 CSR 10, Accessing the West Virginia Controlled Substance Monitoring Program, and to report back to the Committee regarding proposed modifications / updates to the rule.

Mr. Wright reported that the Committee will hold a special meeting on Tuesday, June 11, 2019 at 5:00 pm to review draft rules to be promulgated during the 2020 legislative session. A special meeting of the Board will need to convene after June 11, 2019 to consider the proposed rules.

Dr. Slemp moved that the Board accept and ratify the Legislative Committee report. Dr. Steele seconded, and the motion carried.

Dr. Challa reported that the Personnel Committee met with Mr. Spangler yesterday, May 19, 2019, and discussed his recommendation for salary increases. In accord with Mr. Spangler's recommendation, the Committee recommended that the Board adopt and implement salary increases for the fiscal year 2020 consistent with the West Virginia State Budget Office's across the board raises as established by the legislature. Dr. Lakin moved that the Board accept the Committee's recommendation. Mr. Wooton seconded, and the motion carried.

**PERSONNEL  
COMMITTEE  
REPORT**

The Committee recommended that the Board accept and ratify the report of the Personnel Committee. The motion of the Committee was given by Dr. Challa, and the motion carried.

Mr. Foster reported that the matter of *Omar Khalid Hasan, MD, Petitioner, v. West Virginia Board of Medicine, Respondent*, remains pending before the West Virginia Supreme Court of Appeals.

**BOARD  
ATTORNEY  
REPORT**

Mr. Foster reported that there are currently four complaint matters set for administrative hearing in the upcoming months.

Ms. Mullins provided the report of the Physician Assistant Committee which met on Saturday, May 18, 2019.

**PHYSICIAN  
ASSISTANT  
COMMITTEE  
REPORT**

Ms. Mullins reported that on May 8, 2019, Farrah Syed Zahir, PA-C entered into a Consent Order with the Board. The Consent Order requires that:

1. Ms. Zahir may only practice in West Virginia through a Board approved practice agreement, regardless of her practice setting;
2. Any practice agreement Ms. Zahir submits must be reviewed by the Physician Assistant Committee for approval prior to authorization;

3. Ms. Zahir must practice under direct collaboration for a minimum of 1000 work hours;
4. Ms. Zahir's collaborating physician must send quarterly status reports updating the Board on her progress, and a recommendation regarding when direct collaboration should be lifted; and
5. Ms. Zahir must appear before the Physician Assistant Committee at its discretion, but no later than six months after her return to clinical practice to discuss her reentry to practice.

Ms. Mullins asked Board members to review the list of physician assistants up for action, and to advise of any conflicts. No conflicts were declared.

The Physician Assistant Committee recommended that the following applicants be approved for physician assistant licensure:

Sinead Deirdre Arndt, PA-C  
Geoffrey M. Blankenship, PA-C  
Lana Julia Burdi, PA-C  
Kelsey Quinn Dekart, PA-C  
Richard Allen Flowers, PA-C  
Rachel Ann Harris, PA-C  
Sarah Beth Hunt, PA-C  
Katlyn Nicole Laird, PA-C  
Frank Steven Masino, PA-C  
Urlin Daniel Mathews, II, PA-C  
Emily Frances Nelson, PA-C  
Nicole Leigh Niese, PA-C  
Maureen Gallagher Russell, PA-C  
Stacey Ann Smith, PA-C  
Ronald Ray Spruill, Jr., PA-C  
Cierra Michelle Zeigler, PA-C

Dr. Duncan moved that the Board accept the Committee's recommendation. Reverend Harman seconded, and the motion carried.

Ms. Mullins reported that the Committee approved fine needle aspiration biopsies performed in a clinical setting as an advanced duty for physician assistants. The procedure will require the submission of ten site specific logs for approval.

Ms. Mullins reported that the Committee also approved non-stress test interpretations as an advanced duty for physician assistants. Approval for this procedure will require the submission of ten logs.

Ms. Mullins reported that the Physician Assistant Committee also reviewed and discussed Senate Bill 668, which provides changes for physician assistant practice authorization in hospital settings, and Senate Bill 396 which implements initial application fee waivers for low-income and military family applicants.

Ms. Mullins reported that 1038 physician assistants were eligible to renew their license during the 2019 physician assistant renewal period. Of the physician assistants eligible to renew their license, 125 did not renew. As of Saturday, May 18, 2019, this Board has 945 physician assistant licensees.

Ms. Mullins reported that Board staff have authorized 75 practice agreements since March 11, 2019. Additionally, staff have processed requests to add 7 alternate collaborating physicians to existing practice agreements.

Dr. Slemp moved that the Board accept and ratify the report of the Physician Assistant Committee. Dr. Shefh seconded, and the motion carried.

Dr. Duncan provided the report of the Licensure Committee which met on Saturday, May 18, 2019.

**LICENSURE  
COMMITTEE  
REPORT**

Dr. Duncan reported that four applicants appeared before the Licensure Committee to discuss their applications. Based thereupon, the Committee recommended that the

following applicants be approved for medical licensure:

Ruzanadra Faraon-Pogaceanu, MD

Syed Arsalan Khalid, MD

Ebad Ur Rahman, MD (pending payment of the patient injury compensation fund assessment fee)

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that Mohamed Chebaclo, MD be approved for medical licensure contingent upon his acceptance of a Consent Order which imposes a \$500.00 fine for failing to disclose action against his Kentucky medical license on his West Virginia medical licensure application. The Consent Order would also affirmatively require Dr. Chebaclo to personally complete all future West Virginia license applications, renewal and otherwise. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan reported that the Committee reviewed and discussed 27 applications. Based thereupon, the Committee recommended that the following applicants be approved for medical licensure:

Adesoji Adeolu Adenigbagbe, MD

Bryan Ross Fine, MD

Robert Lynn Horne, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the following applicants be approved for reactivation of permanent medical licensure:

Jason Andrew Bennett, MD

Timothy Keefe Bowers, Jr., MD

Hany Lotfy Youssef, MD (pending payment of PICF fee)

The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan reported that at the January 14, 2019 meeting, the Board considered Michael Hosny Gabriel, MD's medical licensure application. After receiving a recommendation from the Licensure Committee, the Board provisionally refused Dr. Gabriel's application for a West Virginia medical license based upon its preliminary determination that Dr. Gabriel failed to meet his burden of satisfying the Board that he is qualified for licensure. The Board made a preliminary determination that that Dr. Gabriel is unqualified for medical licensure pursuant to W. Va. Code § 30-3-14(d) and further concluded that probable cause exists to deny Dr. Gabriel's application pursuant to certain provisions of the West Virginia Medical Practice Act and the Board's legislative rules. After Dr. Gabriel was provided with the Board's preliminary decision, he exercised his right to request a public hearing to adjudicate the merits of his application. The Board issued a Notice of Hearing and scheduled a hearing. Since that time, Dr. Gabriel has requested the opportunity to withdraw his application in lieu of proceeding to a license denial hearing. The Committee recommended that the Board permit Dr. Gabriel to withdraw his application in lieu of proceeding to hearing. The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board permit the following applicants to withdraw their respective applications for medical licensure:

Choudhury Mohammed Sarwarul Hasan, MD  
Sunila Mehrotra, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan indicated that the next applicant for discussion was Alison Marian Spiker, MD. Reverend Harman declared a conflict with regard to Dr. Spiker as the applicant is a member of her congregation. Reverend Harman left the meeting room at this time.

The Committee recommended that the Board accept Alison Marian Spiker, MD's request to withdraw her medical licensure application. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Reverend Harman returned to the meeting room at this time.

Dr. Duncan reported that the applications for the following physicians will be placed on hold pending receipt of additional information and possible applicant appearances before the Committee:

Susan Kaufman Arnoult, MD  
James Lawrence Fernau, MD  
Geertruida Kints, MD  
Richard Shameed Mohamed, MD  
Robert David Rubin, MD  
Samir Mahendra Shah, MD

The Committee will request that the following applicants appear before the Committee at its July 2019 meeting:

Eric Alfon, MD  
Humpartzoom James Kojian, II, MD  
Melissa Rife Larzo, MD  
Bruce Lawrence Lasker, MD  
Leon Browning McNealy, MD  
Ellis Senanu Kojo Sampram, MD  
Anthony Todde Securo, MD  
Alex Yazhbin, MD

Dr. Duncan asked Board members to review the list of physicians up for action and to advise of any conflicts. No conflicts were declared. The Committee recommended that the Board approve the following applicants for medical licensure:

Mir Ali Abbas Khan, MD  
Haroon Ahmed, MD



Yasir Haitham Jasim Al-Azzawi, MD  
Saif Falah Al-Najafi, MD  
Saif Ahmad Mefleh Al-Qatarneh, MD  
Laith Rafi Altaweel, MD  
Kalid Saleh J Alyami, MD  
Vijender Singh Bajwa, MD  
Alfred Balasa, MD  
Muhammad Asif Bashir, MD  
Christopher Lloyd Bellfey, MD  
Jacqueline Ann Marie Benjamin, MD  
Joseph Allen Blackmon, MD  
Kevin Bogdansky, MD  
Daniel James Breznau, MD  
Olubusola Abiye Brimmo, MD  
Rebecca Jane Burke, MD  
Harumi Uchida Burns, MD  
Perveen Kaur Chattha, MD  
Vijayalakshmi Chinta, MD  
Tarika Sejal Chowdhary, MD  
Emily Ann Clemetson, MD  
Nour Daboul, MD  
Megan Dawn Davis, MD  
Gerard Deib, MD  
Sarah Lynn Dennemeyer, MD  
Adriana Roma Diakiw, MD  
Michael Dinkels, MD  
Zakiya Veronica Douglas, MD  
Gordon Hunter Downie, MD  
Malvin Coleman Driver, Jr., MD  
Zeljko Dvanajscak, MD  
Entesar F M Elsaady, MD  
Robert Alexander Erdin, III, MD  
Rebecca Lauren Furby, MD  
Santiago Augusto Garcia Merino, MD  
Nigussie Alemu Geleta, MD  
Mona Ghias, MD  
Tama Evelyn Gillis, MD  
Lydiya Anatolyevna Golub, MD  
Andrew Thomas Liao Griffith, MD  
Benjamin Davis Hackett, MD  
Jason Holmes Harms, MD  
Keith Iverson Harrop, H, MD  
Mary Theresa Vu Hoang, MD  
Miriam Bryna Hulkower, MD  
Iliana Samara Hurtado Rendon, MD  
Jorge Luis Infante, MD

David Curtis Ison, MD  
Erik John Iversen, MD  
Jennifer Burke Johnson, MD  
Yasser Kabbani, MD  
Madhavi Kadiyala, MD  
Samia Yaqub Kanooz, MD  
Flora Diemi Kayfan, MD  
Sajeel Rehmat Khan, MD  
Christina Nichole Kitsos, MD  
Ryan Patrick Kuhnlein, MD  
Mariana Milena Lanata Piazzon, MD  
Mark Karim Lane, MD  
Mark Steven Lee, MD  
Alyson Margaret Leo, MD  
Arnold Lawrence Licht, MD  
Scott Mitchell Lieberman, MD  
Gowtham Roy Lingamaneni, MD  
Alyssa Marie Lorenze, MD  
Mark Andrew Lyerly, MD  
Ashwin Kumar Mani, MD  
Jean Andre Marcelin, Jr., MD  
Margaret Mary Mathewson, MD  
Casey Kathleen McCluskey, MD  
Ryan Stephen McGuire, MD  
Sara Annette McGuire, MD  
Sowmini Medavaram, MD  
Laura Jean Merrill, MD  
Samuel Andrew Merrill, MD  
Jacob Albert Misenheimer, MD  
Lavinia Petruta Mitulescu, MD  
Carlos Molina, MD  
Fahd Mousa, MD  
Nandita Ramananda Nadig, MD  
Syed Anser Ali Naqvi, MD  
Temitayo Akinsode Ogundipe, MD  
Joel Robert Palko, MD  
Hemant A. Patani, MD  
Chetan Narendra Patel, MD  
Sheetal Haresh Patel, MD  
Yehuda Edo Paz, MD  
Cornell Percy, MD  
Steven Davis Perry, MD  
Muhammad Ijaz Pervez, MD  
Gregory John Pfister, MD  
Anand Joseph Pullapilly, MD  
Lynsey Erin Rangel, MD

Nagamanikkam Ravichandran, MD  
Jennifer Swisher Real, MD  
Sean Ryan Regner, MD  
James William Roy, MD  
David Roberto Saldivar, MD  
Cindy Sue Soto Shavor, MD  
Afsoun Mohammadi Sichani, MD  
Andrew Edward Simays, MD  
Reagan Loftin Simpson, MD  
Steven Craig Solik, MD  
Sonikpreet, MD  
Cynthia Marie Soriano, MD  
Shitiz Kumar Sriwastava, MD  
Barbara Elaine Taylor, MD  
Dimitrios Topalidis, MD  
Mazen Toushan, MD  
Kevin Kernan Trice, MD  
Richa Tripathi, MD  
John Ananda Van Aalst, MD  
Hailong Wang, MD  
Megan Dunnigan Willard, MD  
Doris Yang, MD  
Irving Ye, MD  
William Earl Zoesch, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve the following applicants for medical licensure pending receipt of the patient injury compensation fund assessment fee:

Bertrand Njume Mukete, MD  
Ryan Barret Natale, MD  
Kathryn Elizabeth Oppenlander, MD  
Lara Saleh Srouji, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve the following applicants for reactivation of medical licensure:

Lola June Burke, MD

Nestor Felipe Dans, MD  
Salim Ibrahim Dib, MD  
Mary Beth Hogan, MD  
John Palmer Pickens, MD  
Kim Evelyn Schultheiss, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve the following applicants for reactivation of medical licensure pending receipt of the patient injury compensation fund assessment fee:

Mohi Omer Mitiak, MD  
Danh Cong Pham, MD

The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve Robert Bruce Schopf, DPM for podiatric medical licensure. The motion of the Committee was given by Dr. Duncan, and the motion carried.

The Committee recommended that the Board approve John Allison Draper, Jr., MD for volunteer medical licensure. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Duncan reported that the Licensure Committee will refer a licensee who is licensed through a Consent Order to the Complaint Committee.

Dr. Duncan reported that the Committee received an update from Board staff regarding applications that were approved in March pending payment of the patient injury compensation fund assessment and / or pending receipt of satisfactory verification of medical education.

Dr. Duncan reported that 106 educational permits were issued for the training period ending June on 30, 2019. As of May 16, 2019, the Board has received 47 renewal applications and 303 initial applications for the July 1, 2019 through June 30, 2020 permit period.

Dr. Duncan reported that there are currently 479 medical doctors, 16 podiatric physicians and 33 physician assistants who are registered with the Board as controlled substance dispensing practitioners. During March and April Board staff processed controlled substance dispensing practitioner registration applications for one medical doctor and eight physician assistants.

Dr. Duncan reported that Board staff have processed 25 reinstatement applications and 13 change of status applications since July 1, 2018. Five applications are pending.

Dr. Duncan reported that in March and April 2019, the Board issued licenses to the following 15 applicants (listed along with their state of principal licensure) through the interstate medical licensure compact application process.

Name of the Licensee	State of Principal Licensure
Daniel Joseph Carlin, MD	NH
Pamela Potter Clegg, MD	WY
Patrick McCullough Dom, MD	CO
Michelle Lynne Dougherty, MD	WI
Lawrence Gordon Gill, III, MD	WY
Kendra Marie Hammond, MD	CO
Tanzeel Islam, MD	NV
Paul Eric Koch, MD	WI
Alexander Webb Parr, MD	MS
Asha Patel Shah, MD	SD
Ravi Jatin Shah, MD	SD
Chet Allen Tharpe, MD	WI
Edward William Schwartz, MD	AZ
William Scott Timothy, MD	CO
Seth Warren Wright, MD	WA

In March and April, the Board issued Letters of Qualification to the following licensees:

Kelly Melissa Aguilar, MD  
Adam Michael Cassis, MD  
Douglas Ray Eitel, MD

The Committee recommended that the Board accept and ratify the report of the Licensure Committee. The motion of the Committee was given by Dr. Duncan, and the motion carried.

Dr. Sheth delivered the report of the Complaint Committee, which met on Sunday, May 19, 2019.

**COMPLAINT  
COMMITTEE  
REPORT**

### **Closures**

18-114-W	Carol Ann Forssell, MD
19-28-W	Robert Melvin Holley, MD
17-201-H	Muhammed S. Nasher-Alneam, MD
19-48-W	Linda Michelle Petrovich, MD
18-105-W	Frankie Allen Puckett, MD
17-189-W	David Carol Shamblin, MD
19-31-R	Erik Scott Daniels, PA-C
19-36-C	Yvonne Nneka Ezeala, MD
19-38-H	Dilipkumar Parsotambhai Ghodasara, MD
19-01-M	Charles Lye, MD
19-05-L	Charles Lye, MD
18-178-E	Muhammed S. Nasher-Alneam, MD
19-57-B	Muhammed S. Nasher-Alneam, MD
19-30-C	Jamie Sue Riggle, PA-C
19-04-S	Muhammad Salman, MD
19-33-A	Anthony Frank Sibley, MD
19-35-D	John Bowman White, III, DPM
18-184-B	Isha Woofter, MD

### **Initiated Complaints**

19-64-W  
19-65-W  
19-66-W  
19-67-W  
19-68-W  
19-69-W  
19-70-W  
19-71-W  
19-72-W  
19-73-W  
19-74-W

**Findings of probable cause to substantiate charges of disqualification under WV Code §30-3-14**

17-193-W     John Michel Shamma'a, MD  
18-175-M     Mark Samaan, MD  
19-06-W     James Edwin Prommersberger, DPM  
18-22-W     Precilla Tecson Famularcano, MD  
18-38-S     Precilla Tecson Famularcano, MD  
18-68-T     Precilla Tecson Famularcano, MD  
18-76-B     Precilla Tecson Famularcano, MD

**Consent Orders**

Dr. Sheth requested that the Board authorize the Complaint Committee to offer 13 Consent Orders and/or Amended Consent Orders in ongoing Complaint Committee matters. The motion of the Committee was given by Dr. Sheth, and the motion carried.

**Executed Consent Orders**

Dr. Sheth reported that since the March meeting, executed Consent Orders have been entered with respect to the following licensees:

David Mark Anderson, MD - On March 13, 2019, Dr. Anderson entered into a Consent Order with the Board which publicly reprimanded him for his unethical and unprofessional


conduct relating to his conviction on three felony counts of embezzlement.

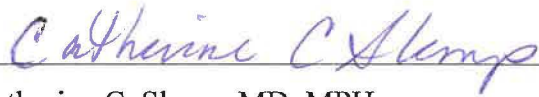
Wigberto Condevillamar Camomot, MD - On April 3, 2019, Dr. Camomot entered into a Consent Order with the Board which suspended his licensee until such time as he successfully demonstrates, through the submission of the appropriate documentation, his fitness to resume the practice of medicine and surgery with reasonable skill and safety.

The Committee recommended that the Board accept and ratify the Complaint Committee report. The motion was given by Dr. Sheth, and the motion carried.

There being no further business to consider, Dr. Lakin moved that the meeting be adjourned. Dr. Duncan seconded, and the motion carried.

ADJOURNMENT

  
Kishore K. Challa, MD, FACC  
President

  
Catherine C. Slempp, MD, MPH  
Secretary



**WEST VIRGINIA BOARD OF MEDICINE**  
**Board Meeting Agenda**  
**June 18, 2019 at 5:00 pm**

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***CALL TO ORDER***

***Public Comments***

- **Rulemaking for the 2020 Legislative Session**
  - 11 CSR 1B – Physician Assistant Rule (Emergency and Legislative)
  - 11 CSR 13 – Initial Licensing Fee Waiver Rule
  
- **Licensure Applicants**
  - Anand Rajendra Desai, MD
  - Alex Yazhbin, MD

***ADJOURNMENT***

**WEST VIRGINIA BOARD OF MEDICINE**

**Board Meeting Minutes**

**June 18, 2019**

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A special meeting of the West Virginia Board of Medicine was held at 101 Dee Drive, Charleston, West Virginia, on the 18<sup>th</sup> day of June 2019 at 5:00 pm.

The following Board members were present for the meeting:

Harry Duncan, MD  
David (Dave) Mullins, MD

The following Board members attended the meeting via teleconference:

Kishore K. Challa, MD, FACC, President  
Ashish P. Sheth, MD, Vice President  
Catherine C. Slemp, MD, MPH, Secretary  
Timothy Donatelli, DPM  
Ahmed D. Faheem, MD, DLFAPA  
Carrie Lakin, DPM  
Jonathan P. Lilly, MD  
Victoria (Tori) Mullins, PA-C  
Russell O. Wooton  
K. Dean Wright, PA-C

The following Board members were absent:

Reverend Janet Harman  
Angela Mayfield  
Mustafa Rahim, MD  
Thomas (Wes) Steele, MD

The following Staff members were present:

Mark A. Spangler, MA  
Jamie S. Alley, Esq.  
Jamie C. Frame

Dr. Challa called the meeting to order and roll call was taken by Ms. Frame. Prior to today's meeting, a copy of the proposed amendments to the Board's legislative rule 11 CSR 1B, *Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, and a copy of a proposed new rule series 11 CSR 13, *Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants*, was made available to members for review.

**CALL TO ORDER**

Dr. Slemph joined the meeting via teleconference at this time.

Mr. Wright reported that the Legislative Committee met on June 11, 2019 to consider proposed Board of Medicine rules 11 CSR 1B and 11 CSR 13. The Committee recommended that the Board approve 11 CSR 1B as modified and authorize Board staff to move forward with promulgation of the legislative rule and an emergency rule. The motion of the Committee was given by Mr. Wright, and the motion carried.

**LEGISLATIVE  
COMMITTEE  
REPORT**

The Committee recommended that the Board approve 11 CSR 13 as presented and authorize Board staff to move forward with promulgation of the proposed new legislative rule. The motion of the Committee was given by Mr. Wright, and the motion carried.

Dr. Duncan reported that medical licensure applicant Alex Yazbin, MD is unable to appear before the Licensure Committee on Saturday, July 13, 2019, or any other Saturday, due to religious reasons. Mr. Wooton moved that the Board allow Dr. Yazbin to appear before the Executive/Management Committee on Sunday, July 14, 2019, in lieu of appearing before the Licensure Committee on a Saturday. Dr. Faheem seconded and the motion carried.

**LICENSURE  
COMMITTEE  
REPORT**

Dr. Challa appointed Dr. Duncan, as Chair of the Licensure Committee, to join as a member of the Executive / Management Committee in July for the purpose of conducting the applicant interview and participating in the deliberations and recommendation relative to Dr. Yazbin.

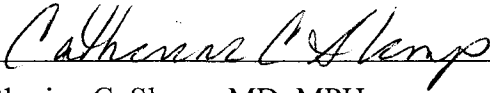
Dr. Duncan reported that Anand Rajendra Desai, MD was granted a medical license by the Board on May 20, 2019 as an applicant whose application did not require individual review or discussion by the Licensure Committee. The applicant's name was inadvertently omitted from the list of applications presented to the Board at the May 20, 2019 meeting. The application had no discrepant information, and the omission was a clerical oversight that was identified after the license had been issued. Dr. Faheem moved that Dr. Desai be approved for medical licensure effective May 20, 2019. Dr. Mullins seconded, and the motion carried.

There being no further business to consider, the meeting adjourned.

**ADJOURNMENT**



Kishore K. Challa, MD, FACC  
President



Catherine C. Slem, MD, MPH  
Secretary