

New Mexico Medical Board  
2055 South Pacheco Street  
Building 400  
Santa Fe, NM 87505

**August 1-2, 2024**  
**New Mexico Medical Regular Board Meeting**

**ZOOM MEETING LINK:**

<https://us02web.zoom.us/j/83140102469?pwd=M1diTzRtZmNiNUkxR1ltNzBkNG1SQTO9>

**ZOOM Meeting ID: 831 4010 2469 Passcode: 947330** Or go to the Board's Website  
at <https://www.nmmb.state.nm.us/> to find the Zoom Meeting Link.

## AGENDA

### Thursday, August 1, 2024 - 8:30 a.m.

- 8:30     1.    **Call to Order**
2.    **Approve Agenda**
3.    **Quorum Memo**  
              Review Memo from Tom Banner, Esq. RE: Quorum Interpretation
4.    **Approve Minutes**  
              May 2-3, 2024 Board Meeting Minutes  
              June 26, 2024, Board Meeting Minutes  
              July 8, 2024, Special Meeting Minutes
- 8:40     5.    **HPWP Report [portions may be closed\*\*]**
- 9:00     6.    **Informal Compliance Interviews** [Portions may be closed\*\*] [**AQ**]  
              9:15: Jennifer Bendokas, PA (KJ)                      Vijay Agarwal, MD (KC)  
              9:30: Joseph Cohn, MD (KC)                         Patrick Dunphy, PA (KR)  
              9:45: Sterling Williams (KJ)                         Quinn Stein, GC (KJ)  
              10:00: Michael Gouvion, MD (KR)                    Charlesly Joseph, MD (EB) (Release)  
              10:15: Edward McKenzie, MD (KC)                   John Mohs, MD (EB)  
              10:30: Peter Tiernan, MD (KC)                        Jeff Neidhart, MD(BSaav)
- 10:45    7.    **BREAK**

**11:00 8. Complaint Committee Reports [closed\*]**

**A. Licensees and Applicants**

**B CCOMM (KJ)** – NMMB-20230210; NMMB-20230290; NMMB-20240024; NMMB-20240031  
**Closure with Advisory Letter:** NMMB-20230316; NMMB-20240164 **Action:** NMMB-20230218;  
NMMB-20240059; NMMB-20240139

**C CCOMM (KC)** – NMMB-20230096; NMMB-20230152; NMMB-20230158; NMMB-20230208;  
NMMB-20230301; NMMB-20240065; NMMB-20240074; NMMB-20240119; NMMB-  
20240140; NMMB-20240247

**E CCOMM (KR)** – NMMB-2023097; NMMB-20230174; NMMB-20230195; NMMB-20230255;  
NMMB-20230267; NMMB-20230268; NMMB-20230302; NMMB-20240015; NMMB-20240084

**B. Executive Committee Report [portions may be closed\*]**

**12:00 9. Complaint Committee Actions Related to Executive Session**

**Complaint Committee B**

**Complaint Committee C**

**Complaint Committee E**

**12:30 Lunch**

**1:30 10. Licensing Requests and Actions, New Applicants/Reinstatements**

**IMO: Don Hedges, D.O.** – Case No. **2022-061** – Review and Decision on the Hearing Officer’s Report.

**IMO: Jerry Kubena, M.D.** – Case No. **2023-023** – Consideration of Motion to Dismiss.

**IMO: Idrys McField, P.A.** – Case No. **2022-006** – Motion to Dismiss NCA.

**2:00 11. Reports - [portions may be closed\*\*]**

**A. Executive Director**

**B. Chair Report**

**C. Board Attorney Report**

**D. Special Counsel Report**

**E. Medical Director**

**F. Governmental Projects Coordinator**

**G. Licensing Manager**

H. **Finance**

- FY24 Revenue and Budget Status Report Ending June 30, 2024
- FY21-24 IT Expenditure Status Report Ending June 30, 2024

**3:00 12. New Business:**

- Possible Adoption of Resolution (subcommittee: MU, KJ, KR, B.Scogg)
- Stephanie Richmond PA-C, President of the New Mexico Academy of Physician Assistants

**FRIDAY, August 2, 2024 – 8:30 a.m.**

**8:30 13. Rule Hearing:**

- **16.10.3 Podiatry:** LICENSURE BY EXAMINATION, EXPEDITED RECIPROCITY, EXPEDITED LICENSURE MILITARY SERVICE MEMBERS AND VETERANS, TEMPORARY LICENSURE, AND EMERGENCY LICENSURE
- **16.10.7 Podiatry:** LICENSE EXPIRATION AND RENEWAL
- **16.10.8 Podiatry:** CONTINUING EDUCATION

**10:00 14. Compliance Requests / Actions [portions may be closed\*]**

- Charlesly Joseph, MD – Request for Release
- Vijay Agarwal, MD – Request for Release

**10:15 15. Old Business**

- New Mexico Pharmacist Association Executive Director Introduction.

**11:00 16. Adjourn**

\* " Pursuant to NMSA 1978, Section 10-15-1 (H) (1) of the Open Meetings Act, Sections 10-15-1 to 10-15-4, the NM Medical Board may close portions of its meeting to discuss matters pertaining to a particular license, such as the issuance, suspension, renewal or revocation of a license. All final actions concerning any particular license will be made in an open meeting."

\*\* "Pursuant to NMSA 1978, Section 10-15-1 (H) (2) of the Open Meetings Act, Sections 10-15-1 to 10-15-4, the NM Medical Board may close portions of its meeting to discuss limited personnel issues. The term "limited personnel matters" means the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee."

\*\*\* "Pursuant to NMSA 1978, Section 10-15-1 (H)(7) of the Open Meetings Act, Sections 10-15-1 to 10-15-4, the NM Medical Board may close portions of its meeting subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant, or when the Board wants to consult with its attorney about a lawsuit the Board has initiated or is considering initiating, or when the Board wants to consult with its attorney about actual legal disputes that have not yet reached the courts." See [Board of County Commissioners, Luna County v. Ogden, 1994-NMCA-010, ¶ 15, 117 N.M. 181, 185, 870 P.2d 143, 147.](#)"

Initials in red are members recused in disciplinary cases.

Initials in blue indicate who will address the agenda item.