

BOARD ACTIONS

(Actions taken between January 1, 2017 through March 31, 2017)

Bray-Morris, John D., MD – License No. 2003-0404 – Order of Immediate Suspension and Notice of Contemplated action based on violation of the Board’s prior stipulation, habitual or excessive use of intoxicants or drugs; false fraudulent or deceptive statement in a document connected with the practice of a licensee; prescribing of a narcotic, stimulant or hypnotic drugs for other than accepted therapeutic purposes; conduct likely to deceive, defraud or harm the public; injudicious prescribing; conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public; improper management of medical records; interactions with others that interferes with patient care and unprofessional or dishonorable conduct. (January 2017)

Dayton, Steven M., MD – Applicant - Stipulation and Order for Withdrawal of Initial Application. Per Stipulation, Dr. Dayton withdrew his application for licensure in New Mexico while under investigation. This action is based on the best interest of the public’s health, safety and welfare. (January 2017)

De Stefano, Paul, MD – License No. 98-39 – Order of Release from Stipulation. Licensee has a full and unrestricted license. (February 2017)

Di Turo, Joseph W., MD – License No. 2002-0357 – Entry of Default and Default Order of Revocation – based on Dr. Di Turo being in default for failing to request a hearing on the NCA issued to him, his license is revoked. (January 2017)

Durso, Frank, MD – License No. 80-142 – Stipulation of Licensure and Order of Reprimand based on conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public. Physician is required to successfully complete the course offered by CPEP called “PROBE: Ethics & Boundaries Program” within six (6) months of the date of the order (1/24/17). (January 2017)

Feske, William, MD – License No. TM2016-0967 - Stipulation of Licensure and Order of Reprimand based on misrepresentation in applying for a license to practice medicine in NM, failure to report adverse action taken against him by another licensing jurisdiction and for conduct unbecoming or detrimental to the best interests of the public. (January 2017)

Heilbron, Roy, MD – License No. MD2006-0145 – Stipulation and Order issued stating that Dr. Heilbron’s license shall be subject to an additional 30-day term of suspension commencing on the day after the order is approved (1/26/17), upon termination of the 30-day term of suspension his license shall be immediately placed on “inactive” status. Dr. Heilbron shall be subject to a permanent restriction, imposed by the Board, precluding his reinstatement,

renewal, restoration, or re-application for any active license to practice medicine in New Mexico. Additionally, Dr. Heilbron shall be restricted from attempting to practice medicine in any setting where such practice is based on his having an “Inactive” New Mexico medical license. This action is based on the best interest of the public’s health safety and welfare. (January 2017)

Kanase, Padmanee B., MD – License No. 2001-50 – Notice of Contemplated Action was issued based on conduct likely to deceive, defraud or harm the public; repeated similar negligent acts; failure to adequately supervise, as provided by Board Rule; conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public and failure to provide pertinent and necessary medical records to a physician or patient in a timely manner when legally requested. (February 2017)

Kosierowski, Richard R., MD – License No. TM2015-0890 – Stipulation and Order for Voluntary Surrender of License based on practicing medicine without a license; fraud or misrepresentation when applying for or renewing a license and conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public. (January 2017)

Kothalanka, Sitaramakrishna, MD – Applicant – Notice of Contemplated Action issued based on fraud or misrepresentation in applying for a or procuring a license to practice; manifest incapacity or incompetence to practice as a licensee; discipline imposed on a licensee by another state, including denial, probation, suspension or revocation. (February 2017)

Kuang, Wayne Wei, MD – License No. MD2006-0203 – Notice of Contemplated Action issued based on conduct likely to deceive, defraud or harm the public and failure to adequately supervise, as provided by Board Rule. (February 2017)

Mayberry, Aaron J., MD – License No. 2001-71 – Notice of Contemplated Action was issued based on conduct likely to deceive, defraud or harm the public and failure to adequately supervise, as provided by Board Rule. (February 2017)

Mercer, Ann, MD, MD – License No. 84-79 – Stipulation of Licensure and Order for Reprimand was issued. Dr. Mercer is prohibited from supervising any Pharmacist Clinician, she must complete CPEP’s “Prescribing Controlled Drugs: Critical Issue and Common Pitfalls” within six months of March 1, 2017 and CPEP’s “Probe: Ethics & Boundaries Program also within six months of March 1, 2017. This action is based on failure to report to the Board any adverse action taken against the licensee by a law enforcement agency; failure to adequately supervise, as provided by board rule, a medical or surgical assistant or technician or professional licensee who renders health care and conduct unbecoming in a person licensed to practice or detrimental to the best interest of the public. (March 2017)

Miller, Clyde, MD – License No. MD2007-0136 – Stipulation and Order allowing Dr. Miller to apply for his DEA license no sooner than April 1, 2017 if he remained under the care and supervision of the NM Monitored Treatment Program for substance abuse. This action was based on the request of Dr. Miller. (March 2017)

Nandy, Nina, MD – License No. RS2014-0356 – First Amended Stipulation of Licensure mandating that the physician abstain from the use of mind-altering substances, alcohol and non-prescribed controlled substances and must enter into a treatment contract with NM Monitored Treatment Program for monitoring of substance use and mental health. Dr. Nandy shall not practice direct patient care until the Board and MTP determine that she is ready, which will be reevaluated at the Board's January 12, 2017 Interim Board Meeting. (January 2017)

Nandy, Nina, MD – License No. RS2014-0356 – Second Amended Stipulation and Order mandating that the physician abstain from the use of mind-altering substances, alcohol and non-prescribed controlled substances and must remain in a treatment contract with NM Monitored Treatment Program for monitoring of substance use and mental health. The amendment allows Dr. Nandy to have direct contact with patients if she continues successfully with MTP monitoring. (January 2017)

O'Cleireachain, Marc, MD – License No. MD2011-0646 - Stipulation of Licensure mandating that physician abstain from the use of mind-altering substances, alcohol and non-prescribed controlled substances and must enter into a treatment contract with NM Monitored Treatment Program. This is not considered a restriction on the license. (August 2016)

Rosenschein, Guy, MD – License No. MD2012-0827 – Entry of Default and Default Order of Revocation was issued based on his failure to submit timely request for hearing on the Notice of Contemplated Action issued on November 18, 2016. (February 2017)

Saha, Suparna, MD – License No. MD2011-0640 – Notice of Contemplated Action issued based on fraud or misrepresentation in applying or renewing a license; failure to report any adverse action by another licensing jurisdictions; conduct likely to deceive and defraud or harm the public. (January 2017)

Sidoti, Louis A., MD – Applicant – Notice of Contemplated Action issued based on manifest incapacity or incompetence to practice as a licensee and discipline imposed by another state, including denial, probation, suspension or revocation. (February 2017)

Smith, Richard, MD – License No. 77-104 – Stipulation and Order for Reinstatement of License allowing Dr. Smith to reinstate his license while mandating that he abstain from the use of mind-altering substances, alcohol and

non-prescribed controlled substances and must enter into a treatment contract with NM Monitored Treatment Program. This is not considered a restriction on the license. (February 2017)

Stalker, David, MD – License No. 87-389 - Order of Release from Stipulation. Licensee has a full and unrestricted license. (February 2017)

Tong, Rolando, MD – License No. 89-109 – Decision and Order Adopting Proposed Finding of Fact and Conclusions of Law and Order of Revocation of License to Practice Medicine. The Board voted to adopt the Proposed Findings of Fact proffered by the Hearing Officer in the Hearing Officer's Report filed on December 30, 2016 and revoke Dr. Tong's NM Medical License. (January 2017)

Van Osten, Kathleen, MD – License No. 91-133 – Stipulation and Order for Reinstatement of License allowing Dr. Van Osten to reinstate her license while mandating that she abstain from the use of mind-altering substances, alcohol and non-prescribed controlled substances and must enter into a treatment contract with NM Monitored Treatment Program. This is not considered a restriction on the license. (January 2017)

Williams, David G., MD – License No. MD2014-0948 – Notice of Contemplated Action was issued based on habitual or excessive use of intoxicants or drugs; fraud or misrepresentation in applying for or procuring a license to practice in this state or in connection with applying for or procuring renewal; discipline imposed on a licensee by another state, including denial, probation, suspension or revocation, based upon acts by the licensee; conduct likely to deceive, defraud or harm the public; failure to report to the Board surrender of a license or membership on any medical staff or in any medical or professional association or society, in lieu of and while under disciplinary investigation; failure to furnish the Board with requested information; conduct unbecoming in a person licensed to practice or detrimental to the best interest of the public and surrender of a license before another state licensing board while an investigation or disciplinary action is pending before the Board. (February 2017)

Wright, Griggsby H., MD – Applicant – Stipulation and Order for Continued Stay of All Proceedings on Application for Licensure in order for Dr. Wright to comply with the terms of the initial Consent Agreement. (January 2017)