

NEW MEXICO MEDICAL BOARD
Interim Board Meeting – April 10, 2024
2055 S. Pacheco Street, Suite 400
Santa Fe, NM 87505

MINUTES

MEETING MADE PUBLIC VIA ZOOM AND TELECONFERENCE

Members Present: Kristin Reidy, DO

Video Conferencing: Karen Carson, MD, Chair
Kathy Johnson, PA , Secretary Treasurer
Mark Unverzagt, MD
Eileen Barrett, MD
Peter Beaudette, MD - **Excused**
Bradley Scoggins, DO
Buffie Saavedra, Public Member

Others Present: Amanda Quintana, Interim Executive Director
Steve Jenkusky, MD, Medical Director - Via Zoom
Tom Banner, Esq. – Special Counsel – Via Zoom
Debbie Rodriguez, Investigations Manager
Lori Arevalo, Compliance Coordinator

1. CALL TO ORDER / ROLL CALL

Dr. Carson, after establishing the presence of a quorum, called the April 10, 2024, Board Meeting of the New Mexico Medical Board to order at 4:05 pm, roll call was completed.

2. APPROVAL OF AGENDA

MOTION was made by Dr. Reidy to approve the agenda. **SECONDED:** Dr. Scoggins **YES:** Dr. Carson, Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

3. APPROVAL OF MINUTES

MOTION was made by Dr. Carson to approve the minutes from the December 13, 2023, Board meeting. **SECONDED** by Dr. Reidy. **YES:** Dr. Carson, Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

MOTION was made by Dr. Carson to approve the minutes from the February 1-2, 2024, Board meeting. **SECONDED** by Dr. Reidy. **YES:** Dr. Carson, Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

4. **EXECUTIVE SESSION: Complaint Committee Reports, Licensing Requests, Action.**

MOTION was made by Dr. Carson to go into Executive Session pursuant to Section 10-15-1(H) (1) of the Open Meetings Act to discuss matters pertaining to the issuance, suspension, renewal or revocation of a license and disciplinary matters. **SECONDED:** PA Johnson. **YES:** Dr. Carson, Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

OPEN SESSION

The Board returned to open session. Dr. Carson stated for the record that the matters discussed in executive session were limited only to those specified in the motion for closure.

5. **ACTIONS RELATED TO EXECUTIVE SESSION**

Complaint Committee C:

Committee C: [KC]

Case#NMMB-20240051 Recommendation was made by Dr. Carson to close this case with an advisory letter reminding PA about the Board's regulations on reporting adverse actions. **YES:** Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **RECUSED:** Dr. Carson. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

Case#NMMB-20240061 Recommendation was made by Dr. Carson to close this case with a strongly worded advisory letter to physician reminding him about the Board's adoption of the AMA code of ethics on prescribing and treating family members and cautioning him about his interaction with other healthcare professionals. **YES:** Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **RECUSED:** Dr. Carson. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

Case#NMMB-20230227 Recommendation was made by Dr. Carson to offer physician an agreed order with the issuance of a reprimand, (1) requirement of an ethics course at CPEP or comparable program, (2) payment of a fine of \$4,000 (3) required NMHPWP assessment to rule out chemical dependency and (4) a permanent license restriction on prescribing, acquiring, dispensing, or administering ketamine. If physician does not accept offer, a notice of contemplated action will be issued based on, but not limited to, violation of a drug law, conduct likely to deceive, falsification of a document connected with the practice of medicine and injudicious prescribing. **YES:** Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **RECUSED:** Dr. Carson. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

Case#NMMB-20240017 Recommendation was made by Dr. Carson to refer physician applicant to complete a clinical skills assessment by CPEP or comparable program prior to Board determining licensure issuance. Case will remain open in Investigations pending receipt of the report. Physician applicant will also continue participation in NMHPWP. **YES:** Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **RECUSED:** Dr. Carson. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

Case#NMMB-20240042 Recommendation was made by Dr. Carson to offer physician applicant a chance to undergo a clinical skills competency evaluation by CPEP or comparable program prior to the Board deciding licensure. Case will remain open until receipt of results from evaluation. If physician applicant chooses not to accept, she may withdraw her application for licensure while under investigation or a notice of contemplated action will be issued to deny licensure based on, but not limited to, incompetency to practice and misrepresentation on an application for licensure. **YES:** Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **RECUSED:** Dr. Carson. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

Case#NMMB-20240043 Recommendation was made by Dr. Carson to offer the physician applicant the chance to withdraw application for licensure while under investigation. If physician applicant does not accept offer, a notice of contemplated action to deny licensure will be issued based on, but not limited to, conviction of an offense punishable by incarceration, conduct unbecoming, conduct likely to harm and adverse licensure action in other states. **YES:** Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **RECUSED:** Dr. Carson. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

Case#NMMB-20240057 Recommendation was made by Dr. Carson to offer the physician a chance to voluntarily surrender his medical license. If physician does not accept, a notice of contemplated action will be issued based on, but not limited to, failure to report to the Board a surrender of license to practice medicine in another state; adverse licensure action; misrepresentation on an application; and dishonesty. **YES:** Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **RECUSED:** Dr. Carson. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

7. **Licensing Requests and Actions, New Applicants/Reinstatements**

MOTION was made by Dr. Carson to go into Executive Session pursuant to Section 10-15-1(H) (1) of the Open Meetings Act to discuss matters pertaining to the issuance, suspension, renewal or revocation of a license and disciplinary matters. **SECONDED:** Ms. Saavedra. **YES:** Dr. Carson, Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

OPEN SESSION

The Board returned to open session. Dr. Carson stated for the record that the matters discussed in executive session were limited only to those specified in the motion for closure.

IMO: Mark Erasmus, MD – Case No. 2023-011 – Review and Decision of the Hearing Officer’s Report, Proposed Findings of Fact and Conclusions of Law.

MOTION was made by Dr. Carson to accept the Hearing Officer’s Report. **SECONDED:** PA Johnson. **YES:** Dr. Carson, Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

MOTION was made by Dr. Carson to accept the Prosecutors Findings of Fact with the removal of numbers 25, 26, 27, 28, 31, 32, 33, 35, 36, 37 and 38. **SECONDED:** Dr. Barrett. **YES:** Dr. Carson, Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

MOTION was made by Dr. Carson that the preponderance of the evidence establishes manifest incapacity or incompetence to practice as a licensee and the license is hereby revoked. **SECONDED:** PA Johnson. **YES:** Dr. Carson, PA Johnson, Dr. Barrett, Dr. Scoggins. **NO:** Dr. Unverzagt, Ms. Saavedra and Dr. Reidy. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**


IMO: Lynne Johnson, MD – Case No. 2023-022 – Review and Decision of the Hearing Officer’s Report, Proposed Findings of Fact and Conclusions of Law.

MOTION was made by Dr. Carson to reject the Hearing Officer report. **SECONDED:** Dr. Barrett. **YES:** Dr. Carson, Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

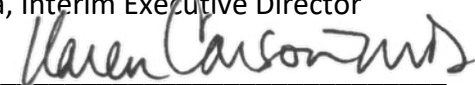
MOTION was made by Dr. Carson for a statement of conclusion of law that the findings are that there was a notice of contemplated action issued, a hearing was held and the Board rejected the Hearing Officers report. The applicant agrees to withdraw her application. Therefore, the Board grants the applicant’s request to withdraw her application. **SECONDED:** Ms. Saavedra. **YES:** Dr. Carson, Dr. Reidy, PA Johnson, Dr. Unverzagt, Dr. Barrett, Dr. Scoggins and Ms. Saavedra. **EXCUSED:** Dr. Beaudette. **MOTION CARRIED.**

8. Adjourn

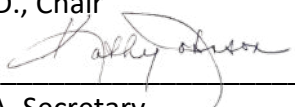
There being no further business before the Board, Dr. Carson adjourned the meeting at 7:01 p.m.

SUBMITTED BY: 
Amanda Quintana, Interim Executive Director

DATE:

APPROVED BY: 
Karen Carson, M.D., Chair

DATE:

APPROVED BY: 
Kathy Johnson, PA, Secretary

DATE: