

**New Mexico Medical Board
Third Quarter Meeting
August 15-16, 2013**

AGENDA

THURSDAY, August 15, 2013 – 10:00 a.m.

- 10:00** 1. **Call to Order [SW]**
2. **Approve Agenda [SW]**
3. **Approve Minutes – June 27, 2013 [SW]**
- 10:10** 4. **Complaint Committee Reports [closed*]**
- A. Licensees & Applicants
- Committee A:** 2012-A-149; 2012-A-153; 2012-A-162; 2013-A-080 **Possible Advisory Letter:** 2012-A-170; 2013-A-100 **Possible Action:** 2013-A-068 [PK, RW]
- Committee B:** 2012-B-152; 2012-B-154; 2012-B-169; 2013-B-096; 2013-B-101; 2013-B-104 **Possible Action:** 2013-B-034; 2013-B-042 [RM, SAK]
- Committee C:** 2011-C-225; 2012-C-030; 2012-C-143; 2012-C-150; 2012-C-172; 2012-C-173; 2012-C-107 **Possible Advisory Letter:** 2013-C-025; 2013-C-054; 2013-C-102 **Possible Action:** 2013-C-026; 2013-C-115 [SK, AB]
- Committee D:** 2012-D-167; 2012-D-168; 2012-D-174; 2012-D-177; 2013-D-004 **Possible Advisory Letter:** 2013-D-097 **Possible Action:** 2012-D-119; 2012-D-141; 2013-D-030; 2013-D-052; 2013-D-093; 2013-D-069; 2013-D-114 [SJ, JA]
- Committee E:** 2013-E-113 **Possible Action:** 2012-E-134; 2013-E-105 [SW]
- B. Executive Committee Report [portions closed*] [SW]
- Criminal History Hits
- Other cases
5. **Actions Related to Executive Session**
- 10:50** 6. **Licensing Issues, New Applicants/Reinstatements: [portions closed*]**
- Sheryl Spadone, M.D.** – Mini-Sabbatical for Clinical Skills Assessment [GLF, AQ]
- Consider Settlement** – Howard Siegel, M.D. [SW] [DR]
- Amos Lash, M.D.** – Case No. 2013-006 [PK, SAK]
- Decision and Order
- Motion for Costs
- Nicholas Nardacci, M.D.** – Case No. 2013-007 [SJ, AB]
- Motion to Dismiss
- Motion to Disqualify
- Decision and Order
- Respondent's Objection to Hearing Officer Ruling
- Motion for Costs
- 11:10** 7. **Reports**
- A. **Chair – [SW]**
- B. **Executive Director – [portions may be closed**] [LH]**
- Governor's Council on Prescription Drug Abuse – Dr. Jenkusky
- Senator Udall – Prescription Drug Bill
- 11:15** 8. **New Business**
- Credentialing Problems for Physicians under MTP Stipulation [LH]**
- Motion to strike "probation" from all current and future MTP Stipulations that do not include license restrictions
- Scope of Practice Questions [portions may be closed***] [DR, Abuzz, GLF]**
- Letter from Barbara Maddoux, RN, DOM Chair, Acupuncture Board
- Unsupervised Cosmetic Procedures and Injections [GLF, AQ, LH]**
- Appoint Task Force
- Rule 16.10.2.9 B (4) and 16.10.2.10 B (4) [AQ, GLF]**
- Consider amending the number of years of work experience that needs to be verified

LUNCH

- 1:00** **9. Compliance Report** [portions closed*] [JH]
 Board Monitored Compliance Report [non MTP]
- 1:30** **10. New Mexico Monitored Treatment Program Report** [portions closed*]
- 2:00** **11. Informal Interviews** [portions closed*]
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|------|-------------------------------|--|
| 2:00 | James Bradley, M.D. [SW] | Michael Lente, P.A. [AB] |
| 2:15 | Michael Carey, M.D. [SW] | Steven Petrakis, M.D. [SJ] |
| 2:30 | Heather Cumbo, M.D. [AB] | Richard Smith, M.D. [RM] |
| 2:45 | Sudha Kailas, M.D. [SK] | David Durham, M.D. [SJ] |
| 3:00 | Stephanie Hedstrom, M.D. [SK] | Julie DiCianno, M.D. [PK] |
| 3:15 | Keith Levitt, M.D. [RM] | Christopher Jones, M.D. [AB] |
| 3:30 | Kenneth Bull, M.D. [SJ] | Mary Albers, P.A. [AB] |
| 3:45 | Alden Cockburn, M.D. [SAK] | James Galizia, M.D. [SJ] (by teleconference) |
- 4:00** **12. Compliance** [JH] [portions closed*]
- A. Stephanie Hedstrom, M.D. – Request release from stipulation
 - B. Kenneth Bull, M.D. – Request release from stipulation
 - C. Robert Knight, M.D. – Request release from stipulation
 - D. Joan Lewis, M.D. – Request release from stipulation
 - E. Michael Carey, M.D. – Request release from stipulation
 - F. Julie DiCianno, M.D. – Request prescriptive authority for schedule III through V
 - G. John Bray-Morris, M.d. – Compliance violation

13. Actions Related to Executive Session

FRIDAY, August 16, 2013 - 8:30 a.m.

- 8:30** **14. Reports**
- A. **Medical Director** – [GLF]
 Nursing scope of practice and anesthesia
 - B. **Assistant Attorney General** – [ABuzz] [portions may be closed*]
 - C. **Licensing Manager** - [AQ]
 Discuss policy regarding UNM Mini-Sabbatical referral
 - D. **Financial / HR Manager** – [GM]
 FY 13 Medical Board Revenues - ending June 30, 2013
 FY 13 Medical Board Expenditures - ending June 30, 2013
 FY 13 Medical Board Statistics - ending June 30, 2013
 - E. **Public Information Officer** [JH]
 IPRA Requests
 - F. **Investigations Department** [DD]
- 9:00** **15. Old Business**
- Enhancement of PA's ability in delivering medical care in New Mexico [AB]
 - FSMB's Interstate Compacts – NMMB deemed status project [LH, AQ]
- 9:10** **16. Rule Hearing**
- A. **Rule hearing- Implementation of expedited licensing of military service members**
 - 16.10.2 NMAC – Physicians: Licensure Requirements
 - 16.10.15 NMAC – Physician Assistants: Licensure and Practice Requirements
 - 16.10.19 NMAC – Qualifications & Licensure for Anesthesiologist Assistants

16.10.20 NMAC - Polysomnographic Technologist: Licensure and Practice Requirements

16.10.21 NMAC – Genetic Counselors: Licensure and Practice Requirements

16.6.1 NMAC – Naprapathic Practitioners: General Provisions

16.6.7 NMAC - Naprapathic Practitioners: Licensure by Endorsement and Examination

B. Adoption of Rules

C. Rule Hearing- Physician Education Requirements

16.10.2.9 NMAC – Prerequisites for Licensure

D. Adoption of Rules

E. Winifred Chambers, MD [AQ]

Consider granting Dr. Chambers a license under Rule 16.10.2.9 NMAC

E. Rule Hearing Certifications for the use of Medical Cannabis

16.10.18 NMAC – Certification for the use of Medical Cannabis

F. Adoption of Rules

10:10 17. Administrative Prosecutor – (portions closed*) [DR]**

Prosecution Status Report
Richard Rubin vs. Medical Board
Chiropractic Board Appeal

10:20 18. New Business

A. Dale Tinker – Pharmacist Prescriptive Authority for Naloxone

B. Rule 16.10.15.7 (M) – Consider amending definition of “Supervising Physician” so that physicians under a monitoring only contract can supervise PA’s [DD, LH]

C. Ray Shapiro, MD – Delivering health care in extreme rural communities in Africa

11:30 19. 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 certain matters pertaining to a particular license. All final actions concerning a 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.”

*** “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.”

Initials in red are members recused in disciplinary cases.

Initials in blue indicate who will address the agenda item.

Items not completed on Thursday's Agenda shall be carried over to Friday's Agenda.