

**New Mexico Medical Board
First Quarter Meeting
February 23 – 24, 2012**

AGENDA

THURSDAY, February 23, 2012 - 8:30 a.m.

- 8:30** 1. **Call to Order**
2. **Approve Agenda**
3. **Approve Minutes - January 5, 2012**
- 8:45** 4. **Complaint Committee Reports [closed]**
- A. **Licensees & Applicants**
- Committee A:** 2010-A-165; 2010-A-166; 2010-A-167; 2010-A-195; 2010-A-213; 2010-A-217;
 2010-A-223; 2010-A-228; 2010-A-238; 2010-A-247; 2011-A-063; 2011-A-169; 2011-A-197
 Possible Advisory Letter: 2011-A-071 **Possible Action:** 2011-A-077; 2011-A-157
 [PK, SAK]
- Committee B:** 2010-B-163; 2010-B-175; 2010-B-193; 2010-B-214; 2010-B-218; 2010-B-229;
 2010-B-244; 2010-B-250; 2010-B-255; 2010-B-260; 2010-B-270; 2011-B-185; 2011-B-219;
 2011-B-220 **Possible Advisory Letter:** 2010-B-124; 2010-B-179; 2010-B-189; 2010-B-234;
 2011-B-086; 2011-B-205 **Possible Action:** 2011-B-137; 2011-B-167; 2011-B-204; 2012-B-
 010 [BC, RM]
- Committee C:** 2010-C-150; 2010-C-186; 2010-C-190; 2010-C-191; 2010-C-203; 2010-C-212;
 2010-C-230; 2010-C-235; 2010-C-257; 2010-C-261; 2010-C-275; 2011-C-030; 2011-C-036
 Possible Advisory Letter: 2010-C-145; 2010-C-219 **Possible Action:** 2011-C-239 [SK]
- Committee D:** 2010-D-220; 2010-D-226; 2010-D-232; 2010-D-236; 2010-D-237; 2011-D-006;
 2011-D-053; 2011-D-094; 2011-D-184; 2011-D-226 **Possible Advisory Letter:** 2011-D-076;
 2011-D-213
 Possible Action: 2011-D-095; 2011-D-114; 2011-D-136; 2011-D-156; 2011-D-163; 2011-D-
 170; 2011-D-180; 2011-D-195; 2011-D-196; 2011-D-214; 2011-D-216; 2011-D-232; 2011-D-
 241; 2012-D-005 [SJ, AB]
- Committee E:** 2010-E-170 **Possible Advisory Letter:** 2011-E-235 **Possible Action:** 2011-E-
 165; 2011-E-218 [SW]
- B. **Executive Committee Report [portions closed*] [SW, BC]**
- Criminal History Hits
- Other cases
5. **Actions Related to Executive Session**
- 10:15** 6. **Licensing Issues, New Applicants/Reinstatements: [portions closed*]**
- **Distinction Between Administrative Practice and Clinical Practice.**
- **Zaman Javaheri, M.D.** - Consider request for exception to 7 year rule
- **Default Hearing** – Ramiro De Los Santos, M.D. - Case 2011-044 [PK]
- 10:45** 7. **Reports**
- A. **Chair**
- Consider rescheduling 4th Quarter Board Meeting (November 15-16, 2012)
- B. **Executive Director** – [portions may be closed*]
- FSMB attendees (April 26th, 27th and 28th – Fort Worth, Texas)
- 2012 Telemedicine and License Portability Workshop
- 2012 Legislative Session
- > SB 158 – Prescription Drug Monitoring Program
- > SB 159 – Prescription Opioid Medications
- > SB 215 – Pain Management Advisory Council Changes
- > HB 34 – Rulemaking Requirements
- > HB 35 – Public Meeting Agendas 72 Hours Prior
- Limited personnel matters
- C. **Medical Director**
- D. **Licensing Manager**
- Consider licensure expiration of July 1 and eliminating grace period
- Information regarding Health Care Practitioner Survey set forth by SB14

- E. Administrative Prosecutor**
 - NCA Status Report
 - Update on Chiropractic Appeal
 - Consider Dismissal of Case No. 2011-020 – Aida Figueroa, M.D.
- F. Assistant Attorney General** - [portions may be closed*]
- G. Financial / HR Manager**
 - Approve 2011 Annual Audit
 - Review FY12 Budget and Revenue Status Report
- H. Administrative**
- I. Investigation Department**
- J. Compliance / Public Information Officer**

LUNCH

- 1:15 8. Compliance** [portions closed*]
 - **Board Monitored Compliance Report** [non MTP]
 - **Board Order** – Timothy Busch, PA (request probation be terminated)
- 1:30 9. New Mexico Monitored Treatment Program Report**
- 10. Actions Related to Executive Session**
- 2:15 11. Informal Interviews** [portions closed*]

2:15	Mark Leatherwood, M.D. [SW]	Richard Hempstead, M.D. [SW]
2:30	Tracy Reavis, P.A. [SJ]	Jennifer Tso, P.A. [SJ]
2:45	Adelfio Fronterotta, M.D. [BC] (by telecnf)	Kathleen Van Osten, M.D. [BC]
3:00	Ralph Hansen, M.D. [PK]	Steven Black, M.D. [SJ]
3:15	Kenneth Bull, M.D. [SJ]	Ricardo Gomez, M.D. [RM]
3:30	Michael Lente, P.A. [SJ]	Leroy Rise, M.D. [SK]
3:45	Robert Orchard, M.D. [PK]	Kevin Sullivan, M.D. [BC]
4:00	Mark Masotti, M.D. [SK]	
4:15	Timothy Busch, P.A. [PK]	Daniel Kerlinsky, M.D. [SW] (by teleconference)
- 4:30 12. Actions Related to Executive Session**

FRIDAY, February 24, 2012 - 9:00 a.m.

- 9:00 Informal Interviews Continued** [portions closed*]
 - Michael Carey, M.D. [SW]
- 9:15 13. New Business**
 - **Proposed Pharmacy Prescription for Pseudoephedrine** – Bill Harvey
 - **Discuss Public Education regarding Rule 16.10.13 NMAC** – Delegated Use of Devices and Procedures by Medical Assistants; Cosmetic Injections
 - **Rule Review**
 - 16.10.10 NMAC – Report of Settlements, Judgments, Adverse Actions and Credentialing Discrepancies
- 10:00 14. Actions Related to Executive Session**
- 10:15 15. Old Business**
 - **Catherine Torres, M.D., Cabinet Secretary, Department of Health Drug Overdose Task Force Recommendations**
 - **Appoint Board Members for Rule Revision on Pain Management**
- 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 Board of Medical Examiners 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 Board of Medical Examiners may close portions of its meeting to discuss limited personnel issues."

Initials in red are members recused in disciplinary cases

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