

**New Mexico Medical Board
Second Quarter Meeting
May 22 - 23, 2008**

AGENDA

THURSDAY, May 22, 8:30 a.m.

- 8:30 **1. Call to Order**
- 2. Approve Agenda**
- 3. Approve Minutes:** February 14 - 15, 2008 quarterly meeting; April 1, 2008 interim meeting
- 8:45 **4. Board Committee Reports [closed*]**
- A. Executive Committee Report [portions closed*] [PK, SW]**
- **Criminal History Hits**
- **Other Cases**
- B. Parental Responsibility Report: 2008-BRD-020**
- C. Complaint Committee Reports**
- Committee A: 2007-A-137; 2007-A-164; 2007-A-170; 2007-A-182; 2007-A-183; 2008-A-001; 2008-A-005; **Possible Action:** 2008-A-009; 2008-A-025 [SW, FC]
- Committee B: 2006-B-116; 2007-B-172; 2007-B-179; 2007-B-185; 2007-B-189; 2008-B-002; 2008-B-003; 2008-B-030 **Possible Action:** 2006-B-135; 2007-B-163; 2008-B-028; 2008-B-049 [BC, RMcR]
- Committee C: 2005-C-031; 2006-C-044; 2006-C-189; 2007-C-100; 2007-C-184; 2007-C-186; 2008-C-010 **Possible Action:** 2007-C-032 **Cases on Hold:** 2005-C-130; 2007-C-105; 2007-C-180 [VG, RH]
- Committee D: 2006-D-206; 2007-D-099; 2007-D-165; 2007-D-169; 2007-D-178; 2007-D-187; **Possible Action:** 2004-D-029; 2007-D-090; 2007-D-102; 2008-D-026; 2008-D-027; 2008-D-052 **Cases on Hold:** 2007-D-130; 2008-D-057 [JL, RG]
- Committee E: **Possible Action:** 2005-E-110 [PK]
- D. Tracking NCAs and On-Hold Cases** - Andrea Buzzard, A.A.G., Lynn Hart and GTS Khalsa
- E. Process for Opening an Investigation**
- F. Process for Closing Files** - Writing and Posting Orders; Data Bank and Public Reporting
- 5. Actions Related to Executive Session**
- 10:45 **6. Licensing Issues, New Applicants/Reinstatements:** [portions closed*]
- A.** Possible Settlement of Case 2008-003 - Joan Lewis, M.D. [VG, RH]
- B.** Settlement of Case 2008-001 - **Howard Schwartz, MD** [VG, RH]
- C.** Settlement of Case 2008-004 - George Schwartz, M.D.
- D.** James Douglas Mickle, MD – accept 30 years of medical practice in lieu of second year of post graduate training and grant unrestricted medical license.
- E.** Robert Beauford, MD – request exception to 7 year rule and grant unrestricted medical license.
- F.** Teresa Smith de Cherif, MD - request exception to 7 year rule and grant unrestricted medical license.
- G.** Approve unrestricted license for Valerie Tausch, M.D.
- 11:15 **7. Reports**
- A. Chair** - Board Approved Absence for Health Concerns - Mr. Heim
- B. Executive Director** - Board Member Term Positions; Report from NM Medical Society; Public Citizen's Ranking Report; Personnel Issue [portions closed*]
- C. Medical Director** - Update on FSMB meeting; FSMB Maintenance of Licensure Report (Dr. LaFarge and Mr. Ghadimi)
- D. Tele-health Issues** - Mr. Ghadimi
- E. Assistant Attorney General**
- F. Administrative Prosecutor**
- G. Licensing Manager** - Application Task Force Report
- H. Financial / HR Manager** - Approve FY07 Audit Report; Review FY08 Budget - Revenue Status Report; Approve FY09 Operating Budget; Report on FY09 MTP Contract
- I. Administrative**
- J. Compliance / Public Information Officer** - Genetic Counselor Licensing Timeline; Polysomnographic Technologist Licensing Timeline; Compliance Task Force

LUNCH

- 1:00 8. Discussion with William Harvey, Exec. Dir, Pharmacy Board regarding the
Chiropractic Act (House Bill 275)
- 1:30 9. Chiropractic Board - Implementation of House Bill 275
- 2:00 10. Compliance [portions closed*]
A. Board Monitored Compliance Report [non MTP]
B. NM Monitored Treatment Program Report
C. Board Order - Mark Beale, MD (request release from Stipulation)
D. Board Order - Joan Lewis, MD (request release from Case #2000-209 - Fees Paid)
[VG, RH]
E. Informal Interviews [portions closed*]
3:00 James Hartenbach, MD
3:30 James Bradley, MD Timothy Busch, MD
3:45 Richard Snure, MD Jon Wagner, MD
4:00 Robert Orchard, MD Pablo Garcia, MD
4:15 Keith McClung, MD Alonso Pacheco, MD

FRIDAY, May 23, 2008, 9:00 a.m.

- 9:00 11. Rule Hearing
- Rule 16.10.6 NMAC - Complaint Procedure & Institution of Disciplinary Action
 - Rule 16.10.13 NMAC - Delegated Use of Devices and Procedures by Medical Assistants;
Cosmetic Injections
 - Rule 16.10.16 NMAC - Administering, Prescribing and Distribution of Medications
- 9:30 12. Presentation - Genetic Counselors
- 10:00 13. Presentation - Polysomnographic Technologists
- 10:30 14. New Business
- A. Election of Officers
 - B. Adopt Open Meetings Resolution
 - C. Proposed Schedule Meeting Dates for 2009 calendar
Quarterly Meetings:
February 19-20, 2009, May 14-15, 2009, August 13-14, 2009 and November 12-13, 2009
Interim Meetings:
January 8, 2009, April 2, 2009, June 25, 2009 and September 24, 2009
(FSMB - April 30-May 2, 2009 - Washington DC - Hyatt Regency, Crystal City)
 - D. Lethal Injection Survey, Columbia University
- 11:00 15. Old Business
- Code of Conduct
- 12:00 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

