

**New Mexico Medical Board
Second Quarter Meeting
May 18 – 19, 2006**

AGENDA

THURSDAY, May 18, 8:30 a.m.

1. **Call to Order**
2. **Approve Agenda**
3. **Approve Minutes, February 16 & 17, 2006; March 30, 2006**
- 8:45 4. **NM Monitored Treatment Program Report** [portions closed*]
- 9:15 5. **Complaint Committee Reports** [closed*]
 - A. **Licensees & Applicants**

Committee A: 2004-A-091, 2005-A-073, 2005-A-105, 2005-A-109, 2005-A-114, 2005-A-145, 2005-A-146, 2006-A-004, 2006-A-006, 2006-A-015, 2006-A-016, 2006-A-110 **Possible Action:** 2004-A-132, 2005-A-133, 2005-A-149, 2005-A-162, 2006-A-002

Committee B: 2004-B-118, 2005-B-057, 2005-B-086, 2005-B-087, 2005-B-126, 2005-B-127, 2005-B-137, 2005-B-147, 2005-B-156, 2005-B-166, 2006-B-003, 2006-B-014, 2006-B-028 **Possible Action:** 2005-B-118, 2005-B-150, 2005-B-159, 2006-B-020, 2006-B-043

Committee C: 2005-C-108, 2005-C-121, 2005-C-122, 2005-C-143, 2005-C-144, 2005-C-153, 2005-C-167, 2006-C-009, 2006-C-012, 2006-C-029 **Possible Action:** 2005-C-151, 2006-C-010, 2006-C-031, 2006-C-044

Committee D: 2004-D-175, 2005-D-042, 2005-D-074, 2005-D-107, 2005-D-141, 2006-D-005 **Possible Action:** 2005-D-090, 2005-D-112, 2005-D-119, 2005-D-154, 2005-D-160, 2005-D-161, 2005-D-168, 2006-D-021, 2006-D-024

Committee E: **Possible Action:** 2005-E-110, 2006-E-058
 - B. **IPC Reports**
 - a. Follow-up on Case #2004-A-170, **Steve Ledesma, MD**
- 10:15 6. **Licensing Requests & Actions, New Applicants/Reinstatements:** [portions closed*]
 - A. **Jose Lujan-Palma, MD** – applicant
 - B. **Patrick Dwyer, MD** - reinstatement request
- 10:40 7. **Decision and Order, Case #2006-004, Gary Gerlay, MD** – consider possible settlement [portions closed*] (PK)
- 10:50 8. **Decision and Order, Case #2006-005, Stephan Horton, MD** – consider possible settlement [portions closed*] (BC & SW)
- 11:00 9. **Decision and Order, Case #2006-008, Gary Hall, MD** - consider possible settlement [portions closed*] (VG & DH)
- 11:15 10. **Decision and Order, Case #2005-020, Charles Pfaff, Jr., MD - Hearing Officers Report** [portions closed*] (PK, BC & SW)
- 11:45 11. **Reports**
 - A. **Chair** – Paul Kovnat, MD - **Psychology Board** NMMB position on Psychology Board proposed rule changes
 - B. **Executive Director** – Lynn Hart - **Licensing Updates, Hospital Reporting, Medical Director Contract, Retention of Orders on Board web site, Satisfaction Survey**
 - C. **Assistant Attorney General** - Corliss Thalley, AAG - Status of Cases and Appeals and Pending Litigation [portions closed*]
 - D. **Budget** – Nina Gonzales and Lynn Hart

11. Reports Cont.

- E. **Compliance** - Jenny Felmley – Report & discuss possibilities for new IPC Chair
- F. **Health Care Regulatory Board** - Jenny Felmley - Report and discuss

12:45 LUNCH

1:30 **RULE Hearing: 16.10.2 NMAC, 16.10.7 NMAC, 16.10.9 NMAC, 16.10.15 NMAC and 16.10.17 NMAC**

2:30 **12. New Business**

- A. **Decision on Proposed Rules**
- B. **Election of Officers**
- C. **Adopt Open Meetings Resolution**
- E. **Schedule Meeting Dates for 2007 calendar**
Proposed dates: February 15-16, 2007, May 17-18, 2007, August 16-17, 2007, November 15-16, 2007 [*FSMB May 3-5, 2007, in San Francisco*]
Interim meetings: January 11, 2007, March 29, 2007, June 28, 2007, September 27, 2007
- F. **2006 Physician Survey**
- G. **Psychiatry Telemedicine Workgroup**
- H. **Correspondence**
 - 1) **US House Committee on Energy and Commerce**
 - 2) **Public Citizens Ranking of State Medical Boards**
 - 3) **FSMB Trends in Physician Regulation April 2006**

13. Informal Interviews [portions closed*]

3:45	Robert Graor, MD	
4:00	Jerry Alaniz, MD	Johnny Vigil, MD
4:15	Sandy Herrin, MD	James Hartenbach, MD
4:30	Jeffrey Neidhart, MD	James Holbrook, MD
4:45	Cliff Brashar, MD	Laura Allen, MD

Actions Related to Executive Session

FRIDAY, May 19, 9:00 a.m.

9:00 **14. Reports, continued**

- G. **Medical Director** - Grant la Farge, MD - Consider committee for certain types of applications, UNM Mini-Sabbaticals

9:15 **15. Presentation** – Maureen Sanders, Sanders and Westbrook law firm: Legal issues facing NMMB: ex parte communications and conflict of interest

10:00 **16. Old Business**

- A. Application and renewal questions
 - 1) Malpractice reporting
 - 2) Significant mental or medical illness
- B. Mandatory reporting of impaired colleagues rule - Dr. La Farge

11:00 **17. Meeting with Osteopathy Board**

12:00 **18. 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 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."