

*The New Mexico Medical Board's mission is to protect the health and safety of the public from unprofessional conduct, incompetency, or other violations of the Medical Practice Act.*

**New Mexico Medical Board  
Fourth Quarter Meeting  
November 13-14, 2014**

**FINAL AGENDA**

**THURSDAY, November 13, 2014 – 8:00 a.m.**

- 8:00 1. **Call to Order** [SW]  
2. **Approve Agenda** [SW]  
3. **Approve Minutes** – September 25, 2014 Interim Board Meeting [SW]
- 8:40 4. **Complaint Committee Reports** [closed\*]  
A. Licensees & Applicants  
**Committee A:** 2013-A-208; 2013-A-236; 2014-A-008; 2014-A-011; 2014-A-012; 2014-A-018; 2014-A-029; 2014-A-031; 2014-A-036; 2014-A-077; 2014-A-083; 2014-A-094; 2014-A-103; 2014-A-129 **Possible Advisory Letter:** 2014-A-032; 2014-A-082 **Possible Action:** 2013-A-094; 2014-A-002; 2014-A-071; 2014-A-070; 2014-A-090; 2014-A-154 [SJ, RW]  
**Committee B:** 2013-B-090; 2013-B-091; 2013-B-161; 2013-B-167; 2013-B-168; 2013-B-179; 2013-B-199; 2013-B-211; 2014-B-091; 2014-B-096; 2014-B-102; 2014-B-126 **Possible Advisory Letter:** 2013-B-135; 2014-B-019; 2014-B-112 **Possible Action:** 2013-B-095; 2013-B-237; 2014-B-092; 2014-B-006; 2014-B-073; 2014-B-097 [SAK, JS]  
**Committee C:** 2013-C-151; 2013-C-209; 2013-C-231; 2014-C-020; 2014-C-053; 2014-C-064; 2014-C-074; 2014-C-076; 2014-C-095; 2014-C-107; 2014-C-108; 2014-C-123 **Possible Advisory Letter:** 2013-C-230; 2014-C-093; 2014-C-127 **Possible Action:** 2014-C-069 [SK, AB]  
**Committee D:** 2013-D-203; 2013-D-212; 2014-D-007; 2014-D-030; 2014-D-039; 2014-D-084; 2014-D-099; 2014-D-125; **Possible Advisory Letter:** 2013-D-194; 2013-D-213; 2014-D-035; 2014-D-038; 2014-D-124; 2014-D-134 **Possible Action:** 2013-D-134; 2013-D-192; 2014-D-100; 2014-D-114 [PB, JA]  
**Committee E:** 2014-E-001; 2014-E-037; 2014-E-040; 2014-E-045; 2014-E-051; 2014-E-086; 2014-E-119; 2014-E-158 **Possible Action:** 2014-E-106; 2014-E-110; 2014-E-121; 2014-E-157; 2014-E-159 [SW]
- B. Executive Committee Report [portions closed\*] [SW]  
Other cases
5. **Actions Related to Executive Session**
- 9:20 6. **Licensing Issues, New Applicants/Reinstatements:** [portions closed\*]  
**Consider Settlement** - Claude Gelines, MD – Case No. 2013-039 [DR]  
**Consider Settlement** - Haruhuan Spruce, MD – Case No. 2014-033 [DR]  
**Motion for Costs** – Mark Walden, MD – Case No. 2013-009 [DR]  
**Amendment of Board's Decision and Order** - Nicholas Nardacci, MD – Case No. 2013-007 [SF]
- 10:15 7. **Old Business**  
**Number of years out of practice triggering proof of competency** [LH]  
**Pain Management** [SJ]  
**Interstate Medical Licensure Compact** [LH, SF, DR]
- 11:30 9. **Compliance Report** [portions closed\*] [DD]  
A. **Board Monitored Compliance Report** [non MTP]
- LUNCH**
- 1:15 10. **New Mexico Monitored Treatment Program Report** [portions closed\*]
- 2:00 11. **Informal Interviews** [portions closed\*]

2:00	Stephen Cain, M.D. [SW]	James Bradley, M.D. [SAK]
2:15	Michael Bellas, P.A. [AB]	Elaine Bradshaw, M.D. [JA]
2:30	Jimmie Charlie, M.D. [SW]	Julie DiCianno, M.D. [JS]
2:45	Steven Greer, M.D. [SJ]	Richard Lieberman, M.D. [RW]
3:00	Juan Rossini, M.D. [SJ]3:00	Nancy Sachsel, P.A. [AB]
3:15	Milton Sanchez, PSGT [PB]	Richard Smith, M.D. [SK]
3:30	Benjamin Stake, M.D. [JA]	Jennifer Tso, P.A. [AB]
3:45	Paul De Stefano, M.D. [SJ]	Carl Gossett, M.D. <b>via teleconference</b> [SK]

**4:00 12. Compliance Requests and Status [DD] [portions closed\*]**  
**Mark Walden, M.D.** – Review Assessments and Further Modification of Board Order  
**Richard Lieberman, M.D.** – Request to be Released from Stipulation  
**Benjamin Stake, M.D.** – Request to Amend Stipulation to Allow Return to Work  
**Babak Mirin, M.D.** – Update on Dr. Bull's practice

**13. Actions Related to Executive Session**

**FRIDAY, August 8, 2014 – 8:30 a.m.**

**8:30 14. Reports**

**A. Licensing Manager - [AQ]**

Emeritus License Status  
Renewal Professional Practice Question Proposal re: Current Clinical Practice  
Administrative License Proposal

**B. Financial / HR Manager – [GM]**

FY15 Medical Board Expenditures – Ending September 30, 2014  
FY15 Medical Board Revenues – Ending September 30, 2014  
Agency Audit Conducted in October, 2014

**C. Administrative Prosecutor – (portions closed\*\*\*) [DR]**

Prosecution Status Report  
Sitaramakrishna Kothalanka, MD appeal  
George Schwartz, M.D. lawsuit  
Nicholas Nardacci, M.D. appeal  
Pawan Jain, M.D. appeal  
Richard Rubin, P.A. lawsuit  
Michael Dolvin lawsuit  
Paul Bateman

**D. Board Attorney – [SF] [portions may be closed\*]**

Board Rules

**E. Executive Director – [portions may be closed\*\*] [LH]**

NM Medical Society Legislative Priorities  
Chiropractor Bill  
PA Proposed Statute Change [AB, LH]  
NM Health Care Workforce Committee [LH, SAK]

**F. Chair – [SW]**

**G. Medical Director – [GLF]**

**H. Investigations Department [DD]**

**9:00 15. Rule Hearing**

**A. Rule hearing- Physician Assistants: Licensure and Practice Requirements**

**16.10.15 NMAC** – Physician Assistants: Licensure and Practice Requirements

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## **B. Adoption of Rules**

**9:30 16. New Business**  
Aid in Dying Presentation

**11:30 17. 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.