

**New Mexico Medical Board
2055 South Pacheco Street
Building 400
Santa Fe, NM 87505
Third Quarter Meeting
November 14-15, 2019**

AGENDA

THURSDAY, November 14, 2019 – 8:30 a.m.

- 8:30** **1. Call to Order**
- 2. Approve Agenda**
- 3. Approve Minutes**
 September 26, 2019 Interim Board Meeting Minutes
- 8:40** **4. Complaint Committee Reports [closed*]**
- A. Licensees & Applicants**
 Committee A: 2018-A-071; 2018-A-315; 2019-A-126; 2019-A-246 **Possible Advisory Letter:** 2018-A-201; 2018-A-231; 2019-A-092; 2019-A-146 **Possible Action:** 2019-A-201 [JA, PB]
 Committee B: 2017-B-271; 2018-B-054; 2018-B-074; 2018-B-105; 2018-B-156; 2018-B-171; 2019-B-009; 2019-B-010; 2019-B-118; 2019-B-181; 2019-B-234 **Possible Advisory Letter:** 2018-B-316; 2019-B-239 **Possible Action:** 2017-B-272; 2018-B-240; 2019-B-002; 2019-B-006 [SJ, EA, BS]
 Committee C: 2018-C-007; 2018-C-090; 2018-C-104; 2018-C-141; 2018-C-154; 2018-C-159; 2018-C-168; 2018-C-177; 2018-C-244; 2018-C-252; 2018-C-317; 2019-C-021; 2019-C-087; 2019-C-090; 2019-C-192 **Possible Advisory Letter:** 2018-C-095; 2018-C-142; 2019-C-035; 2019-C-241; 2019-C-248 **Possible Action:** 2019-C-206 [KC, JS]
 Committee D: 2018-D-032; 2018-D-163; 2018-D-169; 2018-D-191; 2018-D-226; 2019-D-103; 2019-D-112 **Possible Advisory Letter:** 219-D-187; 2019-D-207 **Possible Action:** 2018-D-209; 2018-D-213; 2019-D-004; 2019-D-135; 2019-D-190; 2019-D-200 [PAO, MU]
- B. Executive Committee Report [portions may be closed*] [SJ]**
- 5. Actions Related to Executive Session**
- 10:40** **6. Licensing Issues, New Applicants/Reinstatements: [portions may be closed*]**
 Padmaneel Kanase, MD – Motion for Reimbursement of Costs on Appeal
 Josip Gazic, MD Case No. 2019-059 – Motion for Entry of Default Order
 Josip Gazic, MD Case No. 2019-059 – Decision and Order on Motion for Entry of Default Order
 Vijay Agarwal, MD Case No. 2019-047 - Motion for Entry of Default Order
 Vijay Agarwal, MD Case No. 2019-047- Decision and Order on Motion for Entry of Default Order
 Michael Clements, MD Case No. 2019-035 – Motion for Adoption of Proposed Agreed Order
 Julie DiCianno, MD Case No. 2019-013 – Motion for Adoption of Proposed Agreed Order
 Anjnum Sharma, MD Case No. 2019-045 - Motion for Adoption of Proposed Agreed Order
 Patrick Dunphy, PA Case No. 2019-010 - Motion for Adoption of Proposed Agreed Order
 Kashif Abad, MD – Consider Request for Exception to the 7-year Rule for Examination.
- 11:05** **7. Attorney Report – [portions may be closed***]**
 Margaret McLean, J.D. – Report
 Yvonne Chicoine, Esq. - Report
- 11:15** **8. Compliance Report [portions may be closed*]**
 A. Board Monitored Compliance Report [non MTP]
- LUNCH**
- 1:00** **9. New Mexico Health Professional Wellness Program Report (Formerly MTP) [portions may be closed*]**
- 1:30** **10. Informal Interviews [portions may be closed*]**
- 1:30** Marc O’Cleairechain, MD (Telephonic) (KC)

1:45	Orlando Ortiz, MD (Telephonic) (SJ)	
2:00	Stephen Coleman, MD (KC)	
2:15	Charles Bennett, MD (JA)	Marques Pena, MD (PB)
2:30	Christopher Percy, MD (MU)	Benjamin Stake, MD (JA)
2:45	Joseph Strong, Sleep Tech (BS)	Martin Taylor, PA (CO)
3:00	Paul Wheeler, MD (EA)	David Williams, MD (JS)
3:15	Ryan Lubert, MD (PB)	

3:20 Break

3:30 11. Reports – [portions may be closed]**

A. Financial / HR Manager [GM]

FY19 Agency Financial Audit Conducted – October, 2019

A. Communication with Those Charged with Governance at the Conclusion of the Audit

B. Exit Audit Conference Held on October 31, 2019

FY20 NM Medical Board Revenues – Ending September 30, 2019

FY20 NM Medical Board Expenditures – Ending September 30, 2019

FY20 NM Medical Board Statistics – Ending September 30, 2019

FY21 Appropriation Request- Presented to the LFC – Hearing on October 30, 2019

B. Executive Director [SF]

2021 Merge DO-MD Boards

Electronic Prescribing of Controlled Substances

RLD Issues

Possibly Cancel December Interim Board Meeting

Propose Legislation to move HPWP in house

Naparapathy Task Force

C. Licensing Manager [AG]

Fines for incorrect answers on Renewal of PPQ's

International Foreign Graduates and the California Board Approved Medical Schools List

Fee for Incorrect Contact Information

CE Audit

Asylum Applicants

D. Board Chair Report [SJ]

HPWP Issues and Status

Appoint Member to the Overdose Council

FRIDAY, November 15, 2019 – 8:30 a.m.

8:30 12. Informal Interviews Continued [portions may be closed*]

8:30	John Dacanay, MD (EA)	Avra Laaraker, MD (MU)
8:45	Austin Oetken, MD (SJ)	Sterling Williams, MD (PB)
9:00	Rebecca Duchon, PA (CO)	Erika Garbrecht, MD (Telephonic) (JA)

9:00 13. Compliance Requests / Actions [portions may be closed*] [AQ]

John Dacanay, MD - Request for release from stipulation.

Avra Laaraker, MD – Request for reactivation of license with stipulation to HPWP.

Sterling Williams, MD – Request for release from stipulation.

Rebecca Duchon, PA – Request to be released from stipulation.

9:10 14. Actions Related to Executive Session

9:50 15. New Business

Proposed Rule Change to Part 14 to incorporate SB221 Opioid Antagonist Co Prescribing

New Mexico Association for Home Hospice Care Request for Exemption from the Pain Relief Act

10:20 16. Old Business

Approve Proposed 2020 Board Meeting Dates
Proposed Naturopathic Doctor Licensing Rules
Proposed amendments to 16.10.9 "Fees"
Proposed amendments to 16.10.2 "Physicians: Licensure Requirements" to add Traveling
Sports Team Physician Licensure
NMHA – Letter to New Mexico Medical Board regarding Peer Review Update

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."

**** Agenda item may be heard on either day of the meeting

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.