

New Mexico Medical Board
Fourth Quarter Meeting
May 1-2, 2014

FINAL AGENDA

THURSDAY, May 1, 2014 – 8:30 a.m.

- 8:30 1. Call to Order [SW]
2. Approve Agenda [SW]
3. Approve Minutes – April 3, 2014 [SW]
- 8:40 4. **Complaint Committee Reports** [closed*]
A. Licensees & Applicants
Committee A: 2013-A-075; 2013-A-116; 2013-A-148; 2013-A-176 **Possible Action:** 2014-A-034 [SJ, RW]
Committee B: 2013-B-006; 2013-B-067; 2013-B-081; 2013-B-226; 2014-B-010 **Possible Advisory Letter:** 2013-B-216 [JS, SAK] **Possible Action:** 2014-B-041 [JS, SAK, SJ]
Committee C: 2013-C-083; 2013-C-109; 2013-C-118, 2013-C-119 [SK, AB]
Committee D: 2013-D-084; 2013-D-140; **Possible Advisory Letter:** 2013-D-196; 2013-D-232
Possible Action: 2013-D-194; 2014-D-022 [JA, PB]
Committee E: 2013-E-059; 2013-E-062; 2013-E-066 **Possible Advisory Letter:** 2013-E-011
Possible Action: 2013-E-032; 2014-E-003 [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*]
A. **Decision and Order** – John Van Doren, M.D. Case No. 2013-019 [SAK] [SF]
B. **Default Hearing** – Jacqueline Henderson, M.D. Case No. 2013-040 [RW] [DR]
C. **Kimothi Cain, M.D** – Request for exception to the seven year exam rule [GLF, AQ]
- 10:15 7. **Old Business**
A. Prescribing to Family Members
- 10:45 8. **Reports**
A. **Chair** – [SW]
Media
B. **Executive Director** – [portions may be closed**] [LH]
New Hire
Office Move / New Space
- 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*]
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|------|--------------------------------|-----------------------------|
| 2:00 | Michael Bellas, P.A. [AB] | Daniel Brandt, M.D. [SJ] |
| 2:15 | Adelfio Fronterotta, M.D. [SW] | James Bradley, M.D. [SAK] |
| 2:30 | Elaine Bradshaw, M.D. [SJ] | John Bray-Morris, M.D. [JA] |
| 2:45 | Julie DiCianno, M.D. [RW] | Ralph Hanson, M.D. [PB] |
| 3:00 | Richard Lieberman, M.D. [JA] | Richard Smith, M.D. [JS] |
| 3:15 | Jennifer Tso, P.A. [AB] | Michael Lente, P.A. [AB] |
| 3:30 | Steven Petrakis, M.D. [SK] | David Durham, M.D. [SJ] |
| 3:45 | Nancy Sachsel, P.A. [AB] | Howard Siegel, M.D. [SW] |
| 4:00 | Juan Rossini, M.D. [SAK] | |

- 4:30 12. **Compliance Requests** [DD] [portions closed*]
A. Adelfio Fronterotta, M.D. – Requesting release from Board Stipulation
B. Daniel Brandt, M.D. - Requesting release from Board Stipulation
C. David Durham, M.D. – Requesting release from Board Stipulation
D. Elaine Bradshaw, M.D. – Requesting amendment to Board Stipulation allowing her to return to work
E. Michael Lente, P.A. – Requesting release from Board Stipulation

13. **Actions Related to Executive Session**

FRIDAY, May 2, 2014 – 9:00 a.m.

- 9:00 14. **Reports**
A. **Medical Director** – [GLF]
FSMB Annual Meeting Report

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

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

C. **Financial / HR Manager** – [GM]
Review of FY14 Budget and Revenue Status Report ending March 31, 2014

E. **Investigations Department** [DD]
Status Report

F. **Administrative Prosecutor** – (portions closed***) [DR]
Prosecution Status Report
George Schwartz, M.D. lawsuit
Nicholas Nardacci, M.D. appeal
Pawan Jain, M.D. appeal
Richard Rubin, P.A. lawsuit
- 9:50 15. **New Business**
A. Board Member Responsibilities in the Disciplinary Process [LH, SF ,DD, DR]
B. Alternative Options - Third Party Monitors [DD] [LH]
C. Governor’s Counsel on Drug Overdose Deaths and the Next Steps for the Medical Board [LH] [SJ]
D. Adopt Open Meetings Resolution
E. Proposed Scheduled Board Meeting Dates for 2015
Quarterly Meetings:
February 19-20, 2015; May 14-15, 2015; August 6-7, 2015; November 5-6, 2015
Interim Meetings:
January 8, 2015; April 2, 2015; June 25, 2015; September 17, 2015
(FSMB – April 23-25, 2015 - Ft. Worth, Texas)
F. Election of Officers
- 11:30 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 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.