

NEW MEXICO BOARD OF MEDICAL EXAMINERS
Special Call Meeting
491 Old Santa Fe Trail, Santa Fe, New Mexico
May 29, 2003
MINUTES

Members Present:

John S. Romine, M.D., Chairman, Physician Member – by teleconference
Paul Kovnat, M.D., Vice-Chair, Physician Member
C. Grant La Farge, M.D., Secretary-Treasurer, Physician Member
Vivian Giudice, M.D., Physician Member – by teleconference
Prakash Ranka, M.D., Physician Member – by teleconference
Steve Weiner, M.D., Physician Member – by teleconference
Richard Heim, Public Member – by teleconference
Maureen Boshier, Public Member – by teleconference, arrived late

Also Present:

Charlotte Kinney, Executive Director
G.T.S Khalsa, Administrative Prosecutor
Corliss Thalley, AGA
Jenny Felmley, PIO
Angela Martinez, Administrator

1. CALL TO ORDER

The special meeting of the New Mexico Board of Medical Examiners convened at 5:05 p.m., Thursday, May 29, 2003, in the Executive Director's Office, Lamy Building, 491 Old Santa Fe Trail, Santa Fe, New Mexico, **Grant La Farge, M.D.** presiding. Dr. La Farge called the roll and a quorum was declared with seven members present, Ms. Boshier joined the meeting during discussion of item 3..

2. APPROVAL OF AGENDA

Item 5 on the agenda was re-titled "Licensing Issue: Antoine Antypas, MD." Dr. Kovnat **MOVED** the agenda be approved as amended. Mr. Heim **SECONDED** the motion, which **PASSED UNANIMOUSLY**.

EXECUTIVE SESSION: Dr. La Farge **MOVED** to go into closed session to discuss matters of licensure. Dr. Kovnat **SECONDED** the motion, which **PASSED UNANIMOUSLY**. The Board returned to open session. Dr. La Farge stated for the record that the matters discussed in closed session were limited to only those specified in the motion for closure.

3. COMPLAINT #2002-A-134

Dr. LaFarge **MOVED** that Carrie Flury, PA (#2002-A-134) be fined \$500 for practicing medicine without a license, and issued a stipulated license that requires her to report to the Board periodically at the Board's request. Dr. Kovnat **SECONDED** the motion. **YES:** Giudice, Heim, Kovnat, La Farge, Ranka, and Romine. **RECUSED:** Boshier and Weiner. **MOTION CARRIED.**

4. FURTHER CLARIFICATION OF KOURY STIPULATION

Dr. La Farge **MOVED** that Dr. Gregory Koury's (#2003-D-006) stipulation be amended so that it is clear that the limitations on his practice are based on actions regarding his privileges in Indiana, and not on any legal action taken by the Indiana Board. Dr. Kovnat **SECONDED**. **YES:** Boshier, Giudice, Heim, Kovnat, Ranka, Romine and Weiner. **RECUSED:** La Farge. **MOTION CARRIED.**

5. REQUEST FOR DELAY IN PROPOSED ACTION

Dr. La Farge **MOVED** that the issuance of the NCA in the case of Dr. Griggsby Wright (#2002-B-049) be delayed until UNM has had sufficient time to complete its review of Dr. Wright's appeal to restore his residency there. Dr. Kovnat **SECONDED**. **YES:** Heim, Kovnat, LaFarge, Romine and Weiner. **NO:** Boshier. **RECUSED:** Giudice and Ranka. **MOTION CARRIED.**

6. LICENSING ISSUE: ANTOINE ANTYPAS, MD

Following lengthy discussion by Ms. Thalley on issues related to the Americans with Disabilities Act and a recent decision in a California medical licensing case, the Board determined the rules should be amended to allow exceptions for qualified applicants with bona fide disabilities. Based on that information, Dr. La Farge **MOVED** to grant Dr. Antoine Antypas an unrestricted license to practice medicine in New Mexico, based on his status as a qualified applicant with a disability, as defined by the Americans with Disabilities Act. Dr. Kovnat **SECONDED** the motion, which **PASSED UNANIMOUSLY.**

7. PROPOSED RULE CHANGES

Ms. Kinney summarized three proposed rule changes for the Board. Proposed changes to 16.10.3, Examinations, involve some language clean-up, allow exceptions to exam requirements for qualified applicants with bona fide disabilities, and allow applications based on Canada's LMCC to provide certification as proof of successful completion.

Proposed changes to 16.10.18, Physician Assistant Advisory Committee, repeal that entire section, to be consistent with the new Medical Practice Act.

Proposed changes to 16.10.19, Qualifications and Licensure for Anesthesiologist Assistants bring that rule into compliance with the new MPA by increasing the number of AAs an anesthesiologist may supervise.

Dr. La Farge **MOVED** that all three proposed changes be accepted, and that draft rule changes be prepared for a public hearing in August. Dr. Ranka **SECONDED** the motion, which **PASSED UNANIMOUSLY.**

8. POLICY CONTINUATION

Dr. Romine **MOVED** to continue the policy that allows the Executive Director and the Secretary Treasurer to approve typographical and grammatical changes to rules. Mr. Heim **SECONDED** the motion, which **PASSED UNANIMOUSLY.**

9. ADJOURN

There being no further business, the meeting adjourned at 6:10 p.m.

SUBMITTED: _____ **Date:** _____
Charlotte Kinney, Executive Director

APPROVED: _____ **Date:** _____
C. Grant La Farge, M.D., Secretary

APPROVED: _____ **Date:** _____
John Romine, M.D., President