

NEW MEXICO MEDICAL BOARD
Interim Board Meeting
State Bar of New Mexico
5121 Masthead NE, Albuquerque, NM 87109
December 12, 2019
MINUTES

Members Present: Peter Beaudette, MD, Vice Chair
James Spence, MD
Mark Unverzagt, MD (4:06)

Teleconference: Steven M. Jenkusky, Chair
Eric Anderson, MD
Karen Carson, MD (4:07)
Charles D. Otero, PA
Jennifer Anderson, Esq.

Absent: Buffie Saavedra, Public Member

Other Staff Present: Sondra Frank, Esq., Executive Director
Samantha Breen, Compliance Coordinator
Amanda Quintana, PIO / Compliance Officer (Teleconference)
Debbie Dieterich, Investigations Manager (Teleconference)
Amanda Chavez, Senior Investigator (Teleconference)

1. CALL TO ORDER / ROLL CALL

Dr. Jenkusky called the Interim Board Meeting of the New Mexico Medical Board to order at 4:00 p.m. and a quorum was present.

2. APPROVAL OF AGENDA

MOTION was made by Dr. Jenkusky to approve the Agenda. **SECONDED** by Dr. Anderson. **YES:** Dr. Jenkusky, Dr. Anderson, Dr. Beaudette, Dr. Spence, Ms. Anderson and PA Otero. **ABSENT:** Dr. Unverzagt, Dr. Carson and Ms. Saavedra. **MOTION CARRIED.**

3. APPROVAL OF MINUTES

MOTION was made by Dr. Jenkusky to accept and approve the minutes of the November 14-15, 2019 Board Meeting as presented. **SECONDED** by Dr. Anderson. **YES:** Dr. Jenkusky, Dr. Anderson, Dr. Beaudette, Dr. Spence, Ms. Anderson and PA Otero. **ABSENT:** Dr. Unverzagt, Dr. Carson and Ms. Saavedra. **MOTION CARRIED.**

4. Chair Report
None

5. Executive Director
None

EXECUTIVE SESSION: Complaint Committee Reports / Executive Committee Report / Licensing Issues, New Applicants / Reinstatements /

MOTION was made by Dr. Jenkusky to go into Executive Session pursuant to Section 10-15-1(H) (1) of the Open Meetings Act to discuss matters pertaining to the issuance, suspension, renewal or revocation of a license and disciplinary matters. **SECONDED** by Dr. Anderson. **YES:** Dr. Jenkusky, Dr. Anderson, Dr. Beaudette, Dr. Spence, Ms. Anderson and PA Otero. **ABSENT:** Dr. Unverzagt, Dr. Carson and Ms. Saavedra. **MOTION CARRIED.**

OPEN SESSION

The Board returned to open session. Dr. Jenkusky stated for the record that the matters discussed in executive session were limited only to those specified in the motion for closure.

6. ACTIONS RELATED TO EXECUTIVE SESSION

Complaint Committee B

Case #2019-B-205 RECOMMENDATION was made by Dr. Jenkusky offering PA a stipulation of licensure requiring mandatory participation in NMHPWP, along with assessing PA a \$1,000 fine. If PA does not accept offer, a notice of contemplated action will be issued based on, but not limited to, habitual/excessive use of alcohol and/or substances, dishonesty and failure to report an arrest. **YES:** Dr. Spence, Dr. Beaudette, Dr. Unverzagt, Ms. Anderson, Dr. Carson and PA Otero. **RECUSED:** Dr. Jenkusky and Dr. Anderson. **ABSENT:** Ms. Saavedra. **MOTION CARRIED.**

Complaint Committee D

Case #2019-D-252 RECOMMENDATION was made by PA Otero offering physician applicant a stipulated license requiring a professionalism evaluation to be conducted by NMHPWP within three months of licensure with the requirement that all recommendations resulting from same be successfully completed and require payment of \$150 in costs for misrepresentation on application and a fine of \$1000 for conduct unbecoming. If physician applicant does not accept, he may withdraw his application while under investigation or a notice of contemplated action will be issued based on, but not limited to, conduct unbecoming. **YES:** Dr. Jenkusky, Dr. Anderson, Dr. Spence, Dr. Beaudette, Ms. Anderson and Dr. Carson. **RECUSED:** Dr. Unverzagt and PA Otero. **ABSENT:** Ms. Saavedra. **MOTION CARRIED.**

Case #2019-D-259 RECOMMENDATION was made by PA Otero offering PA a stipulated license requiring mandatory participation in NMHPWP. If PA does not accept offer, PA may withdraw her application for licensure while under investigation or a notice of contemplated action to deny licensure will be issued based on, but not limited to, habitual/excessive use of alcohol and/or substances. **YES:** Dr. Jenkusky, Dr. Anderson, Dr. Spence, Dr. Beaudette, Ms. Anderson and Dr. Carson. **RECUSED:** Dr. Unverzagt and PA Otero. **ABSENT:** Ms. Saavedra. **MOTION CARRIED.**

Case #2019-D-268

Tabled

7. Executive Committee Report

None

8. LICENSING ISSUES, NEW APPLICANTS / REINSTATEMENTS

None

9. Compliance Request / Actions

Avra Laarakker, MD – Request for Activation of Resident License.

MOTION was made by Dr. Jenkusky to reactivate Dr. Laarakker's resident license with stipulations as recommended by NMHPWP's December 2019 evaluation report. **SECONDED** by Dr. Anderson. **YES:**

Dr. Jenkusky, Dr. Anderson, Dr. Spence, Dr. Beaudette, Dr. Unverzagt, Ms. Anderson, Dr. Carson and PA Otero. **ABSENT:** Ms. Saavedra. **MOTION CARRIED.**

Benjamin Stake, MD – Request for Release from Stipulation.

MOTION was made by Dr. Jenkusky to release Dr. Stake from stipulation and issue an unrestricted license. **SECONDED** by Dr. Anderson. **YES:** Dr. Jenkusky, Dr. Anderson, Dr. Spence, Dr. Beaudette, Dr. Unverzagt, Ms. Anderson, Dr. Carson and PA Otero. **ABSENT:** Ms. Saavedra. **MOTION CARRIED.**


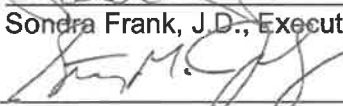
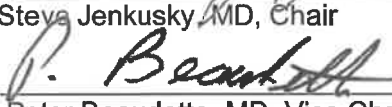
10. Old Business

NMHA- Letter to New Mexico Medical Board Regarding Peer Review Update.

Ms. Frank reported to the Board that staff needs more time to review the peer review statute. Dr. Unverzagt suggested that David Johnson and the New Mexico Hospital Association should be invited to attend the February meeting to provide more clarification of their request.

11. Adjourn

6:04 p.m.

SUBMITTED BY:		DATE: <u>1-23-20</u>
	Sondra Frank, J.D., Executive Director	
APPROVED BY:		DATE: <u>1-23-20</u>
	Steve Jenkusky MD, Chair	
APPROVED BY:		DATE: <u>1-23-20</u>
	Peter Beaudette, MD, Vice Chair	