

New Mexico Medical Board
2055 South Pacheco Street
Building 400
Santa Fe, NM 87505

December 8-9, 2022
New Mexico Medical Regular Board Meeting

ZOOM MEETING LINK:

<https://us02web.zoom.us/j/83140102469?pwd=M1diTzRtZmNiNUkxR1ltNzBkNG1SQ09>

ZOOM Meeting ID: 831 4010 2469 Passcode: 947330

Or go to the Board's Website at <https://www.nmmb.state.nm.us/> to find the Zoom Meeting Link.

AGENDA

Thursday, December 8, 2022 - 8:30 a.m.

- 8:30 1. **Call to Order**
2. **Approve Agenda**
3. **Approve Minutes**
 - September 22-23, 2022 Board Meeting Minutes
 - October 21, 2022 Interim Board Meeting Minutes
- 8:40 4. **HPWP Report** [portions may be closed**]
- 9:15 5. **Informal Compliance Interviews** [Portions may be closed**] [AQ]
 9:15: John Mohs, MD (PB) Jeffrey Fritz, MD (SJ)
 9:30: Christopher Percy, MD (MU)
 9:45 Patrick Shanley, PA (KJ) Shannon Calhoun, DO (B. Scog)
 10:00 Clair Pultz, PA (KC) Joanna Teufel, MD (KR)
- 10:15 6. **BREAK**
- 10:30 7. **Complaint Committee Reports** [closed*]
 A. Licensees and Applicants
 Committee A: 2021-A-021; 2021-A-046; 2021-A-210; 2021-A-264; 2022-A-114 **Possible**
 Advisory Letter 2021-A-237; 2022-A-016; 2022-A-081 **Possible Action** 2021-A-245
 [SJ,EB]

Committee B: 2021-B-002; 2021-B-135; 2021-B-208 **Possible Advisory Letter** 2021-B-010; 2021-B-284 **Possible Action** 2021-B-148 [PB,EA]

Committee C: 2021-C-019; 2021-C-020; 2021-C-173 **Possible Advisory Letter** 2021-C-013; 2021-C-117; 2022-C-122 [KC,MU]

Committee D: 2021-D-140; 2021-D-177; 2021-D-184; 2022-D-147 **Possible Advisory Letter** 2021-D-081 **Possible Action** 2022-D-025; 2022-D-078; 2022-D-121; 2022-D-140 [BJS,KJ]

Committee E: 2021-E-048; 2021-E-065; 2021-E-066; 2021-E-255; 2021-E-282 [KR,BS]

B. Executive Committee Report [portions may be closed*] [SJ]

12:15 8. Actions Related to Executive Session

Complaint Committee A

Complaint Committee B

Complaint Committee C

Complaint Committee D

Complaint Committee E

12:30 Lunch

1:30 9. Licensing Requests and Actions, New Applicants/Reinstatements

IMO: Natalie Pavelock, MD Case #2020-053 – Review, consideration and decision on request for stay of August 23, 2021 Decision and Order, September 23, 2022 Order, and September 28, 2022 Amended Order.

IMO: Marie Raine, MD, Case 2021-009 – Motion for Default Order

IMO: Kenneth Stoller, MD, Case 2021-025 – Review of The Hearing Officer Report and Proposed Findings of Fact following the Evidentiary Hearing held on August 30th and 31, 2022

2:15 10. Reports - [portions may be closed]**

A. Executive Director

- Legislation

B. Chair Report

C. Medical Director

- Telemedicine Rule

D. Licensing Manager

- Approval of Out of State Residency Program – University of Alabama

E. Board Attorney

- Status Report

F. Finance/Auditor Presents

1. Audit Firm Porch & Associates, LLC will present the FY22 Annual Financial Audit
2. Approve the FY22 Annual Financial Audit
3. FY23 NM Medical Board Expenditure Status Report – Ending October 31, 2022
4. FY23 NM Medical Board Revenue Status Report – Ending October 31, 2022
5. FY23 NM Medical Board Statistics Report – Ending October 31, 2022
6. C2 Funding for Licensing System Modernization Project

FRIDAY, December 9, 2022 – 8:30 a.m.

8:30 11. Informal Interviews Continued [portions may be closed*]

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|-------|-----------------------------------|----------------------------------|
| 8:30 | <u>Frank Ralls, MD (KR)</u> | <u>David Richardson, MD (EB)</u> |
| 8:45: | <u>Vijay Agarwal, MD (BScog)</u> | <u>Jasmin Breitung, MD (SJ)</u> |
| 9:00: | <u>David Griffith, MD (BSaav)</u> | <u>Walter Simmons, MD (KC)</u> |
| 9:15: | <u>Melisa Valmoria, PA (KJ)</u> | |

9:20 12. Compliance Requests / Actions [portions may be closed*]

- Jasmin Breitung, MD – Request for release from stipulation.
- Melisa Valmoria, PA – Request to reactivate license while under stipulation.
- David Griffith, MD - Request for release from stipulation

9:30 13. New Business

- PA Compact Legislation
 - Interstate Medical Licensing Compact
- NEW BUSINESS CONTINUED IN ITEM 15**

10:00 14. Rule Hearing

- **16.10.5** - Purpose is to clarify the Terms of Suspension and make it more specific by changing the language to “The board may suspend a license for a specified period of time.”

11:00 15. New Business CONTINUED

- Prescribing Psychologist Legislation – Presentations, Discussion and Possible Vote

11:30 16. Old Business

- Naturopathic Doctor Statutory Changes – Discussion and Recommendation and Possible Vote
- Pharmacist Protocol Changes - Discussion and Recommendation and Possible Vote Dale Tinker and Amy Bachyrycz, PharmD.
- PMP Status Report

12:00 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.