

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

August 12-13, 2021

New Mexico Medical Regular Board Meeting Agenda

ZOOM Meeting ID: 810-0197-0696 Passcode: 1aeTPX Or go to the Board's Website at
<https://www.nmmb.state.nm.us/> to find the Zoom Meeting Link.

Thursday, August 12, 2021- 8:30 a.m.

- 8:30** 1. **Call to Order**
2. **Approve Agenda**
3. **Approve Minutes**
 June 24, 2021, Interim Board Meeting
- 8:40** 4. **HPWP Report [closed*]**
- 9:00** 5. **Informal Compliance Interviews [closed*]**
- | | | |
|--------|--------------------------|----------------------------|
| 9:00: | James Martin, MD (PB) | Danielle Hewey, PA (BS) |
| 9:15: | Mark Standley, PA (KC) | Charlesly Joseph, MD (SJ) |
| 9:30: | Curtis Quintana, PA (KJ) | Jennifer Bendokas, PA (PB) |
| 9:45: | Luis Cisneros, MD (SJ) | Renee Friday, MD (MU) |
| 10:00: | Richard Smith, MD (SJ) | Elliott Marcus, MD (EA) |
| 10:15: | Ryan Lubert, MD (MU) | Winston Nara, MD (JS) |
- 10:45** **BREAK**
- 11:00** 6. **Complaint Committee Reports [closed*]**
- A. **Licensees and Applicants**
- Committee A: Possible Advisory Letter:** 2020-A-162; 2020-A-177; 2020-A-192
 Possible Action: 2021-A-052 [KJ, SJ]
- Committee B:** 2020-B-160; 2020-B-163; 2020-B-178; 2021-B-131 **Possible Advisory Letter:** 2021-B-028; 2021-B-124 **Possible Action:** 2021-B-030 [EA, JS]
- Committee C: Possible Advisory Letter:** 2020-C-188; 2020-C-303 **Possible Action:** 2020-C-331; 2021-C-034; 2021-C-123 [KC, PB]
- B. **Executive Committee Report [closed*]**
- 12:00** 7. **Compliance and Investigations Actions Related to Executive Session**
- Complaint Committee A**
- Complaint Committee B**
- Complaint Committee C**

Complaint Committee D

Richard Smith, MD - Request for release from stipulation

Ryan Lubert, MD – Request for release from stipulation

Elliott Marcus, MD – Request for release from stipulation

Winston Nara, MD – Request for release from stipulation

Luis Cisneros, MD – Review and Decision on Compliance issues

12:15 8. Oral Argument(s)-10-minute allowance for each party

Natalie Pavelock, MD- Case No. 2020-053

12:25 9. Licensing Requests and Actions, New Applicants/Reinstatements [portions closed]**

IMO: Natalie Pavelock, MD-Decision and Order following Evidentiary Hearing
(Case No. 2020-053)

IMO: Vinay Saini, MD- Motion and Order for Reimbursement of Costs.
(Case No. 2020-036)

IMO: Catherine Lewis, MD.- Motion and Order for Reimbursement of Costs.
(Case No.2020-035)

IMO: George Madera, MD- Motion and Oder for Reimbursement of Costs.
(Case No. 2020-010)

IMO: Erin Fenstermacher, MD- Motion and Order for Reimbursement of Costs.
(Case No. 2020-042)

IMO: Brendan Levy, M.D. - Possible Settlement Agreement
(Case No. 2020-049)

12:30 WORKING LUNCH

1:15 10. REPORTS

A. Board Chair Report

B. Executive Director Report

C. Licensing Manager Report

- Pandemic Exceptions for Licensure – END or CONTINUE Telemed for established patients being treated by a doctor in another state.

D. Finance Report

- Review of FY21 Budget Status Report, Ending June 30, 2021
- Review of FY21 Revenue Status Report, Ending June 30, 2021
- New Mexico Medical Board Statistics Summary for FY21

E. Board Attorney Report- [portions may be closed*]**

- Margaret McLean, Esq.- For Review

- 2:00 11. New Business**
- New Board Member Orientation
 - Rule Hearing Approval
 - 16.10.2 – Physician Licensure Requirements
 - 16.10.3 – Examinations
 - 16.10.4 – Continuing Medical Education
 - 16.10.9 – Fee
 - 16.10.15 – Physician Assistant Licensing Requirements
 - 16.6.1 – Naprapathic Practitioners

- 2:45 12. Old Business**
- Establish Committee to Write “Safe Harbor” Policy** – Allowing licensees who have no Other misconduct and are proactive in rehabilitation measures, i.e., to remain as voluntary participants in NMHPWP when they self-report vs. mandatory participation through Board Stipulation. NMHPWP to report to Board on “Safe Harbor” participants without identifying participants.

- 3:30 13. ADJOURN – ANY AGENDA ITEMS NOT DISCUSSED ON THURSDAY, AUGUST 12, 2021 WILL BE HEARD ON FRIDAY AUGUST 13, 2021.**

*” 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, Section s 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.