

**NEW MEXICO MEDICAL BOARD
Interim Board Meeting
December 16, 2021
MINUTES**

MEETING MADE PUBLIC VIA ZOOM AND TELECONFERENCE

Members Present: Steve Jenkusky, M.D., Secretary Treasurer
Eric Anderson, M.D.

Video Conferencing: Peter Beaudette, M.D., Chair
Karen Carson, M.D., Vice Chair
James Spence, M.D.
Mark Unverzagt, M.D.
Kathy Johnson, PA
Buffie Saavedra, Public Member
Kristin Reidy, DO – Joined at 3:20pm
Bradley Scoggins, DO

Others Present: Sondra Frank, Esquire, Executive Director
Amanda Quintana, Compliance Manager / PIO
Elishia Lucero, Administrative Assistant
Samantha Breen, Compliance Coordinator

1. CALL TO ORDER / ROLL CALL

Dr. Beaudette, after establishing the presence of a quorum, called the December 16, 2021, Interim Board Meeting of the New Mexico Medical Board to order at 3:04 pm, roll call was completed.

2. APPROVAL OF AGENDA

MOTION was made by Dr. Spence approve the agenda. **SECONDED** by Dr. Carson **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky, Dr. Spence, Dr. Anderson, Dr. Unverzagt, PA Johnson, and Dr. Scoggins. **EXCUSED:** Dr. Reidy and Ms. Saavedra **MOTION CARRIED.**

3. APPROVAL OF MINUTES

MOTION was made by Dr. Carson to approve the minutes from the November 4, 2021, Regular Board meeting. **SECONDED** by Dr. Scoggins. **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky, Dr. Spence, Dr. Anderson, Dr. Unverzagt, PA Johnson, and Dr. Scoggins. **EXCUSED:** Dr. Reidy and Ms. Saavedra **MOTION CARRIED.**

EXECUTIVE SESSION: Complaint Committee Reports

MOTION was made by Dr. Scoggins 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. Carson. **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky, Dr. Spence, Dr. Anderson, Dr. Unverzagt, PA Johnson, and Dr. Scoggins. **EXCUSED:** Dr. Reidy and Ms. Saavedra **MOTION CARRIED.**

OPEN SESSION

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

ACTIONS RELATED TO EXECUTIVE SESSION

4. Complaint Committee Reports

Committee A

Case # 2017-A-001 Recommendation was made by Dr. Jenkusky to offer physician an agreed order requiring inactivation of his medical license during the term of incarceration and allowing him to apply for reinstatement of his medical license and granting licensure with the following stipulations: (1) Issuance of a Reprimand; (2) permanent prohibition from prescribing compound medications to patients; (3) requiring successful completion of an ethics course through CPEP or comparable program; and (4) requiring a practice monitor for an indefinite period of time. If physician does not accept, physician's license will be summarily suspended based on pleading guilty to an offense related to the practice of medicine and a notice of contemplated action will be issued based on, but not limited to, conviction of an offense within the practice of medicine, conduct unbecoming, conduct likely to deceive the public and ethical violations. **YES:** Dr. Beaudette, Dr. Carson, Dr. Spence, Dr. Anderson, Dr. Unverzagt, PA Johnson and Dr. Scoggins. **RECUSED:** Dr. Jenkusky and Dr. Reidy. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

Case #2021-A-247 Recommendation was made by Dr. Jenkusky to close this case with issuance of a license. **YES:** Dr. Beaudette, Dr. Carson, Dr. Spence, Dr. Anderson, Dr. Unverzagt, PA Johnson, and Dr. Scoggins. **RECUSED:** Dr. Jenkusky and Dr. Reidy. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

Committee B

Case # 2021-B-094 Recommendation was made by Dr. Anderson to offer physician a reprimand and requiring payment of a fine in the amount of \$6000, physician must let his license lapse. If physician does not accept offer, a notice of contemplated action will be issued based on, but not limited to, adverse licensure action in another state and conduct unbecoming. **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky Dr. Spence, Dr. Unverzagt, Dr. Reidy and Dr. Scoggins. **RECUSED:** Dr. Anderson and PA Johnson. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

Case # 2021-B-191 Recommendation was made by Dr. Anderson to offer physician a stipulated license requiring mandatory participation in NMHPWP. If physician does not accept, a notice of contemplated action will be issued based on, but not limited to, habitual/excessive use of alcohol and adverse licensure action in another state. **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky Dr. Spence, Dr. Unverzagt, Dr. Reidy and Dr. Scoggins. **RECUSED:** Dr. Anderson and PA Johnson. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

Case # 2021-B-251 Recommendation was made by Dr. Anderson to close this case and issue a medical license. **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky Dr. Spence, Dr. Unverzagt, Ms. Reidy and Dr. Scoggins. **RECUSED:** Dr. Anderson and PA Johnson. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

Case # 2021-B-252 Recommendation was made by Dr. Anderson to close this case and issue a medical license. **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky Dr. Spence, Dr. Unverzagt, Ms. Reidy and Dr. Scoggins. **RECUSED:** Dr. Anderson and PA Johnson. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

Committee C

Case #2021-C-248- Tabled

Committee D

Case # 2021-D-047 Recommendation was made by Dr. Unverzagt to offer physician an agreed order with issuance of a reprimand, require payment of a fine in the amount of \$5,000.00 and provide proof of successful completion of a board approved ethics course. If physician does not accept, a NCA will be issued based on, but not limited to, multiple ethical violation (self-treatment/treatment of a family member, dishonesty), obtaining a fee by misrepresentation and conduct unbecoming. **YES:** Dr. Carson, Dr. Jenkusky, Dr. Spence, Dr. Anderson, PA Johnson, Dr. Reidy and Dr. Scoggins. **RECUSED:** Dr. Beaudette and Dr. Unverzagt. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

Case # 2021-D-051 Recommendation was made by Dr. Unverzagt to close this case with no action. **YES:** Dr. Carson, Dr. Jenkusky, Dr. Spence, Dr. Anderson, PA Johnson, Dr. Reidy and Dr. Scoggins. **RECUSED:** Dr. Beaudette and Dr. Unverzagt. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

Case # 2021-D-253 Recommendation was made by Dr. Unverzagt to offer GC applicant a stipulated license requiring mandatory participation in NMHPWP. If GC Applicant does not accept, a notice of contemplated action will be issued based on, but not limited to, habitual/excessive use of alcohol. **YES:** Dr. Carson, Dr. Jenkusky, Dr. Spence, Dr. Anderson, PA Johnson, Dr. Reidy and Dr. Scoggins. **RECUSED:** Dr. Beaudette and Dr. Unverzagt. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

5. Compliance Requests/Actions

Steven Chapman, PA- Request to return to work

MOTION was made by Dr. Jenkusky to deny PA Chapman's request to return to work. **SECONDED** by: Dr. Carson. **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky, Dr. Spence, Dr. Anderson, Dr. Unverzagt, PA Johnson, Dr. Reidy and Dr. Scoggins. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

6. Reports

A. Finance

Ms. Mascarenes reported to the Board, the following items;

FY21 Financial Audit the Audit Firm, Auditor Porch & Associates LLC (Thad Porch) who conducted the audit presented the FY21 Audit to the Board.

After review of the Audit, the following motion was made. **MOTION** was made by Dr. Jenkusky to approve the FY21 Financial Audit. **SECONDED** by Dr. Carson. **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky, Dr. Spence, Dr. Anderson, Dr. Unverzagt, PA Johnson, Dr. Reidy and Dr. Scoggins. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

7. Old Business

Adopt Changes to the 2022 Board Meeting Dates.

The Board took a moment to review the proposed changes.

Motion was made by Dr. Jenkusky to approve the changes to the 2022 Board meeting dates. **SECONDED** by: Dr. Carson. **YES:** Dr. Beaudette, Dr. Carson, Dr. Jenkusky, Dr. Spence, Dr. Anderson, Dr. Unverzagt, PA Johnson, Dr. Reidy and Dr. Scoggins. **EXCUSED:** Ms. Saavedra. **MOTION CARRIED.**

9. Adjourn

There being no further business before the Board, Dr. Beaudette adjourned the meeting at 4:45 p.m.

SUBMITTED BY: _____
Sondra Frank, J.D., Executive Director

DATE: _____

APPROVED BY: _____
Peter Beaudette, M.D, M.D., Chair

DATE: _____

APPROVED BY: _____
Karen Carson, M.D., Vice Chair

DATE: _____