

**New Mexico Medical Board
Interim Meeting
April 5, 2012**

MINUTES

Members Present: Steven Weiner, MD, Chair
Rebecca Cochran, CPMSM, CPCS, Vice Chair,
Public Member – by teleconference
Paul Kovnat, MD, Secretary/Treasurer
Roger Miller, MD
Steve Jenkusky, MD – by teleconference
Sam Kankanala, MD – by teleconference
Steve Komadina, MD – by teleconference
Albert Bourbon, PA-C – by teleconference at 4:10 pm

Members Absent: None

Others Present: Lynn Hart, Executive Director
Andrea Buzzard, Assistant Attorney General
Jerry Marshak, Administrative Prosecutor
J.J. Walker, Compliance Mgr. / PIO
Amanda Quintana, Licensing Manager
Lynn Tipton, Administrative Assistant
Samantha Breen, Licensing Staff
Debbie Dieterich, Senior Investigator
Amanda Chavez, Investigator

1. Call to Order / Roll Call

Dr. Weiner called the Interim Meeting to order at 4:00 p.m. and a quorum was determined present.

2. Approve Agenda

MOTION was made by Dr. Weiner to approve the Agenda. **SECONDED** by Dr. Miller. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Miller, Dr. Jenkusky, Ms. Cochran, Dr. Kankanala and Dr. Komadina. **ABSENT:** Mr. Bourbon. **MOTION CARRIED.**

3. Approve Minutes

MOTION was made by Dr. Weiner to approve the Minutes from the February 23-24, 2012 Quarterly Board meeting. **SECONDED** by Dr. Kovnat. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Miller, Dr. Jenkusky, Ms. Cochran, Dr. Kankanala and Dr. Komadina. **ABSENT:** Mr. Bourbon. **MOTION CARRIED.**

4. Chair Report

Dr. Weiner recommended Dr. Jenkusky as the member to participate on the NM Prescription Drug Misuse and Overdose Prevention and Pain Management Advisory Council. Ms. Hart will attend as a staff member. **SECONDED** by Dr. Kovnat. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Miller, Dr. Jenkusky, Ms. Cochran, Dr. Kankanala and Dr. Komadina. **ABSENT:** Mr. Bourbon. **MOTION CARRIED.**

5. **Executive Director**

Ms. Hart announced the names of the candidates for the Administrative Prosecutor position. Ms. Hart and Ms. Dieterich participated in the interviews at the Governor's office and stated that a decision should be made by May.

6. **Licensure Requests and Actions, New Applicants/Reinstatements:**

- **Cheryl McChesney, M.D.** – Consider issuing a training license for UNM Mini Sabbatical.

MOTION was made by Dr. Weiner to **GRANT** a resident/training license and allow Dr. McChesney to enter a Mini Sabbatical program at UNM. **SECONDED** by Dr. Jenkusky. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Miller, Dr. Jenkusky, Mr. Bourbon, Ms. Cochran, Dr. Kankanala and Dr. Komadina. **MOTION CARRIED.**

- **Cheryl Ellis, M.D.** – Consider non-disciplinary stipulation for administrative medicine.

MOTION was made by Dr. Weiner to **ISSUE** Dr. Ellis a non-disciplinary stipulated license limiting her practice to administrative, non-clinical work only.

SECONDED by Dr. Kovnat. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Miller, Dr. Jenkusky, Mr. Bourbon, Ms. Cochran, Dr. Kankanala and Dr. Komadina. **MOTION CARRIED.**

- **Juan Felix, PA** – Review assessment from UNM Mini-Sabbatical and reinstate a non-disciplinary license.

MOTION was made by Dr. Weiner to **REINSTATE** an unrestricted license to practice medicine in New Mexico. **SECONDED** by Mr. Bourbon. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Miller, Dr. Jenkusky, Mr. Bourbon, Ms. Cochran, Dr. Kankanala and Dr. Komadina. **MOTION CARRIED.**

MOTION was made by Dr. Weiner 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. **SECONDED** by Dr. Miller. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Miller, Dr. Jenkusky, Mr. Bourbon, Ms. Cochran, Dr. Kankanala and Dr. Komadina. **MOTION CARRIED.**

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

- **Consider Settlement** – Patrick Clyne, M.D.

MOTION was made by Dr. Weiner to **DENY** the proposed settlement agreement and proceed with hearing. **SECONDED** by Dr. Kovnat. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Jenkusky, Mr. Bourbon, Dr. Kankanala and Dr. Komadina. **ABSTAINED:** Dr. Miller and Ms. Cochran. **MOTION CARRIED.**

- **Consider Settlement** – Frank Bryant, M.D.

MOTION was made by Dr. Weiner to **DENY** the proposed settlement agreement and proceed with hearing. **SECONDED** by Dr. Kovnat. **YES:** Dr. Kovnat, Dr. Miller, Dr. Jenkusky, Mr. Bourbon, Ms. Cochran, Dr. Kankanala and Dr. Komadina. **ABSTAINED:** Dr. Weiner. **MOTION CARRIED.**

- **Decision and Order** – Mark Leatherwood, M.D.
MOTION was made by Dr. Weiner to **ADOPT** the Hearing Officer's Report in its entirety and in the Conclusion of Law the Board concludes that Respondent poses a clear and immediate danger to the public health and safety if he continues to practice medicine, and, therefore, the Board's Summary Suspension Order shall remain in effect until further order of the Board. **SECONDED** by Ms. Cochran. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Miller, Mr. Bourbon, Ms. Cochran, Dr. Jenkusky, Dr. Kankanala and Dr. Komadina. **MOTION CARRIED.**

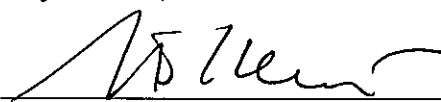
7. **Investigations**

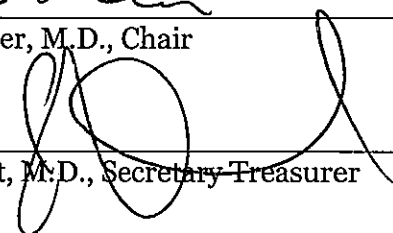
- **Committee B: 2012-B-010** – This case was returned to investigations.
- **Committee D: 2012-D-023** ([REDACTED])
RECOMMENDATION was made by Dr. Jenkusky that physician be examined under the provisions of the Impaired Health Care Provider Act and simultaneously be issued a Notice of Contemplated Action, based on, but not limited to, injudicious prescribing and failure to maintain accurate and complete medical records. **YES:** Dr. Weiner, Dr. Kovnat, Dr. Miller, Ms. Cochran, Dr. Kankanala and Dr. Komadina. **ABSTAINED:** Dr. Jenkusky and Mr. Bourbon. **RECOMMENDATION PASSED.**

8. **Adjourn**

There being no further business, the Interim Meeting was adjourned at 5:10 p.m.

SUBMITTED BY:  DATE: 5-18-12
 Lynn Hart, Executive Director

APPROVED BY:  DATE: 5/18/12
 Steve Weiner, M.D., Chair

APPROVED BY:  DATE: 5 17 12
 Paul Kovnat, M.D., Secretary-Treasurer