

**NEW MEXICO MEDICAL BOARD**  
**Interim Meeting**  
**September 24, 2015**  
**FINAL MINUTES**

**Members Present:** Steven Jenkusky, M.D., Chair  
Albert Bourbon, PA-C, Vice Chair  
Jennifer Anderson, Esquire, Public Member, Secretary/Treasurer  
Peter Beaudette, M.D.  
Steven Komadina, M.D.  
James Spence, M.D.  
Karen Carson, M.D.  
Philip Styka, M.D. – Via Teleconference  
Rick Wallace, FACHE, Public Member – Via Teleconference (phoned in at 4:15)

**Members Absent:** None

**Others Present:** Sondra Frank, Executive Director  
Debbie Dieterich, Investigations Manager  
Amanda Quintana, PIO/Compliance Officer  
Susan Sullivan, Assistant Attorney General  
Samantha Breen, Administrative Assistant

**1. CALL TO ORDER / ROLL CALL**

Dr. Jenkusky called the interim Meeting of the New Mexico Medical Board to order at 4:05 pm and a quorum was present.

**2. APPROVAL OF AGENDA**

**MOTION** was made by Dr. Beaudette to approve the Agenda. **SECONDED** by Mr. Bourbon. **YES:** Dr. Jenkusky; Dr. Komadina, Mr. Bourbon, Ms. Anderson, Dr. Carson, Dr. Beaudette, Dr. Spence and Dr. Styka. **ABSENT:** Mr. Wallace. **MOTION CARRIED.**

**3. APPROVAL OF MINUTES**

**MOTION** was made by Dr. Jenkusky to accept and approve the minutes of the August 6-7, 2015 Regular Board Meeting as presented. **SECONDED** by Mr. Bourbon. **YES:** Dr. Jenkusky; Dr. Komadina, Mr. Bourbon, Ms. Anderson, Dr. Carson, Dr. Beaudette, Dr. Spence and Dr. Styka. **ABSENT:** Mr. Wallace. **MOTION CARRIED.**

**4. CHAIR REPORT**

Dr. Jenkusky briefed the Board on ongoing matters related to MTP.

**5. EXECUTIVE DIRECTOR REPORT**

None

**EXECUTIVE SESSION: Complaint Committee Reports**

**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 Mr. Bourbon. **YES:** Dr. Jenkusky; Dr. Komadina, Mr. Bourbon, Ms. Anderson, Dr. Carson, Dr. Beaudette, Dr. Spence and Dr. Styka. **ABSENT:** Mr. Wallace. **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 D**

**RECOMMENDATION** was made by Dr. Beaudette to **CLOSE** Case #2015-D-131; #2015-D-139; 2015-D-140 and #2015-D-148. **YES:** Dr. Komadina, Mr. Bourbon, Dr. Carson, Dr. Spence, Dr. Styka, and Mr. Wallace. **RECUSED:** Dr. Jenkusky, Dr. Beaudette and Ms. Anderson. **MOTION CARRIED.**

**Case #2015-D-118 RECOMMENDATION** was made by Dr. Jenkusky to keep the case open for further investigation. **YES:** Dr. Komadina, Mr. Bourbon, Dr. Carson, Dr. Spence, Dr. Styka, and Mr. Wallace. **RECUSED:** Dr. Jenkusky, Dr. Beaudette and Ms. Anderson. **MOTION CARRIED.**

**Case #2015-D-123 RECOMMENDATION** was made by Dr. Jenkusky to offer physician a stipulated license requiring mandatory participation in MTP and requiring her to keep her license on inactive status until both MTP and the Board approve her to return to work. If she does not accept, a Notice of Contemplated Action will be issued based on, but not limited to, habitual and/or excessive use of alcohol and conduct likely to harm. **YES:** Dr. Komadina, Mr. Bourbon, Dr. Carson, Dr. Spence, Dr. Styka, and Mr. Wallace. **RECUSED:** Dr. Jenkusky, Dr. Beaudette and Ms. Anderson. **MOTION CARRIED.**

### **7. LICENSING REQUESTS AND ACTIONS, NEW APPLICANTS / REINSTATEMENTS:**

**Kenneth Stoller, M.D. – Motion to Reopen and Reconsider Matters/Motion to Appeal Disciplinary Action by NMMB – Case No. 2014-031**

**MOTION** was made by Dr. Jenkusky to **GRANT** the Motion to Reopen and Reconsider Matters. **SECONDED** by Mr. Bourbon. **YES:** Dr. Jenkusky; Dr. Komadina, Mr. Bourbon, Ms. Anderson, Dr. Carson, Dr. Beaudette, Dr. Spence, Dr. Styka and Mr. Wallace. **MOTION CARRIED.**

**Charles Cooley, M.D. – Decision and Order – Case No. 2014-031**

**MOTION** was made by Dr. Jenkusky to **ACCEPT** the Hearing Officers Report in significant part and **DENY** licensure. **SECONDED** by Mr. Bourbon. **YES:** Dr. Jenkusky; Dr. Komadina, Mr. Bourbon, Ms. Anderson, Dr. Carson, Dr. Beaudette, Dr. Spence, Dr. Styka and Mr. Wallace. **MOTION CARRIED.**

**Jean-Michel Hassan, M.D. – Decision and Order – Case No. 2014-031**

**MOTION** was made by Dr. Jenkusky to **ACCEPT** the Hearing Officers Report in significant part and **REVOKE** Dr. Hassan's license. **SECONDED** by Mr. Bourbon. **YES:** Dr. Jenkusky; Dr. Komadina, Mr. Bourbon, Ms. Anderson, Dr. Carson, Dr. Beaudette, Dr. Spence, Dr. Styka and Mr. Wallace. **MOTION CARRIED.**

### **8. INVESTIGATIONS**

None

### **9. LICENSING MANAGER REPORT**

**MOTION** was made by Dr. Spence to add a Professional Practice Question regarding parental responsibility to NMMB licensee initial applications and renewals that states: "Are you currently in arrears in payments of amounts required to be paid pursuant to an outstanding judgment and order for child support in New Mexico or in any other state?" **SECONDED** by Dr. Jenkusky **YES:** Dr. Jenkusky; Dr. Komadina, Mr. Bourbon, Ms. Anderson, Dr. Carson, Dr. Beaudette, Dr. Spence, Dr. Styka and Mr. Wallace. **MOTION CARRIED.**

### **10. ADJOURN**

There being no further business, **MOTION** was made by Dr. Jenkusky to adjourn the Meeting at 5:32 p.m.

SUBMITTED BY:   
Sondra Frank, Executive Director

DATE: 11/6/15

APPROVED BY:   
Steven Jenkusky, M.D., Chair

DATE: 11/6/15

APPROVED BY:   
Albert Bourbon, P.A., Vice Chair

DATE: 11/6/15