

NEW MEXICO MEDICAL BOARD
Board Meeting
August 21-22, 2025
MINUTES

MEETING MADE PUBLIC VIA ZOOM AND TELECONFERENCE

THURSDAY, AUGUST 21, 2025

Members Present: Karen Carson, MD, Chair
Michael Richards, MD (Day 1)
Paul Roth, MD (Day 1)
Mark Unverzagt, MD
Kristin Reidy, DO

Video Conferencing: Eileen Barrett, MD
Jeannine Daniels, Public Member
Kathy Johnson, PA, Vice Chair
Kristin Reidy, DO
Michael Richards, MD (Day 2)
Paul Roth, MD (Day 2)
Bradley Scoggins, DO, Secretary Treasurer
David Foster, Esq., NMMB Contract Attorney
Tom Banner, NMMB Contract Attorney
Leah Nelson, MD, New Mexico Health and Wellness Program
Mary Lynn Griffin, New Mexico Health and Wellness Program
Adam Vareika, Executive Director, New Mexico Health and Wellness Program
Amy Bachyrycz, PHARM.D, RPH
Lex Garcia, Executive Director, New Mexico Pharmacy Board
Munjai Patel, Kyra Solutions
Courtney King, Kyra Solutions

Excused: Angela Medrano, Public Member (Attended Partial day 8/21/25)

Others Present: Monique Parks, Interim Executive Director
Samantha Breen, Licensing Manager
Elishia Lucero, Compliance Supervisor
Natalie Padilla, Compliance Coordinator
David Dominguez, Investigator
Lusan Leyba, Chief Financial Officer
Richard Romero, Government Liaison
Claire Pultz, PA- Compliance

1. CALL TO ORDER / ROLL CALL

Dr. Carson, after establishing the presence of a quorum, called the **August 21, 2025**, Board Meeting of the New Mexico Medical Board to order at 8:37 AM. Roll call was completed. **PRESENT:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED.** Ms. Medrano.

2. APPROVAL OF AGENDA

MOTION was made by Dr. Carson to approve the agenda for August 21-22, 2025, Board Meeting. **SECONDED:** Dr. Reidy. **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

3. APPROVAL OF MINUTES

MOTION was made by Dr. Carson to approve the minutes from the June 18, 2025, Interim Board Meeting. **SECONDED:** Dr. Reidy. **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

MOTION was made by Dr. Carson to approve the minutes from July 3, 2025, Special Board Meeting.

SECONDED: Dr. Reidy. **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins. **EXCUSED:** Ms. Medrano. **RECUSED:** Dr. Unverzagt. **MOTION CARRIED.**

EXECUTIVE SESSION: Compliance, New Mexico Health Professional Wellness Program and Complaint Committee Reports.

MOTION was made by Dr. Unverzagt to go into Executive Session pursuant to NMSA 1978, Section 10-15-1 (H) (1) of the Open Meetings Act, Sections 10-15-1 to 10-15-4, the New Mexico Medical Board may close portions of its meeting to discuss matters pertaining to a particular license, such as the issuance, suspension, renewal or revocation of a license. All final actions concerning any particular license will be made in an open meeting.

SECONDED: Dr. Scoggins. **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

4. HPWP Report (Executive Session)

Mary Lynn Griffin, Leah Nelson, MD and Adam Vareika, Executive Director from HPWP presented the status of all mandatory and voluntary HPWP participants and answered questions from the Board.

5. Informal Compliance Interviews (Executive Session)

Claire Pultz, PA, Bartholomew Lally, PA, Joanna Teufel, MD, Quinn Stein, GC, Robben Gingery, MD, and William Elder Quintana, MD.

OPEN SESSION

The Board returned to open session. Dr. Carson 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 A:

RECOMMENDATION was made by Dr. Roth to **CLOSE** the following cases: **NMMB-20240214 and NMMB-20240215.** **YES:** Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Scoggins, Dr. Unverzagt. **RECUSED:** Dr. Carson, Dr. Roth. **EXCUSED:** Ms. Medrano, Dr. Barrett. **MOTION CARRIED.**

Case# NMMB-20240335 RECOMMENDATION was made by Dr. Roth to **CLOSE** this case with an advisory letter to the physician to continue personal counseling and review the New Mexico Medical Board's statutes and regulations with an issuance of a \$150 fine for failing to report arrest. **YES:** Ms. Daniels, PA Johnson, Dr. Reidy,

Dr. Richards, Dr. Scoggins, Dr. Unverzagt. **RECUSED:** Dr. Carson, Dr. Roth. **EXCUSED:** Ms. Medrano, Dr. Barrett. **MOTION CARRIED.**

Case# NMMB-20250315 RECOMMENDATION was made by Dr. Roth to offer the applicant a stipulated license contingent upon a twelve (12) month agreement with the New Mexico Health Professional Wellness Program (HPWP) for evaluation and monitoring. The stipulation will include, 1.) Participation in random drug testing. 2.) Worksite monitor 3.) Monthly check-in phone calls and 4.) Appear before the board every six months (during the time of the stipulation) or offer applicant the opportunity to withdraw their application while under investigation. **YES:** Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Scoggins, Dr. Unverzagt. **RECUSED:** Dr. Carson, Dr. Roth. **EXCUSED:** Ms. Medrano, Dr. Barrett. **MOTION CARRIED.**

Case# NMMB-20250316 RECOMMENDATION was made by Dr. Roth to grant the issuance of a full unrestricted license. **YES:** Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Scoggins, Dr. Unverzagt. **RECUSED:** Dr. Carson, Dr. Roth. **EXCUSED:** Ms. Medrano, Dr. Barrett. **MOTION CARRIED.**

Complaint Committee B:

RECOMMENDATION was made by Dr. Reidy to **CLOSE** the following cases: **NMMB-20240184, NMMB-20240240, NMMB-20240241, NMMB-20250023 and NMMB-20250031.** **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **RECUSED:** PA Johnson, Dr. Reidy. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

Complaint Committee C:

RECOMMENDATION was made by Dr. Scoggins to **CLOSE** the following cases **NMMB-20230214 and NMMB-20240027** **YES:** Dr. Carson, Dr. Barrett, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Unverzagt. **RECUSED:** Ms. Daniels, Dr. Scoggins. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

Case# NMMB-20230212 and NMMB-20240355 Recommendation was made by Dr. Scoggins to table these cases and return to complaint committee for further review. **YES:** Dr. Carson, Dr. Barrett, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Unverzagt. **RECUSED:** Ms. Daniels, Dr. Scoggins. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

Complaint Committee D:

RECOMMENDATION was made by Dr. Barrett to **CLOSE** the following cases **NMMB-20230239, NMMB-20240418 and NMMB-20250203** **YES:** Dr. Carson, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **RECUSED:** Dr. Barrett. **EXCUSED:** Ms. Medrano **MOTION CARRIED.**

Case# NMMB-20240086 was made by Dr. Barrett to **CLOSE** this case with issuance of an advisory letter to physician, regarding careful communication with patients regarding procedural risks, and benefits regarding possible expected outcomes. **YES:** Dr. Carson, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **RECUSED:** Dr. Barrett. **EXCUSED:** Ms. Medrano **MOTION CARRIED.**

Case# NMMB-20250089 was made by Dr. Barrett to **CLOSE** this case with the issuance of an advisory letter regarding better medical record documentation. **YES:** Dr. Carson, Ms. Daniels, PA Johnson, Dr. Reidy, Dr.

Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **RECUSED:** Dr. Barrett. **EXCUSED:** Ms. Medrano **MOTION CARRIED.**

Complaint Committee E:

RECOMMENDATION was made by Dr. Richard to **CLOSE** the following cases: **NMMB-20250108, NMMB-20250113 and NMMB-20250017. YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Reidy, Dr. Roth, Dr. Scoggins. **RECUSED:** Dr. Richards, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

Case# NMMB-20240112 was made by Dr. Richards to **CLOSE** this case with the issuance of an advisory letter regarding the importance of patient communication **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Roth, Dr. Scoggins **RECUSED:** Dr. Richards, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

Case# NMMB-20250030 was made by Dr. Richards to **CLOSE** this case with the issuance of an advisory letter advising better record documentation and better patient communication. **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Roth, Dr. Scoggins **RECUSED:** Dr. Richards, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

7. Licensing Request and Actions, New Applicants/Reinstatements- [portions may be closed**]

IMO: Ester Han, M.D.- Case No. 2024-022- Motion for Entry of Default Order

MOTION was made by Dr. Carson to accept the Motion for Entry of Default Order. **SECONDED:** Dr. Reidy **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

MOTION was made by Dr. Carson to Revoke the medical license of Ester Han, MD. **SECONDED:** Ms. Daniels **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano **MOTION CARRIED.**

IMO: Jennifer McCain, D.O.- Case No. 2025-006- Motion for Approval of Stipulation and Order

MOTION was made by Dr. Carson to accept the Proposed Stipulation of license and Order and Formal Reprimand **SECONDED:** Dr. Reidy **YES:** Dr. Carson, Dr. Barrett Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

EXECUTIVE SESSION:

MOTION was made by Dr. Unverzagt to go into Executive Session 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. The term "limited personnel matters" means the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee.

AND

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, or when the Board wants to consult with its attorney about a lawsuit the Board has initiated or is considering initiating, or when the Board wants to consult with its attorney about actual legal disputes that have not yet reached the courts." See Board of County Commissioners, Luna County v. Ogden, 1994-NMCA-010, ¶ 15, 117 N.M.

181, 185, 870. **SECONDED:** Dr. Reidy. **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

8. **Reports-** [portions may be closed**]

Executive Director

Board Attorney

OPEN SESSION

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

Chair Report

Dr. Carson asked the Board to begin considering potential goals for the upcoming Retreat. A brief discussion followed regarding the timing, topics, and location of the event.

Dr. Carson then provided an update on the Telemedicine Rules Committee, noting her participation in discussions earlier in the week. She informed the Board that Senator Duhigg is proposing the creation of a telemedicine registry under the New Mexico Medical Board. This registry would allow out-of-state telemedicine physicians to register with an agent in New Mexico without obtaining full licensure in the state. She stated there will be strict guidelines for physicians seeking this route of licensure.

Dr. Carson noted that several other states have already adopted similar registries and expressed concerns about the potential implications of implementing such a system. She also raised an issue regarding the current requirement for residents to complete two years of post-graduate training, while other states only require one year.

Additionally, the lack of a licensure fee was discussed. The Board will need to address this matter, as licensure fees are a critical source of funding for its operations.

The Board's continuing medical education (CME) requirements were also reviewed. In her research, Dr. Carson found that the New Mexico Medical Board's (NMMB) requirements are comparable to those of other states.

Medical Director

Dr. William Brady presented several updated Policies to the Board. After thorough discussion, the Board approved the following policies.

a. Approval of Updated IV Policy

MOTION was made by Dr. Carson to approve the Updated IV Policy with the following revisions.

Section 3 – Patient Assessment and Screening:

Replace the term "face-to-face telemedicine" with "compliant" telemedicine".

Section 10 – Competency Requirements:

Remove the word "if" from the phrase "which could include CME if necessary", so that it reads: "which could include CME.

SECONDED: Ms. Daniels. **YES:** Dr. Carson, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano, Dr. Barrett. **MOTION CARRIED.**

b. Approval of Updated Artificial Intelligence (AI) Policy

MOTION was made by Dr. Carson to approve the Updated AI Policy with the following revisions.

Scope:

Remove the term "non-traditional" from the sentence:

"Use of non-FDA-cleared AI tools for clinical decision-making must comply with the same standards of care applicable to any non-traditional intervention or diagnostic method."

Revised language:

"Use of non-FDA-cleared AI tools for clinical decision-making must comply with the same standards of care applicable to any intervention or diagnostic method."

SECONDED: Ms. Daniels. **YES:** Dr. Carson, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano, Dr. Barrett. **MOTION CARRIED.**

c. Approval of Updated Cannabis use by Licensees

MOTION was made Dr. Carson to approve the updated Cannabis use by Licensees policy with the following edits.

Background Information:

On the first page, third paragraph, "take action against a physician" Should read instead "take action against an NMMB licensee"

SECONDED: Dr. Unverzagt. **YES:** Dr. Carson, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano Dr. Barrett. **MOTION CARRIED**

d. Approval of Updated Self-Prescribing Policy

MOTION was made by Dr. Carson to accept the updated Self-prescribing policy as presented.

SECONDED: Dr. Reidy **YES:** Dr. Carson, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano Dr. Barrett. **MOTION CARRIED.**

Governmental Projects Coordinator

Richard Romero, Governmental Project Coordinator, reported to the Board that his primary objective is to educate newly elected legislators on the role and responsibilities of the Board. He noted that he continues to attend legislative committee meetings and provide relevant information and support as needed.

Licensing Manager

Samantha Breen, Licensing Manager, provided the Board with the following licensing statistics:

Physician Licensing Data:

- Pending Physician Applications: 454
- Pending Expedited Applications: 33
- Expedited Licenses Issued (Jan 1 – Aug 14, 2025): 143
- Total Licenses Issued (July 1 – Aug 14, 2025): 249
- Breakdown: MD – 194, DO – 37, TM – [number missing]
- Physician Assistant (PA) Licensing Data:
- Pending PA Applications: 57
- PA Licenses Issued (July 1 – Aug 14, 2025): 21

Licensing Renewal Updates:

- Total Licenses Expiring as of July 1, 2025: 4,101
- Licenses Renewed (April 1 – Aug 14, 2025): 3,910
(Includes MD, DO, TM – renewal period open through October 1, 2025)
- PA Renewal Data:
- PA Licenses Up for Renewal (12/31/2024 – 05/30/2025): 640
- PA Licenses Renewed to Date: 534

Finance

Lusan Leyba, CFO, presented the following financial statistics to the Board.

As of June 30, 2025, the budget revenue status is as follows:

Expenditures from July 1, 2024, through June 30, 2025, totaled \$2,980,680.79, representing 84.55% of the total budgeted expenditures (Operating Budget: \$3,525,300.00).

Revenues collected during the same period amounted to \$3,351,817.00, which is 110.07% of the budgeted revenue target.

Operating Budget (OpBud): \$3,045,300.00

Fund Balance (FB): \$480,000

Total Budgeted Revenue: \$3,525,300.00

9. Adjourn

Dr. Carson adjourned the first day [August 21, 2025] of the August Regular Board Meeting at 4:30 p.m.

10. Friday, August 22, 2025

Dr. Carson, after establishing the presence of a quorum, called the **August 22, 2025**, Board Meeting of the New Mexico Medical Board to order at 8:33 AM. Roll call was completed. **PRESENT:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano.

11. New Business:

New Mexico Pharmacist Association, Amy Bachyrycz, PHARMD, RPH and Lex Garcia, Executive Director

Review of the Protocol of Pharmacists prescribing of vaccines

Amy Bachyrycz, presented to the board the updated protocol for Pharmacists prescribing vaccines, the Board took a moment to review and discuss the changes presented.

MOTION was made by Dr. Carson to approve the Protocol of Pharmacist Prescribing Vaccines with the Following changes.

Paragraph C- Guidelines

Adding the term "CDC"

Section L- Dispensing Administration- Changes to Subsection G, J, N and O

Adding the term "vaccine" so it reads:

(g) Human Papilloma Virus (HPV) vaccine

(j) Japanese encephalitis vaccine

(n) Rabies vaccine

(o) Rotavirus vaccine

Section I- Allergies & Hypersensitivities & Drug Interactions

Removing the allergy "egg"

SECONDED: Ms. Daniels. **YES:** Dr. Carson, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano, Dr. Barrett. **MOTION CARRIED**

NNMB Data Analytics- Kyra Solutions, Munjal Patel and Courtney King

Munjal Patel and Courtney King presented data analytics to the Board related to the internal complaint intake process, investigations process as well as the initial application process in salesforce.

The Board took time to review and discuss the information presented.

MOTION was made by Dr. Carson to go into Executive Session 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 matters pertaining to a particular license, such as the issuance, suspension, renewal or revocation of a license. All final actions concerning any particular license will be made in an open meeting.

SECONDED: Dr. Scoggins. **YES:** Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED:** Ms. Medrano. **MOTION CARRIED.**

12. Informal Compliance Interviews (Executive Session)

Anjumn Sharma, MD, Jose Sanchez, DO, Juan Rossini, MD, Patrick Dunphy, PA and Patrick Shanley, PA

OPEN SESSION

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

13. Meeting Adjourned

There being no further business before the Board, Dr. Carson adjourned the meeting at 11:33 am.

SUBMITTED BY: _____
Monique Parks, Interim Executive Director

DATE: _____

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

DATE: _____

APPROVED BY: _____
Bradley Scoggins, D.O., Secretary Treasurer

DATE: _____