

**NEW MEXICO MEDICAL BOARD
Board Meeting
February 6-7, 2025
MINUTES**

MEETING MADE PUBLIC VIA ZOOM AND TELECONFERENCE

THURSDAY, February 6, 2025

Members Present: Karen Carson, MD, Chair
Jeannine Daniels, Public Member
Kathy Johnson, PA, Vice Chair
Angela Medrano, Public Member
Michael Richards, MD (Day 2)
Paul Roth, MD (Day 1)
Mark Unverzagt, MD

Video Conferencing: Eileen Barrett, MD
Kristin Reidy, DO (Day 1)
Michael Richards, MD (Day 1)
Paul Roth, MD (Day 1)
Bradley Scoggins, DO, Secretary Treasurer
Peter Eiker, NMMB Contract Attorney
Tom Banner, NMMB Contract Attorney

Excused: Kristin Reidy, DO (Day 2)

Others Present: Monique Parks, Interim Executive Director
Samantha Breen, QA Analyst
Natalie Padilla, Compliance Coordinator
David Dominguez, Investigator
Vanessa Montoya, Investigator
Kristiana Sandoval, Paralegal
Gayle Mascarenas, Auditor/ Contractor
Lusan Leyba, Chief Financial Officer
Richard Romero, Government Liaison
Thad Porch, CPA
Merranda Merin, Ph.D., NM Board of Psych. Examiners
Dr. Mayfield, BSC
Leslie Dozzo, NM Board of Psych. Examiners
Stephanie Richmond, PA
Samantha Baca, NAPA

1. CALL TO ORDER / ROLL CALL

Dr. Carson, after establishing the presence of a quorum, called the **February 6, 2025**, Board Meeting of the New Mexico Medical Board to order at 8:30 AM, roll call was completed. **PRESENT**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt.

2. APPROVAL OF AGENDA

MOTION was made by Dr. Carson to approve the agenda with the amendment to remove two cases from the Complaint Committee Report Section in the Agenda. **SECONDED**, PA Johnson. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED.**

3. APPROVAL OF MINUTES

MOTION was made by Dr. Scoggins to approve the minutes from the January 8, 2025, Interim Board Meeting. **SECONDED**, Ms. Daniels. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED.**

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

MOTION was made by Ms. Daniels 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. Unverzagt. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **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)

Danielle Ortega, PA, Vinson DiSanto, DO, Keith Basham, PA, Peter Tiernan, MD, John Mohs, MD, Jose Sanchez, DO, Aaron Kaufman, DO, Aisha Noble, MD, Heather Carriedo were interviewed by the Board.

Dr. Carson moved the Board back into Open Session.

6. ACTIONS RELATED TO EXECUTIVE SESSION

Complaint Committee A:

RECOMMENDATION was made by Dr. Richards to **CLOSE** the following cases: **2023-A-002, NMMB-20240388, and NMMB-20240445.** **YES**, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr.

Reidy, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED. RECUSED**, Dr. Carson, Dr. Richards. **MOTION CARRIED.**

Case# NMMB-20240281 RECOMMENDATION was made by Dr. Richards to close this case with an advisory letter reminding the physician of his responsibility to provide a timely response to the Board. In response to the physician's repeated complaints regarding failure to provide records, the physician must provide proof that he has provided the requested records to the complainant within thirty (30) days. If the records are not provided, the board may pursue further disciplinary action. **YES**, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED. RECUSED**, Dr. Carson, Dr. Richards. **MOTION CARRIED.**

Case# NMMB-20240005/NMMB-20240306 RECOMMENDATION was made by Dr. Richards to offer the physician an Agreed Order with the issuance of a reprimand along with the requirement to complete a neuropsychological evaluation by Dr. Jung or a neuropsychological physician approved by the Executive Committee of the Board by March 15, 2025, successfully complete a prescribing course, and successfully complete a records course from CPEP or an equivalent Board program by March 15, 2025. If the physician does not accept, a Notice of Contemplated Action will be issued based upon but not limited to, failure to comply with the Board's Orders, conduct likely to harm, failure to provide medical records and patient abandonment. **YES**, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED. RECUSED**, Dr. Carson, Dr. Richards. **MOTION CARRIED.**

Case# NMMB-20240166 RECOMMENDATION was made by Dr. Richards that the previous Board Order regarding this case be rescinded. The physician will be offered a new Board Order mirroring the terms and conditions of the Florida Board Order, offered a reprimand and a request for reimbursement of \$300 in cost. If the physician does not accept, a Notice of Contemplated Action will be issued based upon but not limited to, adverse action in another state, failure to report adverse action and habitual or excessive use of intoxicants or drugs. **YES**, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED. RECUSED**, Dr. Carson, Dr. Richards. **MOTION CARRIED.**

Case# NMMB-20240389 RECOMMENDATION was made by Dr. Richards to offer the physician the opportunity to immediately surrender his license while under investigation or a Summary Suspension will be issued based upon imminent harm to the public, along with a Notice of Contemplated Action based upon but not limited to conduct unbecoming. **YES**, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED. RECUSED**, Dr. Carson, Dr. Richards. **MOTION CARRIED.**

Complaint Committee B:

RECOMMENDATION was made by Ms. Daniels to **CLOSE** the following cases: **NMMB-20240351, NMMB-20240414, NMMB-20240375. YES**, Dr. Carson, Dr. Barrett, PA Johnson, Ms. Medrano, Dr.

Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins. **MOTION CARRIED. RECUSED**, Ms. Daniels, Dr. Unverzagt. **MOTION CARRIED.**

Case# NMMB-20240405 RECOMMENDATION was made by Dr. Unverzagt to close this case with an advisory letter to the physician about timely and clear communications with patients regarding care and long-term strategies and encouraging more attentive follow-up. **YES**, Dr. Carson, Dr. Barrett, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins. **RECUSED**, Ms. Daniels, Dr. Unverzagt. **MOTION CARRIED.**

Case# NMMB-20240375 RECOMMENDATION was made by Dr. Unverzagt in addition to closing this case, a license will be issued to practice in New Mexico. **YES**, Dr. Carson, Dr. Barrett, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins. **MOTION CARRIED. RECUSED**, Ms. Daniels, Dr. Unverzagt. **MOTION CARRIED.**

Case# 2023-B-042 RECOMMENDATION was made by Dr. Unverzagt to issue a Notice of Contemplated Action based on but not limited to, conduct likely to harm. **YES**, Dr. Carson, Dr. Barrett, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins. **MOTION CARRIED. RECUSED**, Ms. Daniels, Dr. Unverzagt. **MOTION CARRIED.**

Case# NMMB-20240310/ NMMB-20240319/ NMMB20240339/ NMMB-20240357 RECOMMENDATION was made by Dr. Unverzagt to issue an Order of summary suspension based on imminent danger to the public and an issuance of a Notice of Contemplated Action for the following violations: conduct likely to harm, failure to furnish the Board with requested information, patient abandonment, conduct unbecoming and/or detrimental to the best interests of the public, sexual contact with a patient, and failure to provide medical records. **YES**, Dr. Carson, Dr. Barrett, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins. **RECUSED**, Ms. Daniels, Dr. Unverzagt. **MOTION CARRIED.**

Complaint Committee C:

Case# NMMB-20240451 RECOMMENDATION was made by Dr. Reidy to close this case with the issuance of an unrestricted license. **YES**, Ms. Daniels, Ms. Medrano, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **RECUSED**, Dr. Carson, Dr. Barrett, PA Johnson, Dr. Reidy. **MOTION CARRIED.**

Case# NMMB-20240205 RECOMMENDATION was made by Dr. Reidy to close the case with an advisory letter suggesting that the Consent-to-treatment form be revised to indicate that the person signing the consent form consents to treatment by “all licensed medical care providers working at the practice.” **YES**, Dr. Carson, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **RECUSED** Dr. Barrett, Dr. Reidy. **MOTION CARRIED.**

Case# NMMB-20230149/ NMMB-20240034 RECOMMENDATION was made by Dr. Reidy to issue a Notice of Contemplated Action based upon failure to furnish the Board with requested information.

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

Complaint Committee D:

Case# NMMB-20240048 RECOMMENDATION was made by Dr. Scoggins to close this case with an advisory letter reminding the physician to properly notify patients of termination of care. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Unverzagt. **RECUSED**, Dr. Roth, Dr. Scoggins. **MOTION CARRIED.**

Case# NMMB-20240075 RECOMMENDATION was made by Dr. Scoggins to close this case with an advisory letter reminding the physician to maintain current contact information with the Board and assess \$150.00 in costs. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Unverzagt. **RECUSED**, Dr. Roth, Dr. Scoggins. **MOTION CARRIED.**

Case# NMMB-20230108 RECOMMENDATION was made by Dr. Scoggins to offer physician a Stipulated license limiting controlled substances prescribing to the periprocedural time period and limited to a three-day supply until further order of the board. Physician shall also enlist a board-approved worksite monitor to monitor practice for a 12-month period. Finally, physician shall successfully complete board-approved courses, no later than August 7, 2025, in controlled substance prescribing, medical records and ethics. If the physician does not accept, a Notice of Contemplated Action will be issued based upon but not limited to injudicious prescribing and improper management of medical records. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Unverzagt. **RECUSED**, Dr. Roth, Dr. Scoggins. **MOTION CARRIED.**

Complaint Committee E:

RECOMMENDATION was made by PA Johnson to **CLOSE** the following cases: **NMMB-20230192, NMMB-20230257, NMMB-20240136, NMMB-20240327.** **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **RECUSED**, PA Johnson, Ms. Medrano. **MOTION CARRIED.**

Case# NMMB-20240028 RECOMMENDATION was made by PA Johnson to close this case with an advisory letter recommending that the physician assistant participate in a CME activity regarding causes, evaluation, and treatment of liver disease and jaundice. The Medical Board expresses its disappointment with the physician assistant's attorney's discussion regarding the role of an Urgent Care Provider, especially when a patient is subsequently hospitalized. The Medical Board also advises the physician assistant to verify professional society memberships before claiming current association. The Medical Board will continue to monitor any future complaints to assess developing patterns. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **RECUSED** PA Johnson, Ms. Medrano. **MOTION CARRIED.**

7. ACTIONS RELATED TO EXECUTIVE SESSION

Licensing Requests and Actions, New Applicants/Reinstatements

IMO: Keri McFarlane Bentley, M.D. – Case No. 2023-032 – Motion for Entry of Default and Default Order of Revocation.

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

MOTION was made by Dr. Carson to revoke the license of Dr. Keri McFarlane Bentley. **SECONDED**, PA Johnson. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED.**

IMO: Todd Raleigh, M.D. - Case No. 2023-041 – Motion for Entry of Default and Default Order of Revocation.

Dr. Carson opened the forum for Dr. Raleigh to appear before the Board to discuss his case. Dr. Raleigh spoke about the details of his case, raised points and details within the complaint and informed the Board that he has been discharged from treatment for alcohol use disorder. He also let the Board know that he has not ever practiced in any capacity in New Mexico since his license was granted and requested a limit and delay on disciplinary measures.

Dr. Carson opened the forum for NMMB Counsel, Peter Eicker to appear before the Board to discuss Dr. Raleigh's case. Mr. Eiker noted a delay, lack of response and a significant amount of resources expended by the Board and Board staff in attempt to contact and communicate with Dr. Raleigh regarding his case. Mr. Eicker spoke about specific timelines and requirements that have not been met by Dr. Raleigh up to this time. Mr. Eicker finalized his statement by stating the lack of responsiveness in this case from Dr. Raleigh and that being the reason for the default judgment to be made.

NMMB Counsel, Tom Banner suggested to have the Board go into closed session to discuss the case.

Dr. Carson made a motion 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. Reidy. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED.**

Dr. Carson moved the Board back into Open Session.

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

MOTION was made by Dr. Carson to revoke the license of Dr. Todd Raleigh. **SECONDED**, Dr. Barrett. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED.**

IMO: Morris Minton, M.D. – Case No. 2023-027 – Joint Motion for Approval of Proposed Stipulation and Order.

Dr. Carson opened the forum for NMMB Counsel, Peter Eiker to discuss the case. Mr. Eiker noted to the Board that he has been in communication with Dr. Minton’s counsel and had been notified that they asked to stand on the joint motion that has been submitted to the Board. He informed that Board that Dr. Minton submitted an application for licensure 2023 and while under investigation it was learned that he had previously been investigated by another state and did not disclose that information. The issue that came before the NMMB was that when Dr. Minton submitted his application, he failed to disclose that he had been terminated from a dermatology and surgery center in Maine. Mr. Eiker let the Board know that in speaking with Dr. Minton’s counsel he was informed that Dr. Minton was no longer practicing medicine, is currently retired and does not have an active license in any state within the US. Since Dr. Minton does not have any intention to practice in New Mexico and wishes to withdraw his initial application for licensure.

MOTION was made by Dr. Carson to adopt and approve the proposed Stipulation and Order accepting the respondents Voluntary Withdrawal of initial application for licensure while under investigation. **SECONDED**, Dr. Unverzagt. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED.**

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

Finance

CPA, Thad Porch provided the Board with an update and overview of the FY2024 audit conducted by Porch and Associates and reported a positive audit in all areas.

MOTION was made by Dr. Carson to approve the FY2024 Audit Report. **SECONDED**, Ms. Medrano. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Reidy, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED.**

NMMB’s Chief Financial Officer, Lusan Leyba provided the Board with a report and update on the following topics:

- Presented FY25 Revenue Status Report, ending Dec 31st
- Presented FY25 Budget Status Report, ending Dec 31st

The budget revenue status ending Dec 31, 2024 are as follows:

From July 1, 2024-December 31, 2024 expenditures total \$1,388,293.64 (39.38%) of budget expenditures (Opbud \$3,525,300.00).

From July 1, 2024, through December 31, 2024 the agency collected revenues in the amount of \$658,428.00 (21.62%) of budgeted revenues (Opbud \$ 3,045,300.00; FB \$480,000=\$3,525,300.00.

-Discussed the FY26 LFC (Legislative Finance Committee) Hearings that were held on 1/28/25. The agency requested a budget of \$3,578,00 and LFC recommendation came in at \$3,491,500 which was a difference of 86,500. The 86,500 was to base the PIO position for FY26 but position that was not recommended by LFC.

Governmental Projects Coordinator

Richard Romero provided the Board with a status report of Senate Bill 12 that has been moving through the legislative session. Mr. Romero gave information on navigation of each of the bills and some factors that play into following each bill through the legislative session. Dr. Carson mentioned that she would be creating a synopsis for Senate Bill 12 that would be brought to the legislature that she would be sharing with the entire Board for more information.

Executive Director

NMMB's Interim Executive Director, Monique Parks, spoke about vacancies and that NMMB has recently filled the Investigations Supervisor and the Compliance Supervisor positions and gave information on both individuals. Mrs. Parks informed the Board that NMMB has received two applicants for the Medical Director positions and requested that there be two Board members on the interview panel. Dr. Roth, Ms. Daniels, Ms. Medrano and Dr. Barrett volunteered to be on the interview panel. Mrs. Parks also provided the Board with FIR updates and informed that NMMB has received 25 since the legislative session started. Mrs. Parks noted that she had included 3 FIR in each Board Member's Board packet to review and for more information. Mrs. Parks spoke about Board Member dues and what that money is used for and gave information on the deadline to pay and the amount that each member is asked to pay.

Licensing Manger

NMMB's Interim Executive Director, Monique Parks, notified the Board that NMMB has issued 1,952 physician licenses, 151 physician assistant licenses and 150 reinstatements in 2024. Mrs. Parks also noted that in 2024 there were 123 new telemedicine licenses issued and there are about 1,100 active telemedicine licenses currently. There was conversation regarding the amount of telemedicine licensees that actually live in the State of New Mexico and Mrs. Parks let the Board know that she was asked about this in a recent LFC meeting and shared with the Board that there have been about 500 licensees less than 2023 that have a New Mexico address listed and gave a personally experienced example of why that number decreased. Ms. Medrano suggested that the NMMB take the newly licensed 1,952 physician's information and research against the Medicaid database, to determine whether those physicians are practicing in New Mexico or not. Further conversation was had regarding the number of actively practicing physicians that are physically in New Mexico. Mrs. Parks finalized her report with information regarding the Data Analytics Package and asked Dr. Unverzagt and David Dominguez to elaborate. Dr. Unverzagt gave additional insight into what the plan will be pertaining to Kyra Solutions and

what their meetings will entail during the upcoming weeks. The goal of the meetings is to collect correct data and Dr. Unverzagt requested some suggestions for data that the Board believes necessary to collect. There has been funding from a grant that will allow NMMB to collect data in a way that will make decision making more efficient. Mr. Dominguez spoke more specifically to specifically what NMMB is looking for in terms of ensuring that decisions are made in a consistent and efficient way and noted that they will be looking for any barriers to the information being received.

Chair Report

Dr. Carson touched on the FSMB meeting that will be held in April 2025 and let the Board know if there is anyone wanting to attend, to start looking at planning. Dr. Carson then moved on to speaking about legislative action items. Mrs. Parks sent each Board Member the Bills and FIR that were being moved through legislation during that week. Dr. Carson mentioned that the Board does not comment on every bill being moved through legislation, and gave examples of the type of bills that do require a comment from the Board. She then spoke more about Senate Bill 12 and other bills that the Board has been commenting on during the session. Dr. Carson spoke about disciplinary guidelines and mentioned that her and Dr. Roth will be moving forward in working on information that will be shared with the Board. She then mentioned that the Telemedicine committee will be on hold on moving forward with their information for the time being. Dr. Carson spoke about the suggestion from Dr. Barrett regarding changing the order of the items on the agenda to better serve timeliness and the Board's scheduling. The final item on Dr. Carson's report was regarding the CME requirement for pain and a CME requirement for Artificial Intelligence and will be asking the Board to talk about this during the next meeting.

Meeting Adjourned at 5:24pm

FRIDAY, February 7, 2025

CALL TO ORDER / ROLL CALL

Dr. Carson, after establishing the presence of a quorum, called the **February 7, 2025**, Board Meeting of the New Mexico Medical Board to order at 8:30 AM, roll call was completed. **PRESENT**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **EXCUSED**, Dr. Reidy.

9. New Business:

Psychology Board, Merranda Romero Marin, PH.D, Dr. Leslie Dozzo, and Dr. Mayfield

Dr. Carson started with an explanation as to why NMMB requested the Board of Psychology to join the meeting. In Dr. Carson's statement she noted that the Board wanted to make sure that NMMB is in accordance with the statutes of Senate Bill 127 and referenced page 13 of the bill

with information. Dr. Carson then opened the forum for PA Johnson and Dr. Scoggins to add additional information pertaining to this committee and Senate Bill 127. PA Johnson raised a question to the Psychology Board regarding the progress on joining the two committees from each Board together. Dr. Mayfeild responded to the question stating that the Psychology Board has been working to go over the education requirements for expanded practice. He also stated that the Psychology Board has put together a standardized curriculum in conjunction with the Nursing Program, to give injectable medications for long-acting injections. Dr. Mayfield noted that this would not be video training, it would be a complete hands on in person training program with supervision from a prescriber that is licensed to provide injectable medication. This training would be held on “dummies” to go through all requirements that are put forth within the curriculum to ensure public safety. The training for this program will also entail supervised injections after completion of the curriculum as well. Dr. Mayfield stated that focusing on this curriculum is what has been being worked on during the recent series of committee meetings. PA Johnson followed up with requesting more information on the development of joint meetings between the Psychology Board and NMMB’s committee. Dr. Marin notified the Board that there are representatives that work with the Psychology Board that will be reaching out to NMMB’s committee for scheduling meetings on a quarterly basis. PA noted that NMMB’s biggest concern was making sure that NMMB was in compliance with the statutes of Senate Bill 127. Dr. Mayfield stated that the first training course for this program will be held at the end of February or beginning of March 2025 and noted that he will be encouraging as many people as possible to meet this mandate of providing rural services where it is otherwise unavailable. PA Johnson mentioned the bill within legislation right now pertaining to changing designation to independent provider and Dr. Dozzo spoke on this topic. Dr. Dozzo noted that she was the president of the State Psychologist Association and clarified that within Senate Bill 53 there is information on adding Psychologists to the list of independently licensed supervisors and clinicians based on changes made to Senate Bill 127.

Physician Assistant Society, Stephanie Richmond, PA and New Mexico Association of PA’s Samantha Baca

Dr. Carson requested an update and information on upcoming legislation for scope of practice. PA Richmond stated that since the last Board meeting, she has been working with the Health and Human Services committee to bring forward legislation. PA Richmond specifically noted HB 266 and gave information on what each one of the bills was intended to accomplish, this allowing PA’s the opportunities to practice in other parts of the state of New Mexico and allow for extended access in rural areas of the state. PA Richmond noted that as PA’s there is a sense of collaboration when practicing and are also regulated by NMMB and the institutions that are employers of PAs. HB 267 was then referred to regarding defining an experienced PA to also be able to supervise a new graduate PA and to allow to carry and practice insurance. This would allow PAs to be able to eliminate medical liability and take more ownership of the work that is being done. PA Richmond opened the forum for questions and Dr. Carson noted the recommendation for new graduates to be working with supervisory limits or working in collaboration with other PAs and suggested to amend the current bill to include that language. Dr. Carson also brought up the concern around specialty care due to PA providers changing specialties on occasion. Further conversation was had by Dr. Barrett, PA Johnson and Dr. Carson pertaining to the work that PAs do and the level of supervision that PAs may have while working

in current time. PA Richmond followed up with an explanation on what the qualifications and requirements are for PAs moving into the workforce and further noted what goes into voluntary specialty field certifications. The conversation finalized with possible ideas, suggestions and previous conversations that have been had regarding payment for preceptors and PAs during the collaborative period of practicing.

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

10. Compliance Requests/Actions

Danielle Ortega, P.A. – Request to be released from stipulation.

MOTION was made by Dr. Unverzagt to grant Dr. Ortega’s request to be released from stipulation. **SECONDED**, Ms. Daniels. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED. EXCUSED**, Dr. Reidy.

John Mohs, M.D. – Request to be released from stipulations.

MOTION was made by Ms. Daniels to grant Dr. Mohs’s request to be released from stipulation. **SECONDED**, Dr. Unverzagt. **YES**, Dr. Carson, Dr. Barrett, Ms. Daniels, PA Johnson, Ms. Medrano, Dr. Richards, Dr. Roth, Dr. Scoggins, Dr. Unverzagt. **MOTION CARRIED. EXCUSED**, Dr. Reidy.

Peter Tiernan, M.D.

MOTION was made by Dr. Carson for action: On November 4, 2021, Dr. Tiernan and the New Mexico Medical Board entered into a stipulated Order in which Dr. Tiernan agreed to undergo a neuropsychological evaluation by a Board-approved provider, and ***to comply with any recommendations made by the Board that may result from the evaluation.***

On 1/19/2022, Dr. Tiernan submitted to the neuropsychological evaluation required by the Board’s November 4, 2021, stipulated order. The report generated from that evaluation recommended that Dr. Tiernan "***engage with the New Mexico Health Professional Wellness Program*** (NMHPWP – 7770 Jefferson NE #304, Albuquerque, NM 87109)."

Due to non-compliance with the stipulated order issued on November 4, 2021, an NCA was issued on March 23, 2023, alleging in part that - Respondent failed to comply with recommendations made by the Board as a result of the neuropsychological evaluation, namely that Dr. Tiernan engage with NMHPWP.

After a hearing on the NCA which alleged violations of the stipulated order, the Board met on August 15, 2023, and adopted the procedural history and findings of fact made by the hearing officer and made independent conclusions of law. At that point, the Board voted 8-0 to immediately suspend Respondent’s license and issued a Decision and Order in which the Board reiterated its command that, not later than by December 31, 2023, Dr. Tiernan should comply

with the stipulated Order entered on November 4, 2021. The Board further declared that if Dr. Tiernan failed to comply with the Board's commands that the license issued to him would be REVOKED, with that revocation becoming effective on January 1, 2024.

To date, Dr. Tiernan has failed to comply with the Board's orders and recommendations that command he engage with NMHPWP. Dr. Tiernan has indicated that he will not sign a contract with NMHPWP. Therefore, in light of Dr. Tiernan's refusal to comply with the Board's commands, effective immediately the Board REVOKES the license to practice medicine issued to Dr. Tiernan.

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

Aaron Kaufman, D.O.

MOTION was made by Dr. Carson for action: On 8/24/2023, Dr. Kaufmann and the Board entered into a stipulation requiring Dr. Kaufman to enter into a contract with CPEP to successfully complete remedial education requirements and preceptor meetings necessary for him to safely practice medicine. To date, Dr. Kaufman has failed to comply with these requirements of the 8/24/2023 stipulated order.

Therefore, the Board commands that Dr. Kaufman comply with the Board's 8/24/2023 stipulation and (a) sign a remediation plan, and (b) successfully participate in and complete that plan without further delay. Failure to do so will result in the Board issuing an order to immediately suspend the license, without the licensee being given an opportunity to request a hearing, due to Dr. Kaufman's violation of the stipulation pursuant to 16.10.5.14 NMAC.

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

Heather Carriedo, M.D

MOTION was made by Dr. Carson for possible action: The New Mexico Medical Board welcomes Dr. Carriedo to apply for licensure in New Mexico.

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

Vinson DiSanto, D.O.

MOTION was made by Dr. Carson for action: The Board to issue an order consistent with Decision and Order entered by the Board on 10/5/2022, commanding Dr. DiSanto to, within ninety (90) days of the date of this order, do with the following:

- 1) Dr. DiSanto shall reimburse the Board \$6k for costs incurred in the prosecution of Case No. 2022-005, as per page 15 of the Board's D&O issued on 10/5/2022; and
- 2) Dr. DiSanto shall provide evidence to the NMMB that he has entered into a "structured remediation plan" with CPEP to address all deficiencies identified in CPEP's May 2024 Clinical Skills Assessment Report.

In the event that Dr. DiSanto fails to fully comply with this Order within 90 days, then the Board will take further action, including but not limited to REVOCATION of the license issued Dr. DiSanto by the Board.

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

Meeting Adjourned

There being no further business before the Board, Dr. Carson adjourned the meeting at 11:20 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: _____