

GUAM BOARD OF MEDICAL EXAMINERS
 Department of Public Health and Social Services
 Health Professional Licensing/EMS
Wednesday, June 9, 2021 4:00 P.M.
VIRTUAL – REGULAR BOARD MEETING
 Access Code: 943-653-109
MINUTES

MEMBERS PRESENT:

- Dr. Nathaniel Berg, Chairperson
- Mr. Philip Flores, Vice Chairperson, Treasurer & Public Member
- Dr. Annie Bordallo, Member
- Dr. Arania Adolphson, Member
- Dr. Annette David, Member
- Dr. Scott R. Shay, Member
- Dr. Luis Cruz, Member

OTHERS PRESENT:

- Robert Weinberg, Assistant Attorney General
- Abner Pasatiempo
- Louise Muna
- Almin
- Zennia Pecina, HPLO Administrator
- Ciana Galindo, HPLO Board Secretary
- Shania Nitaro, Law Office of Vanessa Williams
- Chantay Benitez, FLAME TREE Freedom Center
- Eddy Reyes, FLAME TREE Freedom Center

TOPIC	DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	STATUS
I. CALL TO ORDER	<p>CALLED TO ORDER: 4:00 PM</p> <p>A. Roll Call</p> <p>B. Confirmation of Public Notice advertised in the PDN.</p> <p>5-day Advertisement</p> <p>2-day Advertisement</p>	CHAIR	4:00	Confirmed
II. ADOPTION OF AGENDA	<p>Adoption of Agenda.</p> <p>- <i>Motion to Approve: Dr. David 2nd. Dr. Cruz</i></p>	GBME	4:07	Adopted
III. REVIEW AND APPROVAL OF MINUTES	<p>Minutes on May 12, 2021.</p> <p>- <i>Motion to Approve: Dr. Bordallo 2nd. Dr. Cruz</i></p>	GBME	4:11	Approved
IV. TREASURER REPORT	<p>The GBME Treasurer has nothing new to report.</p> <p>- Side Note: Treasurer suggested that HPLO take into consideration the cost of the public notice for future meetings.</p>	VICE CHAIR	4:11	No Report

	<ul style="list-style-type: none"> - The Treasurer will meet with HPLLO next week to put the budget together before the end of June. 			
V. HPLLO ADMINISTRATOR'S REPORT	A. Website <ul style="list-style-type: none"> - HPLLO Admin shared an overview of the HPLLO website in development. Guam Webz is hoping to complete the websites by the end of the month. - Every Board has their database i.e. Board Member names, etc. so that Guam Webz can use their information to populate the websites. Currently the SSN is used to access profiles. The Board recommended for HPLLO to address the risk of using the SSN to protect confidential information and for security purposes. - Board recommended incorporating other components for the website, e.g., a) online applications b) laws and regulations c) FSMB documents B. Rules and Regulations <ul style="list-style-type: none"> - HPLLO Admin reported that there will be grading system for completion of this document for each Board. For GBME, it is approximately 5% complete, while other HPLLO Board's are further ahead; therefore, encouraged the Board to complete the review as soon as possible. C. Tentative Dates for Board Training <ul style="list-style-type: none"> - Friday, July 9, 2021 at 6:00 pm - 9:00 pm; training is for all Boards. 	HPLLO ADMIN	4:33	Noted
VI. CHAIRPERSON'S REPORT	A. Emergency Licenses Issued: 1 <ol style="list-style-type: none"> 1. Heidi Griffiths – GMHA <ul style="list-style-type: none"> - She is a pediatrician with a good NP/TB record. She has been signed off by GBME Chair and HPLLO Admin. B. Board Training C. Rules and Regulations <ul style="list-style-type: none"> - Chair would like to make sure all Board Members are individually reviewing the draft documents line by line starting July. - Goal for completion is September and may require more meetings to make sure language and format compliance. - Asst AG Weinberg invited Board Members, who have already reviewed the draft, to send him comments and suggestions as soon as they can. 	CHAIR	4:38	Noted
VII. OLD BUSINESS	A. GBME-CO-19-010 – on-going – Dr. Adolphson <ul style="list-style-type: none"> - Still waiting for three quotes on vendors. B. GBME-CO-19-012 – on-going – Dr. Bortallo C. GBME-CO-19-013 – on-going – Dr. Bortallo D. GBME-CO-19-014 – on-going – Dr. Bortallo E. GBME-CO-19-015 – on-going – Dr. Bortallo F. GBME-CO-19-016 – on-going – Dr. Bortallo	GBME	5:00	On-going On-going On-going On-going On-going

G.	GBME-CO-19-017 – on-going – Dr. Bordallo		On-going
H.	<p>GBME-CO-20-001 – on-going - Dr. Bordallo</p> <p>- GBME-CO-19-012 - GBME-CO-20-001 (B.- H.) involves the same pediatrician. The cases have been reverted to an off island reviewer.</p>		On-going
I.	<p>GBME-CO-20-002 – on-going – Mr. Flores</p> <p>- Nothing to report.</p>		On-going
J.	<p>GBME-CO-20-004 – on-going – Dr. Cruz</p> <p>- Still waiting on an outside cardiologist to review the case.</p>		On-going
K.	<p>GBME-CO-20-005 – on-going – Dr. Adolphson</p>		On-going
L.	<p>GBME-CO-20-006 – on-going – Dr. Adolphson</p>		On-going
M.	<p>GBME-CO-20-007 – on-going – Dr. Adolphson</p> <p>- GBME-CO-20-005 - GBME-CO-20-007 (K. - M.) Still pending off-island investigators</p>		On-going
N.	<p>GBME-CO-20-008 – on-going - Dr. David</p> <p>- Asst AG Weinberg has been helping to review position statements from the different medical associations for the definition of professional conduct.</p>		On-going
O.	<p>GBME-CO-20-009 – on-going - Dr. Cruz</p>		On-going
P.	<p>GBME-CO-21-002 – on-going – Dr. Cruz</p> <p>- GBME-CO-20-009 - GBME-CO-21-002 (O. - P.) Still waiting on ICU Notes from GRMC. HPL0 Admin will send a letter prompting GRMC to give GBME the required notes.</p>		On-going
Q.	<p>- To confirm, GBME has consent for release in this case.</p> <p>GBME-CO-21-003 – on-going – Dr. Berg</p> <p>- This is a complaint submitted by an individual on behalf of another physician who says there was no harm. The Board recommended this case should be dismissed.</p>		Dismissed
R.	<p>- <i>Motion to Dismiss: P. Flores 2nd. Dr. David</i></p> <p>GBME-CO-2021-004 – Dr. Luis Cruz</p> <p>- This case involves a complaint by a former employee of Dr. Berg, who alleges that in 2018 or 2019 she reported Sexual Harassment of another employee by another Doctor at Dr. Berg’s clinic. She was terminated 9 months later. She alleges retaliation. The doctor involved offered to resign but was convinced to stay. She said she had a private lawyer but fired them. Asst AG Weinberg assesses this case to be more of a violation of Employment/Labor law vice the Board/Physician Act. In addition, there was an extended length of time that elapsed between the reporting of sexual harassment and the time of termination (9 months).</p> <p>- Recommendation is to dismiss the case for lack of jurisdiction.</p> <p>- Dr. Berg, Philip Flores, Dr. Shay, and Ms. Muna were excluded from this discussion because of their relation to the case.</p>		Dismissed

	<p>- <i>Motion to Dismiss: A. Bordallo; 2nd: Dr. David</i></p> <p>S. <u>REINSTATEMENT LICENSE:</u></p> <p>1. Abner P. Pasatiempo – Psychiatry – On-going</p> <p>- This case is still under investigation, no further information to report.</p> <p>T. GBME-AP-2020-001 – On-going – Dr. Adolphson</p> <p>- On-going until the healthcare provider reaches out to the Board member assigned.</p> <p>U. <u>FULL LICENSE:</u></p> <p>1. Nhat T. Nguyen</p> <p>- This case was reviewed by Dr. Berg. The applicant's medical school said she was on probation and she checked off that she was never on probation. She clarified and said she misread it. She failed two medical courses and had to retake it. This coincides with the period that the school said she was put on a conditional probation. She wasn't on formal discipline, it was merely that it was conditional upon her passing those two courses.</p> <p>- There are now no issues with her receiving a full license.</p> <p>- <i>Motion to Approve: Dr. Berg 2nd: Dr. Bordallo</i></p>			<p>On-going</p> <p>On-going</p> <p>Approved</p>
VIII.	<p>NEW BUSINESS</p> <p>A. <u>FULL LICENSE</u></p> <p>1. Alexander F. Kelley</p> <p>- The Board found no issues with the application and files submitted.</p> <p>2. Felipe H. Grimaldo</p> <p>- The Board found no issues with the application and files submitted.</p> <p>3. Darren J. Sommer</p> <p>- The Board found no issues with the application and files submitted.</p> <p>- <i>Motion to Approve: Dr. Berg 2nd: Dr. Adolphson</i></p> <p>4. April Karen Valdez Marquez</p> <p>- Applicant has a notarized document dated June 30, 2021. She will be conditionally approved pending that she completed her residency and graduation as close to July 1 as possible.</p> <p>- <i>Motion to Cond. Approve: Dr. Berg 2nd: Dr. Adolphson</i></p> <p>B. <u>TEMPORARY LICENSE</u></p>	<p>GBME</p>	<p>5:35</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Conditionally Approved</p>
IX.	<p>OTHER BUSINESS</p> <p>A. Next regular schedule meeting – Wednesday, July 14, 2021 at 4:00 pm in the HPL/O Board, Suite 213, Terlale Professional Bldg. Hagatna.</p> <p><i>Motion: Dr. Berg 2nd Dr. Adolphson</i></p>	<p>GBME</p>	<p>5:38</p>	<p>Noted</p>
	<p>ADJOURNMENT</p>	<p>Chair</p>	<p>5:39</p>	<p>Adjourned</p>

Reviewed by: *[Signature]* 08/29/2021
Secretary / Date

Approved by: *[Signature]* 08/29/2021
Chairperson / Date

Minutes by: Chantay Benitez, FLAME TREE Freedom Center, Inc.