

GUAM BOARD OF MEDICAL EXAMINERS
VIRTUAL BOARD MEETING
 Wednesday, July 20&27, 2022 at 4:00 PM
 Join Zoom Meeting: <https://us06web.zoom.us/j/81350445126?pwd=bs9BRWUwcXRTZ0RTZE0wYUxBWXXgzQT09>
 Meeting ID: 813 5044 5126; Passcode: 884218
MINUTES

Topic		DECISION(S) / ACTION(S) MADE		Responsible Party	Reporting Timeframe	Status
I.	Call to Order	7/20/2022: Notice of Adjournment and to reconvene on July 27, 2022. 7/27/2022: Convened by Acting Chair, Phil Flores		Chair	1600	Called to Order
		a) Roll Call: GBME <input type="checkbox"/> Nathaniel B. Berg, M.D., Chairperson <input checked="" type="checkbox"/> Phil Flores, Vice-Chairperson, Treasurer <input checked="" type="checkbox"/> Arania Adolphson, M.D., Secretary <input checked="" type="checkbox"/> Annie Bordallo, M.D., Medical Director <input checked="" type="checkbox"/> Annette David, M.D., Member <input type="checkbox"/> Luis G. Cruz, M.D., Member <input type="checkbox"/> Scott Shay, M.D., Member b) Confirmation of Public Notice advertised in the Pacific Daily News: July 13 & 18, 2022.	OTHERS PRESENT: Rob Weinberg, Asst AG Baltazar (Tre) Hattori III (HPLO) Shania Nitaro, Office of Attorney Vanessa Williams Dr. Sujian Thyagaraj Dr. Arvind Gupta Charles McDonald Eddy Reyes, FLAME TREE Freedom Center	Chair	1602	Quorum Established
II.	Adoption of Agenda	<i>Motion to adopt the agenda: Dr. David, 2nd; Dr. Adolphson</i>		GBME	1606	Adopted
III.	Approval of Minutes	a) Reviewed draft Minutes, dated June 08, 2022. <i>Motion to approve: Dr. David, 2nd; Dr. Adolphson.</i>		GBME	1607	Approved
IV.	Treasurer's Report	a) P. Flores expressed concern that the projected FY 2023 HPLO budget is less compared to FY2022, especially since a surplus had been identified for the Government of Guam. A reduced budget may impede the HPLO Boards' ability to hire investigators to address complaints. In response to an inquiry by Dr. Bordallo pertaining to investigators, Asst AG Weinberg stated that the Government of Guam, except for the Office of the Attorney General (OAG), does not have investigator positions; therefore, investigator positions would have to be created. A copy of the OAG Investigator job description has been provided to HPLO for consideration in creating the position. Dr. Bordallo suggested that investigators		P. Flores	1609	Vice-Chair to meet with HPLO staff and report back.

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V. HPLO Administrator's Report	<p>could be contracted in the interim. The Acting Chair stated that he would follow-up with B. Sablan to include obtaining the current financial balance.</p> <p>a) No report. However, B. Hattori, HPLO, provided the following update on status of pending items from the meeting (reference GBME minutes of 6.8.2022):</p> <ol style="list-style-type: none"> 1) Agenda Item VIII(a)(1): Louise Lane L. Gutierrez. Applicant provided proof of U.S. citizenship; therefore, the Acting Chair confirmed that the GBME's conditional approval has been met, so full licensure is now approved. 2) Agenda Item VII(d)(1): Raymatie Singh: Reconfirmed that the time requirement for reinstatement is six (6) years. See agenda item Agenda Item VI(d)(1), below. 		HPLO Administrator	1615	Provided update on pending items from previous meeting
VI. Chairperson's Report	<p>a) Emergency Issued Licenses. B. Hattori informed the GBME that Dr. Berg, Chair, and the HPLO Administrator approved the following applicants:</p> <ol style="list-style-type: none"> 1) Natasa Dragicevic 2) Amy Strowbridge <p>The Acting Chair informed the GBME that he attended a Public Hearing with Dr. David regarding GBME matters and stated that he is of the opinion that the Speaker supports and is trying to help the GBME achieve its objectives and recommended that the GBME continue discussions with the Speaker. Dr. David shared the Acting Chair's assessment.</p>		Acting Chair	1618	Noted Emergency Licenses Issued Continue discussions with Speaker
VII. Old Business	<p>a) Determining Jurisdiction of Complaints. In reference to physicians working at a federal facility (e.g., U.S. Naval Hospital), the GBME concluded that it has jurisdiction over those physicians licensed by GBME; however, Dr. Bordallo stated that clarification on how the GBME would deal with medical complaints for physicians licensed elsewhere, but not in Guam, since access to medical records may be restricted. Asst AG Weinberg stated that complaints would likely to be handled through the federal chain of command. Dr. Bordallo also stated that if it was determined that the GBME did not have jurisdiction, it may still have a duty to report to the medical board in the appropriate jurisdiction, to include any criminal violations. Asst AG Weinberg agreed to research the issue and report back.</p> <p>b) Complaints. The Acting Chair stated the GBME recently was able to close-out several longstanding complaints and he thanked the Board for its support.</p>		GBME	1619	OAG to provide a legal opinion
<p>(1) GBME-CO-20-005 – Received: 09/18/2020. Dr. Adolphson stated that she currently needs to discuss the complaint with HPLO-appointed attorney.</p>			Dr. Adolphson		Tabled
<p>(2) GBME-CO-2021-011 – Received: 11/17/2021. Dr. David stated that the investigation is progressing with extensive interviews. Attorney McDonald stated that he also conducted interviews and he is in the process of preparing a report for the Board.</p>			Dr. David		Tabled


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VII New Business	(3) GBME-CO-2022-001 – Received: 01/19/2022. The Acting Chair stated that he will discussing the issue with the Dr. Berg before providing a recommendation to the Board.	P. Flores		Tabled
	(4) GBME-CO-2022-002 – Received: 01/06/2022. The Acting Chair requested B. Hattori to contact Dr. Shay to obtain an update.	Dr. Shay		Tabled
	(5) GBME-CO-2022-003 – Received: 01/24/2022. The Acting Chair requested B. Hattori to contact Dr. Cruz to obtain an update.	Dr. Cruz		Tabled
	(6) GBME-CO-2022-006 – Received: 02/10/2022. Dr. David stated that the investigation is progressing with extensive interviews. Attorney McDonald stated that he also conducted interviews and he is in the process of preparing a report for the Board.	Dr. David		Tabled
	(c) Full License Renewals 2021-2023: (1) Maida S. Ribati – B. Hattori reported that the 50 Category 1 CMEs were submitted, so the applicant fulfilled all the requirements. <i>Motion to approve: Dr. Bortallo; 2nd: Dr. Adolphson</i>	GBME	1632	Approved
	(d) Application(s) for Reinstatement: (1) Raymattie Singh. The GBME noted that the applicant's application was well within the 6-year requirement of reinstatement. <i>Motion to approve: Dr. Bortallo; 2nd: Dr. David</i>	GBME	1635	Approved
VII New Business	(a) Complaint (1) GBME-CO-2022-010. B. Hattori informed the GBME the complaint was received on 6/21/2022. Dr. Bortallo reported that she has a conflict since the concerned party is in litigation with GMHA; therefore, the case will have to assigned to another member. (b) Application(s) for Full Licensure:	GBME	1638	Tabled
	(1) Keith L. Wilkens. Dr. David provided an overview of applicant's background. The GBME noted that there was a liability judgement in 2013. Although, the investigation resulted in favor of the applicant, he agreed to settle for expediency. The National Practitioner Data Base (NPDB) reflected the settlement. <i>Motion to approve: Dr. Adolphson; 2nd: Dr. David.</i>			Approved
	(2) Mark H. Enker. Dr. Adolphson provided an overview of applicant's background and reported there were no issues in the NPDB. <i>Motion to approve: Dr. David; 2nd: Dr. Bortallo</i>			Approved
	(3) Sujana Thyagaraj. Dr. David provided an overview of applicant's background and reported there was			Denied

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	disciplinary action where staff privileges were revoked for sexual misconduct. The applicant also had licenses revoked in CA, NM and TX. In addition, the applicant fled to India before the investigation was completed. The applicant admitted to his lapse in judgment in having a consensual relationship with his client. While in India, he took personal measures to help remedy his error. He stated that he was willing to be placed on a monitoring/probationary period by the GBME and he was hoping for a second chance. In response, Dr. David cited 10 GCA § 12205(g): The applicant shall not have been found guilty by a competent authority, United States or foreign, of any conduct that would constitute grounds for disciplinary action under the regulations of the Board or the Act. <i>Motion to deny: Dr. David; 2nd: Dr. Adolphson.</i>				Approved
	(4) Cody S. Holmes. Adolphson provided an overview of applicant's background and reported there were no issues in the NPDB. <i>Motion to approve: Dr. Adolphson; 2nd: Dr. Bordallo</i>				Approved
	(5) Bilal K. Chaudhry. Dr. David provided an overview of applicant's background and reported he had his license revoked and paid a fine for failure to report multiple licenses in other jurisdictions. There were no issues in the NPDB or by the FSMB. <i>Motion to approve: Dr. David; 2nd: Dr. Adolphson</i>				Approved
	(6) Arvind K. Gupta. Dr. Adolphson provided an overview of applicant's background and reported there were no issues in the NPDB. <i>Motion to approve: Dr. Adolphson; 2nd: Dr. Bordallo</i>				Approved
	(7) Nicole D. Collett. Dr. David provided an overview of applicant's background and reported that she had an alcohol-related incident; however, she received treatment. There were no issues in the NPDB. She currently has a temporary license on Guam, providing telemedicine through a third party. Since she is a Canadian citizen, the GBME requested proof of legal documentation to work in the USA. <i>Motion to Table: Dr. David; 2nd: P. Flores</i>				Tabled
	(c) <i>Full Licensure Renewals 2021-2023:</i> (1) Charles W. Flowers. <i>Motion to Approve: Dr. Adolphson; 2nd: Dr. Bordallo</i>		GBME	1700	Approved
	(d) INTERSTATE MEDICAL LICENSING COMPACT (IMLCC) APPLICANTS. NOTE: With IMLCC, there are 40 states and territories, who are part of the IMLCC, which recognizes and allows a physician licensed in their home state to be eligible to be licensed and practice in an IMLCC state. This practice is designed to facilitate and expedite the process of practicing in another IMLCC recognized state/territory. Therefore, those applicants listed below are eligible to practice in Guam.		GBME	1700	Noted

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	<p>Dr. David and Dr. Bordallo inquired what GBME actions would be taken in the event the IMLCC candidates did not meet Guam's minimum requirements for licensure. For example, Guam requires a minimum of 3 progressive years of post-graduate training, when most jurisdictions only require one year. Asst AG Weinberg stated that Guam via the Legislature has accepted the IMLCC minimum standards and qualifications for physicians licensed in other jurisdictions, therefore, the GBME would be able to justify the acceptance of these IMLCC physicians even if Guam's requirements are more stringent. The GBME agreed that a motion and vote would not be needed to acknowledge the physicians listed below:</p> <ul style="list-style-type: none"> (1) Kent Northcote (2) Mark Anthony Ruiz (3) Janet D. Gill (4) Bralin J. Bean (5) Paresch J. Bharodiya (6) Victoria M. Diokno (7) Debra A. Part (8) Zoolhra Mashriqi (9) Michael D. Hendrix (10) Scott R. Rennie (11) Steven D. Kelley (12) Nona Lyn Hanson (13) Arthur A. Blain (14) Tehmina Sahajwani (15) Andrew W. King <p>NOTE: Dr. David suggested that a systematic and more equitable review of the applications across all GBME members, e.g., develop a schedule where two members would be assigned each month to review applications for the following GBME meeting on a rotating basis. In addition, the GBME requested HPLLO to provide an overview of attendance to ensure it complies with 10 GCA §12203(e)(5): A member of the Board should be subject to removal when he or she fails to attend three (3) successive Board meetings without just cause as determined by the Board. In addition, the GBME noted that a physician with D. O. designated credentials and a psychiatrist/mental health expert should eventually be added to the Board.</p>			

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IX.	Announcement	Next regularly scheduled board meeting: Wednesday, August 10, 2022 at 4:00 pm virtually via ZOOM.		GBME	1705	Chc of r 8/
X.	Adjournment	Motion to Adjourn: Dr. David; 2 nd : Dr. Adolphson.		GBME	1715	A.

Reviewed by:  9/14/2022
 Secretary / Date

Approved by:  9/14/2022
 Chairperson / Date