

GUAM BOARD OF MEDICAL EXAMINERS

Wednesday, August 09, 2023 at 4:00 PM (Reconvene August 16, 2023)

Join Zoom Meeting: <https://us06web.zoom.us/j/84139192446?pwd=c1lCYStZTEt0MG1ieEhGOVNxWURqdz09>

Meeting ID: 841 3919 2446; Passcode: 312629

MINUTES

Topic	DECISION(S) / ACTION(S) MADE	Responsible Party	Reporting Timeframe	Status
I.	Call to Order	Meeting Chaired by: Acting Chairperson, P. Flores		Chair 1601 Called to Order
	<p>A. Roll Call: GBME <i>Present at HPLO Conference Room</i> <input checked="" type="checkbox"/> Annette David, M.D., Member <i>Present Virtually at Remote location:</i> <input checked="" type="checkbox"/> Phil Flores, Vice-Chairperson, Treasurer & Public Member <input checked="" type="checkbox"/> Luis G. Cruz, M.D., Member <input checked="" type="checkbox"/> Joleen Aguon, M.D. Absent: <input type="checkbox"/> Nathaniel B. Berg, M.D., Chairperson</p>	<p>OTHERS PRESENT: <i>Present at HPLO Conference Room:</i> Baltazar (Tre) Hattori III, HPLO <i>Present Virtually at Remote location:</i> Breanna Sablan, HPLO Alexander Wielaard, M. D. Augusto Sablan Eddy Reyes, FLAME TREE Freedom Center</p> <p>Note: Quorum was lost during the meeting on a couple of occasions; however, quorum was re-established when voting on motions.</p>	Chair 1601	Quorum Established
	B. Confirmation of Public Notice	Chair	1601	Confirmed
II.	Adoption of Agenda	<i>Motion to Adopt the Agenda: Dr. David; 2nd: Dr. Cruz.</i> <i>NOTE: Dr. David stated that two agenda items under Old Business will be covered under New Business - see below,</i>		GBME 1601 Adopted
III.	Review and Approval of Minutes	Draft Minutes dated July 5, 2023 <i>Motion to approve: Dr. David; 2nd: Dr. Cruz.</i>		GBME 1602 Unanimously Approved
IV.	Treasurer's Report	P. Flores reported that there are no financial issues to address. B. Hattori-HPLO confirmed that a copy of the financial report was emailed to the Board members prior to the meeting.		Mr. Flores 1603 Noted
V.	HPLO Administrator's Report	B. Sablan reported that Annual Board orientation training is anticipated to be scheduled in October or November. In addition, she reminded Board members to register for the virtual Ethics in Government training, which must be completed prior to 30 September 2023. She will contact individual Board members, who have yet to complete the training.		Z. Pecina 1604 Register for Ethics Training
VI.	Chairperson's Report			Dr. Berg Not Present 1606 No Report

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VII. Old Business	A. Complaint(s):	GBME	1607	
	1. GBME-CO-20-005 – Received: 09/18/2020. Dr. Cruz stated he will be meeting with Attorney Visosky to discuss his conclusions and will provide a recommendation to the Board.	Dr. Cruz		In Progress
	2. GBME-CO-2021-011 – Received: 11/17/2021. NOTE: Deleted from this agenda item reference Agenda Item VIII. A.	Dr. David		Deleted from Agenda
	3. GBME-CO-2022-002 – Received: 01/06/2022.	Dr. Berg Not Present		Tabled
	4. GBME-CO-2022-003 – Received: 01/24/2022.	Dr. Berg Not Present		Tabled
	5. GBME-CO-2022-006 – Received: 02/10/2022. NOTE: Deleted from this agenda item reference Agenda Item VIII. A.	Dr. David		Deleted from Agenda
	6. GBME-CO-2022-010 – Received: 06/21/2022. NOTE: Dr. Aguon signed out of the meeting temporarily when this agenda item was addressed.	Dr. Aguon		Tabled
	7. GBME-CO-2023-002.	Dr. Berg Not Present		Tabled
8. GBME-CO-2023-003 – Received: 05/01/2023 (L. Cruz). Dr. Cruz reported that the complainant decided not to pursue the complaint, as this was an emotional misunderstanding between the parties. This was confirmed by the complainant's mother, who has power of attorney. <i>Motion to dismiss: Dr. Cruz; 2nd: Dr. Aguon</i>	Dr. Cruz	Unanimously Dismissed		
VIII. Pending Submission required documentation	A. Appointment of Hearing Officer for GBME-001-2023. Dr. David provided a brief overview of the pre-conference hearing regarding this case. Upon her request, B. Sablan provided an overview of Asst AG Miller's recommendation to address the concerns of the aforementioned hearing, which was for the Board to decide on the following: 1. GBME appoint G. Concepcion, Esq., as the Hearing Officer. 2. GBME confirm and validate her role/function to fact-find and present a recommendation to the GBME for a decision. <i>Motion to approve the above steps 1 and 2: Dr. Aguon; 2nd Dr. Cruz</i>	GBME	1613	Unanimously Approved
	B. Legal Representation for Board Members P. Flores stated that he requested to add this item to the agenda based on the Attorney General's recent position regarding legal representation for the University of Guam Regent Board of Directors. B. Sablan reported that based on her discussions with Asst AG Miller, she stated that, in the event a lawsuit is filed, Asst AG. Miller would represent the Board or the Board members, who are fulfilling their GBME responsibility. Dr. David also stated that the Medical Practice Act has provisions of immunity to the Board when acting in its GBME capacity.			Noted

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	<p>C. Request for Hearing: GBME-DPA-2022-01. B. Hattori - HPLO reported that the application was initially denied. Dr. Berg will provide an update at the September 2023 meeting.</p>			Tabled
	<p>D. Application(s) for Full Licensure: Adjourn 1638 Dr. Aguon dropped off</p>			
	<p>1. Mohsin I. Pasha. Dr. David reported the applicant has a clean NPDB/FCVS and will be taking the Board exam in September 2023. <i>Motion to approve: Dr. David; 2nd: Dr. Aguon</i></p>			Unanimously Approved
	<p>2. Gerald K. Lee. Dr. David reported the applicant has a clean National Practitioner Data Bank/FCVS record <i>Motion to approve: Dr. David; 2nd: Dr. Aguon.</i></p>			Unanimously Approved
	<p>3. Miechia A. Esco. Dr. David reported that the applicant took CME training on Pain Management to remedy an adverse action in 2017; however, WV determined that the course did not meet the accredited AMA requirements; therefore; issued a fine. In addition, MI and KY took administrative action, e.g., administrative complaints, fined. This infraction was also noted by the FCVS. She stated that there were no sanctions by the NPDB, Medicare or Medicaid. Her record was cleared via an appeal process in MI; however, KY had documented her failure to report. She recommended that the Board move forward with the application. <i>Motion to approve: Dr. Davdi; 2nd: Dr. Aguon</i></p>			Unanimously Approved
	<p>4. Matthew T. Middendorf The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record; however, she reported that the applicant had a conviction for underage drinking at the age of 20. There were no adverse actions in his record. <i>Motion to approve: Dr. David; 2nd: Dr. Aguon</i></p>			Unanimously Approved
	<p>5. Christopher P. LaCross The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record. <i>Motion to approve: Dr. David; 2nd: Dr. Aguon</i></p>			Unanimously Approved
	<p>6. Praveena Madapathi The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record; however, the applicant is not Board-certified. <i>The applicant must provide official documentation to legally work in the USA, as well as proof of Board-certification.</i></p>			Pending Submission required documentation
	<p>7. Maheswara S. Golla - The Board noted applicant has a clean National Practitioner Data Bank/FCVS record; <i>however, the applicant must provide official documentation to legally work in the USA.</i></p>			Pending Submission required documentation

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	<p>8. Luc D. Jasmin The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record. In 2011, a liability judgment was filed for failure to completely remove a tumor. It was determined that her skills were substandard/inadequate. In 2018, she was able to restore her license. <i>Motion to approve: Dr. David; 2nd: Dr. Aguon</i></p>			Unanimously Approved		
	<p>9. Amanda L. Wojahn The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record. <i>Motion to approve: Dr. David; 2nd: Dr. Aguon</i></p>			Unanimously Approved		
	<p>10. Stephanie Ann McLeish B. Hattori -HPLO reported that the applicant had withdrawn her application and she will submit an application at a later date.</p>			Application Withdrawn		
	E. Application(s) for Reinstatement of Licensure. .					
	<p>1. Marilyn M. Kioko. Dr. David reported that the applicant had a clean record in the NPDB. <i>Motion to approve: Dr. David; 2nd: Dr. Cruz</i></p>			Unanimously Approved		
	E. Application(s) for Temporary Licensure:					
	1. Christopher R. Tainter			Noted		
	2. William F. Ryan			Noted		
	<p>F. Full Licensure Renewals 2023 – (see attached listing) - The Board discussed the process and will follow the procedures below:</p> <ul style="list-style-type: none"> • Each Board member will review 10 charts (random selection) • HPLO to assign the charts to each Board member for review. <p>NOTE: B. Hattori - HPLO informed and suggested that the Board consider the process the GBEP decided on how to review/approve renewal applications in between the monthly Board meetings.</p>			To be Reviewed		
IX.	Announcement	Next regularly scheduled board meeting: Wednesday, September 13, 2023 at 4:00 pm.		GBME	1646	Next Meeting 9/13/2023
X.	Adjournment	<i>Dr. David; Dr. Cruz</i>		GBME	1647	Adjourned

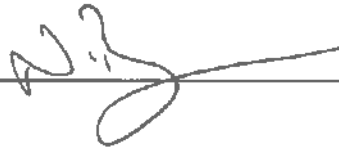
Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 8/18/2023

Submitted by the GBME Secretary:

Date:

Approved by the GBME with or without changes:

A handwritten signature in black ink, appearing to be 'D. J.', written over a horizontal line.

Date:

9/13/2023

Certified by or Attested by the Chairperson:

Date: