

GUAM BOARD OF MEDICAL EXAMINERS

Guam Board of Medical Examiners Regular Board Meeting

Wednesday, March 04, 2026 at 4:00 pm

RECONVENED Tuesday, March 24, 2026

194 Hernan Cortez Ave. Terlaje Professional Bldg., Suite 209

Hagåtña, GU 96910

Join Zoom Meeting:

<https://us06web.zoom.us/j/88593517096?pwd=N1vzrK4aStEG2xW6EHwFKGk751DBAt.1>

Meeting ID: 885 9351 7096

Passcode: 251779

MINUTES

Topic	DECISION(S) / ACTION(S) MADE	Responsible Party	Time	Status
I.	Call to Order			
	Meeting Chaired by: Dr. Berg	Chair	1638	Called to Order
	A. Roll Call: GBME Present <input checked="" type="checkbox"/> Nathaniel B. Berg, M.D., Chairperson <input checked="" type="checkbox"/> Sungwook “Steve” Kim, Podiatry Member <u>Virtually Present:</u> <input checked="" type="checkbox"/> Luis G. Cruz, M.D., Secretary <input checked="" type="checkbox"/> Alexander D Wielaard, M.D., Treasurer <input checked="" type="checkbox"/> Ricardo Eusebio, M.D., Member of GMHA <input type="checkbox"/> Ray Tajalle, Physician Assistant Member	Chair		Quorum Established
	B. Confirmation of Public Notice: 2/24/2026 and 2/27/2026 Dr. Berg reviewed and found it to be in conformance with current laws.			
C. Election of Board Officers: Election was deferred pending confirmation of three nominees Dr. Bordallo, Dr. Galgo, and Dr. Alford. Bordallo and Galgo had completed their hearings and were moved to the voting file; Alford's hearing was still pending. The public member seat also remains vacant. No vote taken.	Chair			Tabled, Pending Confirmation from Nominees
II.	Adoption of Agenda			
	<i>Motion to Adopt the Agenda: Dr. Berg.</i>	GBME		Adopted
III.	Review and Approval of Minutes			
	Draft Minutes dated: 01/14/2026 (Reconvened 01/28/2026) Dr. Berg noted that a minor error was identified in the meeting minutes, specifically the incorrect use of the term “senator” instead of “administrator,” which had already been communicated to B. Hattori for correction.	GBME		Unanimously Approved

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		<p>He affirmed that the minutes otherwise accurately reflected the meeting, leading to a motion to approve the minutes with the stated correction, which was subsequently supported by a favorable response from those present.</p> <p><i>Motion to Approve: Dr. Berg.</i></p>			
IV.	Treasurer's Report	<p>Dr. Wielaard presented a general overview indicating that for fiscal year 2026, the Guam Board of Nurse Examiners had been allocated \$89,416, with expenditures totaling \$62,668 and a remaining balance of \$35,746, while it was also noted that some revenue from license renewals had not yet been fully confirmed but was beginning to increase in line with the anticipated renewal cycle.</p> <p>Dr. Berg requested that B. Sablan ensures that Dr. Willard receives report on revenues from license renewals to assist with informed budget planning for the year.</p>	Dr. Wielaard		Noted
V.	HPLO Administrator's Report	<p>B. Sablan informed the Board that Dr. Galgo and Dr. Bordallo had already attended their confirmation hearings, while Dr. Alford was still awaiting confirmation, and noted that efforts were ongoing to fill the vacancy for the public member position.</p> <p>Dr. Berg added that he had requested had been through the Governor's Office, that she nominate someone for that role, with the expectation that the vacancy would be addressed in the coming weeks.</p>	HPLO		Noted
VI.	Chairperson's Report	<p>Dr. Berg conveyed that efforts were underway to establish official government email accounts for Board members to ensure proper recordkeeping, legal compliance, and continuity of Board-related communications, with instructions to be distributed soon for account setup and future group coordination, while also emphasizing ethical guidelines that prohibit group discussions or deliberations on voting matters outside formal meetings and require that any official inquiries be documented and shared with the full Board for transparency and accountability; additionally, Dr. Berg informed Dr. Galgo that he would be required to attend an ethics course, and discussion followed regarding potential attendance at the upcoming FSMB meeting scheduled for April 29 to May 3 in Baltimore, with several members expressing interest and the possibility of funding being considered. Dr. Berg concluded by noting that there were no further significant updates and expressed anticipation for the upcoming budget presentation to support planning for future participation in FSMB meetings.</p>	Dr. Berg		Noted
VIII	Old Business	<p>A. Complaint(s):</p> <p>1. GBME-CO-20-005 – Received: 09/18/2020</p> <p>Dr. Cruz reported he was the third investigator to this case assigned to him in 2023 or 2024. As previously discussed in earlier meetings, he revisited, with the purpose of determining appropriate disciplinary action for the physician involved, noting that two independently obtained and compensated expert opinions both concluded that the physician failed to meet the standard of care. He further stated that, to the Board's knowledge, no disciplinary action had been taken by GMH and that the incident</p>	Dr. Cruz		Approved Comprehensive Plan for Resolving GBME-CO-20-005

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	<p>appeared to be isolated given the physician’s long-standing practice history on Guam, and in consideration of these factors, along with reference to a similar case in California, Dr. Cruz recommended that the Board impose disciplinary measures consisting of a formal letter of reprimand to be issued by the Chair, a requirement for the physician to complete the PACE program within a specified timeframe, and reimbursement of the investigation costs and associated fees to the Board.</p> <p>Dr. Berg expressed appreciation for the efforts to bring the case to closure, noting that while the matter had taken an extended period, the delays were due to its complexity, including turnover in board membership, procurement challenges in securing off-island experts, and multiple legal issues involving several attorneys over time.</p> <p>Dr. Cruz acknowledged that similar cases in other jurisdictions, such as California, resulted in comparable findings and disciplinary actions, reinforcing the reasonableness of the proposed approach. Dr. Berg emphasized that, although the respondent’s long career with only one complaint suggests the issue may not reflect overall practice, an objective assessment through a Physician Assessment and Continuing Education (PACE) program is necessary to determine competency. The proposed course of action included issuing a letter of reprimand subject to board review, requiring the respondent to enroll in a PACE program within 90 days, and determining the costs incurred by the board for potential reimbursement if a deviation from the standard of care is confirmed. It was further noted that legal counsel would only be required if the respondent appeals or requests a hearing, at which point assistance from the Attorney General’s office would be sought. The discussion concluded with an invitation for additional input from other board members.</p> <p>Dr. Eusebio stated he was not sufficiently familiar with the case to provide input. Dr. Galgo indicated partial familiarity and offered a recommendation regarding assessment options. He noted that there are two nationally recognized clinical assessment programs, the PACE program and the Center for Personalized Education for Physicians (CPEP), explaining that while PACE requires in-person participation and is more costly, CPEP is conducted online and is more cost-effective. Dr. Galgo suggested that CPEP could provide an equivalent evaluation outcome while reducing financial burden on the individual subject to disciplinary action, and recommended its consideration as an alternative.</p> <p>Dr. Berg offered to resend the case materials to Dr. Eusebio, so he could review them and provide input on the proposed letter of reprimand. Dr. Berg also expressed appreciation for the information shared</p>			

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	<p>regarding alternative assessment options and acknowledged unfamiliarity with the availability of online programs. He suggested that, if the board agrees to consider an online assessment option, confirmation should first be obtained from the FSMB to ensure such programs are accepted as a standard. Dr. Berg indicated no objection to the online alternative provided it is endorsed by the FSMB, and proposed reaching out to its leadership for guidance before proceeding.</p> <p>Dr. Wielaard, expressed agreement with the recommendation to proceed with disciplinary action, citing credible expert opinions indicating that the standard of care was not met, as well as the extensive investigation, due process, and involvement of external entities that provided the board with sufficient information to make an informed decision. Dr. Willard indicated support for either in-person or remote competency assessment options and suggested that targeted CME focused on clinical judgment and the specific circumstances of the case could further support the physician's practice improvement. This suggestion was supported by Dr. Cruz, who agreed that CME could be incorporated alongside a competency assessment program.</p> <p>Dr. Berg concurred with these recommendations, emphasizing the importance of addressing the identified deficiencies through a combination of measures, including a competency evaluation, reimbursement of investigative costs due to findings below the standard of care, issuance of a letter of reprimand, and completion of focused CME. It was discussed that rather than mandating a specific number of CME hours, the requirement could allow flexibility by having the respondent complete relevant, high-quality CME and submit documentation to the board within a defined timeframe for approval. The board member also proposed consulting other jurisdictions to inform appropriate CME requirements and language in the reprimand letter, noting that the board retains the authority to refine these details following further review.</p> <p>Dr. Galgo, speaking as a non-voting member, elaborated on the CPEP program, noting that it provides an initial assessment and offers online modules for physicians who require additional evaluation of competency. These modules function as CME and support both assessment and re-education, culminating in recommendations for remediation if needed. Dr. Galgo further suggested that, in addition to the formal assessment program and letter of reprimand, local measures such as chart audits and peer review by fellow physicians on a regular basis could serve as supplemental tools to monitor and support the physician's practice improvement.</p>			

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	<p>Dr. Berg outlined a comprehensive plan for resolving the case, emphasizing that the CPEP program would determine any additional competency discrepancies, while the initial expert review had already identified areas where the standard of care was not met. He proposed that the institution where the individual works be notified, allowing local leadership to implement measures such as chart audits or peer review, while institutional credentialing and remedial actions remain under their purview. Dr. Berg will draft a letter of reprimand, incorporating language informed by other jurisdictions to require CME specifically addressing the identified gaps in standard of care, and submit it to the board for approval. Additionally, the HPLO administrator will determine the investigation costs, which will be assigned as a financial responsibility to the individual. The plan also includes enrollment in an appropriate educational assessment program within 90 days, defaulting to the online CPEP program contingent upon confirmation of acceptance by the FSMB or consultation with other jurisdictions. Upon board acceptance of the letter of reprimand, Dr. Berg will notify both the director of medical services and the president of the medical staff at the facility where the individual works and where the incident occurred.</p> <p><i>Motion to Approve Comprehensive Plan for Resolving GBME-CO-20-005: Dr. Berg: 2nd; Dr. Cruz.</i></p>			
	<p>2. GBME-CO-2022-010 – Received: 06/21/2022</p> <p>Dr. Berg announced that this case previously assigned to Dr. Aguon, who is now focusing on government responsibilities at GMH, has been reassigned to Dr. Galgo as his first case. Dr. Berg explained that it is a complex case involving documentation and the ability to obtain records from the facility involved, and that B. Hattori will provide a detailed briefing. The reassignment is pending the upcoming vote, which is expected shortly, and once confirmed Dr. Galgo will have a month to review the case with support available from Dr. Berg, B. Hattori, and B. Sablan for any aspects of the review.</p>	Dr. Aguon		On-Going, Pending Reassignment of Complaint to Dr. Galgo
	<p>3. GBME-CO-2025-003 – Received: 06/12/2025</p> <p>Dr. Berg provided an overview of a case involving a VA physical examination in which the complaint alleged that the physician spent inadequate time conducting the exam. The physician was not licensed in Guam at the time of the alleged incident but held an active license in California, which meets federal requirements for practice at VA and military facilities. Dr. Berg clarified that, according to the FSMB, Guam has the authority to investigate complaints even if the physician was not licensed in Guam at the time, but given that the physician was licensed in California both at the time of the incident and currently, it would be more appropriate for California to handle the investigation. Dr. Berg indicated he would first ask the complainant for consent to transfer jurisdiction to California; if the complainant declines, and wants the Guam Board to proceed with the investigation, and he would accept the case and investigate.</p>	Dr. Berg		On-Going

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	<p>4. GBME-CO-2025-004 – Received: 06/12/2025 Dr. Berg discussed the case which involved a licensee of the Guam Board of Barbering and Cosmetology who had advertised services that technically fell under the jurisdiction of the Guam Board of Medical Examiners. Since the individual was not licensed by the Medical Examiners Board, the matter was initially referred to the Board of Cosmetology. The licensee clarified that the services were conducted outside of Guam, complied with the Cosmetology Board’s instructions, and removed any advertisements beyond their authorized scope. As a result, the Board of Cosmetology dismissed the complaint, and no violation of the Medical Practices Act occurred. Dr. Berg proposed dismissing the case on the basis that it had been appropriately resolved by the primary licensing board and that the licensee had complied with the instructions. <i>Motion to Dismiss: Dr. Berg; 2nd: Dr. Kim.</i></p>	GBME		Complaint Dismissed
	<p>5. GBME-CO-2025-005 – Received: 10/28/2025 Dr. Berg provided an update on this case which involved a misunderstanding between a physician’s office and a patient. The complaint arose when a patient was incorrectly informed that the physician was no longer accepting referrals from a specialist’s office, creating the impression that the patient had been abandoned. In reality, the physician had a temporary family issue and resumed care for the patient once available. Dr. Berg explained that he has been in contact with the complainant, though communication has been difficult due to the person’s work, requiring calls to be paused and unable to resume. Dr. Berg indicated that further discussion with the complainant is necessary to ensure no additional issues exist before deciding on dismissal and noted that an update on the case would be provided at the next meeting.</p>			On-Going, Update Next Board Meeting
	<p>6. GBME-CO-2025-006 – Received: 12/02/2025 Dr. Berg reported on the case involving two adult ophthalmologists providing care for a pediatric patient, where a significant disagreement existed regarding whether appropriate care was given. Both physicians referenced pediatric ophthalmology standards, and Dr. Berg noted that they are approaching a mutual understanding. To facilitate resolution, Dr. Berg plans to arrange a mediation with a pediatric ophthalmologist, potentially through the FSMB or USC Keck, at no cost to the board or the parties involved. This approach is intended to clarify the standard of care, resolve misconceptions, and potentially improve the quality of pediatric ophthalmology care in Guam. Dr. Berg emphasized that there was no evidence of malintent and that the child continued to receive care. An update will be provided at the next meeting.</p>	Dr. Berg		On-Going, Update Next Board Meeting
	B. Application(s) for Reinstatement of Licensure:			

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	<p>1. Divis Khaira Dr. Berg explained the issue: Khaira's application listed her specialty as oncology, but some facilities reported her as an internist/hospitalist. He believed it was a records/assistant error, not intentional deception, and proposed granting the license with a 90-day window to correct the records after arriving on Guam.</p> <p>Dr. Khaira explained that oncology often falls under internal medicine at many facilities, and that her Missouri board confirmed she is certified in internal medicine, hematology, and oncology. She noted this had never been flagged across her 12 other state licenses.</p> <p>Dr. Berg maintained that accurate records are simply the board's standard and clarified that no one was questioning her qualifications, only the accuracy of the paperwork.</p> <p>Dr. Wielaard recused himself from the vote due to his GRMC affiliation. <i>Motion to Conditionally Approve Provided Correction to Records is Submitted Within 90 Days of Her Start of Practice on Guam: Dr. Berg; 2nd: Dr. Kim.</i></p>	GBME		Conditionally Approved Provided Correction to Records is Submitted Within 90 Days of Her Start of Practice on Guam
VIII.	<p>New Business</p> <p>A. Complaint(s):</p> <p>2. GBME-CO-2026-001 – Received: 01/16/2026 Dr. Berg provided an update on a case involving obstetrical care, noting that it would be assigned to Dr. Bordallo once she officially joins the board. This assignment was made to avoid conflicts of interest and the need to engage off-island experts. Dr. Berg confirmed that Dr. Bordallo has been notified, and that the Attorney General's Office has assigned legal counsel to review the case and work in coordination with her upon verification.</p> <p>3. GBME-CO-2026-002 – Received 01/18/2026 Dr. Berg explained that the case would be assigned to Dr. Wielaard, involving a complainant who was under an opioid management agreement and was found to have violated its terms. The complainant was subsequently dismissed from care and filed a complaint alleging the matter was not handled appropriately. B. Hattori will forward the case to Dr. Wielaard for review.</p> <p>B. Applications for Full Licensure:</p> <p>1. Guillermo Gow-Lee Dr. Berg reported that the physician in question has not practiced in the United States since 2021, having retired and continued practice in Peru. Because there is no National Practitioner Data Bank or FCVS record for this period, and given that physicians who have been inactive for more than two years are required to complete a re-entry program, Dr. Gow-Lee will be notified that he must complete a</p>	<p>GBME</p> <p>Dr. Wielaard</p> <p>GBME</p>		<p>Ongoing, Assigned Legal Counsel for Review of Case</p> <p>Ongoing. Pending Review</p> <p>Notified to Complete Re-entry Program</p>

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	board-approved re-entry program before his license can be reconsidered.			
	2. Dylan James C. O'Shea <i>Motion to Approve: Dr. Berg; 2nd: Dr. Kim.</i>			Unanimously Approved
	3. Christina H. Wiedmer Dr. Berg discussed the applicant for a pathology license who had listed graduate medical education at Mount Sinai West, New York, which is not ACGME-accredited, contrary to the board's application instructions. Dr. Berg clarified that this issue does not reflect negatively on the applicant, who is otherwise highly qualified, having trained in Switzerland at St. Gallen and Bern University, completed a pathology residency at the University of Hawaii, and a surgical oncology pathology fellowship at Memorial Sloan Kettering. The applicant is based in Honolulu and seeks a Guam license to provide pathology services. Dr. Berg proposed granting the license while requesting that the applicant correct the application to remove the unaccredited program and submit a letter of correction, noting that similar situations have been handled in the same manner previously. <i>Motion to Conditionally Approve Pending Correction to Application: Dr. Berg; 2nd: Dr. Kim.</i>			Conditionally Approved Pending Correction to Application
	4. Nilmini Yao Hoong Pang <i>Motion to Approve: Dr. Berg; 2nd: Dr. Kim.</i>			Unanimously Approved
	5. Joseph C. Herring <i>Motion to Approve: Dr. Berg; 2nd: Dr. Kim.</i>			Unanimously Approved
	6. Matthew Y. Chang <i>Motion to Approve: Dr. Berg; 2nd: Dr. Kim.</i>			Unanimously Approved
	7. Clyde T. Jacob III <i>Motion to Approve: Dr. Berg; 2nd: Dr. Kim.</i>			Unanimously Approved
	8. Toshiaki Wakai <i>Motion to Approve: Dr. Berg; 2nd: Dr. Kim.</i>			Unanimously Approved
	9. Kym O. Furney <i>Motion to Approve: Dr. Berg; 2nd: Dr. Kim.</i>			Unanimously Approved
	C. Application(s) for Physician Assistant:			
	1. Meagan M. Pezeshkian Dr. Kim presented the application for Physician Assistant of Dr. Pezeshkian, noting that she has a clean record and has been practicing since 2022 under a vascular surgeon. She is applying for a similar position under the supervision of Dr. Jeffrey Shea at Guam Radiology, and no issues were identified. Dr. Berg stated that he would abstain from voting due to a conflict of interest and acknowledged the absence of a vice chair, therefore asking the other board members to proceed with consideration. <i>Motion to Approve: Dr. Kim; 2nd: Dr. Wielaard.</i>	GBME		Unanimously Approved
IX.	Announcement Next meeting is tentatively scheduled for Wednesday, April 22, 2026, at 4:00 pm.	GBME		Set Date

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X.	Adjournment	<i>Motion to Adjourn: Dr. Berg.</i>	GBME	1756	Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 3/31/2026

Submitted by the GBME Secretary:

Date:

Approved by the GBME with or without changes:



Date: 5/20/2026

Certified by or Attested by the Chairperson:



Date: 5/20/2026