

MINUTES
UTAH
PHYSICIANS
LICENSING BOARD MEETING

July 16, 2014

Room 474 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:09 A.M.

ADJOURNED: 2:56 P.M.

Bureau Manager:

April Ellis

Board Secretary:

Tammy Baker

Compliance Assistant:

Debbie Harry

Board Members Present:

Elizabeth F. Howell, MD, Chairperson

David A. Cook, MD

John S. Montgomery, MD

Georgia Katshohirakis

David D. Byrd, MD

Lindsay Klimes, MD

Daniel J. Parker, MD

Kenneth L. Schaecher, MD

Board Members Absent and Excused:

Paul J. Affleck, MD

Richard W. Chapa, MD

Gary A. Hale, R.Ph.

DOPL Staff:

Guests:

Ryan Hardman, MD

Jane Hartman

Georgia Geerlings

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the May 21, 2014 Board meeting were read.

Dr. Klimes made a motion to approve the minutes as read. Dr. Montgomery seconded the motion. The Board vote was unanimous.

Board Election for Chairperson

Dr. Howell stated that she will be rotating off the Board in June 2015 and another Board member should consider taking over as Board Chairperson so that they have experience before her term is up.

Dr. Schaecher and Dr. Cook expressed interest in being Board Chairperson.

Dr. Cook made a motion to keep Dr. Howell as chairperson until the end of the year and to discuss the vote more extensively at the September Board meeting. Dr. Schaecher seconded the motion. The Board vote was unanimous.

APPOINTMENTS:

9:15 A.M.

Debbie Harry, Compliance Update

Ms. Harry reported the following are in compliance or out of compliance with their Stipulations and Orders:

- Dr. Simpson is in compliance with his Stipulation and Order.
- Dr. Sazani is in compliance with his Stipulation and Order and the California Declaration was received.
- Dr. Chein is in compliance with his Stipulation and Order and the California Declaration was received.
- Dr. Hillam is in compliance with his Stipulation and Order and sent in his practice plan.
- Dr. Keep is in compliance with his Stipulation and Order.
- Dr. Hartman is in compliance with his Stipulation and Order.
- Dr. Hutsinpillar will be asking for her license status to go from suspended to probationary.

- Dr. Hansen is non-compliant with his Stipulation and Order as he was prescribing narcotics without an approved Practice Plan.
- Dr. Weitzel is in compliance with his Stipulation and Order.
- Dr. Money is in compliance with his Stipulation and Order.

9:30 A.M.

Dr. Robert Simpson, Probationary Interview

Dr. Schaecher conducted the interview asking Dr. Simpson how he is doing.

Dr. Simpson stated that he is doing well. He stated that he received his DEA registration but has not been writing prescriptions. He stated that he is still practicing at the 4th Street Clinic.

The Board thanked Dr. Simpson for being in compliance with his Stipulation and Order.

An appointment was made for Dr. Simpson to meet with the Board on November 19, 2014.

9:45 A.M.

Mohamed F. Mansour, Application Interview

The Board reviewed Mr. Mansour's FCVS which listed the unaccredited Fellowship Programs.

Dr. Byrd stated that he does not have an issue licensing someone who went to a renowned Fellowship program even if it is unaccredited.

The Board discussed why Utah is required to have two years of residency rather than the one year that is required in so many states.

Dr. Howell stated that the law clearly states 24 months from an ACGME accredited residency program and that they have denied licensure in the past based on the criteria.

Ms. Baker was asked to contact Dr. Mansour to request a letter of reference from Dr. Mansour's training program, both Fellowship program directors, and his current employer.

10:15 A.M.

Dr. Thomas A. Sazani, Telephonic
Probationary Interview

Dr. Klimes conducted the interview, asking Dr. Sazani how everything is going.

Dr. Sazani stated that there has been no change in his status.

The Board thanked Dr. Sazani for being in compliance with his Stipulation and Order.

An appointment was made for Dr. Sazani to meet with the Board on November 19, 2014.

10:45 A.M.

Dr. Edmund Chein, Telephonic Probationary
Interview

Dr. Montgomery conducted the interview asking how Dr. Chein is doing.

Dr. Chein stated that he is still waiting for results of his appeal, other than that there are no changes to report.

The Board thanked Dr. Chein for being in compliance with his Stipulation and Order.

An appointment was made for Dr. Chein to meet with the Board on November 19, 2014.

10:40 A.M.

Dr. David Hillam, Probationary Interview

Dr. Cook conducted the interview asking Dr. Hillam to update the Board on his new job opportunity and his supervisor.

Dr. Hillam stated that the Employment Supervisor is a business man that owns the practice. Dr. Valentine is a physician that is working in the same building that agreed to be Dr. Hillam's supervising physician.

Dr. Parker motioned to approve Dr. Hillam's practice plan. Dr. Cook seconded the motion. The Board vote was unanimous.

Dr. Schaecher made a motion that Dr. Valentine contacts Ms. Ellis stating that he is willing to be a supervising physician and to discuss the required expectations. Dr. Cook seconded the motion. The Board vote was unanimous.

Dr. Hillam asked if the polygraph can be delayed until January.

Dr. Howell stated that the polygraph test needs to be completed in the time that is specified in the Stipulation and Order.

The Board thanked Dr. Hillam for being in compliance with his Stipulation and Order.

An appointment was made for Dr. Hillam to meet with the Board on September 17, 2014.

11:25 A.M.

Dr. Keep, Probationary Interview

Dr. Montgomery conducted the interview asking Dr. Keep who his new supervising physician is.

Dr. Keep stated that Dr. Anderson will be filling out the supervisor reports.

Dr. Keep stated that he has a job opportunity in North Carolina practicing Cardiology. He asked the Board if they have any insights into North Carolina and he asked how he could continue his probationary status in Utah if he is living out of state.

Dr. Howell stated that they could meet with him telephonically and organize testing so that the requirements do not overlap.

The Board thanked Dr. Keep for being in compliance with his Stipulation and Order.

An appointment was made for Dr. Keep to meet with the Board on September 17, 2014.

11:15 A.M.

Dr. Hartman, Probationary Interview

Dr. Cook conducted the interview asking Dr. Hartman how he is doing.

Dr. Hartman stated that he is doing well and is extremely thankful for his opportunity to continue to work.

Dr. Hartman recommended the book, "*Better*" by Atul Gawande stating that it should be required reading for

all physicians.

The Board thanked Dr. Hartman for being in compliance with his Stipulation and Order.

An appointment was made for Dr. Hartman to meet with the Board on November 19, 2014.

11:30 A.M.

Dr. Hutsinpillar, Initial Probationary Interview

Meeting closed in accordance with the Open and Public Meetings Act, 52-4-205(1) (a) to discuss the character, professional competence, or physical or mental health of an individual.

Dr. Howell conducted the interview, explaining the procedures and reasons for closing the meeting.

Dr. Byrd made a motion to close the meeting to discuss Dr. Hutsinpillar in accordance with the Open and Public Meetings Act 52-4-205(1) (a) to discuss the character, professional competence, or physical or mental health of an individual. Dr. Klimes seconded the motion. All Board members voted in favor of closing the meeting. Meeting closed at 11:35 A.M.

Dr. Schaecher made a motion to reopen the meeting. Dr. Parker seconded the motion. All Board members voted in favor of reopening the meeting. The meeting reopened at 11:51 A.M.

Dr. Howell asked Dr. Hutsinpillar the status of her criminal charges.

Dr. Hutsinpillar stated that she will be on probation until December.

Dr. Howell stated that the probationary release needs to be submitted to Ms. Harry at the end of the term.

Dr. Howell asked Dr. Hutsinpillar about her practice plan.

Dr. Hutsinpillar stated that the director of the program was willing to work with her under the circumstances, but the director left and a replacement came in and told Dr. Hutsinpillar that she would not be able to work for their facility.

Dr. Hutsinpillar explained to the Board that she was

practicing in a rural area of New Mexico. Her practice plan referred to a rural area of Wyoming that was a new facility opening.

Dr. Klimes stated that there are a lot of ER positions that may be more beneficial to Dr. Hutsinpiller's situation.

Dr. Hutsinpiller asked about the ethics course that she is required to take. She asked if she can attend the PACE course.

Dr. Howell answered that the order states the PRIME course or similar course approved by the Board therefore that is the course she needs to take unless she submits a course comparison and the Board approves it.

Dr. Schaecher made a motion to reinstate Dr. Hutsinpiller's license on a probationary status pending the Fitness for Duty letter from Betty Ford. Dr. Klimes seconded the motion. The Board vote was unanimous.

Dr. Hutsinpiller asked the Board if they have an available list of companies that are willing to practice with practitioners that are facing the difficulties that she is.

Dr. Schaecher stated that the Board does not have such a list and Dr. Hutsinpiller should not let this experience discourage her from seeking employment in other places.

The Board thanked Dr. Hutsinpiller for being in compliance with his Stipulation and Order.

An appointment was made for Dr. Hutsinpiller to meet with the Board on September 17, 2014.

12:30 P.M.

WORKING LUNCH

1:00 P.M.

Dr. Hansen, Telephonic Probationary Interview

Dr. Schaecher conducted the interview asking Dr. Hansen how he is doing.

Dr. Hansen stated that he has been checking into the PRIME course and attempting to gain licensure in the State of Arizona as he has a job opportunity.

Dr. Schaecher made reference to the letter Dr. Hansen submitted to the Board and asked how and where Dr. Hansen met the patient that was referred to in the letter.

Dr. Hansen stated that he used to treat the patient and he was coming into town and saw the patient “on the fly” in the patients home.

Dr. Schaecher stated that he wants a copy of the progress report sent to the Board and stated that if this ever happens again the Board will initiate an order to revoke Dr. Hansen’s license.

The Board stated that because of this incident, Dr. Hansen is not in compliance with his Stipulation and Order.

An appointment was made for Dr. Hansen to meet with the Board on September 17, 2014.

1:30 P.M.

Dr. Nolan Money, Probationary Interview

Dr. Byrd conducted the interview asking Dr. Money to update the Board as to what is going on.

Dr. Money stated that he is currently attempting to lower his pain patients and does not treat any new pain patients.

Dr. Schaecher told Dr. Money that there is a new pain specialist, Dr. Spencer Heaton, in Utah County that Dr. Money may want to refer his long term pain patients to. Dr. Schaecher recommended a few other physicians’ that may be available to take new patients.

Dr. Money stated that he is continuing to try and taper all patients off of the medications.

Dr. Byrd asked how Dr. Money’s relationship is going with his supervising physician, Dr. Skousen.

Dr. Money stated that Dr. Skousen is a very good supervisor and he really appreciates him.

The Board thanked Dr. Money for being in compliance with his Stipulation and Order.

An appointment was made for Dr. Money to meet with the Board on November 19, 2014

1:45 P.M.

Dr. Robert Weitzel, Probationary Interview

Dr. Byrd conducted the interview asking Dr. Weitzel to update the Board as to what is going on.

Dr. Weitzel stated that he has his own practice in Dr. Javallana's building and he is having a very difficult time getting on Medicare and Medicaid because he does not have a DEA registration.

Dr. Weitzel asked if he could have his Controlled Substance license.

The Board reviewed Dr. Weitzel's Stipulation and Order and discussed the option to specify on Dr. Weitzel's license the certain schedules of drugs that he would be allowed to prescribe.

Dr. Cook made a motion to amend the Stipulation and Order to allow Dr. Weitzel to have his controlled substance under the stipulation that he will not prescribe Opioid's. Dr. Klimes seconded the motion. The Board vote was unanimous.

The Board thanked Dr. Weitzel for being in compliance with his Stipulation and Order.

An appointment was made for Dr. Weitzel to meet with the Board on September 17, 2014

DISCUSSION ITEMS:
NABP Interconnect Program

Ms. Ellis informed the Board that Utah will be joining the Interconnect Program (PMPi). She stated that the PMPi will allow Utah prescribing practitioners and dispensing pharmacists to access controlled substance prescription information from other states regarding their patients and clientele.

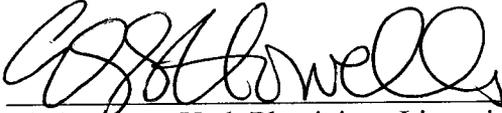
FSMB Visit – September 17, 2014 at 11:00 am **Ms. Ellis reminded the Board that FSMB will be visiting during lunch on September 14, 2014.**

CORRESPONDENCE:

NEXT MEETING SCHEDULED FOR: September 17, 2014

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

9/17/2014
Date Approved



Chairperson, Utah Physicians Licensing Board

8/26/2014
Date Approved

/ss/April Ellis

Bureau Manager, Division of Occupational & Professional Licensing