

HAWAII MEDICAL BOARD

Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Thursday, August 11, 2011

Time: 1:00 p.m.

Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, HI 96813

Present: Danny M. Takanishi, M.D., Chairperson, Oahu Member
Gerard K. Akaka, M.D., Oahu Member
Les Barrickman, D.O., Oahu Member
Sharon "Shay" Bintliff, M.D., Hawaii Member
Brian E. Cody, Public Member
Thomas S. Kosasa, M.D., Oahu Member
Palasi Puleyasi, Public Member
Karen E. Sept, D.O., Oahu Member
Carl K. Yorita, M.D., Oahu Member
Shari Wong, Deputy Attorney General ("DAG")
Ahlani K. Quiogue, Executive Officer
Wilma Balon, Secretary

Absent: Peter C. Chin, M.D., Maui Member
Niraj S. Desai, M.D., Kauai Member

Guests: Lei Fukumura, Special Deputy Attorney General
Alfred H. Grimes, M.D., Applicant
Peter Nicholas Schneider, M.D., Applicant
Sumana Nanjundachar, M.D., Applicant
Daniel T. Murai, M.D., Program Director, UH Pediatrics Residency Program

Call to Order: The meeting was called to order at 1:09 p.m. at which time quorum was established.

The following agenda item was moved as the next order of business.

Adjudicatory
Matters:

Chair Takanishi called for a recess from the meeting at 1:09 p.m. to discuss and deliberate on the following adjudicatory matters pursuant to HRS Chapter 91.

(a) Sian M. Evans, M.D.; MED 2008-107-L

After discussion, it was moved by Dr. Kosasa, seconded by Dr. Yorita and unanimously carried to accept the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order.

Mr. Cody entered the meeting room at 1:12 p.m.

(b) Gerard H. Dericks, M.D.; MED-2008-155-L

After discussion, it was moved by Chair Takanishi, seconded by Dr. Barrickman and unanimously carried to deny Dr. Dericks' request to be released from probation in the State of Hawaii. The Board determined that Dr. Dericks is not compliant with the terms and conditions of his Texas Order, specifically, requirement #2, practice monitoring and requirement #4, chart monitoring.

Following the Board's review, deliberation and decision in these matters pursuant to Chapter 91, HRS, Chair Takanishi announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 1:20p.m.

Applications for
License/
Certification

b. Applications:

It was moved by Dr. Sept, seconded by Mr. Cody, and unanimously carried to enter into executive session at 1:20 p.m. pursuant to Section 92-5(a)(1), HRS, to consider and evaluate personal information relating to individuals applying for professional license cited in Section 26-9, HRS, and pursuant to Section 92-5(a)(4), HRS, to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.

Alfred H. Grimes, M.D.

Dong K. Kim, M.D.

Rita Shah, M.D.

Ramy A. Badawi, M.D.

Prakash S. Eapen, M.D.

Carl R. Griesser, M.D.

Sumana Nanjundachar, M.D.
Pooja Sharma, M.D.
Daron L. Scherr, M.D.
Peter Schneider, M.D.
Praveen Venigalla, M.D.
Tadashy Matsuoka, EMT-B
Susan Potashnik, EMT-P

It was moved by Dr. Kosasa, seconded by Dr. Sept and unanimously carried to return to the open meeting at 3:45 p.m.

Approval of the
July 14, 2011
Minutes:

It was moved by Dr. Barrickman, seconded by Dr. Bintliff and unanimously carried to approve the minutes of the July 14, 2011 meeting with the following correction, and to approve the minutes of the executive session as corrected.

On page 1, under Present and Chairperson's Report, Gerald K. Akaka, M.D. should read as **Gerard** K. Akaka, M.D.

Additions/
Revisions to
Agenda:

It was moved by Dr. Yorita, seconded by Mr. Cody and unanimously carried to add "Peter D. Holt, M.D.", under applications.

Peter D. Holt, M.D.

It was moved by Chair Takanishi, seconded by Dr. Kosasa and unanimously carried to defer Dr. Holt's application pending further review and discussion.

Applications for
License/
Certification:

- a. Ratifications:
(i) List

It was moved by Dr. Bintliff, seconded by Dr. Akaka and unanimously carried to ratify the attached lists of individuals for licensure or certification.

Alfred H. Grimes, M.D.

The Board reviewed and considered all of the records and files of Dr. Grimes' application and information received from him as well as from other organizations.

After due consideration of this information, it was moved by Dr. Yorita, seconded by Mr. Puletasi and unanimously carried to defer Dr. Grimes' application pending a comprehensive evaluation and

assessment by Pu'ulu Lapa'au, Hawaii Program for Healthcare Professionals.

Dong K. Kim, M.D.

Chair Takanishi recused himself from discussion and decision making on this application.

It was moved by Dr. Kosasa, seconded by Dr. Yorita, and carried, with the exception of Chair Takanishi who recused himself, to approve Dr. Kim's application.

Rita Shah, M.D.

The Board reviewed Dr. Shah's letters of July 22, 2011 and July 28, 2011, requesting to formally withdraw her application for medical licensure.

After due consideration of this information, it was moved by Chair Takanishi, seconded by Mr. Cody, and unanimously carried to deny Dr. Shah's request to withdraw her application, and to further inform Dr. Shah that the withdrawal of an application at the Board level is considered a reportable action to the National Practitioner Data Bank in accordance with Section 1921, 42 U.S.C. 1396r-2. As such, the Board requests that Dr. Shah provide the information previously requested in its July 18, 2011 letter.

Ramy A. Badawi, M.D.

It was moved by Dr. Yorita, seconded by Dr. Akaka, and unanimously carried to approve Dr. Badawi's application.

Prakash S. Eapen, M.D.

It was moved by Chair Takanishi, seconded by Dr. Sept, and unanimously carried to approve Dr. Eapen's application.

Carl R. Griesser, M.D.

The Board reviewed and considered all of the records and files submitted with Dr. Griesser's application and information received from him as well as from other organizations.

After due consideration of this information, it was moved by Dr. Kosasa, seconded by Mr. Puleyasi, and unanimously carried to defer Dr. Griesser's application.

In deferring the application, the Board determined that:

1. Dr. Griesser shall arrange, at his sole expense, to have one of the physician assessment and remedial education programs recognized by the FSMB ("programs") conduct and complete a comprehensive evaluation and assessment. Such evaluation shall include an assessment as to whether Dr. Griesser is able to resume an unconditional practice of medicine as well as any recommendations regarding whether any follow-up or treatment plans are necessary.
2. If the program selected to conduct and complete his evaluation determines that he is not able to resume an unconditioned practice of medicine, Dr. Griesser shall arrange for that program to specify what condition(s) would be recommended for him to safely resume the practice of medicine.
3. Prior to the Board's next review of Dr. Griesser's application, He shall arrange for the evaluating program to directly send the Board a written report including assessment, determinations and recommendations.
4. Depending upon the written report and recommendations, the Board may deny or approve his application for a license to practice medicine in Hawaii. Also, depending upon the written report and recommendations, the Board may evaluate what, if any, conditions are warranted for Dr. Griesser to practice medicine in Hawaii and impose such conditions.

Sumana Nanjundachar, M.D.

The Board reviewed and considered all of the records and files of Dr. Nanjundachar's application and information received from her as well as from other organizations concerning the above-referenced matter. After due consideration of this information and her personal statements made before the Board, it was moved by Chair Takanishi, seconded by Dr. Yorita, and unanimously carried to deny Dr. Nanjundachar's application for licensure, basing its decision on the following grounds of the Hawaii Revised Statutes

("HRS"), which find support in the records and files of Dr. Nanjundachar's application:

- HRS § 436B-19(1): Failure to meet or maintain the conditions and requirements necessary to qualify for the granting of a license;
- HRS § 436B-19(7): Professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of the licensed profession or vocation;
- HRS § 436B-19(8): Failure to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity; and
- HRS § 436B-19(9): Conduct or practice contrary to recognized standards of ethics for the licensed profession or vocation.

Pooja Sharma, M.D.

The Board reviewed and considered all of the records and files of Dr. Sharma's application and information received from her as well as other organizations.

After due consideration of this information, it was moved by Dr. Kosasa, seconded by Dr. Bintliff, and unanimously carried to defer Dr. Sharma's application pending additional information and further review.

Daron L. Scherr, M.D.

The Board reviewed and considered all of the records and files of Dr. Scherr's application and information received from him as well as from other organizations, including but not limited to: 1) the disciplinary action taken against his Idaho medical license; and 2) the disciplinary action taken against his Alaska medical license.

After due consideration of this information, it was moved by Chair Takanishi, seconded by Dr. Sept, and unanimously carried to approve Dr. Scherr's application for licensure subject to certain condition(s), basing its decision on the following grounds in the Hawaii Revised Statutes ("HRS"), which find support in the records and files of his application:

HRS § 453-8(a)(6): Procuring a license through fraud, misrepresentation, or deceit, or knowingly permitting an unlicensed person to perform activities requiring a license;

HRS § 453-8(a)(9): Revocation, suspension, or other disciplinary action by another state or federal agency of a license, certificate, or medical privilege for reasons as provided in this section; and

HRS § 436B-19(a)(6): Aiding and abetting an unlicensed person to directly or indirectly perform activities requiring a license.

The Hawaii Board is aware of Dr. Scherr's position that he believes he has done nothing which would support the disciplinary action taken by the Idaho Board. However, the Hawaii Board concludes that the actions taken against Dr. Scherr's Idaho medical license are grounds for conditioning his Hawaii medical license.

Similarly, the Hawaii Board is concerned with the information in the State of Alaska Medical Board's ("Alaska Board") Memorandum of Agreement ("MOA") dated June 27, 2007.

While the Hawaii Board recognizes that Dr. Scherr disclosed being placed on academic probation while a medical student at the University of Alabama on his Hawaii application, the Hawaii Board considers the misrepresentations on his Alaska application, whether or not unintentional, as significant reflections on his character and abilities to be accurate, honest, and careful at all times.

Based upon the foregoing, the Hawaii Board concludes that the disciplinary actions taken against Dr. Scherr's Alaska medical license are grounds for conditioning his license.

Therefore, the Hawaii Board hereby imposes the following conditions upon Dr. Scherr's license:

1. Dr. Scherr shall have the Idaho Board submit semi-annual written reports to the Hawaii Board regarding his probationary status in that jurisdiction. The written report shall state, at a minimum, whether he is compliant with all terms and conditions of the Idaho Orders.

2. If at any time Dr. Scherr is not in compliance with the Idaho Orders, he shall immediately notify the Hawaii Board and immediately cease practicing medicine until the Idaho Board notifies the Hawaii Board of what conditions, if any, it imposes upon Dr. Scherr to become compliant with the Idaho Orders. Depending upon the Idaho Board's written report, notification, and orders, the Hawaii Board may evaluate what, if any, further conditions are warranted for Dr. Scherr to practice medicine and impose such conditions on his license.
3. Should Dr. Scherr wish to have any condition removed from his license he shall make a request in writing to the Hawaii Board, at which time the Hawaii Board may consider his request.

Peter Schneider, M.D.

The Board reviewed and considered all of the records and files of Dr. Schneider's application and information received from him as well as from other organizations concerning the above-referenced matter. After due consideration of this information and his personal statements made before the Board, it was moved by Dr. Kosasa, seconded by Dr. Bintliff, with Dr. Akaka opposing, to deny Dr. Schneider's application for licensure, basing its decision on the following grounds of the Hawaii Revised Statutes ("HRS"), which find support in the records and files of Dr. Schneider's application:

- HRS § 436B-19(1): Failure to meet or maintain the conditions and requirements necessary to qualify for the granting of a license;
- HRS § 436B-19(7): Professional misconduct, incompetence, gross negligence, or manifest incapacity in the practice of the licensed profession or vocation; and
- HRS § 436B-19(8): Failure to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity.

Praveen Venigalla, M.D.

It was moved by Dr. Yorita, seconded by Mr. Cody, and unanimously carried to approve Dr. Venigalla's application.

It was moved by Dr. Bintliff, seconded by Dr. Sept, and unanimously carried to approve the following applications:

Tadashy Matsuoka, EMT-B
Susan Potashnik, EMT-P

New Business: a. Rules Revisions

Executive Officer Quiogue advised the Board that its Emergency Medical Service Advisory Committee is currently discussing national standards, and how those standards may affect current licensees. She indicated that more information will be provided at a later time.

Advisory
Committees: a. Physician Assistants

No report was made.

b. Emergency Medical Service Personnel

(i) Appointment to EMP Advisory Committee:
William Andrew Wilson, M.D.

It was moved by Mr. Cody, seconded by Dr. Bintliff, and unanimously carried to appoint William Andrew Wilson, M.D. to the Emergency Medical Service Personnel Advisory Committee.

c. Podiatrists

No report was made.

The following agenda item was moved as the next order of business.

Election of
Vice-Chair:

It was moved by Dr. Kosasa, seconded by Dr. Barrickman, and unanimously carried to nominate Mr. Cody as Vice Chairperson by acclimation.

It was moved by Chair Takanishi, seconded by Dr. Yorita, and unanimously carried to close the nominations and elect Mr. Cody as Vice Chairperson.

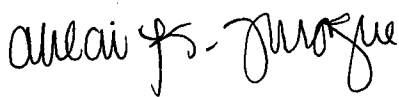
New Business: b. Board Functions/Disciplinary Process

DAG Wong presented an overview of the Board's Functions and Disciplinary Process.

Adjournment: It was moved by Mr. Puleasi, seconded by Dr. Barrickman, and unanimously carried to adjourn the meeting at 4:05 p.m.

Next Meeting: Thursday, September 8, 2011
1:00 p.m.
King Kalakaua Conference Room, First Floor
335 Merchant Street
Honolulu, HI 96813

Reviewed and approved by:



(Ms.) Ahlani K. Quiogue
Executive Officer

Taken and recorded by:



Wilma Balon
Secretary

AKQ:wb
8/29/11

- (X) Minutes approved as is.
() Minutes approved with changes; see minutes of _____.

LTYPE	LIC NUM	BP NAME PART 1
MD	16209	JEFFERY M <MEADOWS<
MD	16210	RAMIN <ALTAHA<
MD	16211	JASMINE K <WAIPA<
MD	16213	KATARINA <LECKOVA<
MD	16214	GARY I <ROSENTHAL<
MD	16215	WOJCIECH <ZOLCIK<
MD	16216	VIKRAM <RAYA<
MD	16218	CLAUDE A <SADOVSKY<
MD	16219	CLAIRE M <COCO<
MD	16220	WILLIAM J <SCHERMER<
MD	16221	JOEL Z <CORNFIELD<
MD	16222	LUIS A <GARCIA<
MD	16223	MARK A <KNOX<
MD	16224	JEFFREY G <OJEMANN<
MD	16225	AHOORA <PAYAM<
MD	16226	EDWARD M <PONG<
MD	16227	DAT DUC <TRAN<
MD	16228	JASON P <VEITENGRUBER<
MD	16229	MARTHA A <WIEDMAN<
MD	16230	VICTOR P <BOCHKAREV<
MD	16231	KYLE A <MITSUNAGA<
MD	16232	HENRY C <CHIU<
MD	16233	HOWARD K <SONG<
MD	16234	ASH <CHABRA<
MD	16235	AIMEE M <SHARIAT<
MD	16236	LAWRENCE W <REINISH<
MD	16237	CHRISTINE <KIM<
MD	16238	MARC E <BODDICKER<
MD	16239	ANDREW D <ROSENBACH<
MD	16240	IRINA <SCHWARTZ<
MD	16241	BEN H <LEE<

LTYPE	LIC NUM	BP NAME PART 1
DOS	1403	STACY R <AMMERMAN<
DOS	1404	BEVERLY SUE A <ROBERTS<
DOS	1405	LY M <GAU<

LTYPE	LIC NUM	BP NAME PART 2
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MDR	6212	
MDR	6213	

VLI_LICENSE_VIEW

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LTYPE	LIC NUM	BP NAME PART 1
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AMD	437	DONNA M <COLOBONG<
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LTYPE	LIC NUM	BP NAME PART 1
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EMTP	1970	JOHN A <GOETSCH<
EMTP	1971	JOSEPH K H <DUHAYLONSOD<
EMTP	1972	KILI P <MATSUSHIMA<

VLI_LICENSE_VIEW

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LTYPE	LIC NUM	BP NAME PART 1
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EMTB	2346	MATTHEW E <VANAKEN<
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