

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, March 14, 2013

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
Brian E. Cody, Public Member, Vice-Chairperson
Gerard K. Akaka, M.D., Oahu Member
Sharon "Shay" Bintliff, M.D., Hawaii Member
Les Barrickman, D.O., Oahu Member
Niraj S. Desai, M.D., Kauai Member
Thomas S. Kosasa, M.D., Oahu Member
Palasi Puletasi, Public Member
Karen E. Sept, D.O., Oahu Member
Shari Wong, Deputy Attorney General ("DAG")
Constance I. Cabral, Executive Officer
Ahlani K. Quiogue, Executive Officer
Wilma Balon, Secretary

Excused: Peter C. Chin, M.D., Maui Member
Carl K. Yorita, M.D., Oahu Member

Guests: Lei Fukumura, Special Deputy Attorney General
Vincent Tenorio, PAAC

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

Additions/
Revisions to
Agenda: None.

The following agenda items were taken out of order.

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. In the Matter of the License to Practice Medicine of Carol a. Brown, M.D.; MED 2011-6-L

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

- b. In the Matter of the License to Practice Medicine of James R. Frede, M.D.; MED 2012-180-L

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

- c. In the Matter of the Emergency Medical Technician Certificate of Kevin H. Kaneshiro; MED 2012-105-L

After discussion, it was moved by Dr. Kosasa, seconded by Dr. Sept, and carried by a majority, with Dr. Desai opposing, to accept the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order.

Following the Board's review, deliberation and decision in this matter pursuant to Chapter 91, HRS, Chair Takanishi announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 1:33 p.m.

Applications for
License/
Certification:

- b. Applications:

It was moved by Dr. Kosasa, seconded by Dr. Akaka, and unanimously carried to enter into executive session at 1:33 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.

Mary K. Nordling, M.D.

Kevin P. Banks, M.D.
Gregory W. Baran, M.D.
Janice W. Brooks, M.D.
Heidi Brown, M.D.
Kendall L. Capecci, M.D.
Gregory D. Homer, M.D.
Laura L. Jennings, M.D.
Napoleon J. King III, M.D.
Grant S. Lee, M.D.
Un Hui F. Nam, M.D.
Gregory H. Rose, M.D.
Charles J. Rosser, M.D.
Timothy M. Rowland, M.D.
Donald P. Schaefer, D.O.
Alan B. Stone, M.D.
John D. Wood, M.D.
Jason H. Habu, EMT-P
Stephen D. Shirk, EMT-P

It was moved by Dr. Barrickman, seconded by Dr. Bintliff and unanimously carried to return to the open meeting at 2:40 p.m.

Approval of the
February 14, 2013
Minutes:

It was moved by Dr. Barrickman, seconded by Dr. Akaka, and carried by a majority, with Dr. Desai abstaining, to approve the minutes of the February 14, 2013 meeting as circulated.

Applications for
License/
Certification:

- a. Ratifications:
(i) List

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

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

Mary K. Nordling, M.D.
Kevin P. Banks, M.D.
Gregory W. Baran, M.D.
Janice W. Brooks, M.D.
Heidi Brown, M.D.
Kendall L. Capecci, M.D.
Gregory D. Homer, M.D.
Laura L. Jennings, M.D.
Napoleon J. King III, M.D.

Grant S. Lee, M.D.
Gregory H. Rose, M.D.
Charles J. Rosser, M.D.
Timothy M. Rowland, M.D.
Alan B. Stone, M.D.
John D. Wood, M.D.
Stephen D. Shirk, EMT-P

Un Hui F. Nam, M.D.

The Board reviewed and considered the records and files of Dr. Nam's application and the information received from her as well as from other organizations, including but not limited to the University of California, Davis, Department of Anesthesiology and Pain Medicine ("Department"), concerning the above-referenced matter. These records and files reflect Dr. Nam's: 1) poor performance as an anesthesiology resident; 2) failure to meet the core competencies of the Accreditation Council for Graduate Medical Education; and 3) dismissal from the Department effective February 2, 2012.

After due consideration of the information received, it was moved by Dr. Desai, seconded by Dr. Barrickman and unanimously carried to deny Dr. Nam's application for licensure, basing its decision on the following legal grounds of the Hawaii Revised Statutes ("HRS"), which find factual support in the records and files of Dr. Nam's application:

- HRS § 453-8(a)(7): Professional misconduct, hazardous negligence causing bodily injury to another, or manifest incapacity in the practice of medicine, osteopathy, or surgery;
- HRS § 453-8(a)(8): Incompetence or multiple instances of negligence, including but not limited to the consistent use of medical service, which is inappropriate or unnecessary;
- HRS § 436B-19(8): Failure to maintain a record or history of competency, trustworthiness, fair dealing, and financial integrity; and
- HRS § 436B-19(12): Failure to comply, observe, or adhere to any law in a manner such that the licensing authority deems the applicant or holder to be an unfit or improper person to hold a license.

Donald P. Schaefer, M.D.

The Board reviewed and considered all of the records and files of Dr. Schaefer's application and information received from him as well as from other organizations, including but not limited to: 1) Dr. Schaefer's "yes" answer to question 8 on the Board's application; 2) Dr. Schaefer's statement of explanation dated February 5, 2013, in which he disclose his history of marijuana use; and 3) letters from the Missouri Physicians Health Program ("Missouri Program") dated January 30, 2013 and March 8, 2013, regarding Dr. Schaefer's agreement for participation in the Missouri Program.

After due consideration of the information received, it was moved by Dr. Barrickman, seconded by Dr. Kosasa and unanimously carried to approve Dr. Schaefer's application for licensure subject to conditions, basing its decision on the following grounds of the Hawaii Revised Statutes:

HRS § 453-8(a)(4): Being habituated to the excessive use of drugs or alcohol; or being addicted to dependent on, or a habitual user of a narcotic, barbiturate, amphetamine, hallucinogen, or other drug having similar effects;

HRS § 453-8(a)(7): Professional misconduct, hazardous negligence causing bodily injury to another, or manifest incapacity in the practice of medicine, osteopathy, or surgery;

HRS § 453-8(a)(9): Conduct or practice contrary to the recognized standards ethics of the medical profession as adopted by the Hawaii Medical Association, the American Medical Association, the Hawaii Association of Osteopathic Physicians and Surgeon, or the American Osteopathic Association; and

HRS § 436B-19(17): Violating this chapter, the applicable licensing laws, or any rule or order of the licensing authority.

Based on the foregoing, the Board imposed the following conditions to Dr. Schaefer's conditional license:

1. Dr. Schaefer shall, at his sole expense, enter into a monitoring contract with Pu`ulu Lapa`au, Hawaii Program

for Healthcare Professionals ("Pu`ulu Lapa`au"). Dr. Schaefer is to provide the Board's Executive Officer a copy of the fully executed contract within ten (10) days of his agreement becoming effective. The length of the monitoring contract shall be determined by Pu`ulu Lapa`au. During the period of the contract Dr. Schaefer shall refrain from using drugs, except as provided by his treating physician, or alcohol. He shall provide a copy of this letter to the Program Director of Pu`ulu Lapa`au for its records. In turn, Pu`ulu Lapa`au shall send regular reports to the Board regarding Dr. Schaefer's compliance.

2. If at any time Pu`ulu Lapa`au determines that Dr. Schaefer is not in compliance with the monitoring contract, he shall immediately notify the Board and immediately cease practicing osteopathic medicine until Pu`ulu Lapa`au specifies to the Board what conditions, if any, it recommends for Dr. Schaefer to safely resume the practice of medicine. Depending upon Pu`ulu Lapa`au's written report and recommendations, the Board may evaluate, what, if any, further conditions are warranted for Dr. Schaefer to practice osteopathic medicine and impose such conditions on his license. If Dr. Schaefer fails to refrain from using drugs or alcohol, the Board also will consider whether to suspend, revoke, or otherwise discipline his license.
3. Should Dr. Schaefer wish to have any condition removed from his license he shall make a request in writing to the Board, at which time the Board would consider his request. When doing so, Dr. Schaefer shall provide evidence of full compliance with his monitoring contract with Pu`ulu Lapa`au.

Jason H. Habu, EMT-P

It was moved by Dr. Barrickman, seconded by Dr. Kosasa and unanimously carried to approve Mr. Habu's application for licensure.

Unfinished Business: a. Rules Revisions: PA Provisions

Executive Officer Cabral advised the Board that the Ad Hoc Committee on the PA Rules Revisions met today prior to the Board meeting. Dr. Desai presented the committee's recommendations regarding the review of medical records. Specifically, (b)(2) should

be changed from new supervisory physician or osteopathic physician to new employment:

§16-85-49.3 Medical Records Review. (a) Each physician assistant and supervising physician or osteopathic physician shall establish written guidelines for the review of medical records as appropriate to the specific practice. These guidelines must be kept in the office of the practice setting in which either the physician assistant or supervising physician or osteopathic physician practices, and shall be available to the Hawaii Medical Board and/or the Regulated Industries Complaints Office or their designee.

(b) The supervising physician or osteopathic physician shall review medical records as required below, provided that the supervising physician or osteopathic physician shall review all medical records that contain written orders or prescriptions for controlled substances.

- (1) When supervising a Category 1 Physician Assistant:
 - (A) For the first 6 months of supervision, review and sign 100% of the medical records within 7 days of the patient visit; and
 - (B) For the next 6 months of supervision, review and sign 50% of the medical records within 7 days of the patient visit.
- (2) Category 1 Physician Assistants are those who:
 - (A) are newly licensed in Hawaii;
 - (B) have ~~a new supervisory physician or osteopathic physician~~ new employment; or
 - (C) started a new practice specialty.
- (3) When supervising a Category 2 Physician Assistant:
 - (A) Review and sign 10% of the medical records within 30 days of the patient visit; or
 - (B) For at least 30 minutes each month, perform an audit and review and sign medical records.
- (4) Category 2 Physician Assistants are those who have
atisfactorily completed Category
1.

(c) Notwithstanding section (b) above, a supervisory physician or osteopathic physician may require additional supervisory requirements at anytime for patient safety.

New Business:

a. Legislation:

S.B. No. 548, S.D.1, relating to telemedicine

The Board has no objections to this bill since the scope of exemption has been limited to commissioned medical officers employed by the United States Department of Defense who are credentialed by Tripler Army Medical Center.

S.B. No. 655, S.D.2, relating to health

The Board supports the intent of this bill.

Advisory
Committees:

- a. Physician Assistants
- b. Emergency Medical Service Personnel
- c. Podiatrists

Chairperson's
Report:

None.

Adjournment:

It was moved by Dr. Barrickman, seconded by Mr. Cody, and unanimously carried to adjourn the meeting at 3:26 p.m.

Next Meeting:

Thursday, April 11, 2013
1:00 p.m.
King Kalakaua Conference Room, First Floor
335 Merchant Street
Honolulu, HI 96813

Reviewed and approved by:

Taken and recorded by:

/s/Constance I. Cabral

/s/Wilma Balon

(Ms.) Constance I. Cabral
Executive Officer

Wilma Balon
Secretary

CIC:wb
4/04/13

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

HAWAII MEDICAL BOARD (03/14/2013-RATIFICATION LIST)

LTYPE LIC NUM BP NAME PART 1

MD 16914 CHARLES P <LATTUADA< JR
MD 16915 JASON G J <BECHARD<
MD 16916 GIRMA K <TEFERA<
MD 16917 IULIAN M <BURTEA<
MD 16918 JOHN M <SEMENZA< II
MD 16919 WILLIAM D <CHRISNER<
MD 16920 ANN B <LEBECK<
MD 16921 MICHELLE S <MAUST<
MD 16922 JAYME M <TAKAHASHI<
MD 16923 KEI <SONODA<
MD 16924 ALAN L <SCHILLER<
MD 16925 JOHN D <GRIMME<
MD 16926 STEVEN S <CHIN<
MD 16927 KANANI K <DILCHER<
MD 16929 JANE E <TOMPKIN<
MD 16930 ROBERT M <BLANCH<
MD 16931 JOHN C <BROCK<
MD 16932 CARL L W <BUNDSCHUH<
MD 16933 KYLE F <CHUN<
MD 16934 WILLIAM H <HARTZ<
MD 16935 ALICE B <SMITH<
MD 16936 MICHAEL E <HEGMANN<
MD 16937 SHELBY K <BAILEY<
MD 16938 ANDREW G <BURKE<
MD 16939 BRIAN C <BENSON<
MD 16940 KAREN D <JOHNSON<
MD 16941 ARA <KESHISHIAN<
MD 16942 CHARLOTTE L <METZLER<
MD 16943 JASON C <TANI<
MD 16944 DARCY L <THOMPSON<
MD 16945 CHANGHUA <WANG<
MD 16946 WILFREDO R <ABESAMIS<
MD 16947 LIANA P <AU<
MD 16948 MARIA R A V <ARCINUE<
MD 16949 ALICE L <UY<
MD 16950 ROBERT S <ANDREWS<
MD 16951 JAMES M <ALLEN<
MD 16952 EDWARD S <BREWER<
MD 16953 MICHAEL J <LEPESKA<
MD 16954 MATTHEW R <MENDLICK<
MD 16955 MICHAEL A <WOO-MING<

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MD 16956 MAXINE A <KARIMOTO<
MD 16957 DERRICK O <LEE<
MD 16958 ARPANA <GUPTA<
MD 16959 IMANI N <WILLIAMS-VAUGHN<
MD 16960 JAMES <KANG<
MD 16961 VINCENT C Y <CHAN<
MD 16962 PETER <EYLER<
MD 16963 RICHARD <FORTUNA<
MD 16964 JAY J <YE<
MD 16965 JASON H <EVES<
MD 16966 DARREN L <SHIRLEY<
MD 16967 AQEEL A <CHOWDHRY<
MD 16968 ANDREW S <BOSTAPH<
MD 16969 HEIDI H <WU<
MD 16970 CHRISTOPHER K <TINER<
MD 16971 AUTUMN J <BROADY<

MDT 4077 MICHAEL Y <CHANG<
MDT 4078 ARASH <SALEMI<

MDR 6448 ERIC W <TAN<
MDR 6449 JOSEPH Y <KIM<
MDR 6450 ADAM W <WATTERSON<
MDR 6451 JOSHUA P <BAIRD<
MDR 6452 JARED A <BLUM<
MDR 6453 SUNG E <JANG<

DOS 1500 BRENT R <JACOBSON<
DOS 1501 KYLE R <WALKER<
DOS 1502 JEWEL T <GRANT<
DOS 1503 DAVID H <NGUYEN<
DOS 1504 SARAH W <SPRIET<
DOS 1505 JILL L G <VOLK<
DOS 1506 DEMPSIE B <MORRISON<
DOS 1507 JON K <FRECKLETON<

DOSR 251 JENNIFER E <HALL<
DOSR 252 TIFFANY <HEU<

AMD 495 LAURA R <CORTELYOU<
AMD 496 MEGAN S <YETTER<
AMD 497 SONJA <FARMER<

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AMD 498 EARLA M <BURNETT<
AMD 499 CHERYL A <YAMAMOTO<
AMD 500 TAMMY T <SCHOLL<
AMD 501 BRYAN R <SHERMAN<
AMD 502 KERRY A <LITTLE<

EMTB 2415 DARLENE A <JARQUIO<
EMTB 2416 DAGAN M <JOHNSTON<
EMTB 2417 JUSTIN <MATSUDO<
EMTB 2418 BRENT R <NORTHRUP<
EMTB 2419 ERIC J <PHILLIPS<
EMTB 2420 KARESE H <POULOS<
EMTB 2421 LINDSEY M <SHANNON<
EMTB 2422 BRYAN G <STAUBITSER<
EMTB 2423 ZACHARY L <SUNIGA<
EMTB 2424 JONATHAN K <WILSON<
EMTB 2425 CLAUDE M <UEHARA<
EMTB 2426 KAMERON R <ACERET<
EMTB 2427 KANANI K H <ADAMS<
EMTB 2428 CINDY E <BAIK<
EMTB 2429 SIMIN <BOROUMAND<
EMTB 2430 MICHAEL E <BOWDERN< JR
EMTB 2431 SEAN D <BUENAFLORE<
EMTB 2432 JACOB K <BOTELHO<
EMTB 2433 JODILYNN M <CAMMACK<
EMTB 2434 ANNETTE D <CHAR<
EMTB 2435 KILIHEA D <INABA<