

PUBLIC SESSION MINUTES
STATE BOARD OF MEDICAL EXAMINERS OF SOUTH CAROLINA
February 1- 3, 2010

Board Meeting
Synergy Business Park
The Kingstree Building
110 Centerview Dr., Room 108
Columbia, South Carolina

MEETING CALLED TO ORDER

Dr. Louis E. Costa, II, President of the Board, called the regular meeting of the S.C. Board of Medical Examiners to order at 8:00 A.M., on Monday, February 1, 2010, at 110 Centerview Drive, Room 108, Columbia, South Carolina, with a quorum present. Dr. Costa announced the meeting was being held in accordance with the Freedom of Information Act by notice emailed to The State newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the Board's website and on the bulletin boards located at both of the main entrances of the Kingstree Building where the Board office is located.

Board members present for this meeting were:

Dr. Louis E. Costa, II, President, of Charleston
Dr. David deHoll, of Iva
Dr. James L. Hubbard, of Rock Hill
Mrs. Jackie D. Black, of Columbia
Dr. Jim Chow, of Columbia
Dr. Robert T. Ball, Jr., of Charleston
Dr. Timothy Kowalski, of Columbia
Dr. Stephen R. Gardner, of Greenville
Dr. Robert E. Turner, of Florence
Dr. Jeff Welsh, of Columbia

Members of the S.C. Department of Labor, Licensing and Regulation (LLR) staff participating at various times in the meeting included:

S.C. Board of Medical Examiners

Bruce F. Duke, Board Administrator
Melissa Fulton, Administrative Assistant

Office of General Counsel

Lynne Rogers, General Counsel
Sheridon Spoon, Deputy General Counsel
Patrick Hanks, Assistant General Counsel
Paula Magargle, Assistant General Counsel

Professional and Occupational Licensing (POL) Division

James Saxon, Hearing Counsel

REVIEW/APPROVAL OF AGENDA

An agenda for this meeting was reviewed and approved.

REVIEW/APPROVAL OF MINUTES FROM NOVEMBER 2009 BOARD MEETING:

A motion was made to approve the Minutes with amendments by Dr. Costa. Dr. deHoll seconded the motion and it was unanimously passed.

FINAL ORDER HEARINGS

A motion was made and passed for the Board to go into Executive Session to conduct Final Order Hearings. Each hearing was held in Executive Session, and a transcript of each hearing, as well as the Board's Final Order, are on file at the Board Office. No votes were made or actions taken while the Board was in Executive Session. **A motion was made and passed to return to Public Session and the Board voted on the following sanctions after each Final Order Hearing:**

Doug Gentry, M.D.

2008-228

Final Order Hearing

A motion was made by Dr. Ball as follows:

Public Reprimand

- **Public Reprimand**
- **\$1,000.00 fine and \$450.00 court cost**
- **Suspension stayed pending payment of fine and court cost**
- **Respondent must show documentation of CME hours to the Board**
- **Respondent must complete a prescription and record-keeping course within six months**
- **Respondent must also have a psychiatric evaluation and a report back to the board within six months**

Motion Seconded by Dr. Hubbard.

All in favor.

Motion Carries.

M.D.
Final Order Hearing

A motion was by Dr. Turner as follows:

Continue Suspension

- **Respondent must petition the Board with adequate proof that both her psychiatric and addiction problems are under proper control as acceptable by the Board.**
- **Respondent must pay \$160.00 in investigative cost and \$300.00 in attorney fees. These fees must be paid before any possible reinstatement.**

Motion was seconded by Dr. Ball.

All in favor.

Motion Carries.

Catherine L. Munson, M.D.
2009-218
Final Order Hearing

A motion was made by Dr. Ball as follows:

Public Reprimand

- **Public Reprimand**
- **\$2705.00 court cost**
- **Fine in the amount of \$10,000.00 paid within 18 months**
- **Suspension stayed pending payment of fine and court cost**
- **Board to receive quarterly reports from Dr. Melvin Griffin and Dr. Gullick**
- **Respondent in keeping with the BMI recommendation must submit reports from Dr. Abel every six months.**

Motion Seconded by Dr. Hubbard.

Ms.Black was in dissent.

Dr. Gardner did not vote. (not present at the hearing)

All other board members in favor.

Motion Carries.

Gloria Rhouani, M.D.
Applicant for Licensure

Motion by Dr. Ball to approve licensure in state of S.C. upon the following agreement.

Petitioner must pass the written OB/GYN examination within two years.

Motion seconded by Dr. deHoll.

All in favor.

Motion Carries.

M.D.
Request to be released from Terms and Conditions

Motion by Dr. Chow to grant request
Seconded by Dr. Ball

All in favor.
Motion carries.

M.D.
Request to be released from Terms and Conditions

Motion by Dr. Ball to grant request
Seconded by Ms. Black

Dr. Chow abstained.

All other Board members in favor.
Motion carries.

Adjourn

The Board adjourned at 6:00 p.m.

The Board reconvened on Tuesday, February 2nd at 8:00am.

Gregory M. Beddell, M.D.

2009-228

Final Order Hearing

A motion was made by Dr. Gardner as follows:

Accept Consent Agreement with changes.

Motion Seconded by Dr. Kowalski.

All in favor.

Motion Carries

Horace Bledsoe, M.D.

2009-39

Final Order Hearing

A motion was made by Dr. Hubbard as follows:

- **Respondent receives a public reprimand**
Suspension stayed pending payment of \$650.00 in investigative costs. The
remaining cost \$4804.30 must be paid within two years.
- **Respondent must take and complete a prescribing and record-keeping course within**
one year.
- **Respondent must provide proof of CME with 30 days and re-certification in family**
medicine within two years.

M.D.
Final Order Hearing

A motion was made by Dr. Kowalski as follows:

- Accept the Respondents Consent Agreement.

Motion seconded by Dr. deHoll.

Dissent Dr. Ball and Dr. Hubbard.

All other Board members in favor.

Motion Carries.

M.D.

M.D.

M.D.

Final Order Hearing

A motion was made by Dr. Turner as follows:

- Respondents receives a private reprimand
- Each respondent must pay court cost in the amount of \$217.00

Motion seconded by Dr. Welsh.

All in favor.

Motion Carries.

Office of General Counsel Report – Pat Hanks

A motion was made and passed for the Board to go into Executive Session to review the General Counsel reports. No votes were made or actions taken while the Board was in Executive Session.

Dismissals

A motion was made by Dr. Ball that was seconded by Dr. Welsh and unanimously passed to approve the following cases.

Cases 1 through 10

LETTERS OF CAUTION

A motion was made by Dr. deHoll that was seconded by Dr. Gardner and unanimously passed to issue a Letter of Caution in the following cases:

Cases 15 through 17

FORMAL COMPLAINTS

A motion was made by Dr. Gardner that was seconded by Dr. deHoll and unanimously passed to authorize the issuance of a Formal Complaint pursuant to the recommendation of LLR's General Counsel that there is sufficient evidence to warrant formal proceeding in the following cases:

Cases 11 through 14

CASES ON APPEAL

In Executive Session, the Board reviewed the cases that are now on appeal and received specific briefings from Mrs. Rogers.

LICENSEES BEING MONITORED

The Board received as information a list of all the licensees currently being monitored by the Board.

M.D.

Final Order Hearing

A motion was made by Dr. Turner as follows:

- Private Reprimand
- Respondent must pay court costs in the amount of \$840.00 with three months.
- Respondent must continue contract with RPP for not less than five years and continue to follow the recommendations of Talbot Recovery Center

Motion seconded by Dr. Kowalski.

All in favor.

Motion Carries.

Reamer Bushardt, P.A., Committee Chair

Mr. Bushardt made the following recommendations to the Board that were approved at the January 2010 meeting:

Diana Axiotis, P.A. and her supervising physician, Dr. Thomas Karl Byrne requested OJT of Access Lap Gastric Band Ports/Fill

After discussion, Reamer Bushardt moved to approve the request. The motion was seconded by Dr. Ball. The motion passed.

Rose S. Tragesar, P.A. and her supervising physician, Dr. George Hasham Khoury requested OJT for Intrathecal pump management.

After discussion, Reamer Bushardt moved to approve the request. The motion was seconded by Dr. Ball. The motion passed.

Rose S. Tragesar, P.A. and her supervising physician, Dr. George Hasham Khoury requested OJT for Intrathecal pump management.

After discussion, Reamer Bushardt moved to approve the request. The motion was seconded by Dr. Ball. The motion passed.

Rose S. Tragesar, P.A. and her supervising physician, Dr. George Hasham Khoury requested OJT for Intrathecal access (including consent for procedure).

After discussion, Reamer Bushardt moved to approve the request. The motion was seconded by Dr. Ball. The motion passed.

Rose S. Tragesar, P.A. and her supervising physician, Dr. George Hasham Khoury requested OJT for Intraventricular reservoir access (including consent for procedure).

After discussion, Reamer Bushardt moved to approve the request. The motion was seconded by Dr. Ball. The motion passed.

Anthony W. Raynor, P.A. and her supervising physician, Dr. Joseph A. Boscia, III requested off-site practice at a distance of 71.2 miles and 1 hour and 23 minutes.

After discussion Dr. Ball move to deny the request. The motion was seconded by Keith Stewart. The motion passed.

Shawna Mae Dinger, P.A. and her supervising physician, Dr. Jeffrey Hensarling requested approval of her scope of practice.

After discussion, Reamer Bushardt moved to deny the request as the Scope was written. The motion was seconded by Dr. Ball. Motion passed.

Hong Cong Vo, P.A. and her supervising physician, Dr. Geera N. Desai requested approval of her scope of practice.

After discussion, Reamer Bushardt moved to deny the request as the Scope was written because it was not a system specific scope. The motion was seconded by Keith Stewart. Motion passed.

Scott Alan Geer, P.A. and her supervising physician, Dr. James Jeffrey Morrison requested approval of her scope of practice for.

After discussion, Dr. Ball moved to approve the request with the modification central line and cardiac. Requestor must document experience of the management of stroke and there must also be a consultation from the supervising physician. Motion was seconded by Reamer Bushardt. Motion passed.

Kristen Reavis Patel, P.A. and her supervising physician, Dr. Thomas Corbett Appleby requested approval of her scope of practice.

After discussion, Reamer Bushardt moved to approve the request as the Scope was written but to verify the physician's specialty. The motion was seconded by Keith Stewart. Motion passed.

Emily Ann Wheeler, P.A. and her supervising physician, Dr. Andrea M. Diane Williams requested approval of her scope of practice.

After discussion, Reamer Bushardt moved to approve the request but to also require OJT for the P.A.. The motion was seconded by Keith Stewart. Motion passed.

Physician Assistants issued Temporary license and have been interview and approved for Permanent Licenses.

After review a motion was made by Reamer Bushardt to approve all 65 applicants for permanent licensure. The motion was seconded by Harold Harvey. Motion passed.

Scope of Practice Guidelines approved by Reamer Buschardt.

After review a motion was made by Dr. Ball to approve all 18 Scopes that had been reviewed and approved by Reamer Bushardt. The motion was seconded by Harold Harvey. Motion passed.

Scope of Practice Guidelines approved by William Hueston, M.D.

After review a motion was made by Reamer Bushardt to approve all 12 Scopes that had been reviewed and approved by Dr. Hueston. The motion was seconded by Dr. Ball. Motion passed.

Scope of Practice Guidelines approved by Keith Stewart, P.A.

After review a motion was made by Reamer Bushardt to approve all 14 Scopes that had been reviewed and approved by Keith Stewart. The motion was seconded by Dr. Ball. Motion passed.

Scope of Practice Guidelines approved by Stephen Gardner, M.D.

After review a motion was made by Keith Stewart to approve all 5 Scopes that had been reviewed and approved by Dr. Gardner. The motion was seconded by Dr. Ball. Motion passed.

**Motion by Dr. Gardner to approve recommendations.
Seconded by Dr. Ball.**

All in favor.

Motion Carries.

Adjourn

The Board adjourned at 6:00 p.m.

The Board reconvened on Wednesday, February 3rd at 8:00am.

Ziad R. Mattar, M.D.
Applicant for licensure

Motion by Dr. Ball of accept applicants application.

Motion was seconded by Dr. Kowalski

All in favor.

Motion Carries.

John Wilson, M.D.
Applicant for licensure

Motion by Dr. Kowalski to accept applicants application.

Motion was seconded by Dr. deHoll.

All in favor.

Motion Carries.

M.D.
Request to be released from terms and conditions

Motion by Dr. Kowalski to amend Private Order to read that the Respondent must continue and appropriate treatment for his bipolar disorder and the treating physician must report annually to the Board on the Respondent's progress. Should the physician or Respondent terminate the doctor-patient relationship the Board must be notified immediately.

Motion was seconded by Dr. Turner.

All in favor.

Motion Carries.

Presentation by Gary Culbertson, MD

Dr. Culbertson, plastic surgeon from Sumter, SC appeared and presented a power point presentation about “Truth in Medical Education/Advertising”. He informed the Board that the Federal Government had declared that advertising must be truthful and non-deceptive. Advertisers must have evidence to back up their claims and cannot be unfair.

Dr. Culbertson presented several examples of misleading ads placed by various organization and or physicians in SC. Dr. Culbertson asked that advertisers at a minimum imply uphold the ethical standards of the Federal Trade Commission. One element of these standards is that a physician should be clear about their training and education.

Dr. Culbertson presented proposed draft language legislation regarding “Truth in Medical Education/ Advertising” for the Board’s consideration.

Presentation by Gregg Dwyer, MD

Dr. Gregg Dwyer, psychiatrist and Assistant Professor from the University of South Carolina Medical School in Columbia appeared to give the Board information about the school’s program of evaluating and treating physicians with substance, sexual boundaries, aggressive behavior, and cognitive difficulties.

Dr. Dwyer indicated that their evaluation program used a three-pronged approach (clinical, psychometric, and physiologic) to address these issues. For treatment, he indicated they use a multi level approach including community based, both individual and group, and acute inpatient treatment.

Acupuncture Advisory Committee Report

Martin Herbkersman, Chairman of the Acupuncture Advisory Committee appeared and presented the committee's report. The Board approved the committee's recommendations.

The Board discussed with Mr. Herbkersman pending legislation that would allow physicians to practice acupuncture without an acupuncture license. These physicians would have to obtain a level of training in acupuncture approved by the Board.

The Board appointed Dr. Nancey Tsai from the Medical University of South Carolina to the Advisory Committee.

Committee Reports

1. Legislative Impact Committee – *Costa, Gardner, Black*
2. Medical Practice Advisory Committee – (meeting only when needed) *Gardner, Black*
3. Recovering Professional Program Advisory Committee -
4. Office Based Surgery Ad Hoc Committee – *Costa,*
5. Editorial Committee – *Costa, Gardner*
6. Executive Committee – *Costa, , Gardner, Sheridan Spoon, Bruce Duke*
7. Maxillofacial & Oral Surgery Ad Hoc Committee - *Costa, Gardner*
8. Professional Licensure & Responsibility Education Committee – *Sheridon Spoon, Andrew Savage, Esquire*
9. Medical Practice Act (MPA) Revision Committee- *All Board members*
10. Physician Delegation of Permanent Cosmetic Application Ad hoc Committee –*Costa*
11. Athletic Trainers Committee – *Gardner*
12. Continuing Medical Education Committee – *Hubbard,*

President’s Report – *Louis Costa, D.M.D., M.D, President*

Administrator’s Report – *Bruce Duke*