

**VIRTUAL/TELECONFERENCE
MEDICAL EXAMINING BOARD
MEETING MINUTES
APRIL 20, 2022**

PRESENT: Clarence Chou, M.D.; Kris Ferguson, M.D.; Diane Gerlach, D.O.; Sumeet Goel, D.O.; Michael Parish, M.D.; Rachel Sattler; Gregory Schmeling, M.D.; Derrick Siebert, M.D.; Sheldon Wasserman, M.D.; Lemuel Yerby, M.D.; Emily Yu, M.D.

EXCUSED: Carmen Lerma; Milton Bond, Jr.

STAFF: Tom Ryan, Executive Director; Jameson Whitney, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Kimberly Wood, Program Assistant Supervisor-Adv.; and other Department staff

CALL TO ORDER

Sheldon Wasserman, Chairperson, called the meeting to order at 8:00 a.m. A quorum was confirmed with eleven (11) members present.

ADOPTION OF AGENDA

Amendment to the Agenda

- After Adjournment: Modify the listing of oral examination applicants from “two (2)” to “zero (0)”

MOTION: Diane Gerlach moved, seconded by Michael Parish, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 16, 2022

MOTION: Gregory Schmeling moved, seconded by Clarence Chou, to approve the Minutes of March 16, 2022 as published. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Preliminary Rule Draft: Med 10, Relating to Performance of Physical Examinations

Review of Revised Rule Draft

MOTION: Kris Ferguson moved, seconded by Diane Gerlach, to amend the working draft of Med 10, as amended at the April 20, 2022 meeting. Motion carried unanimously.

MOTION: Sumeet Goel moved, seconded by Michael Parish, to authorize the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to approve the revised preliminary rule draft of Med 10, relating to Performance of Physical Examinations, for posting of economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

Scope Statement: Med 26, Relating to Military Medical Personnel

MOTION: Sumeet Goel moved, seconded by Clarence Chou, to approve the Scope Statement creating Med 26, relating to Military Medical Personnel, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

CONSIDER APPOINTMENT TO COUNCIL ON ANESTHESIOLOGIST ASSISTANTS**Sara Strom, MMSc, CAA – Anesthesiologist Assistant Member**

MOTION: Gregory Schmeling moved, seconded by Michael Parish, to appoint Sara Strom, to the Council on Anesthesiologist Assistants as an Anesthesiologist Assistant member, as of July 1, 2022 for a term expiring July 1, 2025. Motion carried unanimously.

CLOSED SESSION

MOTION: Gregory Schmeling moved, seconded by Lemuel Yerby, to convene to Closed Session to deliberate on cases following hearing (§ 19.85(1)(a), Stats.); to consider licensure or certification of individuals (§ 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85(1)(b), Stats. and § 448.02(8), Stats.); to consider individual histories or disciplinary data (§ 19.85(1)(f), Stats.); and to confer with legal counsel (§ 19.85(1)(g), Stats.). Sheldon Wasserman, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Clarence Chou-yes; Kris Ferguson-yes; Diane Gerlach-yes; Sumeet Goel-yes; Michael Parish-yes; Rachel Sattler-yes; Gregory Schmeling-yes; Derrick Siebert-yes; Sheldon Wasserman-yes; Lemuel Yerby-yes; and Emily Yu-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:22 a.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**Proposed Stipulations, Final Decisions and Orders*****20 MED 427 – Michael D. Schneider, M.D.***

MOTION: Sumeet Goel moved, seconded by Emily Yu, to table the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Michael D. Schneider, M.D., DLSC Case Number 20 MED 427, and designate Sumeet Goel to review this matter. Roll Call Vote: Clarence Chou-no; Kris Ferguson-yes; Diane Gerlach-no; Sumeet Goel-yes; Michael Parish-no; Rachel Sattler-no; Gregory Schmeling-no; Derrick

Siebert-yes; Sheldon Wasserman-no; Lemuel Yerby-yes; and Emily Yu-yes. Motion failed.

MOTION: Michael Parish moved, seconded by Gregory Schmeling, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Michael D. Schneider, M.D., DLSC Case Number 20 MED 427. Roll Call Vote: Clarence Chou-yes; Kris Ferguson-no; Diane Gerlach-yes; Sumeet Goel-no; Michael Parish-yes; Rachel Sattler-yes; Gregory Schmeling-yes; Derrick Siebert-no; Sheldon Wasserman-yes; Lemuel Yerby-no; and Emily Yu-no. Motion carried.

20 MED 444 – James M. Nosal, M.D.

MOTION: Gregory Schmeling moved, seconded by Diane Gerlach, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against James M. Nosal, M.D., DLSC Case Number 20 MED 444. Motion carried unanimously.

21 MED 133 – Robert L. Stears, M.D.

MOTION: Sumeet Goel moved, seconded by Clarence Chou, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Robert L. Stears, M.D., DLSC Case Number 21 MED 133. Motion carried unanimously.

21 MED 295 – Marc T. Awobuluyi, M.D.

MOTION: Sumeet Goel moved, seconded by Clarence Chou, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Marc T. Awobuluyi, M.D., DLSC Case Number 21 MED 295. Motion carried unanimously.

21 MED 394 – Anil K. Nair, M.D.

MOTION: Michael Parish moved, seconded by Diane Gerlach, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Anil K. Nair, M.D., DLSC Case Number 21 MED 394. Motion carried unanimously.

21 MED 445 – Gerardo P. Fronda, M.D.

MOTION: Diane Gerlach moved, seconded by Gregory Schmeling, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Gerardo P. Fronda, M.D., DLSC Case Number 21 MED 445. Motion carried unanimously.

21 MED 563 – Donald J. Schreiber, M.D.

MOTION: Lemuel Yerby moved, seconded by Diane Gerlach, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Donald J. Schreiber, M.D., DLSC Case Number 21 MED 563. Motion carried unanimously.

22 MED 112 – Salvador Cenicerros, M.D.

MOTION: Gregory Schmeling moved, seconded by Michael Parish, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Salvador Cenicerros, M.D., DLSC Case Number 22 MED 112. Motion carried unanimously.

Complaints

20 MED 073 – B.A.B.

MOTION: Diane Gerlach moved, seconded by Gregory Schmeling, to find probable cause in DLSC Case Number 20 MED 073, to believe that B.A.B. has committed unprofessional conduct, and therefore, to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried unanimously.

(Clarence Chou recused himself and left the meeting for deliberation and voting in the matter concerning B.A.B., DLSC Case Number 20 MED 073.)

20 MED 310 – R.W.M.

MOTION: Lemuel Yerby moved, seconded by Michael Parish, to find probable cause in DLSC Case Number 20 MED 310, to believe that R.W.M. has committed unprofessional conduct, and therefore, to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried unanimously.

(Diane Gerlach and Clarence Chou recused themselves and left the meeting for deliberation and voting in the matter concerning R.W.M., DLSC Case Number 20 MED 310.)

20 MED 375, 21 MED 284 – S.B.A.

MOTION: Michael Parish moved, seconded by Sumeet Goel, to find probable cause in DLSC Case Numbers 20 MED 375 & 21 MED 284, to believe that S.B.A. has committed unprofessional conduct, and therefore, to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat. § 448.02(3)(b). Motion carried unanimously.

(Kris Ferguson recused himself and left the meeting for deliberation and voting in the matter concerning S.B.A., DLSC Case Numbers 20 MED 375 & 21 MED 284.)

Administrative Warnings

21 MED 085 – J.N.K.

MOTION: Sumeet Goel moved, seconded by Michael Parish, to issue an Administrative Warning in the matter of J.N.K., DLSC Case Number 21 MED 085. Motion carried unanimously.

21 MED 164 – N.K.G.

MOTION: Gregory Schmeling moved, seconded by Diane Gerlach, to issue an Administrative Warning in the matter of N.K.G., DLSC Case Number 21 MED 164. Motion carried unanimously.

21 MED 166 – E.T.P.

MOTION: Sumeet Goel moved, seconded by Michael Parish, to issue an Administrative Warning in the matter of E.T.P., DLSC Case Number 21 MED 166. Motion carried unanimously.

Case Closings

MOTION: Clarence Chou moved, seconded by Michael Parish, to close the following DLSC Cases for the reasons outlined below:

1. 19 MED 165 – B.E.B. – Prosecutorial Discretion (P3)
2. 19 MED 201 – O.F.A. – Prosecutorial Discretion (P5)
3. 19 MED 344 – T.R. – Insufficient Evidence
4. 20 MED 486 – A.E.H. – No Violation
5. 21 MED 120 – M.E.A. – Insufficient Evidence
6. 21 MED 206 – D.K.S. – Insufficient Evidence
7. 21 MED 245 – J.J.S. – No Violation
8. 21 MED 270 – B.W.H. – No Violation
9. 21 MED 335 – S.N.K. – No Violation
10. 21 MED 395 – R.K.L. – Insufficient Evidence
11. 21 MED 440 – D.J.O. – No Violation
12. 21 MED 441 – D.M. – No Violation
13. 21 MED 449 – T.V. – No Violation
14. 21 MED 474 – K.E.R. – No Violation
15. 21 MED 529 – M.B.R.C. – No Violation

Motion carried unanimously.

21 MED 152 – J.G.R.

MOTION: Michael Parish moved, seconded by Emily Yu, to close DLSC Case Number 21 MED 152, against J.G.R., for Prosecutorial Discretion (P1). Motion carried unanimously.

21 MED 269 – A.M., 21 MED 385 – S.N.H., and 21 MED 522 – A.V.S.

MOTION: Michael Parish moved, seconded by Diane Gerlach, to close the following DLSC Cases for the reasons outlined below:

1. 21 MED 269 – A.M. – Insufficient Evidence
2. 21 MED 385 – S.N.H. – No Violation
3. 21 MED 522 – A.V.S. – No Violation

Motion carried unanimously.

(Sheldon Wasserman recused himself and left the meeting for deliberation and voting in the matter concerning A.M., DLSC Case Number 21 MED 269, S.N.H., DLSC Case Number 21 MED 385, and A.V.S., DLSC Case Number 21 MED 522. Clarence Chou presided for the duration of this matter.)

Monitoring Matters

Nosheen Hasan, M.D. – Request for Full Licensure

MOTION: Gregory Schmeling moved, seconded by Michael Parish, to table the request of Nosheen Hasan, M.D., for full licensure. Motion carried unanimously.

***Jesse Van Bommel, M.D. – Request for Full Licensure
(Termination of Order 2362 and Order 6348)***

MOTION: Sumeet Goel moved, seconded by Lemuel Yerby, to deny the request of Jesse Van Bommel, M.D., for full licensure. **Reason for Denial:** Failure to demonstrate continuous and successful compliance (i.e., missed drug tests). Respondent needs to fully comply with the complete terms and conditions of the original Board Orders 2362 (3/20/2013) and 6348 (8/21/2019). Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Diane Gerlach moved, seconded by Clarence Chou, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 11:55 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Michael Parish moved, seconded by Sumeet Goel, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

**DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND
RATIFICATION OF LICENSES AND CERTIFICATES**

MOTION: Lemuel Yerby moved, seconded by Sumeet Goel, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Sumeet Goel moved, seconded by Michael Parish, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:57 a.m.