

**VIRTUAL/TELECONFERENCE
MEDICAL EXAMINING BOARD
MEETING MINUTES
AUGUST 17, 2022**

PRESENT: Milton Bond, Jr. (*arrived at 8:12 a.m., left at 8:38 a.m.*), Clarence Chou, M.D.; Kris Ferguson, M.D.; Diane Gerlach, D.O.; Sumeet Goel, D.O.; Carmen Lerma (*arrived at 8:05 a.m.*); Michael Parish (*excused at 9:00 a.m., returned at 10:00 a.m.*), M.D.; Rachel Sattler; Gregory Schmeling, M.D.; Derrick Siebert, M.D. (*arrived at 8:07 a.m.*); Sheldon Wasserman, M.D.; Lemuel Yerby, M.D.; Emily Yu, M.D.

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 ten (10) members present.

ADOPTION OF AGENDA

Amendment to the Agenda

- Closed Session: Under item “S. Review of Administrative Warnings” **REMOVE** “1) **APPEARANCE:** Julie Zimmer, DLSC Attorney; John Richardson, Attorney for Respondent; K.L.G., Respondent: WARN00001464 – DLSC Case Number 21 MED 367 – K.L.G.”

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

APPROVAL OF MINUTES OF JULY 20, 2022

MOTION: Clarence Chou moved, seconded by Sumeet Goel, to approve the Minutes of July 20, 2022 as published. Motion carried unanimously.

(*Carmen Lerma arrived at 8:05 a.m.*)

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

(*Derrick Siebert arrived at 8:07 a.m.*)

(*Milton Bond, Jr., arrived at 8:12 a.m.*)

LEGISLATURE AGENDA REQUEST: STATUS OF KRATOM

MOTION: Sumeet Goel moved, seconded by Michael Parish, to designate Dr. Kris Ferguson to review current information regarding the subject of whether kratom should be a scheduled controlled substance and to report back to the Board at the September meeting. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS**Med 10, Physical Examinations – Economic Impact Comments**

MOTION: Sumeet Goel moved, seconded by Rachel Sattler, to amend the working draft of Med 10, as amended at the August 17, 2022 meeting. Motion carried unanimously.

MOTION: Clarence Chou moved, seconded by Emily Yu, 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.

(Milton Bond, Jr., excused at 8:38 a.m.)

Drafting Proposals for Emergency Rule: Med 26, Relating to Military Medical Personnel

(Michael Parish disconnected at 8:58 a.m.)

MOTION: Clarence Chou moved, seconded by Diane Gerlach, to designate Lemuel Yerby and Emily Yu to serve as liaisons to DSPS staff for drafting Med 26, relating to military medical personnel. Motion carried unanimously.

FEDERATION OF STATE MEDICAL BOARDS (FSMB) MATTERS**Board Review and Response: FSMB Annual Survey Questions**

MOTION: Sumeet Goel moved, seconded by Lemuel Yerby, to delegate Sheldon Wasserman and Milton Bond, Jr., to prepare responses to applicable FSMB survey questions on behalf of the Board. Motion carried unanimously.

CLOSED SESSION

MOTION: Rachel Sattler moved, seconded by Carmen Lerma, 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; Carmen Lerma-yes; Diane Gerlach-yes; Sumeet Goel-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 9:13 a.m.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND
COMPLIANCE (DLSC) MATTERS**

Proposed Stipulations, Final Decisions and Orders

21 MED 172 – Emmanuel N. Rodriguez, M.D.

MOTION: Clarence Chou moved, seconded by Diane Gerlach, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Emmanuel N. Rodriguez, M.D., DLSC Case Number 21 MED 172. Motion carried unanimously.

21 MED 237 – Mukund Komanduri, M.D.

MOTION: Emily Yu moved, seconded by Sumeet Goel, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Mukund Komanduri, M.D., DLSC Case Number 21 MED 237. Motion carried unanimously.

21 MED 451 – Soliven C. Bautista, M.D.

MOTION: Lemuel Yerby moved, seconded by Gregory Schmeling, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Soliven C. Bautista, M.D., DLSC Case Number 21 MED 451. Motion carried unanimously.

21 MED 452 – James R. Mateer, M.D.

MOTION: Clarence Chou moved, seconded by Emily Yu, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against James R. Mateer, M.D., DLSC Case Number 21 MED 452. Motion carried unanimously.

21 MED 487, 22 MED 224 – Virgil W. McMillion, M.D.

MOTION: Gregory Schmeling moved, seconded by Rachel Sattler, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Virgil W. McMillion, M.D., DLSC Case Numbers 21 MED 487, 22 MED 224. Motion carried unanimously.

21 MED 543 – Matthew A. Dahlgren, M.D.

MOTION: Clarence Chou moved, seconded by Carmen Lerma, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Matthew A. Dahlgren, M.D., DLSC Case Number 21 MED 543. Motion carried unanimously.

21 MED 568 – Kevin M. Coonan, M.D.

MOTION: Lemuel Yerby moved, seconded by Rachel Sattler, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Kevin M. Coonan, M.D., DLSC Case Number 21 MED 568. Motion carried unanimously.

22 MED 120 – Irene M. O’Shaughnessy, M.D.

MOTION: Carmen Lerma moved, seconded by Sumeet Goel, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Irene M. O’Shaughnessy, M.D., DLSC Case Number 22 MED 120. Motion carried unanimously.

Complaints

19 MED 304 – R.V.B.

MOTION: Diane Gerlach moved, seconded by Sumeet Goel, to find probable cause in DLSC Case Number 19 MED 304, to believe that R.V.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.

(Sheldon Wasserman recused and left the meeting connection for deliberation and voting in the matter concerning R.V.B., DLSC Case Number 19 MED 304. Clarence Chou, Vice Chairperson, presided for the duration of this matter.)

Administrative Warnings

21 MED 492 – S.M.S.

MOTION: Sumeet Goel moved, seconded by Lemuel Yerby, to issue an Administrative Warning in the matter of S.M.S., DLSC Case Number 21 MED 492. Motion carried unanimously.

22 MED 122 – R.L.S.

MOTION: Sumeet Goel moved, seconded by Carmen Lerma, to issue an Administrative Warning in the matter of R.L.S., DLSC Case Number 22 MED 122. Motion carried unanimously.

Case Closings

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

1. 19 MED 406 – R.L.S. – No Violation
2. 20 MED 193 – M.H. – Prosecutorial Discretion (P7)
3. 20 MED 310 – R.W.M. – Insufficient Evidence
4. 20 MED 319 – K.R.L. – Insufficient Evidence
5. 21 MED 292 – S.S. – Insufficient Evidence
6. 21 MED 393 – A.T. – Prosecutorial Discretion (P1)
7. 21 MED 516 – S.H. – Prosecutorial Discretion (P5)
8. 21 MED 533 – N.H. – Prosecutorial Discretion (P1)
9. 22 MED 014 – B.S. – No Violation
10. 22 MED 024 – R.K.W. – No Violation
11. 22 MED 026 – D.M.C. – No Violation
12. 22 MED 031 – T.A. – No Violation
13. 22 MED 156 – K.R.G. – Prosecutorial Discretion (P2)
14. 22 MED 207 – P.M.B. – No Violation

Motion carried unanimously.

21 MED 267 – J.W.W.

MOTION: Sumeet Goel moved, seconded by Carmen Lerma, to close DLSC Case Number 21 MED 267, against J.W.W., for Prosecutorial Discretion (P3). Motion carried unanimously.

(Sheldon Wasserman recused and left the meeting connection for deliberation and voting in the matter concerning J.W.W., DLSC Case Number 21 MED 267. Clarence Chou, Vice Chairperson, presided for the duration of this matter.)

21 MED 267 – R.P.H., B.A.K., A.S.K., M.R.P.

MOTION: Gregory Schmeling moved, seconded by Lemuel Yerby, to close DLSC Case Number 21 MED 267, against R.P.H., B.A.K., A.S.K., and M.R.P., for No Violation. Motion carried unanimously.

(Sheldon Wasserman recused and left the meeting connection for deliberation and voting in the matter concerning R.P.H., B.A.K., A.S.K., and M.R.P., DLSC Case Number 21 MED 267. Clarence Chou, Vice Chairperson, presided for the duration of this matter.)

DELIBERATION ON REVIEW OF ADMINISTRATIVE WARNINGS

CREDENTIALING MATTERS

Waiver of the 24-months of ACGME/AOA Approved Post-Graduate Training and Application Review

Jens Krombach, M.D.

MOTION: Sumeet Goel moved, seconded by Clarence Chou, to approve the request for waiver of the 24 months of ACGME/AOA approved post-graduate training and to approve the application for Medicine and Surgery of Jens Krombach, M.D., once all requirements are met. Motion carried unanimously.

(Michael Parish returned at 10:00 a.m.)

APPEARANCE: Julie Zimmer, DLSC Attorney, G.T.B., Respondent: WARN00001465 – DLSC Case Number 21 MED 374 – G.T.B.

MOTION: Sumeet Goel moved, seconded by Gregory Schmeling, to affirm the issuance of the Administrative Warning in the matter of WARN00001465, K.L.G., DLSC Case Number 21 MED 374. Motion carried unanimously.

DELIBERATION ON DLSC MATTERS

Monitoring Matters

*Mohammed Kaiseruddin, M.D.
Requesting Full Licensure*

MOTION: Michael Parish moved, seconded by Gregory Schmeling, to grant the request of Mohammed Kaiseruddin, M.D., for full licensure. Motion carried unanimously.

RECONVENE TO OPEN SESSION

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

The Board reconvened to Open Session at 10:39 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Diane Gerlach moved, seconded by Lemuel Yerby, 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: Gregory Schmeling moved, seconded by Derrick Siebert, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 10:41 a.m.