

**VIRTUAL/TELECONFERENCE
MEDICAL EXAMINING BOARD
MEETING MINUTES
AUGUST 18, 2021**

PRESENT: Clarence Chou, M.D.; Kris Ferguson, M.D. (*arrived at 8:11 a.m.*); Diane Gerlach, D.O.; Sumeet Goel, D.O.; Carmen Lerma (*excused at 10:42 a.m.*); Michael Parish, M.D.; Gregory Schmeling, M.D.; Derrick Siebert, M.D.; Sheldon Wasserman, M.D.; Lemuel Yerby, M.D.; Emily Yu, M.D.

EXCUSED: Milton Bond, Jr.; Rachel Sattler

STAFF: Valerie Payne, Executive Director; Jameson Whitney, Legal Counsel; Megan Glaeser, Bureau Assistant; 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

MOTION: Diane Gerlach moved, seconded by Lemuel Yerby, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 21, 2021

MOTION: Michael Parish moved, seconded by Sumeet Goel, to approve the Minutes of July 21, 2021 as published. Motion carried unanimously.

(*Kris Ferguson arrived at 8:11 a.m.*)

**PRESENTATION AND CONSIDERATION OF THE HEROES FOR HEALTHCARE
PROPOSED MILITARY MEDICS AND CORPSMEN PROGRAM**

MOTION: Sumeet Goel moved, seconded by Michael Parish, to acknowledge and thank Joyce Mallory, Wisconsin Military Medics and Corpsmen (Wis-MAC) Program, for her virtual appearance and presentation to the Board. Motion carried unanimously.

LEGISLATIVE AND POLICY MATTERS

2021 Senate Bill 394 and Assembly Bill 396, Relating to Advanced Practice Registered Nurses

MOTION: Derrick Siebert moved, seconded by Diane Gerlach, to express the Board's concerns regarding the proposed SB 394/AB 396 relating to Advanced Practice Registered Nurses. The Board remains open to reasonable proposals to advance the state of health care for the citizens of Wisconsin, and looks forward to working with the proponents of this

legislation to address and remedy the Board's concerns to ensure the health and safety of the public. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Adoption Orders

Med 10, Relating to Unprofessional Conduct

MOTION: Clarence Chou moved, seconded by Michael Parish, to approve the Adoption Order for Clearinghouse Rule 21-030 (Med 10), relating to unprofessional conduct. Motion carried unanimously.

Med 13, Relating to CME Requirements

MOTION: Michael Parish moved, seconded by Diane Gerlach, to approve the Adoption Order for Clearinghouse Rule 21-017 (Med 13), relating to continuing medical education for physicians. Motion carried unanimously.

Preliminary Rule Drafts

AT 2, Relating to Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses

MOTION: Lemuel Yerby moved, seconded by Kris Ferguson, to affirm the Board has reviewed the proposed rules revising Wisconsin Administrative Code Chapter AT 2, relating to reciprocal credentials for service members, former service members, and their spouses. Motion carried unanimously.

OT 2, Relating to Licensure Requirements

MOTION: Diane Gerlach moved, seconded by Kris Ferguson, to affirm the Board has reviewed the proposed rules revising Wisconsin Administrative Code Chapter OT 2, relating to licensure requirements. Motion carried unanimously.

CLOSED SESSION

MOTION: Gregory Schmeling moved, seconded by Michael Parish, 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; Carmen Lerma-yes; Sumeet Goel-yes; Michael Parish-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 9:28 a.m.

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

Stipulations, Final Decisions and Orders

20 MED 297 – Andrea M. Mattison, PA

MOTION: Clarence Chou moved, seconded by Sumeet Goel, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Andrea M. Mattison, PA, DLSC Case Number 20 MED 297. Motion carried unanimously.

20 MED 297 – Neil A. Shepler, MD

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 Neil A. Shepler, MD, DLSC Case Number 20 MED 297. Motion carried unanimously.

20 MED 385 – Joseph D. Spennetta, MD

MOTION: Emily Yu moved, seconded by Diane Gerlach, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Joseph D. Spennetta, MD, DLSC Case Number 20 MED 385. Motion carried unanimously.

20 MED 482 – Waheed Jalazai, MD

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 Waheed Jalazai, MD, DLSC Case Number 20 MED 482. Motion carried unanimously.

21 MED 034 – Dennis E. Colby, DO

MOTION: Diane Gerlach moved, seconded by Michael Parish, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Dennis E. Colby, DO, DLSC Case Number 21 MED 034. Motion carried unanimously.

Complaints

18 MED 316 – D.I.S.

MOTION: Sumeet Goel moved, seconded by Gregory Schmeling, to find probable cause in DLSC Case Number 18 MED 316, to believe that D.I.S. 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.

Stipulations and Interim Orders

21 MED 191 – Francis F. Joseph, MD

MOTION: Sumeet Goel moved, seconded by Kris Ferguson, to adopt the Findings of Fact, Conclusions of Law and Interim Order in the matter of disciplinary proceedings against Francis F. Joseph, MD, DLSC Case Number 21 MED 191. Motion carried. Opposed: Schmeling

Administrative Warnings

20 MED 317 – A.V.B.

MOTION: Gregory Schmeling moved, seconded by Lemuel Yerby, to issue an Administrative Warning in the matter of A.V.B., DLSC Case Number 20 MED 317. Motion carried unanimously.

(Michael Parish, Clarence Chou, Emily Yu recused themselves and left the room for deliberation and voting in the matter concerning A.V.B., DLSC Case Number 20 MED 317.)

21 MED 007 – J.K.B.

MOTION: Lemuel Yerby moved, seconded by Diane Gerlach, to issue an Administrative Warning in the matter of J.K.B., DLSC Case Number 21 MED 007. Motion carried unanimously.

21 MED 251 – J.A.R.

MOTION: Michael Parish moved, seconded by Gregory Schmeling, to issue an Administrative Warning in the matter of J.A.R., DLSC Case Number 21 MED 251. 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 557 – D.R.F. – No Violation
2. 20 MED 258 – S.C.M. – Insufficient Evidence
3. 21 MED 018 – R.A.H. – No Violation
4. 21 MED 026 – A.D.S. – Insufficient Evidence
5. 21 MED 057 – D.J.K. – Prosecutorial Discretion (P2)

6. 21 MED 100 – K.I.C. – Insufficient Evidence
Motion carried unanimously.

19 MED 165 – B.B.

MOTION: Kris Ferguson moved, seconded by Michael Parish, to reject the case summary and closing of DLSC Case Number 19 MED 165, against B.B., and refer the matter back to DLSC for further investigation. Motion carried unanimously.

(Gregory Schmeling recused himself and left the room for deliberation and voting in the matter concerning B.B., DLSC Case Number 19 MED 165.)

(Carmen Lerma was excused at 10:42 a.m.)

21 MED 214 – J.D.Z.

MOTION: Gregory Schmeling moved, seconded by Emily Yu, to close DLSC Case Number 21 MED 214, against J.D.Z., for No Violation, and to refer the matter to the Chiropractic Examining Board and to refer Wendy Ledesma, MD to DLSC for further investigation. Motion carried unanimously.

CREDENTIALING MATTERS

Waiver of 24 Months of Post-Graduate Training

Andrew Bentall, MD

MOTION: Sumeet Goel moved, seconded by Michael Parish, to approve the waiver of 24 months of approved post-graduate training for Andrew Bentall, MD. Motion carried. Abstained: Schmeling

Application Review

David Kim, MD

MOTION: Gregory Schmeling moved, seconded by Derrick Siebert, to approve the Medicine and Surgery application of David Kim, MD, once all requirements are met. Motion carried unanimously.

Shannon Wiggins, DO

MOTION: Sumeet Goel moved, seconded by Gregory Schmeling, to require Shannon Wiggins to complete an oral examination before taking further action on her application. Motion carried unanimously.

RECONVENE TO OPEN SESSION

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

The Board reconvened to Open Session at 11:47 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

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

ADJOURNMENT

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

The meeting adjourned at 11:49 a.m.