

AGENDA
CONNECTICUT MEDICAL EXAMINING BOARD
TUESDAY, January 16, 2007 at 1:30 PM
Department of Public Health Complex
410 Capitol Avenue, Hartford Connecticut
Conference Room A/B - Building 470

CALL TO ORDER

I. MINUTES

Review and approval of the minutes from the December 19, 2006 meeting.

II. UPDATES

- A. Chair Updates
- B. Information Update - Department of Public Health
- C. Legislative Update – DPH Office of Government Relations
- D. Information Update - Connecticut State Medical Society

III. NEW BUSINESS

- A. Assign Hearing Panels
Robert Golenbock, MD – Petition No. 2004-1112-001-256
Nandini Kokegar, MD – Petition No. 2005-0722-001-189
Ernest Squatrito, DO – Petition No. 2005-0809-001-206

IV. LEGAL OFFICE BUSINESS

- A. Vasant Khachane, MD – Petition No. 2005-0809-001-206
Presentation of Consent Order – Matthew Antonetti, Principal Attorney, DPH
- B. Balakrisnan Sathishchandar, MD – Petition No. 2005-0505-001-121
Presentation of Consent Order – Leslie Scoville, Staff Attorney, DPH

V. 120 Day Extensions

- J. Allen, MD (2000-0906-001-157; 2005-0209-001-049)
- M. Albini (unlicensed)
- C. Jones, MD (2004-0917-001-221)
- J. Mershon (unlicensed)

VI. ADDITIONAL AGENDA ITEMS

ADJOURN

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES OF MEETING
December 19, 2006**

The Connecticut Medical Examining Board held a meeting on Tuesday, December 19, 2006 at the Department of Public Health Complex, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Dennis G. O'Neill, MD, Chairman
Richard Bridburg, MD
Anne Doremus
Robert Fuller, MD
David M. Goldenberg, MD
Steven Hanks, MD
Harold Hebb
Patricia Loving, PA
Velandy Manohar, MD
Pamela A. Nole
Regina Stankaitis
C. Steven Wolf, MD

BOARD MEMBERS ABSENT George Terranova, MD

Dr. O'Neill called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the November 21, 2006 meeting were reviewed. Dr. Bridburg made a motion, seconded by Dr. Goldenberg, to approve the minutes. The motion passed unanimously.

II. CHAIR UPDATES

The following correspondence/information was received and reviewed:

1. Monthly tracking of pending cases.
2. Hearing assignments.
3. Federation of State Medical Boards (FSMB) notice of 2007 annual meeting scheduled for May 3-5 in San Francisco, California. Dr. Fuller indicated he is interested in representing the Board at the meeting.
4. Citizen Advocacy Center Third Quarter 2006 newsletter.
5. Connecticut State Board of Chiropractic Examiners Declaratory Ruling Proceeding pertaining to Manipulation Under Anesthesia (MUA) – After discussion of various clinical issues involving the procedure, the consensus of the Board was that MUA should not be included within the scope of chiropractic practice. Dr. O'Neill in consultation with Assistant Attorney General Henry Salton will draft testimony the expressing the Board's opinion.

III. INFORMATION UPDATES

A. Department of Public Health

Donna Brewer, Section Chief, Public Health Hearing Office reported that revisions to the penalty guideline language will be forwarded to the Board's disciplinary workgroup in the near future.

B. Connecticut State Medical Society

Michelle Norbeck reported that the Medical Society in conjunction with the Connecticut Orthopedic Society has pre-filed testimony regarding manipulation under anesthesia.

Ms. Norbeck announced that she is retiring and that this would be the last meeting she will attend on behalf of the Medical Society. Dr. O'Neill expressed the Board's thanks for Ms. Norbeck's many years of service to the Medical Society and the Physician Health Program.

IV. NEW BUSINESS

A. An Act Concerning Patient Protection and Health Care Practitioner Security Fund

Stanley Peck, Section Chief, Legal Office, Department of Public Health (DPH) provided an overview of legislation proposed by the DPH which would establish a confidential program for impaired health care practitioners licensed by the department; provide funding for DPH consultants; and provide funding to the DPH for medical record management in situations in which a practitioner has abandoned a practice. Mr. Peck stated that this legislation would result in a \$10.00 surcharge added to annual license renewals with the monies deposited in a designated fund.

Dr. O'Neill stated that at the January 2007 meeting, the Connecticut State Medical Society will make a presentation concerning similar legislation it is proposing for the 2007 legislative session.

B. Memorandum of Decision Suvarna Shah, MD – Petition No. 2004-0517-001-105

Mr. Hebb, a hearing panelist in this matter, provided a synopsis of the hearing panel's findings and recommendation for license revocation.

Dr. Manohar made a motion, seconded by Dr. Bridburg, to adopt the proposed Memorandum of Decision.

The motion passed unanimously. Dr. O'Neill signed the Order.

C. Memorandum of Decision Christian Ertl, MD – Petition No. 2004-1103-001-251

Mr. Hebb, a hearing panelist in this matter, provided a synopsis of the hearing panel's findings and recommendation for dismissal.

Dr. Wolf made a motion, seconded by Dr. Hanks, to adopt the proposed Memorandum of Decision. The motion passed unanimously. Dr. O'Neill signed the Order.

D. Charles Jones, MD - Petition Nos. 2004-0917-001-221

2006-0111-001-010

2006-0401-001-069

2006-0407-001-068

Department of Public Health Motion to Consolidate
Respondent's Objection and Motion for Mistrial

Assistant Attorney General Thomas Ring was present to provide counsel to the Board. Staff Attorney David Tilles was present on behalf of the Department of Public Health. Attorney Elliot Pollack was present on behalf of Dr. Jones.

Oral argument was heard from Attorneys Tilles and Pollack regarding the Department's Motion to Consolidate. Following argument Dr. Fuller and Ms. Doremus, hearing panelists in Petition No. 2004-0917-001-221, expressed their opinions regarding the motion. Dr. Fuller was opposed and Ms. Doremus was in favor of consolidating.

Dr. Fuller made a motion, seconded by Dr. Hanks, to deny the motion to consolidate. The motion failed. Dr. Fuller, Dr. Hanks, Dr. Wolf, Dr. Bridburg and Mr. Hebb voted in favor of denying

the motion to consolidate. Dr. O'Neill, Dr. Goldenberg, Ms. Doremus, Ms. Nole Ms. Stankaitis, Ms. Loving and Dr. Manohar were opposed.

Dr. O'Neill made a motion, seconded by Dr. Manohar, to grant the motion to consolidate. The motion passed. Dr. O'Neill, Dr. Goldenberg, Ms. Doremus, Ms. Nole Ms. Stankaitis, Ms. Loving and Dr. Manohar voted in favor of granting the motion to consolidate. Dr. Fuller, Dr. Hanks, Dr. Wolf, Dr. Bridburg and Mr. Hebb were opposed

Oral argument was heard from Attorneys Pollack and Tilles regarding respondent's Motion for Mistrial. It is respondent's claim that the issuance of a new Statement of Charges constitutes an ex-parte communication.

Dr. Fuller made a motion, seconded by Dr. Bridburg, to deny respondent's motion for mistrial. The motion to deny passed unanimously.

V. OLDBUSINESS

Joel Singer, MD – Petition No. 2005-0104-001-005 - DPH Motion to Withdraw Statement of Charges

Assistant Attorney General Thomas Ring was present to provide counsel to the Board.

Attorney Mary Alice Moore Leonhardt was present on behalf of Dr. Singer. Staff Attorney David Tilles was present on behalf of the Department of Public Health. Attorney Tilles explained that the Department has reevaluated its position after contacting a new consultant who is preparing an opinion for the Department. Mr. Tilles stated that based on conversations with the new consultant the Department is prepared to pursue this matter and will amending the current Statement of Charges.

Mr. Tilles orally moved to withdraw the Department's Motion to Withdraw Statement of Charges.

Mr. Hebb made a motion, seconded by Dr. Wolf, granting the Department's oral motion withdrawing its Motion to Withdraw Statement of Charges. Mr. Hebb's motion passed unanimously.

Prior to this meeting respondent filed a Motion to Dismiss the Statement of Charges. Argument was heard from Attorneys Leonhardt and Tilles regarding the motion to dismiss. Dr. Wolf made a motion, seconded by Dr. Bridburg, to deny respondent's motion to dismiss. The motion to deny passed with all in favor except Dr. Fuller who abstained.

VI. LEGAL OFFICE BUSINESS

A. Edward. Watson, MD – Petition No. 2005-0505-001-121

Matthew Antonetti, Principal Attorney, Department of Public Health presented a Consent Order in the matter of Edward Watson, MD. Attorney Eugene Cooney was present on behalf of Dr. Watson. Dr. Hanks made a motion, seconded by Dr. Manohar, to approve the Consent Order. The motion passed unanimously. Dr. O'Neill signed the Order.

VII. ADJOURNMENT

As there was no further business, the meeting was adjourned at 3:15 p.m.

Respectfully submitted,

Dennis G. O'Neill, MD, Chairman