

AGENDA

CONNECTICUT MEDICAL EXAMINING BOARD Tuesday, April 19, 2011 at 1:30 PM

Department of Public Health Complex
Capitol Avenue, Hartford Connecticut
Conference Room A/B, Building 470

CALL TO ORDER

I. APPROVAL OF MINUTES

March 15, 2011

II. UPDATES

- A. Chair Updates
- B. Information Updates
Department of Public Health

III. NEW BUSINESS

- A. Residency Equivalency Determination – Irina Collins, MD
Maritsa Morales, Licensing and Applications Analyst
- B. Oral Argument on Proposed Memorandum of Decision
Clifford Berken, MD - Petition No. 2008-1208-001-244
- C. Charles R. Jones, MD
Petition Nos. 2006-0111-001-010, 2006-0407-001-068, 2006-0411-001-069
Respondent Motion for Evidentiary Hearing and to Modify Decision

IV. 120 DAY EXTENSIONS

- J. Bristol, MD – Petition No. 2008-0714-001-138
- G. Sternstein, MD – Petition No. 2009-200921
- M. Yekta, MD – Petition No. 2007-0328-001-047

V. LEGAL OFFICE BUSINESS

- A. Francis Lobo, MD – Petition No. 2010-5648
Presentation of Interim Consent Order – Matthew Antonetti, Principal Attorney, DPH
- B. George Northrop, MD – Petition No. 2009-20091156
Presentation of Interim Consent Order – Matthew Antonetti, Principal Attorney, DPH
- C. Anton Chinniah, MD – Petition No. 2009-0114-001-008
Presentation of Consent Order – Matthew Antonetti, Principal Attorney, DPH
- D. James Gallagher, MD – Petition No. 2009-20091331
Modification of Consent Order – Matthew Antonetti, Principal Attorney, DPH
- E. Robert Hindes, MD – Petition No. 2011-48
Presentation of Consent Order – Matthew Antonetti, Principal Attorney, DPH
- F. Gilberto Ramirez, MD – Petition No. 2008-0211-001-026
Presentation of Consent Order – Matthew Antonetti, Principal Attorney, DPH

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 March 15, 2011**

The Connecticut Medical Examining Board held a meeting on Tuesday, March 15, 2011 at the Department of Public Health Complex, Capitol Avenue, Hartford, Connecticut in conference room 470-C.

BOARD MEMBERS PRESENT: Anne Doremus, Chairperson
Douglas Fellows, MD
David M. Goldenberg, MD
Robert Green, MD
Henry Jacobs, MD
Maureen Liegeot
Michael Lindberg, MD
Patricia Loving, PA
Daniel Rissi, MD
Howard Sadinsky, DO
C. Steven Wolf, MD

BOARD MEMBERS ABSENT Richard Bridburg, MD
Richard Harris
Regina Stankaitis

Ms. Doremus called the meeting to order at 1:30 p.m.

I. Donna Brewer, Section Chief, Public Health Hearing Section introduced Jewel Mullen, MD, MPH, MPA, Commissioner, Department of Public Health. Dr. Mullen briefly addressed the Board to the Board.

II. **MINUTES**
The draft minutes of the February 15, 2011 meeting were reviewed. Dr. Wolf made a motion, seconded by Dr. Fellows, to approve the minutes. The motion passed.

III. **UPDATES**
A. **Chair Updates**
The following information was reviewed:
1. Monthly tracking of pending cases.
2. Hearing assignments.

B. **Department of Public Health**

William Gerrish, Director, Office of Communications, Department of Public Health provided an overview of the responsibilities of the Communications Office. Mr. Gerrish discussed media inquiries regarding complaints, regulatory issues and public health concerns. Responding to negative publicity was also discussed. The feels a proactive approach with the media is prudent.

Jennifer Filippone, Section Chief, Practitioner Licensing and Investigations Section provided an update regarding pending legislation.

C. Health Assistance interVention Education Network for Connecticut Health Professionals – (HAVEN)

Maureen Dinnan, Executive Director provided the annual update regarding the Haven Program. There are approximately 210 individuals currently enrolled in the program, inclusive of 76 physicians and 2 physician assistants.

IV. OLD BUSINESS

Respondent Motion to Dismiss Statement of Charges

Neil Smerling, MD – Petition No. 2008-0314-001-052

Attorney David Robertson was present for Dr. Smerling. Staff Attorney Diane Wilan was present for the Department of Public Health. The Board heard argument from Attorney Robertson and Attorney Wilan on respondent's motion to dismiss the Statement of Charges in this matter.

Dr. Goldenberg made a motion, seconded by Dr. Wolf, to deny respondent's motion to dismiss the Statement of Charges. The motion to deny passed with all in favor except, Ms. Loving, Dr. Lindberg and Dr. Rissi who were opposed.

V. NEW BUSINESS

Ashokkumar K. Shah, MD – Petition No. 2005-0502-001-115

The Board reviewed a request filed by Ashokkumar K. Shah, MD asking to reduce the period of probation set forth in a Memorandum of Decision January 20, 2006. Dr. Shah's probation is schedule to conclude on September 1, 2011.

Dr. Goldenberg made a motion, seconded by Dr. Wolf, to deny respondent's request to modify the January 20, 2006 Memorandum of Decision to allow for the termination of probation. The motion passed with all in favor except Dr. Jacobs who abstained.

VI. ASSIGN HEARING PANELS

A. Francisco Carbone, MD (Reinstatement Hearing)

Dr. Lindberg will chair the hearing panel in this matter. The Board Liaison will seek two additional panelists for this hearing and will coordinate the scheduling of hearing dates.

B. Asante Mendes, MD – Petition No. 2009-2009264

The Board Liaison will seek panelists for this hearing and will coordinate the scheduling of hearing dates.

C. Rabindranath Mahabir, MD – Petition No. 2009-0407-001-009

The Board Liaison will seek panelists for this hearing and will coordinate the scheduling of hearing dates.

VII. 120 DAY EXTENSIONS

C. Berken, MD – Proposed Memorandum of Decision to be presented on April 19, 2011.

R. Hillsman, MD – Hearing scheduled for May 10, 2011.

D. Lastomirsky, MD – Draft decision being written.

P. Nath, MD – Hearing scheduled for October 7, 2011.

G. Ramirez, MD - Proposed Consent Order to be presented on April 19, 2011.

B. Raxlen, MD - Draft decision being written.

R. Sica, MD – Hearing scheduled for April 26, 2011.

Dr. Green made a motion, seconded by Dr. Fellows to approve a 120-day extension in the above matters. The motion passed unanimously.

VIII. LEGAL OFFICE BUSINESS

A. Brian Malone, MD - Petition No. 2008-0228-001-041

David Tilles, Staff Attorney, Legal Office, Department of Public Health, presented a Consent Order in the matter of Brian Malone, MD. Attorney Christine Robinson was present with respondent.

Dr. Jacobs made a motion, seconded by Dr. Lindberg, to approve the Consent Order, which imposes a reprimand of respondent's license. The motion passed unanimously. Ms. Doremus signed the Order.

B. Robert Sterling, MD – Petition No. 2010-5675

Matthew Antonetti, Principal Attorney, Legal Office, Department of Public Health, presented a Reinstatement Consent Order in the matter of Robert Sterling, MD. Respondent was present without representation.

Respondent surrendered his license to practice in January 2010.

Dr. Jacobs made a motion, seconded by Dr. Green, to approve the Reinstatement Consent Order, which reinstates respondent's license and imposes probation with conditions for a period of five years. The motion passed unanimously. Ms. Doremus signed the Order.

IX. ADJOURNMENT

As there was no further business, the meeting was adjourned at 3:03 p.m.

Respectfully submitted,

Anne C. Doremus, Chairperson