

AGENDA

CONNECTICUT MEDICAL EXAMINING BOARD Tuesday, February 15, 2011 at 1:30 PM

Department of Public Health
410 Capitol Avenue, Hartford Connecticut
Third Floor Hearing Room

CALL TO ORDER

I. APPROVAL OF MINUTES

December 21, 2010

II. UPDATES

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

III. NEW BUSINESS

- A. Francisco Carbone, MD – Petition No. 2008-1022-001-201
Petition for License Reinstatement
- B. Jarir Nakouzi, MD – Petition No. 2007-0424-001-060
Respondent Motion to Dismiss Statement of Charges
- C. Neil Smerling, MD – Petition No. 2008-0314-001-052
Respondent Motion to Dismiss Statement of Charges
- D. Charles R. Jones, MD
Respondent Motion to Amend Decision

IV. LEGAL OFFICE BUSINESS

- A. Joseph Bartoszek, Jr., PA – Petition No. 2010-5621
Presentation of Consent Order – Matthew Antonetti, Principal Attorney, DPH
- B. Shue Wong, MD – Petition No. 2010-5634
Presentation of Consent Order – Matthew Antonetti, Principal Attorney, DPH
- C. Carlos Benavides, MD – Petition No. 2010-310
Presentation of Consent Order – Diane Wilan, Staff Attorney, DPH
- D. Edmund West, MD – Petition No. 2010-5329
Presentation of Consent Order – Matthew Antonetti, Principal Attorney, DPH
- E. Regina Hillsman, MD - Petition No. 2009-0520-001-097
Presentation of Consent Order – David Tilles, Staff 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 December 21, 2010**

The Connecticut Medical Examining Board held a meeting on Tuesday, December 21, 2010 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the third floor hearing room.

BOARD MEMBERS PRESENT: Anne Doremus, Chairperson
Richard Bridburg, MD
Douglas Fellows, MD
David M. Goldenberg, MD
Robert Green, MD
Richard Harris
Henry Jacobs, MD
Maureen Liegeot
Michael Lindberg, MD
Daniel Rissi, MD
Howard Sadinsky, DO
Regina Stankaitis
C. Steven Wolf, MD

BOARD MEMBERS ABSENT Patricia Loving, PA
Clotilde Dudley Smith, EdD

Ms. Doremus called the meeting to order at 1:31 p.m.

I. MINUTES

The draft minutes of the October 19, 2010 meeting were reviewed. Dr. Bridburg made a motion, seconded by Ms. Stankaitis, to approve the minutes. The motion passed with all in favor except Dr. Lindberg who abstained.

II. UPDATES

A. Chair Updates

The following information was reviewed:

1. Monthly tracking of pending cases.
2. Hearing assignments.
3. CT Health I-Team article – “Disciplined Docs Practice Freely in State”

The Board has concerns regarding the issues raised in this article. This will be added to the workgroup discussion on January 18, 2010.

Mr. Harris arrived at 1:38 p.m.

B. Department of Public Health

Donna Brewer, Section Chief reported that potential legislative changes will be explored regarding the discipline of Connecticut physicians who have been disciplined in other States. Ms. Brewer also reminded the Board about a Board Member Orientation Program scheduled for January 24, 2011.

III. NEW BUSINESS

A Respondent Motion to Rescind Summary Suspension
Gerson Sternstein, MD – Petition No. 2009-200921

Respondent was present with Attorney Richard Tynan. Staff Attorney David Tilles was present for the Department of Public Health.

Following comments by Attorneys Tynan and Tilles, Dr. Goldenberg made a motion, seconded by Dr. Green to deny respondent's motion to rescind the Summary Suspension ordered on August 17, 2010. The motion passed with all in favor except Dr. Wolf who recused himself from voting.

B. Proposed Memorandum of Decision
Richard Luzietti, MD - Petition No. 2009-20091252

Principal Attorney Matthew Antonetti was present for the Department of Public Health. Dr. Luzietti was not present.

Dr. Green made a motion, seconded by Ms. Stankaitis, to adopt the Memorandum of Decision. The motion passed unanimously. Ms. Doremus signed the Order revoking Dr. Luzietti's license.

IV. ASSIGN HEARING PANELS

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

Dr. Lindberg will chair the hearing panel in this matter. The other panelists will be Ms. Stankaitis and Maureen Kunkel, MD. The Board Liaison will coordinate the scheduling of hearing dates.

Jarir Nakouzi, MD – Petition No. 2007-0424-001-060

Dr. Goldenberg will chair the hearing panel in this matter. The other panelists will be Ms. Liegeot. The Board Liaison will seek a third panelist for this hearing and will coordinate the scheduling of hearing dates.

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

Ms. Loving and Denise Ward, PT will be panelists in this matter. The Board Liaison will seek a third panelist for this hearing and will coordinate the scheduling of hearing dates.

V. 120 DAY EXTENSIONS

Jyoji Bristol, MD – Additional hearing dates to be scheduled
Gerson Sternstein, MD – Hearing completed, fact-finding to be scheduled
Mahmoud Yekta, MD – Hearing scheduled for 2-24-2011

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

VI. LEGAL OFFICE BUSINESS

A. Robert Howell, PA – Petition No. 2010-5030

Matthew Antonetti, Principal Attorney, Legal Office, Department of Public Health, presented a Consent Order in the matter of Robert Howell, PA. Respondent was not present or represented.

Dr. Jacobs made a motion, seconded by Dr. Wolf, to approve the Consent Order, which requires respondent to cease and desist from practice until re-certified by the National Commission on Certification of Physician Assistants. The motion passed unanimously. Ms. Doremus signed the Order.

B. Lee Brauer, MD – Petition No. 2009-20091349

Linda Fazzina, Staff Attorney, Legal Office, Department of Public Health, presented a Consent Order in the matter of Lee Brauer, MD. Attorney Mary Alice Moore Leonhardt was present for respondent.

Dr. Jacobs made a motion, seconded by Ms. Stankaitis, to approve the Consent Order, which places respondent's license on probation for one year. The motion passed with all in favor except Dr. Bridburg who recused himself from voting. Ms. Doremus signed the Order.

C. Ven C. Hsu, MD – Petition No. 2010-5672

Matthew Antonetti, Principal Attorney, Department of Public Health, presented a Motion for Summary Suspension in the matter of Ven Hsu, MD. Respondent was present without counsel. Hearing Officer Joanne V. Yandow, Esq. was present to provide counsel to the Board.

Dr. Hsu addressed the Board opposing the Department's motion for Summary Suspension.

Dr. Goldenberg made a motion, seconded by Dr. Jacobs, to enter executive session to discuss a written request from Dr. Jacobs seeking for legal advice from Hearing Officer Yandow.

The motion passed unanimously and the Board entered executive session from 2:25 p.m. to 2:35 p.m. Attorney Donna Brewer, Section Chief, Public Health Hearing Section, Department of Public Health was also present to provide advice to the Board

Following executive session Dr. Bridburg made a motion, seconded by Dr. Goldenberg, to grant the Department's Motion for Summary Suspension because respondent's continued practice of medicine represents a clear and immediate danger to public health and safety. The motion passed unanimously. Ms. Doremus signed the Summary Suspension Order.

The hearing panelists in this matter will be Ms. Doremus, Dr. Sadinsky, and Dr. Rissi. The hearing will be scheduled for January 4, 2011 at 9:00 a.m.

VII. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:45 p.m.

Respectfully submitted,

Anne C. Doremus, Chairperson