

Agenda

Board of Medical Licensure and Supervision

January 12, 2017

This meeting of the Board will be held at the office of the Board, 101 NE 51st Street, Oklahoma City, Oklahoma in accordance with the Administrative Procedures Act and Open Meeting Act of Oklahoma.

The Board may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or vote to strike or not discuss any agenda item.

**INDIVIDUAL PROCEEDINGS: Review and action on all agenda items noted for individual proceedings. In all agenda items noted for individual proceedings, a majority of a quorum of Board members, in a recorded vote, may call for closed deliberations for the purpose of engaging in formal deliberations leading to an intermediate or final decision in an individual proceeding under the legal authority of Oklahoma state statutes, to wit: Article II of the Oklahoma Administrative Procedures Act, 75 O.S. §309 and the Oklahoma Open Meeting Act, 25 O.S. §307(B)(8).*

9:00 A.M.

- ___ Meeting called to order
- ___ Opening remarks – Lyle Kelsey, Executive Director
- ___ Alternate Board Advisor Comments – The Hon. Emilykaye Lonian
- ___ **Executive Session** pursuant to the request of defense counsel for the purpose of confidential communications between the Board and its counsel pursuant to 25 O.S. § 307(B)(4) concerning the case styled Steven C. Anagnost, M.D., Plaintiff v. Oklahoma Spine and Brain Institute, LLP, et al, Case No. CJ-2013-6140, in the District Court of Oklahoma County, State of Oklahoma
- ___ Review/action – **Minutes of November 3, 2016 Meeting**
- ___ Discussion and possible action regarding the following proposed emergency State Board of Medical Licensure and Supervision rule amendment:
OAC 435:1-1-7. Fees [AMENDED] (See attached proposed Emergency Rulemaking Document for further information)

REQUESTS

- ___ Review/action – **Request of DANIEL PASCUCI, MD, to supervise more than two Advanced Practice Nurse Practitioners**
- ___ Review/action – **Request of RACHEL DALTHORP, MD, to supervise more than two Advanced Practice Nurse Practitioners**

___ Review/action – **Request of MELINDA CAIL, MD, to supervise more than two
Advanced Practice Nurse Practitioners**

MOTIONS

___ ***THOMAS JENKINS, PTA** – Staff’s Motion to Modify Probation

___ ***KENNETH JOHN KIRK, MD** – Staff’s Motion to Terminate Probation and Place on
Agreement

___ ***MARK EDWARD RIGNEY, MD** – Staff’s Motion to Terminate Probation and Place on
Agreement

___ ***MARIA KANE, MD** – State’s Motion to Enforce Probation

___ ***WILLIAM KERRY SMITH, MD** – State’s Motion for Default Judgment

___ ***DARNELL ERIC BLACKMON, SR., MD** – Motion to Terminate Order Accepting
Voluntary Submittal to Jurisdiction

APPLICATIONS FOR LICENSURE

___ ***SYED SAMIULLAH KAZMI**, applicant, full medical license

___ ***MAKKALON EM**, applicant, full medical license

___ ***MARTIN STRUEBER**, applicant, special medical license

___ ***LAURENCE DERICH McMILLAN**, applicant, full medical license

___ ***TIMOTHY JOHN HILL, MD**, applicant, reinstatement of full medical license

- Possible executive session to introduce and discuss material deemed confidential by state and federal law, pursuant to 25 O.S. § 307(B)(7)

___ ***DALE ALICIA ELLISON**, applicant, full medical license

DISCIPLINARY MATTERS

___ ***SAMUEL SEYBOLD, PT** – Disciplinary hearing alleging immoral and unethical conduct which is likely to deceive, defraud or harm the public; participating in fraud, abuse or violation of any state or federal laws; and improper records management.

___ ***HOWARD PETER KOENEN-MYERS, MD** – Disciplinary hearing alleging dishonorable or immoral conduct likely to deceive; controlled substances or narcotic drugs violation; failure to maintain an accurate office record for a patient; failure to provide necessary on-going medical treatment; failure to follow the guidelines for the use of opioids for the treatment of chronic pain; and engaging in the gross negligence of the practice of medicine.

___ ***ROGER LEE KINNEY, MD** – Uncontested Application for Continuance *and dependent upon the Board's ruling* possible disciplinary hearing alleging dishonorable conduct likely to deceive the public; controlled dangerous substances violations; medical records violations; the excessive prescribing, or prescribing without medical need, of controlled dangerous substances or narcotic drugs.

___ ***DWAYNE LEWIS ROUSH, MD** – Defendant's Motion to Continue *and dependent upon the Board's ruling* possible disciplinary hearing alleging dishonorable or immoral conduct likely to deceive; indiscriminate or excessive prescribing, dispensing or administering of a controlled substance or narcotic drug; failure to maintain an accurate office record for each patient; dispensing, prescribing or administering a controlled substance or narcotic drug without medical need; and conviction of any offense involving moral turpitude.

UNSCHEDULED ITEMS

___ **Ratify applications** approved by the Secretary/circularization (attached to agenda)

Review/action – Ratify/approve **Committee recommendations** approved on circularization:

- **Physical Therapy Advisory Committee**
- **Advisory Committee on Orthotics and Prosthetics**

___ Review/action – Re-appointments to the **Advisory Committee on Pedorthics**

___ Review/action – Re-appointments to the **Athletic Trainers Advisory Committee**

___ Review/action – Re-appointments to the **Occupational Therapy Advisory Committee**

___ Review/action – Re-appointments to the **Physician Assistant Advisory Committee**

___ Review/action – Re-appointments/Appointment to the **Registered Electrologist Advisory Committee**

___ **New Business** – any matter not known about or which reasonably could not have been foreseen prior to the time of posting

January 13, 2017: If needed to complete items on Agenda

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(PROPOSED)

EMERGENCY RULE DOCUMENT

TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION

RULEMAKING ACTION:

EMERGENCY adoption

PROPOSED RULES:

Subchapter 1. Administration and Organization
435:1-1-7. Fees [AMENDED]

AUTHORITY:

New law to be codified in the Oklahoma Statutes as Section 889.5.A and also in the Oklahoma Statutes as Section 889.12 of Title 59

ADOPTION:

January 12, 2017

EFFECTIVE:

Immediately upon Governor's approval

EXPIRATION:

September 14, 2018, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATED BY REFERENCE:

N/A

FINDING OF EMERGENCY:

The proposed emergency rule is necessary under two new sections of new law, which regulate the practice of Music Therapy and require a fee component for licensure, to be codified in the Oklahoma Statutes as Section 889.5.A and also in the Oklahoma Statutes as Section 889.12 of Title 59.

ANALYSIS:

The proposed emergency rule is necessary under two new sections of new law, which regulate the practice of Music Therapy and require a fee component for licensure, to be codified in the Oklahoma Statutes as Section 889.5.A and also in the Oklahoma Statutes as Section 889.12 of Title 59. The fee is not to exceed \$50.00.

CONTACT Person:

Barbara J. Smith, Executive Secretary, Oklahoma Medical Board, (405) 962-1422,
bsmith@okmedicalboard.org

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 235 (F):

TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION

CHAPTER 1. ADMINISTRATION AND ORGANIZATION

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435:1-1-7. Fees

(a) **Fee schedule.** The Board shall fix the amount of the fees so that the total fees collected will be sufficient to meet the expenses of administering the provisions as set for in Title 59 O.S., Section 495c and 511 of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act provided, the Board shall not set the fees at an amount in excess of the amounts listed in this subsection.

(1) **Licensure/registration.** The following fees shall be assessed for licensure and registration:

(A) Medical Doctor - Full license

(i) Application processing fee - \$500.00

(ii) Reprocessing fee - \$125.00

(iii) Temporary license - \$250.00

(B) Medical Doctor - Special license

(i) Special training application processing fee - \$250.00 (This fee may be applied toward the application processing fee in (a)(1)(A)(i) of this section when the special license was issued for first year post graduate training purposes.)

(ii) Special training reprocessing fee - \$150.00

(C) Physician Assistants

(i) Initial application for licensure - \$150.00

(ii) Application to practice fee - \$50.00

(iii) Disciplinary hearing fee - actual cost of proceedings (including probation and other fees) as determined by the Board.

(D) Physical Therapist

(i) Application processing fee - \$100.00

(ii) Reprocessing fee - \$50.00

(iii) License - 50.00

(iv) Temporary permit - 25.00

(E) Physical Therapist Assistant

(i) Application processing fee - \$100.00

(ii) Reprocessing fee - \$30.00

(iii) License - 35.00

(iv) Temporary permit - 25.00

(F) Athletic Trainer

(i) Application processing fee - \$120.00

(ii) Reprocessing fee - \$35.00

(iii) License - 25.00

(G) Apprentice athletic trainer

(i) Application processing fee - \$25.00

(ii) Transfer processing fee - \$20.00

(iii) License - 5.00

(H) Licensed Dietitian

(i) Application processing fee - \$60.00

(ii) Reprocessing fee - \$30.00

(iii) License - \$60.00

(I) Provisional licensed dietitian

(i) Application processing fee - \$15.00

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- (ii) Reprocessing fee - \$30.00
- (iii) License -\$15.00
- (J) Occupational therapist
 - (i) Application processing fee - \$70.00
 - (ii) Reprocessing fee - \$30.00
 - (iii) License - 50.00
- (K) Occupational therapy assistant
 - (i) Application processing fee - \$70.00
 - (ii) Reprocessing fee -\$30.00
 - (iii) License - 50.00
- (L) Registered electrologists
 - (i) Application processing fee -\$30.00
 - (ii) License - \$30.00
 - (iii) Examination fee - \$75.00
- (M) Respiratory Care - Full license
 - (i) Application processing fee - \$100.00
 - (ii) Reprocessing fee - \$30.00
- (N) Respiratory Care - Provisional license
 - (i) Application processing fee - \$100.00
 - (ii) Reprocessing fee - \$30.00
- (O) Licensed Pedorthists application processing fee –\$180.00
- (P) Licensed Orthotist/Prosthetist application processing fee –\$300.00
- (Q) Registered Orthotist/Prosthetist Assistant application processing fee –\$100.00
- (R) Registered Orthotist/Prosthetist Technician application processing fee –\$60.00
- (S) Radiologist Assistant application processing fee – \$100.00
- (T) Anesthesiology Assistant application processing fee - \$150.00
- (U) Therapeutic Recreation Specialist application processing fee - \$125.00
- (V) Licensed Professional Music Therapist initial license application fee - \$50.00

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ATTESTATION

I, the undersigned, do hereby attest that the copy enclosed herewith is a true and correct copy of the addition to Title 435, Chapter 1, which was adopted by the State Board of Medical Licensure and Supervision on (date, if adopted), under emergency rulemaking provisions of the Administrative Procedures Act, 75 O.S. § 250 et seq.

I, the undersigned, do hereby attest that such rule was finally adopted in substantial compliance with the Administrative Procedures Act.

Lyle Kelsey, CMBE
Executive Director
State Board of Medical Licensure and Supervision
Date: _____

**Oklahoma State Board of Medical Licensure and Supervision
Licenses Issued From 11/2/2016 To 1/9/2017**

Licensed Dietitian

ARNOLD, EUGENE RICHARD III

GAMMILL, RACHEL LEA

ROSS, BRITTANY LYNN

Licensed Perfusionist

MURRAY, JUSTIN LEE

PATEL, SACHIN PRAVIN

Licensed Prosthetist/Orthotist

HUWYLER, JODY LEE

MEDICAL DOCTOR

AJMAL, MUHAMMAD

ARRAMBIDE, KATHRYN ANN

AZZARELLO, JOSEPH THADDEUS

BANAVALI, ASHTAMI VISHWANATH

BAVLE, ABHISHEK AMAR

BAYLISS, GAIL A

BERKOWITZ, PAUL MICHAEL

BISSLER, JOHN JOSEPH

BLACHER, ERIC SAMUEL

BLAUWET, LORI ANN

BOYD, RODERICK RENEE

BRADLEY, KEVIN KELSEY

BROWN, HEIDI LYNN

BROZOVICH, FRANK VINCENT

BURNS, WILLIAM ALEXANDER

BUTLER, JOI A

CHAUDHRY, SADAF

CONNER, WILLIAM C.

DAFTARI, AMIT

DORIUS, TIMOTHY HANCOCK

ECHIVERRI, SUSAN CONCEPCION

FARHIDVASH, FARIBA

FESKE, WILLIAM IRA

FITZPATRIC, MARY MICHELE

GABORNI, PAMELA

GBEDDY, ELIKEM KOFI

GOOTNICK, SUSAN ALICE MANDELL

GUTIERREZ CONTRERAS, JOSE

HANSLICK, JENNIFER LYNN

HENAO MEJIA, JUANITA

HENDRICKS, SUSAN KAY

HENRY, CHARLES STEPHEN

JAYAKAR, DAVID

JOHNSON, JORDAN

JOSEPH, JOHN KUZHIKKOMPIL

KHAN, QAISAR MAQSOOD

KING, JEFFREY BRIAN

KONING, JON CONRAD

LADI, LARRY

LAGATTA, LORINE

LARSEN, L ROYCE

L'ESPERANCE, JAMES OMER

LOFTUS, CONOR GERARD

LYNCH, ANDREW KEANE

MACKAY, DANIEL ALEXANDER

MAHMOUD, AHMED

MATHEWS, MOLLY ROBINSON

MEDINA, LAURA

MITCHELL, ANTHONY LAMAR

MOGANNAM, PAUL NABEEL

MOHAN, KINILA THIMMAPPAIAH

MOUROT, JOSHUA MICHAEL

MUGHAL, AYESHA ASLAM

MUJTABA, MUHAMMAD AHMAD

MUSSELMAN, RODNEY JAY

NAZEER, UMAIR

NORRIS, DONALD

ORTIZ-COLBERG, RAFAEL A

PALMER, BRUCE LEE

PASKERT, JAMES PATRICK

PATEL, VIMAL HARSHAD

PERONE, NICOLA

POLAN, MICHELLE BARBARA

PRAKASH, PRIYA

RITTER, MARYLYNN

ROSENFELD-BARBASH, JANIS

SANCHEZ, WILLIAM

SANI, FARHAD WILLIAM

SCHARPF, STEVEN

SCHORN, LARRY WAYNE

SHUSTER, JOHN LEE JR

SINGER, PAUL HARRY

SLAWSON, STEPHEN ERIC

STANLEY, JEFFREY PETERSON

STAR, MICHAEL JONATHAN

SULLIVAN, JOHN P.

TYLER, LATONIA

VASQUEZ ENCALADA, NATALY

VEGUNTA, RAVINDRA KUMAR

VILLAR, CARLOS EUGENIO

WADE, EKPEDEME

WEINSHEL, STEVEN SAMUEL

WESTERGAN, ROBERT WILLIAM

WHALEN, SEAN PATRICK

WILSON, DAVID NICHOLAS

WOLDAREGAY, BEDILU WOLDE

WOLESTON, TAMARA KEISHA

MD Reinstatement

DAVES, SUANNE MELANIE

LEMERANDE, ALAN ROBERT JR

LEWIS, THOMAS CRAIG

Occupational Therapy Assistant

BOLEY, ANTHONY STEPHEN

FORD, SKYLAR DANIELLE

MCCASKILL, KORTNEY KEYANNE

NOLEY, TOMIH ANN

SHEPHERD, KATELYN JEAN

Occupational Therapist

FAIN, LESLEY DIANE

Physician Assistant

BUSCH, APRIL
FOSTER, KENNETH GAROLD
LEE, PHOAY LUAN
SANDER, CARMEN
WOLDEMARIAM, BEREKET TEKLU

CASS, COURTNEY LEIGH
LE, HUY JAMES D
MACIAS, LOREN
TOURNEAR, MARLA

DAVIDSON, BROOKELYN ANNETTE
LEE, CHIHying
REAMES, TAYLOR LAUREN
WALTA, MCKENZIE CHRISTEN

Provisional Respiratory Care Practitioner

CARR, MEGAN

PATTON, SOMMER ALICIA

Physical Therapist

ASHTON, MICHAEL
DITOMMASO, KATIE MARIE
NGARE, MERCY WAIRIMU
SMITH, JERRY L

BALDWIN, JARED ADAM
GAYAH, SHOMA MORIASHA
SAMLUK, SHANNON

BANKS, MEGAN CHRISTINE
GRAHAM, ALANA ROBERTSON
SHULL, KELSEY KAY

Respiratory Care Practitioner

BEENE, JONATHAN ERIC
PARNELL, STEPHANIE LYNN

BURRELL, GEOFFREY ALBERT
WAGMAN, LISA RENEE

GONZALES, ELISSA MARIE

Registered Prosthetist/Orthotist Assistant

ARNETTE, DANIEL JOEL

Physical Therapist Assistant

MCDONALD, LEEANNA KAY
SMITH, CRYSTAL

ROBERT, KATHRYN ELAINE

ROJAS, ANITA KAY

Therapeutic Recreation Specialist

KIMMEL, ALEXANDRA KAY
WILLIAMSON, WHITLEY

RACKLEY, EMMMA ELIZABETH

SKALKO, DIANE