

# GUAM BOARD OF MEDICAL EXAMINERS

## VIRTUAL BOARD MEETING

**Wednesday, July 05, 2023 at 4:00 PM**

Join Zoom Meeting: <https://us06web.zoom.us/j/89077301867?pwd=U1NQRO1lLzd5RTJaQUk1a2o4RUM4dz09>

Meeting ID: 890 7730 1867; Passcode: 721048

### MINUTES

Topic	DECISION(S) / ACTION(S) MADE	Responsible Party	Reporting Timeframe	Status
I.	<b>Call to Order</b>			
	Meeting Chaired by: Chairperson, Dr. N. Berg	Chair	1605	Called to Order
	<p><b>A. Roll Call: GBME</b>  <i>Present at HPLO Conference Room</i>                      Nathaniel B. Berg, M.D., Chairperson                      Annette David, M.D., Member  <i>Present Virtually at Remote location:</i>                      Phil Flores, Vice-Chairperson, Treasurer &amp; Public Member                      Luis G. Cruz, M.D., Member                      Absent:                      Joleen Aguon, M.D.</p>	Chair	1605	Quorum Established
	<p><b>B. Confirmation of Public Notice</b> advertised in the Pacific Daily News: 6/27/2023 &amp; 6/30/2023</p>	Chair	1605	Confirmed
II.	<b>Adoption of Agenda</b>			
	<i>Motion to Adopt the Agenda: Dr. Berg</i>	GBME	1607	Adopted
III.	<b>Review and Approval of Minutes</b>			
	<p><b>Draft Minutes dated May 18, 2023</b>  <i>Motion to approve: Dr. Berg: 2<sup>nd</sup>; P.Flores</i></p>	GBME	1607	Unanimously Approved
IV.	<b>Treasurer's Report</b>			
		Mr. Flores	1607	Tabled
V.	<b>HPLO Administrator's Report</b>			
	NOTE: Addressed issues in subsequent agenda items.	Z. Pecina	1609	No Report
VI.	<b>Chairperson's Report</b>			
		Dr. Berg	1609	No Report
VII.	<b>Old Business</b>			
	<b>A. Complaint(s):</b>	GBME	1645	

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	<p>1. <b>GBME-CO-20-005 – Received: 09/18/2020.</b> The Chair reported that he is awaiting the return of Atty Visosky to finalize the proposal to the GBME. The complaint was reassigned to Dr. Cruz, which is anticipated to be closed. HPLO will provide information to Dr. Cruz regarding the case.</p>	Dr. Cruz		On-going
	<p>2. <b>GBME-CO-2021-011 – Received: 11/17/2021.</b> NOTE: To be addressed under new business.</p>	Dr. David		Deferred to New Business
	<p>3. <b>GBME-CO-2022-002 – Received: 01/06/2022.</b> The Chair reported that the complaint is still under review by GMHA. NOTE: The physician is currently not practicing in Guam.</p>	Dr. Berg		Pending Completion of GMHA process
	<p>4. <b>GBME-CO-2022-003 – Received: 01/24/2022.</b> The Chair reported that the case has been reassigned to him and is related to Agenda Item VII.D, below.</p>	Dr. Berg		Part of Agenda Item VII.D.
	<p>5. <b>GBME-CO-2022-006 – Received: 02/10/2022.</b> NOTE: To be addressed under new business</p>	Dr. David		Deferred to New Business
	<p>6. <b>GBME-CO-2022-010 – Received: 06/21/2022.</b></p>	Dr. Aguon Not Present		Tabled
	<p>7. <b>GBME-CO-2023-002.</b> Dr. Berg reported that the complaint does not appear to be related to healthcare service delivery, but more related to Physician - Patient interaction. Dr. Berg stated that he would first consult with Z. Pecina-HPLO on this matter.</p>	Dr. Berg		On-going
	<p><b>B. Discussion of Telemedicine – Continued.</b> The Chair reported that the concerned entities were duly informed that medications could not be prescribed nor meeting could not be provided without the involvement and presence of a Guam licensed physician. The matter is considered closed.</p>			Closed
	<p><b>C. International Association of Medical Regulatory Authorities.</b> The Chair explained the benefits of the GBME participating in this forum, especially since the Board would gain valuable insight on how physicians are managed in other jurisdictions throughout the world (i.e., outside the USA). In addition, this forum is run by the FSMB and the fee would be waived for the first year, with very inexpensive fees for subsequent years. <i>Motion to apply for membership: Dr. Berg.</i></p>		1609	Unanimously Approved
	<p><b>D. Formation of an Impaired Provider Program.</b> <i>Motioned to approve the Chair or designee and HPLO Administrator or designee to initiate discussions with and invite TN to train Guam professionals on an Impaired Provider Program, with the aim to establish a independent, non-punitive program, in Guam, to be done in consultation with TN and in coordination and</i></p>			Unanimously Approved

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	<i>participation with the Guam Behavioral Health and Wellness Center: Dr. Berg; 2nd Dr. David.</i>			
	<b>E. Requiring FCVS for all applicants.</b> <i>Motion to implement the FCVS process to be effective on 1 September 2023 for all applicants seeking permanent licensure: Dr. Berg; 2nd: Dr. David.</i>			Unanimously Approved
	<b>F. Participating in the ACCME service for CME.</b> <i>Motion to approve the Chair to pursue membership in the ACCME: Dr. Berg</i>			Unanimously Approved
	<b>G. Re-entry requirements for all physicians who have a prolonged absence of U.S. practice.</b> <i>Motion to approve physicians, out of practice for three years or more, to participate in a reentry program, recognized by the GBME, which is in-line with FSMB.: Dr. Berg.</i>			Unanimously Approved
	<b>H. Mandatory Opioid CME.</b> NOTE; See Agenda Item VII. I below.			Chair Sent Letter to All concerned Deferred
	<b>I. Controlled Substance Registration (CSR).</b> The Chair, with the assistance of HPLO, sent a letter to the licensed physicians (with CSR) stated the mandatory requirement to complete Opioid CME. Since the office responsible for managing CSR did not take the initiative to do this notification, he believes that the CSR registration fees could be put to better use. He, therefore, suggested that the fee amount could be reduced and directed to support Opioid education and development of an Impaired Provider Program. <i>The Chair recommended deferring GBME action on this topic until he had the opportunity to discuss the foregoing approach with the Speaker of the Legislature.</i>			
	<b>J. Uniform Application.</b> The Chair stated that all states and jurisdictions have been requested to implement a uniformed application immediately, such as incorporating the FCVS process, amending references to mental health challenges (current versus past two years), etc. <i>Motion to approve the Chair and the HPLO Administrator to start this process: Dr. Berg</i>			Unanimously Approved
	<b>K. Full Digital Service from the Guam Board of Medical Examiners.</b> NOTE: Reference Agenda Item VII. J., above. <i>Motion to approve the Chair and the HPLO Administrator to start this process: Dr. Berg.</i>			Unanimously Approved
	<b>L. Duty to report.</b> Z. Pecina - HPLO stated that there is a duty to report (twice per year) any discipline termination, revocation and limitation of credentials. The Chair stated that he will be working with HPLO to obtain copies of health provider credentialing policies to ensure there is appropriate wording regarding "a duty" for physicians to self-report. He is hopeful that this effort could be completed in the near-term so that Guam could be recognized as one of the first in the nation to meet this objective. He stated that this would be an opportunity to also address an impaired provider program in addressing mental health and substance abuse issues in consultation with TN, as discussed in Agenda Item VII.D, above, where non-punitive language could be incorporated. The Chair			On-going

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	<p>stated that a webinar with the health providers could potentially be arranged.</p> <p><b>M. Mental Health questions for credentialing.</b> NOTE: Reference discussion in Agenda Item VII. L, above.</p> <p><b>N. Temporary License Application approval process.</b> Motion to approve proposal for drafting of a resolution. The Chair stated that he will be working with the Attorney General's Office in drafting, for GBME consideration, a resolution to expedite the approval process for temporary license applications, as an interim measure prior to legislature adoption i.e., giving the Chair (or designee) and the HPLO Administrator (or designee) the authority to approve temporary licenses outside the Board meeting cycle. Z. Pecina stated that this course of action is in-line with what the GBNE recently approved for temporary licenses.</p>			<p>On-going</p> <p>Unanimously Approved Draft Resolution in Coordination with OAG for GBME Consideration</p>
VIII. New Business	<p><b>A. Complaint(s):</b> <b>1. GBME-CO-2023-003 – Received: 05/01/2023</b> The Chair reported that this case was assigned to Dr Cruz. The case involves a complaint where a daughter of a patient did not have power of attorney; therefore is related to physician-patient privilege. The spouse of the patient subsequently became involved. Therefore, the physician will now be notified of the complaint.</p> <p><b>B. Filed Accusations: Case No. GBME-001-2023.</b> (NOTE: Dr. Berg recused self). The HPLO reported that a Hearing Officer has been assigned to the case.</p> <p><b>C. Application(s) for Full Licensure:</b></p> <p><b>1. Sue X. Ming.</b> The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David.</i></p> <p><b>2. Sheetal R. Deo.</b> The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record and was confirmed to have a US permanent visa card and is currently licensed in FL. <i>Motion to approve: Dr. Berg.</i></p> <p><b>3. Alexander L. Placek.</b> The Board noted the applicant just completed his fellowship and has a clean record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David.</i></p> <p><b>4. Elizabeth E. Culp</b> The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record. There was one reported case, where the applicant was a co-defendant. The case was subsequently dismissed and no fine was issued. <i>Motion to approve: Dr. Berg; 2nd: Dr. David.</i></p>	Dr. Cruz.  GBME  GBME	1650  1652  1654	In Process  In Process  Unanimously Approved Unanimously Approved Unanimously Approved Unanimously Approved

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	<p><b>5. Sang I. Kim</b> The Board noted applicant has a clean National Practitioner Data Bank record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David.</i></p>			Unanimously Approved
	<p><b>6. Michael T. Laroy</b> The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David.</i></p>			Unanimously Approved
	<p><b>7. Michael J.E. Monson</b> The Board noted applicant has a clean National Practitioner Data Bank record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David.</i></p>			Unanimously Approved
	<p><b>8. Chad Andrew Thompson</b> The Board noted the applicant has a clean National Practitioner Data Bank/FCVS record. <i>Motion to approve: Dr. Berg; 2<sup>nd</sup>: Dr. David.</i></p>			Unanimously Approved
	<p><b>D. Application(s) for Temporary Licensure.</b> The Chair stated that the temporary licenses were already approved.</p>	GBME		
	<b>1. Marilyn M. Kioko</b>			Noted
	<b>2. Bishoy Elbebawy</b>			Noted
	<p><b>E. Application(s) for Limited Licensure:</b></p>	GBME		
	<p><b>1. Mona Abutouk</b> The Board noted applicant has a clean National Practitioner Data Bank record. <i>Motion to approve: Dr. Berg; 2<sup>nd</sup>: Dr. David.</i></p>	GBME		Unanimously Approved
IX.	<p><b>Announcement</b> Next regularly scheduled board meeting: <b>Wednesday, August 09, 2023 at 4:00 pm.</b> The Board changed the meeting to accommodate Board members' schedule. The Chair reported that there will be two new Board members: Dr. Alford and Dr. Wieelard. The Chair requested that HPLO inform them of the mandatory Ethics in Government training, so that they could work into their schedule..</p>	GBME	1702	Next Meeting 8/16/2023
X.	<p><b>Adjournment</b></p>	GBME	1705	Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 7/6/2023

Submitted by the GBME Secretary:

Date:

Approved by the GBME with or without changes:



Date: 8/16/2023

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Certified by or Attested by the Chairperson:



Date: 8/16/2023

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