

GUAM BOARD OF MEDICAL EXAMINERS

Wednesday, September 13, 2023 at 4:00 PM

Join Zoom Meeting: <https://us06web.zoom.us/j/81742613826?pwd=VWZjN0YweU9jb2g2WHdlZzE2WVhXUT09>

Meeting ID: 817 4261 3826 Passcode: 503367

MINUTES

Topic	DECISION(S) / ACTION(S) MADE	Responsible Party	Reporting Timeframe	Status		
I.	Call to Order	Meeting Chaired by: Dr. Berg		Chair	1620	Called to Order
	<p>A. Roll Call: GBME <i>Present at HPLO Conference Room</i> <input checked="" type="checkbox"/> Nathaniel B. Berg, M.D., Chairperson <input checked="" type="checkbox"/> Annette David, M.D., Member</p> <p><i>Present Virtually at Remote location:</i> <input checked="" type="checkbox"/> Phil Flores, Vice-Chairperson, Treasurer & Public Member <input checked="" type="checkbox"/> Luis G. Cruz, M.D., Member <input type="checkbox"/> Joleen Aguon, M.D. Note: Dr. Alfred present as a nominee to the GBME; not yet confirmed</p>	OTHERS PRESENT: <i>Present at HPLO Conference Room:</i> Zennia Pecina, HPLO Administrator Baltazar (Tre) Hattori III, HPLO <i>Present Virtually at Remote location:</i> Asst AG Sandra Miller	Chair	1620	Quorum Established	
	B. Confirmation of Public Notice	Chair	1620	Confirmed		
II.	Adoption of Agenda	<i>NOTE: Dr. David noted that GBME001-2023 is not on this agenda so she won't report on this item.</i>		GBME	1620	Adopted
III.	Review and Approval of Minutes	<p>Draft Minutes dated August 16, 2023. The Chair reported that there were only minor typographical errors, and the Board reserves the right to propose any amendments to the minutes, if necessary. <i>Motion to approve: Dr. Berg.</i></p>		GBME	1621	Unanimously Approved
IV.	Treasurer's Report	P. Flores reported the FY 2024 Budget was approved. <i>NOTE: Z. Pecina-HPLO reported that, once the budget is loaded, she will be able to determine how much funding was allocated to the GBME.</i>		Mr. Flores	1623	No Report
V.	HPLO Administrator's Report	<p>Z. Pecina reported the following:</p> <ol style="list-style-type: none"> 1. Board appointments: currently awaiting the appointment of two nominees. She recommends that Dr. Aguon remain on the GBME. 2. Add to October 2023 Agenda: Since Podiatrists and Physician Assistants have been added under GBMEs responsibility, GBME will discuss the officer roles of they could assume on the Board. 		Z. Pecina	1624	

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	3. Ethics in Government Trainings: will be required for the newly appointed Board members. 4. Board's Attorney Workshop: sponsored by the FSMB, 30 Nov-1 Dec. Encouraged Asst AG Miller to attend. 5. On-line applications and payment: GBNE is fully on-line with application process; HPLO intends to bring all HPLO Boards on-line. The schedule for GBME will be provided later. Dr. David suggested that HPLO contact the vendor since she noted some problems with some of the data fields. Z. Pecina stated that the on-line system for GBNE is robust and will be different from the medical fillable form.			
VI.	Chairperson's Report Dr. Berg reported: <ul style="list-style-type: none"> Based on his meeting with the FSMB, he will participate in a work group to help develop policy on physician's re-entry into practice after an extended period (e.g., retire, health reasons, return to USA, etc.), with the aim to have a policy by mid-2024. The FSMB is currently considering a re-entry program if a physician has not been out-of-practice for 3 years or more. Dr. Alfred offered some examples as to why the length of time for being out-of-practiced should be re-considered. Dr. Berg stated that he would inform the work group, however, he stated that the FSMB is addressing the issue to determine a uniform policy to apply for all states and jurisdictions. He also stated that he will continue to work with TN on developing a Licensed Professional Impairment Program. The name of the program is also being considered. He stated that the Board should consider sending a communique to physicians that self-reporting would not have a detrimental impact on their record or be punitive and that the information would remain confidential. He suggested that this issue be added to the agenda at the next meeting. 	Dr. Berg	1633	Noted
VII.	Old Business A. Complaint(s): <ol style="list-style-type: none"> GBME-CO-20-005 – Received: 09/18/2020. Dr. Cruz stated that he is still waiting to meet with Attorney Visosky. NOTE: Z. Pecina provided clarification on the attorney's role working for the Board (an advisory role) versus the procured attorneys by HPLO, who are assigned to address issues beyond the Board's responsibility, e.g., conduct investigations, litigate, etc. GBME-CO-2022-002 – Received: 01/06/2022. The Chair reported that the complaint is still under review by GMHA and undergoing final adjudication. NOTE: The physician is currently not practicing in Guam. 28.05 GBME-CO-2022-003 – Received: 01/24/2022. The Chair reported the complaine is still complying with the substance abuse treatment program. In addition, his current employer has stated there are no concerns at this time. He is currently being monitored. GBME-CO-2022-010 – Received: 06/21/2022. NOTE: Dr. Aguon is not in attendance. 	GBME Dr. Cruz Dr. Berg Dr. Berg Dr. Aguon	1642 +35	In Progress In Progress In Progress Tabled

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	<p>5. GBME-CO-2023-002. The Chair reported that this case is not a medical issue, which he believes may be resolved amicably between the complainant and the complainee. He assigned this case to Mr. Flores.</p>	Dr. Berg		Assigned to P. Flores
	<p>B. Request for Hearing: GBME-DPA-2022-01. The Chair reported that the GBME denied the request for a hearing and the applicant subsequently appealed. In addition, the Chair stated that the applicant was denied a license in other states and jurisdictions. The Chair recommended that the appeal be reviewed for a subsequent decision. Dr. David recommended that the Board members also review the Medical Practice Act to ensure there is a clear understanding of the GBME role.</p>	GBME		Review Appeal and Medical Practice Act. Agenda for Next Meeting
	<p>C. Application(s) for Full Licensure.</p>	Dr. Berg		
	<p>1. Praveena Madapathi. Dr. Berg reported a clean NPDB record. NOTE: pending verification of her ability to work in the USA. <i>Motion to conditionally approve pending submission of proof to work in the USA: Dr. Berg; 2nd: Dr. David</i></p>			Unanimously Conditionally Approved
	<p>2. Maheswara S. Golla. Dr. Berg reported a clean NPDB record. NOTE: Certificate of Residency was submitted. <i>Motion to approve: Dr. Berg; 2nd: Dr. David</i></p>			Unanimously Approved
VIII.	New Business			
	<p>A. Complaint(s):</p> <p>1. GBME-CO-2023-004 – Received: 07/31/2023. Dr. Berg reported that the complaint meets the requirement for a GBME review; therefore, the complaint will be forwarded to the complainee. The Chair stated that the complaint had also been posted on social media, where some personal attacks were made toward some GBME members. Mr. Flores volunteered to review this complaint.</p>	GBME	1659	Assigned to Mr. Flores
	<p>B. Resolution 2023-01: Relative to The Delegation of Authority to The Executive Officer and Chairperson of The Guam Board of Medical Examiners. The Chair summarized that this Resolution would allow temporary licenses to be approved outside GBME Board meetings or when it does not have a quorum, provided the applicant meets certain criteria, e.g., clean NPDB record, proof of payment, etc. He stated that the Resolution will be circulated for Board signature.</p>	GBME		Sign the Resolution
	<p>C. Rules & Regulations</p>	GBME		On-going
	<p>D. Application(s) for Full Licensure:</p>			
	<p>1. Jason Chiu-Yuen Wood. Dr. David reported that CA TX no adverse actions in the NPDB, FSMB or FCVS; however, since 2010 he has been working outside the US. The Chair stated that, although this situation will be addressed by the FSMB work group, he suggested that GBME stand-by the 3-year rule. He emphasized that all applicants be treated equally even though they may be extremely qualified. Until a uniformed policy is established, the</p>	GBME		Deferred Decision/Offer to Participate in an Recognized Re-entry

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	<p>GBME should refrain from a subjective review. The Chair recommended to defer and offer the applicant to enroll in a re-entry program. <i>Motion to defer the approval and offer for applicant to participate in a recognized re-entry program: Mr. Flores; 2nd: Dr. David.</i></p>			Program
	<p>2. Christopher R. Tainter. Dr. David reported that the applicant has a temporary license and clean NPDB record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David</i></p>			Unanimously Approved
	<p>3. Joe Miller. Dr. David reported that the applicant self-reported one liability judgement, however, upon review, it was determined that he met the standard of care; therefore, it was not reported in the NPDB nor was it reported in the AMA Report. <i>Motion to approve: Dr. Berg; 2nd: Dr. David</i></p>			Unanimously Approved
	<p>4. Ian M. Blubaugh Dr. David reported that the applicant has a clean NPDB and FSMB record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David</i></p>			Unanimously Approved
	<p>5. Ghassan Samaha Dr. Berg reported that the applicant has a clean NPDB record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David</i></p>			Unanimously Approved
	<p>6. Bishoy Elbebawy Dr. Berg reported that the applicant has a clean FCVS and NPDB record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David</i></p>			Unanimously Approved
	<p>7. Gabrielle S. Johnson Dr. Berg reported that the applicant has a clean NPDB record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David</i></p>			Unanimously Approved
	<p>8. Keith R. Glenn Dr. Berg reported that the applicant has a clean NPDB record. <i>Motion to approve: Dr. Berg; 2nd: Dr. David</i></p>			Unanimously Approved
	<p>E. Application(s) for Reinstatement of Licensure.</p>			
	<p>1. Jared W. Santana Dr. David reported that the applicant has a clean NPDB record; however, he self-reported a disciplinary action for failure to sign a death certificate with the required 5-day period. He completed all required actions to remedy the discrepancy.</p>	GBME		Noted
	<p>E. Collaborative Practice Agreement. The Chair reported that the Chair of the GBAHE had approved this applicant. There is no action required by the GBME; however, he will sign off on the application and forward it to the Chair, GBEP, who also requires a</p>			Noted

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	<p>review to ensure applicants are authorized to prescribe the required medicine for the particular specialty. NOTE: The Chair stated that he would determine whether this type of agenda item needs to be placed on future GBME agendas.</p> <p>1. Jason R. Hannibal, PA-C</p> <p>F. Full Licensure Renewals 2023 – (see attached listing). The Chair stated that the GBME had decided to conduct a random audit review of 10% of the renewal applications. Dr. David reported that she reviewed 16 observations and made the following discrepancies on two of the applicants:</p> <ol style="list-style-type: none"> 1. CMEs were performed outside the USA; therefore, the CEUs did not meet the required certification, e.g., AMA, AOA; therefore, the applicant will have to submit US-based accredited CEU certifications. 2. CMEs 2021-2023: Although CEUs were completed in the required calendar years; they were not completed within a 24-month timeframe. 3. Provide Certificates that state what the CME credit is, or the number of CUE credits awarded; therefore, the actual CME certificates would need to be provided. <p>NOTE: The Chair requested that the HPLO take the above comments into account when reviewing the applications for completeness. If there are discrepancies, highlight them and notify any of the Board members if you are in doubt. In addition, he requested other Board members to help review the applications.</p> <p><i>Motion to approve the attached list of renewal applications (except 27 and 31): Dr. Berg; 2nd; Dr. David. Recommend same attorney attendance at national meeting.</i></p>	GBME		Un: A (e a	
IX.	Announcement	Next regularly scheduled board meeting: Wednesday, October 11, 2023 at 4:00 pm.	GBME	1730	Nes
X.	Adjournment	<i>Motion to Adjourn: Dr. Berg; 2nd Mr. Flores</i>	GBME	1732	A.

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 9/19/2023

Submitted by the GBME Secretary:

Date:

Approved by the GBME with or without changes:



Date: 10/13/2023

Certified by or Attested by the Chairperson:



Date: 10/13/2023