

GUAM BOARD OF MEDICAL EXAMINERS

Tuesday April 18, 2023 at 4:00 PM

Join Zoom Meeting: <https://us06web.zoom.us/j/82450761244?pwd=MTRiSEczOFRTaTJlRTd0WkdPLzZyUT09>

Meeting ID: 824 5076 1244; Passcode: 12838

9MINUTES

Topic	DECISION(S) / ACTION(S) MADE	Responsible Party	Reporting Timeframe	Status
I.	Call to Order	Meeting Chaired by: Chairperson, Dr. N. Berg		Chair 1608 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 <i>Present Virtually at Remote location:</i> <input checked="" type="checkbox"/> Phil Flores, Vice-Chairperson, Treasurer & Public Member <input checked="" type="checkbox"/> Arania Adolphson, M.D., Secretary <input checked="" type="checkbox"/> Luis G. Cruz, M.D., Member <input type="checkbox"/> Joleen Aguon, M.D. <input type="checkbox"/> Annette David, M.D., Member</p>	<p>OTHERS PRESENT: <i>Present at HPLO Conference Room:</i> Baltazar (Tre) Hattori III (HPLO) <i>Present Virtually at Remote location:</i> Zennia Pecina, HPLO Administrator Shania Nitara, Office of Attorney V. Williams Joseph McDonald, Esq. Eddy Reyes, FLAME TREE Freedom Center</p>	Chair 1608	Quorum Established
	B. Confirmation of Public Notice advertised in the Pacific Daily News: 4/11 and 4/14/2023.	Chair	1609	Confirmed
II.	Adoption of Agenda	<i>Motion to Adopt the Agenda: Dr. Berg; 2nd: P. Flores</i>		GBME 1609 Unanimously Adopted
III.	Review and Approval of Minutes	Draft Minutes dated March 15, 2023 <i>Motion to approve: P. Flores; 2nd: Dr. Berg</i>		GBME 1609 Unanimously Approved
IV.	Treasurer's Report	The Treasurer stated that the financial status presented at the last meeting is basically the same and he assess that there is sufficient funding for the remaining of this fiscal year.		Mr. Flores 1610 Noted
V.	HPLO Administrator's Report	Z. Pecina reported the following: <ol style="list-style-type: none"> 1. Board members to attend the Ethics in Government training, which is anticipated to be completed in May. 2. Asst AG Weinberg is no longer assigned as HPLO legal counsel; she will determine the status with the OAG and set-up a meeting with the Chair, as required. 		Z. Pecina 1611 HPLO to Consult with OAG

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VI.	Chairperson's Report	Dr. Berg	1610	On-going Initiative for On-line Application Review
VII.	Old Business	A. Complaint(s):		GBME
		1. GBME-CO-20-005 – Received: 09/18/2020. NOTE: Since this is the last meeting for Dr. Adolphson, this complaint will be assigned to another Board member.	Dr. Adolphson	No update
		2. GBME-CO-2021-011 – Received: 11/17/2021. NOTE: Dr. Berg recused himself from this agenda item. Attorney Mc Donald reported that the investigative portion is complete, and he is ready to recommend disciplinary action and the necessary filings for Board consideration. He, therefore, proposed a special session to address this agenda item to include GBME-CO-2022-23, with the licensee and his attorney present. He further stated that the OAG is in the process of moving forward with prosecution of the case in court. Although the Board initially motioned to proceed in a special session, the Board agreed to attempt to deal with the complaint at the May Board meeting, when Dr. David is anticipated to be present. <i>Motion to table this item and schedule this item to be addressed at the May meeting: P. Flores; 2nd: Dr. Cruz.</i>	Dr. David	Tabled: Address at the Next Meeting
		3. GBME-CO-2022-002 – Received: 01/06/2022. The Chair reported that the case has been appealed with GMHA; however, he reassured the Board that the licensee is currently not practicing in Guam and is no risk to the public.	Dr. Berg	Tabled
		4. GBME-CO-2022-003 – Received: 01/24/2022. Dr. Cruz reported that the licensee failed to respond to his request for an update. In addition, a new plea agreement is being addressed since the initial plea agreement was withdrawn. The Chair recommended that Dr. Cruz remind the licensee of the importance of providing timely periodic updates since this is his second offense, as well as to inform the licensee's employer of the same, to include verifying there are no issues of concern.	Dr. Cruz	On-going
		5. GBME-CO-2022-006 – Received: 02/10/2022. NOTE: Dr. Berg recused himself from this agenda item. See discussion above under Agenda Item VII.A.2, above.	Dr. David	Tabled
		6. GBME-CO-2022-010 – Received: 06/21/2022.	Dr. Aguon	On-going

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	B. Discussion of Telemedicine – Continued.	Dr. Adolphson, GBME		Tabled
	C. Public Law 117-333. The Chair stated that the Board noted the U.S. mandate and will address any issues as they may arise. (NOTE: No issues to date)	GBME	1631	No Issues to date
	D. Application(s) for Full Licensure: The Chair stated that he contacted GMRC, who indicated that licensure approval is not an immediate need. (NOTE: The Chair to address issues with FSMB, e.g., not practicing in U.S. states/jurisdictions.			
	1. Gregorio S. Martinez Jr.		1633	Tabled
	2. Patrick R. Carpo			Table
VIII.	New Business			
	A. Complaint(s):	GBME	1634	
	1. GBME-CO-2023-001 – Received: 03/17/2023 The Chair stated that he reviewed the complaint; however, he requires additional clarification from the complainant to better understand the basis for the complaint and determine if the complaint is within the Board's jurisdiction.			Tabled
	2. GBME-CO-2023-002 – Received: 03/28/2023 (NOTE: Dr. Adolphson recused herself due to potential conflict of interest). The Chair provided an overview of the complaint and stated that the licensee made an effort to refer the complainant to another physician. He also stated that the complainant was not an established patient with the licensee. The Chair assessed that the complaint did not rise to the level of the Board's responsibilities; therefore, recommended that the complaint be dismissed. <i>Motion to dismiss: P. Flores; 2nd: Dr. Berg.</i>			Unanimously Dismissed
	B. Application(s) for Full Licensure:	GBME	1711	Unanimously Approved
	1. Scott C. Dulebohn Dr. Berg reported a clean record with the National Practitioner's Data Base (NPDB). <i>Motion to approve: Dr. Berg; 2nd: Dr. Cruz</i>			Unanimously Approved
	2. Leslie Rea Kallevang Dr. Berg reported a clean record with the NPDB. <i>Motion to approve: Dr. Berg; 2nd: Dr. Cruz</i>			Unanimously Approved
	3. Honorio Manuel Valdes Murua (MEXICO) Dr. Berg reported a clean record with the NPDB; however, the applicant only provided a three year (vice the required 5-year background); therefore, he recommended that approval upon submission of additional background information. <i>Motion to approve upon submission of additional information: Dr. Berg; 2nd: Dr. Cruz</i>			Unanimously Approved upon Submission o

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				Additional Information
	<p>4. Siting Chen Dr. Berg stated that, although the applicant had a clean record with the NPDB, the applicant did not fully comply with the application process (i.e., used white-out for corrections and did not provide the address of medical school). The Chair stated that he would also contact the GMRC Medical Director to also screen the application to ensure applications are completed correctly. <i>Motion to table: P. Flores; 2nd: Dr. Cruz.</i></p>			Unanimously Tabled; Applicant to Submit a Corrected Application
	<p>5. James M. Day Dr. Berg reported a clean record with the NPDB. The applicant also provided an explanation for the extra year of residency (participation in global health fellowship). <i>Motion to approve: Dr. Berg; 2nd: Dr. Cruz</i></p>			Unanimously Approved
	<p>6. Gerald Ming Dr. Berg reported a clean record with the NPDB. <i>Motion to approve: Dr. Berg; 2nd: Dr. Cruz</i></p>			Unanimously Approved
	<p>7. Christine J. Park Dr. Berg reported that he observed discrepancies in her application (e.g., no work history for two years, failed to report exam failure), which was also identified by the Federation Credentials Verification Service. <i>Motion to table until an application is clarified and resubmitted: Dr. Berg; 2nd: Dr. Cruz</i></p>			Unanimously Tabled; Applicant to Submit a Corrected Application
	C. Application(s) for Temporary Licensure.			
	<p>1. Kris A. Hanchett Dr. Berg reported that, although there are several gaps in employment, they are less than the two-year reporting requirement; the applicant has been seeking employment since March 2022. The applicant has a clean record with the NPDB. Since there are no reasons to deny temporary licensure, he recommended approval; however, should the applicant pursue full licensure, then he recommended further scrutiny regarding the details of his employment history and clarification on his 23-year history with the Veterans Administration. <i>Motion to approve: Dr. Berg.</i></p>			Unanimously Approved
	<p>2. Gerald Anthony L. Cox Dr. Berg reported a clean record with the NPDB. Should the applicant seek full licensure, then clarification to Question 4 is needed since non-recognized specialties are listed. In addition, the SDA clinic would need to clarify this, as well. <i>Motion to approve: Dr. Berg</i></p>			Unanimously Approved

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	<p>3. Arthur E. Bagabag. Dr. Berg reported clean record with the NPDB. <i>Motion to approve: Dr. Berg</i></p>			Unanimously Approved
	<p>4. Veeraiah Chundu. Dr. Berg reported clean record with the NPDB. <i>Motion to approve: Dr. Berg.</i></p>			Unanimously Approved
	<p>5. Emily Harvey-Garcia Dr. Berg reported that the applicant does not meet the criteria for temporary licensure (i.e., did not complete three years of training). <i>Motion to deny: Dr. Berg; 2nd: Dr. Cruz</i></p>			Unanimously Denied
	<p>D. Application(s) for Reinstatement: 1. Michael J. Torres <i>Motion to approve: Dr. Berg</i></p>			Unanimously Approved
	<p>E. Interstate Medical Licensure Compact Commission (IMLCC): Dr. Berg reported the following applicants were approved under the IMLCC process. 1. Michelle L. Rose 2. Nathaniel Han-Yin Loo 3. Daniel J. Ferraro 4. Clarice M. Montecalvo 5. Jesse K. Giffhorn 6. William Smith</p>			Noted
	<p>F. Collaborative Practice Agreement: 1. Brian C. Creghan 2. Alicia K. Lodhia NOTE: Dr. Berg reported no issues or concerns. Applicants are supervised by licensed practitioners and were approved by other HPLO Boards; therefore, he would sign the agreement.</p>			Dr. Berg to Sign Agreement
	<p>G. Cybersecurity – Office of Technology Government of Guam. B. Hattori-HPLO reported that OTECH was unable to attend the meeting since it was addressing some technical issues. Furthermore, OTECH stated that is would response to and be present at the May meeting. The Chair and Vice-Chair conveyed the importance of cyber-security and the need to have robust testing in place. In addition, the Chair recommended that the Board eventually consider developing proposed policy and updating its rules and regulations to ensure the protection of confidential patient and licensee information. In addition, the Chair will discuss this important issue with the FSMB.</p>			Tabled
IX.	<p>Announcement 1. Next regularly scheduled board meeting: Wednesday, May 10, 2023 at 4:00 pm.</p>	GBME	1735	Set Next Meeting Date

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	2. On behalf of the Board, the Chair expressed a very sincere appreciation to Dr. Adolphson for exemplary service and significant contributions to the GBME, as well as for helping make Guam a better place to practice medicine. 3. The Chair also informed the Board that the names of two applicants for Board members is currently under consideration.			
X.	Adjournment	Motion to Adjourn: Dr. Berg; 2 nd : Dr. Cruz		GBME 1736 Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 4/19/2023

Submitted by the GBME Secretary:

Date:

Approved by the GBME with or without changes:



Date: 5/19/2023

Certified by or Attested by the Chairperson:



Date: 5/19/2023