

**GUAM BOARD OF MEDICAL EXAMINERS**

Department of Public Health and Social Services

Health Professional Licensing/EMS

Wednesday, May 12, 2021 4:00 P.M.

**VIRTUAL – REGULAR BOARD MEETING**

Access Code: 301-069-637

**MINUTES**

**MEMBERS PRESENT:**

- Dr. Nathaniel Berg, Chairperson
- Mr. Philip Flores, Vice Chairperson & Public Member
- Dr. Annie Bordallo, Member
- Dr. Arania Adolphson, Member
- Dr. Annette David, Member
- Dr. Scott R. Shay, Member
- Dr. Luis Cruz, Member

**OTHERS PRESENT:**

- Robert Weinberg, Assistant Attorney General
- Zennia Pecina, HPLO Administrator
- Ciana Galindo, HPLO Board Secretary
- Shania Nitara, Law Office of Vanessa Williams
- Chantay Benitez, FLAME TREE Freedom Center
- Eddy Reyes, FLAME TREE Freedom Center


TOPIC	DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	STATUS
I. CALL TO ORDER	<p>CALLED TO ORDER: 4:17 PM</p> <p>A. Roll Call</p> <p>B. Confirmation of Public Notice advertised in the PDN. 5-day Advertisement 2-day Advertisement</p>	CHAIR	4:17	Confirmed
II. ADOPTION OF AGENDA	Adoption of Agenda.	GBME	4:19	Adopted
III. REVIEW AND APPROVAL OF MINUTES	The Board stated no objections and therefore approved minutes dated April 14, 2021.	GBME	4:19	Approved
IV. TREASURER REPORT	No report as the GBME Treasurer is absent.	VICE CHAIR	4:20	No Report
V. HPLO ADMINISTRATOR'S REPORT	HPLO Admin has nothing new to report.	HPLO ADMIN	4:20	No Report

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<b>VI. CHAIRPERSON'S REPORT</b>	<p>A. Procedure of notification of complaints – Licensee</p> <ul style="list-style-type: none"> <li>- NOTE: Not specifically addressed in the report.</li> </ul> <p>B. Rules and Regulations</p> <ul style="list-style-type: none"> <li>- The Board would like to bring the Rules and Regulations up to date. Chairperson reviewed the draft Rules and Regulations provided by Asst AG Weinberg. As the Board members review the current draft for finalization, pay close attention to the rules of the investigators, the Chair, and the roles of each position played on the GBME. By July, it is anticipated that the draft would be thoroughly reviewed by section during each work session.</li> </ul> <p>C. Ethics Training</p> <ul style="list-style-type: none"> <li>- In July, a lecture on Ethics will be presented by Asst AG Weinberg; anticipate two evening, two-hour, sessions.</li> </ul> <p>D. Case Discussions</p> <ul style="list-style-type: none"> <li>- Asst AG Weinberg reminded the Board that discussions should be limited to cases that are not under current investigation, i.e., new cases. The Investigators are expected to provide conclusions, which may include queries to and input from the Board. Otherwise, the cases shall not be discussed unless presented to the Board. Reminder: The Board needs to place strict attention to HIPAA compliance in discussing cases both in names of complainants and persons, who are being accused. All patient information should be kept extremely private.</li> </ul> <p>E. Website</p> <ul style="list-style-type: none"> <li>- Board members should submit their photos to HPLO or Guam Webz to populate the new website for the Board. The website project is necessary to ensure GBME is compliant with the law in providing information to the public online.</li> </ul>	CHAIR	4:30	Noted
<b>VII. OLD BUSINESS</b>	<p>A. GBME-CO-19-010 – on-going – Dr. Adolphson</p> <ul style="list-style-type: none"> <li>- Chairperson reported that the funding for outside investigators has been identified by the HPLO Administrator. There are about 6 or 7 physician reviewers that HPLO is trying to secure to review HPLO Board cases. Funding is identified and required documents have been submitted to the Public Health buyer, however, there are new requirements for three vendor numbers per specialty to be submitted to GSA. HPLO is working on requesting this from multiple physicians.</li> <li>- For this particular case, GBME already selected an outside investigator, but the</li> </ul>	GBME	4:30	On-going

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	<p>Board needs to get two other quotes for HPLO to select the lowest offer.</p> <p>B. GBME-CO-19-012 – on-going – Dr. Bordallo</p> <ul style="list-style-type: none"> <li>- There is an on-island specialist that said they will review the case for free if they are given anonymity, however, Asst AG Weinberg stated this is not allowed because it would violate current Procurement Law.</li> <li>- There is nothing else to report at this time.</li> </ul> <p>C. GBME-CO-19-013 – on-going – Dr. Bordallo</p> <p>D. GBME-CO-19-014 – on-going – Dr. Bordallo</p> <p>E. GBME-CO-19-015 – on-going – Dr. Bordallo</p> <p>F. GBME-CO-19-016 – on-going – Dr. Bordallo</p> <p>G. GBME-CO-19-017 – on-going – Dr. Bordallo</p> <p>H. GBME-CO-20-001 – on-going - Dr. Bordallo</p> <p>I. GBME-CO-20-002 – on-going – Mr. Flores</p> <ul style="list-style-type: none"> <li>- HPLO Admin reported a reviewer has made recommendations on this, however, the Board will await Mr. Flores' return to share the conclusions at the next meeting.</li> </ul> <p>J. GBME-CO-20-004 – on-going – Dr. Cruz</p> <ul style="list-style-type: none"> <li>- This case is requiring an off-island specialist. There is nothing else to report at this time.</li> </ul> <p>K. GBME-CO-20-005 – on-going – Dr. Adolphson</p> <p>L. GBME-CO-20-006 – on-going – Dr. Adolphson</p> <p>M. GBME-CO-20-007 – on-going – Dr. Adolphson</p> <ul style="list-style-type: none"> <li>- At the advice and request of Counsel, the Chair has agreed to release the responses to the complainant from the physicians with whom the complaint is against.</li> <li>- HPLO Administrator shares they have three pediatricians and vendor numbers to review these cases (CO-20-005 to 007) so it should be able to move forward.</li> </ul> <p>N. GBME-CO-20-008 – on-going - Dr. David</p> <p>O. GBME-CO-20-009 – on-going - Dr. Cruz</p> <ul style="list-style-type: none"> <li>- There are some records that are still needed to support the review and Dr. Cruz requested from HPLO Staff to assist in getting those records from GRMC.</li> </ul> <p>P. GBME-CO-21-002 – on-going – Dr. Cruz</p> <ul style="list-style-type: none"> <li>- There are some records that are still needed to support the review and Dr. Cruz requested from HPLO Staff to assist in getting those records from GRMC.</li> </ul> <p>Q. GBME-CO-21-003 – on-going – Dr. Berg</p> <ul style="list-style-type: none"> <li>- The Chairperson contacted the Physician who said that their response was emailed to the Chairperson, but it cannot be found. This case is anticipated to</li> </ul>			

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	<p>be closed.</p> <p><b>R. FULL LICENSE:</b></p> <ol style="list-style-type: none"> <li>1. Warren S. Krackov <ul style="list-style-type: none"> <li>-The Board reviewed the application and found no issues.</li> <li>- <i>Motion to Approve: Dr. Bordallo 2<sup>nd</sup>; Dr. Adolphson</i></li> </ul> </li> <li>2. Sophana Karnchanasum – (Received U.S passport). <ul style="list-style-type: none"> <li>-The Board reviewed the application and found no issues.</li> <li>- <i>Motion to Approve: Dr. Bordallo 2<sup>nd</sup>; Dr. Adolphson</i></li> </ul> </li> </ol> <p><b>S. REINSTATEMENT LICENSE:</b></p> <ol style="list-style-type: none"> <li>1. Abner P. Pasatiempo – Psychiatry – On-going <ul style="list-style-type: none"> <li>- This case is still under investigation, no further information to report.</li> </ul> </li> </ol> <p><b>T. GBME-AP-2020-001 – On-going – Dr. Adolphson</b></p> <ul style="list-style-type: none"> <li>- The Board will make sure that his entire application is reviewed in detail before next month, and, if there is any additional information, they need from him, they will give him time to address any other issues beyond those that led to the decision by the Board not to allow his licensure.</li> </ul> <p>Asst AG Weinberg requested that any Board member working on this case or any other case, work directly with him.</p>			<p>Approved</p> <p>Approved</p> <p>On-going</p> <p>On-going</p>
<b>VIII</b>	<p><b>NEW BUSINESS</b></p> <p><b>A. GBME-CO-2021-004 – Dr. Luis Cruz</b></p> <ul style="list-style-type: none"> <li>- Due to conflicts with this case, the following Board Members will recuse themselves for the Board’s discussion/decision: Mr. Flores, Dr. Berg, and Dr. Scott Shay.</li> <li>- The Board decided to table this discussion until next month when there is a quorum without Mr. Flores, Dr. Berg and Dr. Shay.</li> </ul> <p><b>B. FULL LICENSE</b></p> <ol style="list-style-type: none"> <li>1. Koji S. Iizuka <ul style="list-style-type: none"> <li>a. The Board reviewed the application and found no issues.</li> <li>- <i>Motion to Approve: Dr. Bordallo 2<sup>nd</sup>; Dr. Adolphson</i></li> </ul> </li> <li>2. Nhat Nguyen T. Nguyen <ul style="list-style-type: none"> <li>a. The Board determined that the applicant had provided an incorrect response to a question on the application since it contradicted another statement pertaining to being placed on academic “conditional status”. Therefore, tabled that this application until this issue is clarified.</li> <li>b. HPLO Staff will send a letter to the applicant for clarification. <i>Motion to Table: Dr. Berg 2<sup>nd</sup>; Dr. Bordallo</i></li> </ul> </li> </ol>	<p>GBME</p> <p>GBME</p>	<p>4:49</p> <p>4:53</p>	<p>Tabled</p> <p>Approved</p> <p>Tabled</p>

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	<p>3. Gary Lee Roark</p> <p>a. The Board reviewed the application and found no issues. - Motion to Approve: Dr. Bordallo 2<sup>nd</sup>; Dr. Adolphson</p> <p>C. TEMPORARY LICENSE</p> <p>1. Danielle Mason</p> <p>a. The Board reviewed the application and found no issues. - Motion to Approve: Dr. Bordallo 2<sup>nd</sup>; Dr. Adolphson</p> <p>D. REINSTATEMENT OF LICENSE</p> <p>1. Aftab Ahmad Chaudhry</p> <p>a. The Board reviewed the application and found no issues. - Motion to Approve: Dr. Bordallo 2<sup>nd</sup>; Dr. Adolphson</p> <p>E. IMLC</p> <p>1. Justin Pearlman - Maine</p> <p>a. Applicant lives in Massachusetts and tele-works in Maine, however, he doesn't live in Maine. Since Maine found no issues with the information provided and he is Board-certified, GBME approved. - Motion to Approve: Dr. Bordallo 2<sup>nd</sup>; Dr. Adolphson</p>	GBME	4:56	Approved
VIII. OTHER BUSINESS	<p>A. Next regular schedule meeting – <b>Wednesday, June 9, 2021 at 4:00 pm</b> in the HPLO Board, Suite 213, Terlaje Professional Bldg. Hagatna. Motion: Dr. Berg; 2<sup>nd</sup> Dr. Bordallo</p>	GBME	5:02	Noted
ADJOURNMENT		Chair	5:07	Adjourned

Reviewed by:  Secretary / Date

Approved by:  Chairperson / Date

Minutes by: Chantay Benitez, FLAME TREE Freedom Center, Inc.