

MEDICAL LICENSING BOARD OF INDIANA

Met THROUGH VIDEO and AUDIO CONFERENCING

<https://IndianaEnhanced.Webex.com/join/PLAWebex>
(240) 454-0887 and entering meeting room # 610 915 440

Minutes of September 23, 2021

Kirk Masten, D.O., Vice President, called the meeting to order at 8:36 a.m. and declared a quorum in accordance with IC 25-22.5, pursuant to public notice posted online at the Board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Board Members Present:

Kirk Masten, DO
Victoria McCann, JD
Bharat Barai, MD
Rebecca Mueller, MD

Board Members Absent:

John Strobel, MD
Heidi Dunniway, MD
Michael Busk, MD

PLA Staff:

Laura Turner, JD
Christine Cowdin

Advisory Counsel:

Adam Harvey, JD

The Board voted by roll call to adopt the agenda as amended.

Barai/McCann 4-0-0
Motion carries

Personal Appearances

Michael Gieske, MD, Initial application – Failure to Disclose:

Dr. Gieske appeared telephonically and was represented by counsel, James Bell, regarding failure to disclose on his initial application.

Dr. Gieske discussed an incident from March 1999, he had a DUI that was dismissed and resolved. It was his understanding that it was expunged. Charge was reduced to reckless driving.

After getting legal advice for this, Dr. Gieske realized the fine nuances between legal terminology.

MEDICAL LICENSING BOARD OF INDIANA

Dr. Gieske's intentions in Indiana are to transition in his career, currently busier than ever working in SE Indiana and OH working as a collaborator to APRNs as head of virtual health.

After discussion the Board moved to APPROVE Dr. Gieske's application.

Barai/Mueller 4-0-0
Motion carries

Destiny Hooper, MD, Initial application – Failure to Disclose:

Dr. Hooper appeared telephonically and was not represented by counsel regarding failure to disclose on her initial application.

Dr. Hooper stated that she "did not fail to disclose anything", was expunged under CA code.

Board asked for copy of Order showing expungement, applicant did not have copy of Order.

Dr. Hooper stated, "I need this license now, I would prefer not to deal with the court system in CA, would cause significant delay, I do not understand why you need this".

After discussion the Board moved to DENIED Dr. Hooper's application.

Mueller/Masten 3-1-0
Motion carries

Abbas Chamsuddin, MD, Initial application – Failure to Disclose:

Dr. Chamsuddin did not appear for scheduled appearance.

Taryn Fernandes, MD, Initial application – Positive response:

Dr. Fernandes appeared telephonically and was not represented by counsel regarding a positive response on his initial application.

Dr. Fernandes discussed an incident in 2008, she was charged with a DUI, went out with friends, got into an argument with her boyfriend so she attempted to drive home. She was fined \$2,000, received 10 days community service, nine months drug and alcohol classes.

Dr. Fernandes completed her training in IL, did not receive an IL license, stated she did not do 3 years of postgrad training, had difficulty after the first year and thought it was in her best interest to withdraw. She was asked to discontinue with program, there is a lawsuit involved that I cannot discuss, an event happened. Last saw a patient in 2019 in residency \.

After discussion, the Board moved to TABLE Dr. Fernandes's initial application until additional information is received: we need termination information and would like you to have completed residency position in your field.

Barai/Masten, 4-0-0
Motion carries

MEDICAL LICENSING BOARD OF INDIANA

Cyrus Tamboli, MD, Initial application for temporary license – Positive response:

Dr. Tamboli appeared telephonically and was represented by counsel, Joshua Timmons, regarding a positive response on his initial application.

Dr. Tamboli came to IN from AR, has a locum tenens job lined up at Terre Haute Hospital.

Dr. Tamboli discussed that he was investigated by the Iowa Board in 2010 regarding information disclosed on his renewal regarding an arrest that led to the IA Board issuing a non-disciplinary confidential letter of warning on July 12, 2011.

After discussion, the Board moved to APPROVE Dr. Tamboli's request for a temporary license.

Masten/Barai 4-0-0
Motion carries

Michael Skehan, MD, license 01030034A – Renewal of Provisional License

Dr. Skehan appeared telephonically and was not represented by counsel regarding his request to renew his provisional license.

Dr. Skehan last saw a patient in 2006 when he became CEO of Arnett Hospital. Had worked in rheumatology from the 1980s to the late 1990s.

Dr. Skehan is not a chief medical officer in FL at what used to be the Cleveland Clinic

After discussion, Dr. Skehan requests to WITHDRAW his renewal.

After further discussion, the Board moved to APPROVE Dr. Skehan's request to withdraw.

CONSENSUS
Motion carries

Yukako Suzuki, MD, license 01083621A – Renewal of Provisional License

Dr. Suzuki appeared telephonically and was not represented by counsel regarding his request to renew his provisional license.

Dr. Suzuki started her re-entry program at IU hospital in September 2020.

After discussion, the Board moved to APPROVE Dr. Suzuki's request to renew her provisional license.

McCann/Barai 4-0-0
Motion carries

MEDICAL LICENSING BOARD OF INDIANA

Walter Uyesugi, DO, license 02003379A – Renewal - Positive response

Dr. Uyesugi appeared telephonically and was not represented by counsel regarding his positive response on license renewal.

Dr. Uyesugi discussed medical malpractice case disclosed on renewal application that stemmed from an incident that occurred in NC in 2010 that ended up with a consent order issued by NC in 2019. Dr. Uyesugi, a radiologist, is licensed in 37 states. There has been a cascade of reprimands and fines in a handful of states as he renews his licenses and discloses the consent order.

After discussion, the Board moved to APPROVE Dr. Uyesugi's renewal application.

Barai/McCann 4-0-0
Motion carries

Srinivas-Prasad Jolepalem, MD, license 01064406A – Renewal - Positive response

Dr. Jolepalem appeared telephonically and was not represented by counsel regarding positive response on license renewal.

Dr. Jolepalem discussed IL consent order that placed his IL license on probation until 4.5.2022. His IL license was previously suspended 4.27.2020 – 5.27.2020 stemming from suspension of WI license in July 2017.

After discussion, the Board moved to RENEW Dr. Jolepalem's license ON PROBATION with terms and conditions.

Barai/McCann 4-0-0
Motion carries

William Pryatel, Jr., MD, License number 01039190A – Renewal - Positive response:

Dr. Pryatel appeared telephonically and was not represented by counsel regarding a positive response on renewal application.

Dr. Pryatel's specialty is psychiatry and he is licensed in TX, WY, CA, ND, NM, IA, MI, and has applied in MN.

Dr. Pryatel has not worked since 7.5.2021. Was terminated from his last position at a hospital in ND, they declined to give a reason for the termination.

Dr. Pryatel looking for a locum tenens position in IN.

After discussion the Board moved to TABLE Dr. Pryatel's renewal application for: additional information related to the termination in July 2021 from ND hospital

MEDICAL LICENSING BOARD OF INDIANA

Masten/Barai, 4-0-0
Motion carries

Theodore Miller, MD, license 01062848A – Renewal - Positive response

Dr. Miller appeared telephonically and was not represented by counsel regarding a positive response on license renewal.

Dr. Miller discussed incident that occurred in Sept 2019 while working as an ENT doctor at the VA. Was put on review for a month due to a complaint regarding recordkeeping. Was put on review for one month. In Dec 2019 received good review and was given a raise and bonus. Then in 2020 during the COVID situation things went south. July 2020 was told recordkeeping was not as good as it had been. Professional standards board found that a lot of charts were not completed within 24 hours as required. In Nov 2020 was given a letter of separation. Since then, Dr. Miller has been offered a position at his old practice and also signed a contract with St. Elizabeth hospital and will be taking call there.

Dr. Miller's OH and KY licenses were both recently renewed with no Board action taken.

After discussion, the Board moved to APPROVE Dr. Miller's renewal application.

Barai/Masten 4-0-0
Motion carries

Dharmesh Patel, MD, license 01068337A – Renewal - Positive response

Dr. Patel's personal appearance has been CONTINUED.

Maria de las Mercedes Sayago, M.D., Initial App – Waiver – USMLE more than 3 attempts:

Dr. Sayago appeared telephonically and was not represented by counsel regarding a waiver request on initial application.

Dr. Sayago is dyslexic, took her more than 3 attempts to pass portions of the USMLE.

Dr. Sayago is currently looking for locums work in IN, does not currently have a job opportunity here. Board advised that for a waiver they are looking for a three-year contract in an underserved area, not locums work.

After discussion, Dr. Sayago requests to WITHDRAW application.

After further discussion, the Board moved to APPROVE Dr. Sayago's request to withdraw.

CONSENSUS
Motion carries

MEDICAL LICENSING BOARD OF INDIANA

Uzoego Chibuzo, M.D., Initial App – Waiver – Greater than 10 years to complete all USMLE steps:

Dr. Chibuzo appeared telephonically and was not represented by counsel regarding a waiver request on initial application.

Dr. Chibuzo just completed residency in pediatrics, IN would be first license. Is Board eligible, focusing on taking Boards right now.

Dr. Chibuzo is currently looking for work in IN, does not currently have a job opportunity here. Board advised that for a waiver they are looking for a three-year contract in an underserved area, and prefers applicant to be “Boarded”.

After discussion, Dr. Chibuzo requests to WITHDRAW application.

After further discussion, the Board moved to APPROVE Dr. Chibuzo’s request to withdraw.

CONSENSUS
Motion carries

Jacqueline Peters, M.D., Initial App – Waiver and Positive response – More than 3 attempts at USMLE

Dr. Peters appeared telephonically and was not represented by counsel regarding a waiver request on initial application.

Dr. Peters is currently working in MI, recently signed a three-year contract with Gary hospital.

Dr. Peters took four attempts to pass step 3 of the USML. Finished residency in 2000. Is not Board certified, last employer did not require it, looking at taking Boards in 2022.

After discussion, the Board moved to APPROVE Dr. Peters’ request for a waiver pending receipt of contract signed with Gary hospital.

Barai/Masten 4-0-0
Motion carries

Georgia Bustamante, MD, Initial application –Waiver request

Dr. Bustamante did not appear for scheduled appearance.

MEDICAL LICENSING BOARD OF INDIANA

Discussion

OAG Report: The report was presented by a representative of the OAG.

Director's Report: The report was presented by Board Director, Laura Turner

Faizuddin Shareef, MD – CPEP Education Plan

Administrative Hearings

Pierre Dagher, M.D., License No. 01048037A, Cause No. 2021 MLB 0017

Respondent appeared telephonically and was represented by counsel, Steve Allen, regarding a Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Carah Rochester, Deputy Attorney General and the court reporter sworn in for this matter, Heather Orbaugh with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The amended proposed settlement included VOLUNTARY SURRENDER with terms and conditions.

After reviewing the amended proposed settlement agreement and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved ACCEPT the PROPOSED SETTLEMENT AGREEMENT.

Mueller/Barai, 4-0-0
Motion carries

Darryl L. Henry, M.D., License No. 01063685A, Cause No. 2019 MLB 0039

Respondent did not appear telephonically and was not represented by counsel regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Nick Hart, Deputy Attorney General and the court reporter sworn in for this matter, Heather Orbaugh with Accurate Reporting Services also appeared telephonically.

The circumstances in this matter have not changed.

After taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved EXTEND the SUMMARY SUSPENSION for NINETY (90) DAYS.

Barai/McCann, 4-0-0
Motion carries

Michael Porvaznik, M.D., License No. 01060166A, Cause No. 2018 MLB 0013

Respondent appeared telephonically and was represented by counsel, K. Michael Gaerte, regarding a Petition to Modify Probation scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in

MEDICAL LICENSING BOARD OF INDIANA

for this matter, Heather Orbaugh with Accurate Reporting Services also appeared telephonically.

Anne Kelly, PAP coordinator, ISMA (PAP) was sworn in as a witness for the State.

Nancy Bakewell, Administrator/CNO, Monroe Hospital/Monroe Medical Group was sworn in as a witness for the Respondent.

Dr. Porvaznik is asking for permission from the Board to schedule a hearing with the Pharmacy Board to consider reinstating schedule 2 drugs to his CSR license that is on probation.

Ms. Kelly testified that Dr. Porvaznik is in compliance with his ISMA contract, nothing has changed since they issued the April 2021 letter of compliance.

Ms. Bakewell testified that they have not received any patient complaints regarding Dr. Porvaznik and that his inability to write prescriptions for schedule 2 drugs is causing problems with insurance companies and patients with acute pain problems that have to be referred out causing a continuity of care issue.

Respondent's Exhibits:

- 1 A/B/C – Order Approving Proposed Settlement Agreement
- 2 A/B/C – Letter from Dr. Fred Frick at Indiana State Medical Association
- 3 A/B/C – Continuing Education documentation
- 4 A/B/C – Monroe Medical Group letter of reference

After taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved GRANT the REQUEST TO PETITION THE PHARMACY BOARD with regards to Dr. Porvaznik's CSR license.

Barai/Mueller, 4-0-0
Motion carries

There being no further business the Board adjourned at 1:00 p.m.

Upcoming Board Dates

October 28, 2021

December 02, 2021