

**MEDICAL LICENSING BOARD OF INDIANA
INDIANA GOVERNMENT CENTER SOUTH
302 WEST WASHINGTON STREET
CONFERENCE CENTER ROOM C
INDIANAPOLIS, INDIANA 46204**

MINUTES OF AUGUST 27, 2008

Stephen Huddleston, J.D., President called the meeting to order at 8:45 a.m. and declared a quorum in accordance with IC 25-22.5.

Members Present: Stephen Huddleston, J.D., Consumer
Member, President
Bharat Barai, M.D.
(arrived at 9:00 a.m.)
Robert Allen, M.D.
Thomas Akre, D.O., Secretary
(arrived at 9:15 a.m.)
Worthe Holt, Jr., M.D.
Donald Vennekotter, M.D.

Members Absent: Navin Barot, M.D., Vice -President

Staff Present: Kristen Kelley, Board Director
Professional Licensing Agency
Jody Edens, Assistant Board Director
Professional Licensing Agency
James Schmidt, Deputy Attorney General
Office of the Attorney General

The Board voted to adopt the agenda and addendum as amended.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.,
Worthe Holt, Jr., M.D., Donald Vennekotter, M.D.

Holt/Allen, 4/0/0
Motion carries

The Board voted to adopt the minutes of the July 24, 2008 meeting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.,
Worthe Holt, Jr., M.D., Donald Vennekotter, M.D.

Allen/Vennekotter, 4/0/0
Motion carries

PERSONAL APPEARANCES

INITIAL/RENEWAL APPLICANTS

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Donald Vennekotter, M.D., Worthe Holt, Jr., M.D.

The following personal appearance did not appear as scheduled:

- **Shadi M. Ayyas, M.D.** – will be rescheduled

The following appeared before the full Board for their scheduled personal appearance and were sworn in under oath.

- **John Carrozzella, M.D.** – Dr. Carrozzella appeared before the Board regarding positive responses on his re-application and was not represented by counsel.

In 1994/95 Dr. Carrozzella was issued a Letter of Concern; \$1,000 fine; 5 hours CME in risk management by the Florida Medical Board.

In 1994/95 Alabama Medical Board followed suite with a Letter of Reprimand; 5 hours CME Category 1 in risk management, \$1,000 fine.

After discussion the Board moved to APPROVE Dr. Carrozzella for licensure.

Holt/Allen, 4/0/0
Motion carries

- **Maurice Saah, M.D.** – Dr. Saah appeared before the Board regarding a positive response on his initial application and was not represented by counsel.

Early in his internship program, he experienced difficulties that were described as organizational and knowledge deficits. As a result the Program Director decided not to offer a contract renewal. He has not practiced since July 2006 when he completed a 1 year internship.

After discussion the Board gave Dr. Saah the opportunity to withdraw his application for licensure.

After further discussion Dr. Saah requested that the Board allow him to withdraw his application

The Board APPROVED Dr. Saah's request to WITHDRAW his application for licensure.

Allen/Holt, 4/0/0
Motion carries

DISCUSSION

DEA Proposed Rule: Electronic Prescribing of Controlled Substances – The Board asked that Kristen submit comments regarding the proposed rule and indicate that the Board is in favor of electronic prescribing as it will be more efficient and reduce medical errors, however, the Board urges the DEA to put mechanisms in place for practitioners and pharmacies that would address issues of forgery and security.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Donald Vennekotter, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D.

CONSENSUS

Elmer Manalo: Respondent's motion to reconsider dates for exchange of witnesses and petitioner's objection to respondent's motion to reconsider dates for exchange of witnesses – Respondent's counsel Mary Wunder and State's representative Elizabeth Kiefner-Crawford were both in attendance for this discussion.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Donald Vennekotter, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D.

Ms. Wunder explained to the Board that her client (the Respondent) just realized that he needed to give her names for witnesses on Monday August 25th.

Ms. Kiefner-Crawford strongly objected as the Board had already set time limits for the exchange of witnesses and Ms. Wunder had already had one (1) extension of the Board's original date of exchange. Ms. Keifner-Crawford informed the Board that the State complied with the Board's original deadline date.

After discussion the Board moved to DENY Dr. Manalo's request.

Holt/Barai, 5/0/0
Motion carries

Mahesh Goel, M.D. – Board requested that he take CPEP or a similar evaluation. He is requesting the Board's approval to go to PACE or to the University of Wisconsin's Program – The Board discussed Dr. Goel's request.

Dr. Barai moved to approve the request and Dr. Akre seconded it with a vote of 1/0/0 - motion fails.

After further discussion, the Board moved to DENY Dr. Goel's request as the Board does not have enough information to show similarity of the two (2) programs.

Akre/Holt, 5/1/0, with Dr. Barai Objecting
Motion carries

The Board made further note that Dr. Goel should obtain information from each program and send it to the Board with a future request so the Board would have documents of the programs to review for similarity.

Lawrence Bailey, Jr., M.D. – Dr. Bailey sent a letter to the Board requesting that we send a letter to the TX Board recommending that they issue him a training permit to complete a residency, which is a requirement in his Indiana probation order. After discussion, the Board voted that we not send TX a letter, as it is their decision whether they should grant a training permit to Dr. Bailey.

Akre/Holt, 5/1/0, with Dr. Barai Objecting
Motion carries

Competency Evaluation Programs –The Board requested that Ms. Kelley do further research on the different competency programs available. They requested that she invite the programs to give a presentation to the Board. They also requested that she communicate with the Federation of State Medical Boards on which programs they credential and to contact the surrounding states to see whom they use for evaluations.

Jaide Lu, M.D. – request to not be present at settlement conference – After discussion the Board stated that either Dr. Lu or his counsel must be present for the settlement hearing for the Board to consider it.

Akre/Holt, 5/0/1, with Dr. Barai Abstaining

REVIEW OF INITIAL and RENEWAL APPLICATIONS

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Donald Vennekotter, M.D., Thomas Akre, D.O., Worth Holt, Jr., M.D.

The Board reviewed the positive response information on the following applicants and approved them for issuance: Akre/Allen, 5/0/0

Jeffrey Barkmeier, M.D.
Donald Berman, M.D.
Scott Glaser, M.D.

Timothy Beiswenger, M.D.
Sharona Bryant, M.D.
Carl Recine, M.D.

The Board reviewed the positive response information on the following applicants and requested that they personally appear before the Board: Allen/Vennekotter, 5/0/0

David Green, M.D.

Adejare Windokun, M.D.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Donald Vennekotter, M.D., Thomas Akre, D.O., Worth Holt, Jr., M.D., Bharat Barai, M.D.

The Board reviewed the following Physician Assistant Prescriptive Authority applications and approved for issuance of prescriptive authority: Allen/Vennekotter, 6/0/0

Marcella Baumer, 10000454A
Lisa Bobay, 10000360A
Melissa Clark, 10000884A
Brooke Kline, 10000701A
April Richard, 10000851A
Tracy Rothwell, 10000794A
Jamie Vanderwielen, 10000946A
Karey Claywell, 10000626A
Lindsey Kocher, 10000875A

George Browne, III, 10000070A
Tatsiana Calogero, 10000983A
Bradley Hurliman, 10001021A
Kelly McRae, 10000446A
Jeffrey Robinson, 10000708A
Nicole Flanders, 10000784A
Carolyn Montgomery, 10000785A
Marcus Scott, 10000439A
Tigist Opheim, 10000930A

ADMINISTRATIVE HEARINGS

Adolfo P. Hernandez, M.D., License No. 01051677A, Cause No. 2008 MLB 0013

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner-Crawford, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Bharat Barai, M.D., Worth Holt, Jr., M.D., Donald Vennekotter, M.D.

Ms. Kiefner informed the Board that Dr. Hernandez's Federal trial should be completed in October of this year.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for an additional period of ninety (90) days.

Barai/Holt, 5/0/0
Motion carried

Elmer Manalo, M.D., License No. 01040595A, Cause No. 2007 MLB 0025
(Hearing was recessed at 4:35 p.m. and reconvened on Thursday August 28, 2008)

Respondent did appear in person and was represented by Mary Wunder regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner-Crawford, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Bharat Barai, M.D., Thomas Akre, D.O., Donald Vennekotter, M.D., Worthe Holt, Jr., M.D.

The Respondent, Elmer Manalo, M.D. was sworn in to testify.
The Board heard Dr. Manalo's testimony.

The Board recessed for a break at 11:05 a.m. and reconvened with Dr. Manalo's testimony at 11:15 a.m.

The Board heard Dr. Manalo's testimony.

The Board recessed for lunch at 12:00 p.m. and reconvened with Dr. Manalo's testimony at 1:30 p.m.

Gretchen Yordy, Detective with the Indiana State Police. She has been a Diversion Program Investigator for the past 15 years and was sworn in as a witness for the State of Indiana.

The Board heard Detective Yordy's testimony.

The Board recessed for a break at 3:45 p.m. and reconvened at 3:55 p.m.

TF01/Lucy Diaz (undercover name) an undercover DEA Agent was sworn in as a witness for the State of Indiana.

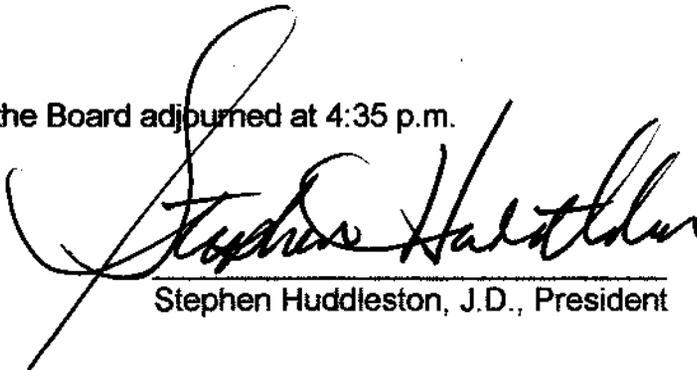
The Board heard Agent Diaz's testimony.

Jason Tortorici, Special Agent with Alcohol, Tobacco and Firearms (AFT) was sworn in as a witness for the State of Indiana.

The Board heard Special Agent Tortorici's testimony.

Mr. Huddleston reminded the Board and witnesses that this hearing was still in process and that they were not to discuss any parts of it with anyone. The Board recessed this hearing for the day at 4:35 p.m.

There being no further business the Board adjourned at 4:35 p.m.

A handwritten signature in black ink, appearing to read "Stephen Huddleston", written over a horizontal line. The signature is cursive and somewhat stylized.

Stephen Huddleston, J.D., President

Thomas Akre, D.O., Secretary